

ENROLLED SENATE
BILL NO. 804

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

An Act relating to state judicial entities; making an appropriation to the Court of Criminal Appeals; stating purpose; specifying that funds be included in certain budget categories; authorizing employment of temporary employees; exempting temporary employees from budgetary limitations; providing for the duties and compensation of employees; limiting the salaries of judges of the Court of Criminal Appeals; providing budgetary limitations; making appropriations to the Supreme Court for the district courts; stating purposes; specifying that funds be included in certain budget categories; limiting the number and salaries of judges; limiting number and salaries of certain employees; authorizing the total or partial refund of payments to the State Judicial Fund by local court funds under certain circumstances; making an appropriation to the Oklahoma Supreme Court; stating purposes; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees of the Supreme Court; setting the salary of the Justices of the Supreme Court; providing for the duties and compensation of employees of the Court of Appeals; setting the salary of the judges of the Court of Appeals; providing budgetary limitations; making an appropriation to the Workers' Compensation Court; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; setting the salary of judges of the Workers' Compensation Court; providing budgetary limitations; authorizing the Workers' Compensation Court to acquire computer system by lease-purchase agreement; providing lapse dates; requiring and prohibiting certain budget procedures; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
COURT OF CRIMINAL APPEALS

SECTION 1. There is hereby appropriated to the Court of Criminal Appeals from any monies not otherwise appropriated from the

General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of One Hundred Eighty-eight Thousand Two Hundred Fourteen Dollars (\$188,214.00) or so much thereof as may be required to perform the duties imposed upon the Court of Criminal Appeals by law.

SECTION 2. For the fiscal year ending June 30, 1997, the Court of Criminal Appeals shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Court Operations	\$2,362,575.00	\$2,667,033.00

SECTION 3. The Court of Criminal Appeals is authorized to employ temporary employees as may be necessary to relieve the backlog of criminal appeal cases. Personnel employed pursuant to the provisions of this section shall be exempt from the limitation on full-time-equivalent employees provided in Section 4 of this act.

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Criminal Appeals by law shall be set by the Judges of the Court of Criminal Appeals. The salary of the Presiding Judge shall not exceed Ninety Thousand Five Hundred Dollars (\$90,500.00) per annum, payable monthly, and the salary of each of the four other Judges shall not exceed Eighty-seven Thousand Seven Hundred Dollars (\$87,700.00) each per annum, payable monthly for the period July 1, 1996 to December 31, 1996. Beginning January 1, 1997, the salary of the Presiding Judge shall not exceed Ninety-six Thousand Five Hundred Dollars (\$96,500.00) per annum, payable monthly, and the salary of each of the four other Judges shall not exceed Ninety-four Thousand Dollars (\$94,000.00) each per annum, payable monthly. The Court of Criminal Appeals, for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	36.0
Lease-Purchase Agreements	\$53,211.00

DISTRICT COURTS

SECTION 5. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the amount of One Million Eight Hundred Fifty-seven Thousand Seven Hundred Forty-seven Dollars (\$1,857,747.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

SECTION 6. For the fiscal year ending June 30, 1997, the District Courts shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Court Operations	\$28,642,624.00	\$28,842,624.00

SECTION 7. The annual compensation of officials and employees of the district courts payable monthly from appropriated funds for the period July 1, 1996 to December 31, 1996, shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY
District Judge	71	\$75,000.00
Associate District Judge		
County Population over		

30,000	32	\$70,000.00
County Population 10,000 to 30,000	30	\$62,500.00
County Population under 10,000	15	\$58,000.00
Special Judge	76	\$58,000.00

SECTION 8. For the fiscal year ending June 30, 1997, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY RANGE	
		MINIMUM	MAXIMUM
Court Reporter	188	\$19,236.00	\$28,174.00
Trial Court Administrator	2	\$31,264.00	\$54,971.00
Secretary to Administrative District 9	9	\$11,849.00	\$17,827.00
Presiding Judge of the Judicial Secretary Bailiff	145	\$11,051.00	\$17,351.00
Budget Analyst	2	\$32,000.00	\$54,847.00
TOTAL	570.0		

SECTION 9. Beginning January 1, 1997, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY
District Judge	71	\$82,000.00
Associate District Judge County Population over 30,000	32	\$76,000.00
County Population 10,000 to 30,000	30	\$70,000.00
County Population under 10,000	15	\$64,000.00
Special Judge	76	\$64,000.00

SECTION 10. A. Payments made by local court funds to the State Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma Statutes during fiscal year 1997 may be totally or partially refunded upon approval by the Chief Justice to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes. All such refunds shall be paid from the Supreme Court Revolving Fund.

B. When local court funds are insufficient to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes or outstanding liabilities for constitutionally mandated services and items of expense, a claim may be filed with the

Administrative Office of the Courts by a Court Fund Governing Board, or by the person or corporation to whom money is due as verified by the Court Fund Governing Board or by the Administrative Office of the Courts. All such claims shall be filed with the Administrative Office of the Courts by July 31, 1997. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

SUPREME COURT

SECTION 11. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the amount of Two Hundred Thirty-nine Thousand Six Hundred Sixty-seven Dollars (\$239,667.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court and the Court of Appeals by law.

SECTION 12. For the fiscal year ending June 30, 1997, the State Supreme Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Supreme Court Justices and Staff	\$3,488,543.00	\$3,488,543.00
Court of Appeals	2,972,762.00	2,972,762.00
Administrative Office of the Courts	641,200.00	741,200.00
Court Clerk's Office	422,300.00	422,300.00
Court Services	1,300,583.00	2,350,583.00
Dispute Mediation	<u>464,494.00</u>	<u>464,494.00</u>
Total	\$9,289,882.00	\$10,439,882.00

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Supreme Court by law shall be set by the Supreme Court Justices by majority vote. The salary of the Chief Justice shall be Ninety Thousand Five Hundred Dollars (\$90,500.00) and the salary of each of the eight Associate Justices shall be Eighty-seven Thousand Seven Hundred Dollars (\$87,700.00) each per annum, payable monthly for the period July 1, 1996 to December 31, 1996. Beginning January 1, 1997, the salary of the Chief Justice shall be Ninety-six Thousand Five Hundred Dollars (\$96,500.00) and the salary of each of the eight Associate Justices shall be Ninety-four Thousand Dollars (\$94,000.00) each per annum, payable monthly.

SECTION 14. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Appeals by law shall be set by the Court of Appeals, subject to the approval of the Supreme Court. The salary of the Chief Judge of the Court of Appeals shall be Eighty-two Thousand Five Hundred Dollars (\$82,500.00) and the salary of each of the eleven Court of Appeals Judges shall be Eighty-one Thousand Five Hundred Dollars (\$81,500.00) per annum, payable monthly for the period July 1, 1996 to December 31, 1996. Beginning January 1, 1997, the salary of the Chief Judge of the Court of Appeals shall be Eighty-nine Thousand Dollars (\$89,000.00) and the salary of each of the eleven Court of Appeals Judges shall be Eighty-eight Thousand Dollars (\$88,000.00) per annum, payable monthly.

SECTION 15. The State Supreme Court and the Court of Appeals for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees

and expenditures, excluding expenditures for capital and special projects and excluding lawful expenditures from the State Judicial Fund, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	142.0
Lease-Purchase Agreements	\$34,000.00

WORKERS' COMPENSATION COURT

SECTION 16. There is hereby appropriated to the Workers' Compensation Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the amount of Two Hundred Sixty Thousand Ninety-four Dollars (\$260,094.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 17. For the fiscal year ending June 30, 1997, the Workers' Compensation Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Administrative Services	\$867,150.00	\$1,317,251.00
General Court Operations	<u>3,561,101.00</u>	<u>4,514,601.00</u>
Total	\$4,428,251.00	\$5,831,852.00

SECTION 18. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Workers' Compensation Court by law shall be set by the Administrator. The salary of the ten Judges of the Workers' Compensation Court shall be Seventy-five Thousand Dollars (\$75,000.00) each per annum, payable monthly for the period July 1, 1996 to December 31, 1996. Beginning January 1, 1997, the salary of the ten Judges of the Workers' Compensation Court shall be Eighty-two Thousand Dollars (\$82,000.00) each per annum, payable monthly. The Workers' Compensation Court for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	97.0
Lease-Purchase Agreement	\$945,000.00

SECTION 19. Pursuant to the requirements of paragraphs 4 and 5 of subsection I of Section 85.4 of Title 74 of the Oklahoma Statutes, the Workers' Compensation Court is hereby authorized to acquire a computer system by lease-purchase agreement. Further, the term of the lease-purchase agreement may be in excess of three (3) years but not to exceed five (5) years.

SECTION 20. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 5, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after

the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 21. This act shall become effective September 1, 1996.
Passed the Senate the 23rd day of May, 1996.

President of the Senate

Passed the House of Representatives the 23rd day of May, 1996.

Speaker of the House of
Representatives