

SHORT TITLE: Appropriations for state law enforcement entities;  
effective date; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 818

By: Haney and Hobson of the  
Senate

and

Hamilton and Steidley of  
the House

AS INTRODUCED

An Act funding law enforcement entities; making an appropriation to the Alcoholic Beverage Laws Enforcement Commission; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing that certain positions shall be unclassified positions; providing budgetary limitations; making an appropriation to the Council on Law Enforcement Education and Training; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; limiting expenditures for certain purpose; making an appropriation to the Oklahoma State Bureau of Investigation; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; authorizing transfer of funds to an agency special account for

certain purposes; limiting amount authorized to be transferred; requiring certain reports; making an appropriation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; limiting amount of appropriation which may be used for certain purpose; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring promulgation of certain rules; making an appropriation to the Department of Public Safety; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; providing budgetary limitations; providing exceptions to the budgetary limitations; limiting expenditures for certain purpose; authorizing a Patrol Academy; making an appropriation to the Board of Medicolegal Investigations; stating purpose; specifying that all funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Chief Medical Examiner; providing budgetary limitations; providing lapse date; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

SECTION 1. There is hereby appropriated to the Alcoholic Beverage Laws Enforcement Commission 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law.

SECTION 2. For the fiscal year ending June 30, 1997, the Alcoholic Beverage Laws Enforcement Commission shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$0.00	\$0.00
Business Office	0.00	0.00
Enforcement	0.00	0.00
Motor Vehicle Operations	0.00	0.00
Alcohol Education	<u>0.00</u>	<u>0.00</u>
Total	\$0.00	\$0.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law shall be set by the Director. The salary of the Director shall not exceed Fifty-five Thousand Four Hundred Five Dollars (\$55,405.00) per annum, payable monthly for the fiscal year ending June 30, 1997. Three (3) Administrative Service Assistants shall be unclassified positions. The Alcoholic Beverage Laws Enforcement Commission 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>
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Full-time-equivalent Employees 0.0

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

SECTION 4. There is hereby appropriated to the Council on Law Enforcement Education and Training from any monies not otherwise appropriated from the C.L.E.E.T. Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Council on Law Enforcement Education and Training by law.

SECTION 5. For the fiscal year ending June 30, 1997, the Council on Law Enforcement Education and Training shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$0.00	\$0.00
Training Services	0.00	0.00
Private Security Services	<u>0.00</u>	<u>0.00</u>
Total	\$0.00	\$0.00

SECTION 6. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Council on Law Enforcement Education and Training by law shall be set by the Director. The salary of the Director shall not exceed Forty-four Thousand Two Hundred Seventy-five Dollars (\$44,275.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Council on Law Enforcement Education and Training 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 7. The Council on Law Enforcement Education and Training shall not expend more than Fourteen Thousand Five Hundred Dollars (\$14,500.00) to support the Polygraph Examiners Board for the fiscal year ending June 30, 1997.

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 8. There is hereby appropriated to the Oklahoma State Bureau of Investigation 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law.

SECTION 9. For the fiscal year ending June 30, 1997, the Oklahoma State Bureau of Investigation shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$0.00	\$0.00
Investigations	0.00	0.00
Laboratory Systems	0.00	0.00
Information Services	<u>0.00</u>	<u>0.00</u>
Total	\$0.00	\$0.00

SECTION 10. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law shall be set by the Director. The salary of the Director shall not exceed Sixty-one Thousand Four Hundred Seventy-four Dollars (\$61,474.00) per annum, payable monthly for the fiscal year ending June 30, 1997. One (1) Information Representative, one (1) Legal Officer and two (2) Special Investigators shall be unclassified positions. The Oklahoma State Bureau of Investigation 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	0.0

SECTION 11. Of the amount appropriated to the Oklahoma State Bureau of Investigation, a maximum of Fifty Thousand Dollars (\$50,000.00) may be transferred to an agency special account for the purpose of purchasing evidence items, paying fees to informers or special employees, paying expenses incurred in the prosecution and defense of civil actions, and paying other expenses as incurred under the Evidence Fund activity in trying to apprehend and convict violators of the laws of the state. The Oklahoma State Bureau of Investigation shall report income to the Evidence Fund annually pursuant to the provisions of Sections 41.7c and 41.29 of Title 62 of the Oklahoma Statutes.

OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL

SECTION 12. There is hereby appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law.

SECTION 13. For the fiscal year ending June 30, 1997, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$0.00	\$0.00
Enforcement	0.00	0.00
OSTAR	<u>0.00</u>	<u>0.00</u>
Total	\$0.00	\$0.00

SECTION 14. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law shall be set by the Director. The salary of the Director shall not exceed Fifty-seven Thousand Six Hundred Forty-seven Dollars (\$57,647.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees, except hours coded as overtime wages, 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 15. Of the amount appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control a maximum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) may be used to purchase or lease special purpose vehicles which may be utilized in undercover investigations.

SECTION 16. Of the amount appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) may be transferred to an agency special account established pursuant to the provisions of Section 7.2 of Title 62 of the Oklahoma Statutes. Funds in this account are to purchase controlled dangerous substances to be used as evidence in narcotic cases, for fees for informers, or employees, and for other expenses necessary to apprehend and convict violators of state laws regulating controlled dangerous substances. The Director of the Oklahoma State Bureau of Narcotics and Dangerous

Drugs Control and the Director of State Finance shall promulgate rules for the expenditure of the funds transferred by this section.

DEPARTMENT OF PUBLIC SAFETY

SECTION 17. There is hereby appropriated to the Department of Public Safety 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 18. For the fiscal year ending June 30, 1997, the Department of Public Safety shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$0.00	\$0.00
Law Enforcement Services	0.00	0.00
Motor Vehicle Operations	0.00	0.00
Lake Patrol	0.00	0.00
Capitol Patrol	0.00	0.00
Driver's Licensing	0.00	0.00
Size and Weight Permits	0.00	0.00
Management Information Services	0.00	0.00
Highway Safety Office	0.00	0.00
Board of Chemical Tests	<u>0.00</u>	<u>0.00</u>
Total	\$0.00	\$0.00

SECTION 19. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Public Safety by law shall be set by the Director. The Department of Public Safety for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, except the full-time-equivalent employee limit shall not include cadets while they are members of a patrol school or during their

employment in probationary status nor shall it include temporary Lake Patrol Officers employed pursuant to Section 840-5.5 of Title 74 of the Oklahoma Statutes, 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 20. Of the monies available to the Department of Public Safety, not more than One Hundred Seventy Thousand Dollars (\$170,000.00) may be used to support the Board of Tests for Alcohol and Drug Influence for the fiscal year ending June 30, 1997.

SECTION 21. The Department of Public Safety, for the fiscal year ending June 30, 1997, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

BOARD OF MEDICOLEGAL INVESTIGATIONS

SECTION 22. There is hereby appropriated to the Board of Medicolegal Investigations 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 23. For the fiscal year ending June 30, 1997, the Board of Medicolegal Investigations shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$0.00	\$0.00
Investigations	\$0.00	\$0.00

SECTION 24. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law shall be set by the Board. The salary of the Chief Medical Examiner shall not

exceed Ninety-two Thousand Nine Hundred Nine Dollars (\$92,909.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Board of Medicolegal Investigations 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, intra-agency payments 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	0.0

SECTION 25. 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 15, 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 26. This act shall become effective July 1, 1996.

SECTION 27. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

45-2-1980

PWA