

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1825

By: Hamilton and Settle of  
the House

and

Haney and Hobson of the  
Senate

CONFERENCE COMMITTEE SUBSTITUTE

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 an appropriation to the Supreme Court for the district courts; stating purpose; 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 purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees of the Supreme Court; setting the salaries of the Justices of the Supreme Court; providing for the duties and compensation of employees of the Court of Civil Appeals; setting the salaries of the judges of the Court of Civil 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 salaries of judges of the Workers' Compensation Court; providing budgetary limitations; providing lapse dates; requiring certain budget procedures; 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, 1998, the sum of Sixty-four Thousand Five Hundred Thirty-seven Dollars (\$64,537.00) 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, 1998, 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	\$2,427,112.00	\$2,597,112.00

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-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, 1998, 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, 1998, the amount of One Million Two Hundred Sixty-eight

Thousand Nine Hundred Fifty-three Dollars (\$1,268,953.00) 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, 1998, the District Courts shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Court Operations	\$29,911,577.00	\$30,161,577.00

SECTION 7. The annual compensation of officials and employees of the District Courts payable monthly from appropriated funds for the fiscal year ending June 30, 1998, 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	72	\$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	77	\$64,000.00

SECTION 8. For the fiscal year ending June 30, 1998, 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, and the District Courts 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.

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY RANGE
		MINIMUM      MAXIMUM

Court Reporter	191	\$19,236.00	\$28,174.00
Trial Court Administrator	2		20 O.S., Section 126
Secretary to Administrative Presiding Judge of the Judicial District	9	\$11,849.00	\$17,827.00
Secretary Bailiff	151	\$11,051.00	\$17,351.00
Budget Analyst	2	\$32,000.00	\$54,847.00
TOTAL	583.0		

SECTION 9. 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 1998 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, 1998. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

SUPREME COURT

SECTION 10. 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, 1998, the amount of Three Hundred Twenty-five Thousand One Dollars (\$325,001.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court and the Court of Civil Appeals by law.

SECTION 11. For the fiscal year ending June 30, 1998, 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	\$ 3,715,521.00	\$ 3,828,921.00
Court of Civil Appeals	3,141,376.00	3,208,776.00
Administrative Office of the Courts	1,416,589.00	2,168,713.00
Court Clerk's Office	247,797.00	465,636.00
Supreme Court Management Information Services	944,054.00	1,074,215.00
Dispute Mediation	<u>599,546.00</u>	<u>599,546.00</u>
TOTAL	\$10,064,883.00	\$11,345,807.00

SECTION 12. 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. For the fiscal year ending June 30, 1998, 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 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Civil Appeals by law shall be set by the Court of Civil Appeals, subject to the approval of the Supreme Court. For the fiscal year ending June 30, 1998, the salary of the Chief Judge of the Court of Civil Appeals shall be Eighty-nine Thousand Dollars (\$89,000.00) and the salary of each of the eleven Court of Civil Appeals Judges shall be Eighty-eight Thousand Dollars (\$88,000.00) per annum, payable monthly.

SECTION 14. The State Supreme Court and the Court of Civil Appeals for the fiscal year ending June 30, 1998, 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	\$50,000.00

WORKERS' COMPENSATION COURT

SECTION 15. 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, 1998, the amount of One Hundred Fifty-two Thousand Nine Hundred Fifty Dollars (\$152,950.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 16. For the fiscal year ending June 30, 1998, 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	\$733,339.00	\$1,398,851.00
General Court Operations	<u>2,714,800.00</u>	<u>5,113,341.00</u>
TOTAL	\$3,448,139.00	\$6,512,192.00

SECTION 17. 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. For the fiscal year ending June 30, 1998, the salary of each 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, 1998, 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	101.0
Lease-Purchase Agreement	\$1,686,830.00

SECTION 18. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98) or may

be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99). Funds budgeted for FY-98 may be encumbered only through June 30, 1998, and must be expended by November 15, 1998. Any funds remaining after November 15, 1998, and not budgeted for FY-99, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-99 may be encumbered only through June 30, 1999. Any funds remaining after November 15, 1999, 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-98, and not required to pay obligations for that fiscal year, may be budgeted for FY-99 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-98 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 19. This act shall become effective September 1, 1997.

46-1-10190      AK