

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1837

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to law enforcement entities; making an appropriation to the Alcoholic Beverage Laws Enforcement Commission; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; making an appropriation to the Council on Law Enforcement Education and Training; stating purpose; specifying that 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; specifying that 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; specifying function for certain full-time equivalent employees; providing for contingency; making an appropriation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stating purpose; specifying that 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; amending 63 O.S. 1991, Section 2-503, as last amended by Section 2, Chapter 347, O.S.L. 1996 (63 O.S. Supp. 1996, Section 2-503), which relates to forfeitures; modifying amount of funds available for expenditure; making an appropriation to the Department of Public Safety; stating purpose; specifying that 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; making appropriation to Department of Public Safety; stating purpose; authorizing use of funds for certain purpose; authorizing expenditure for vehicles; authorizing a Patrol Academy; imposing certain limits; making an appropriation to the Board of Medicolegal Investigations; stating purpose; specifying that funds be included in certain budget categories; limiting the salary of the Chief Medical Examiner; providing for the duties and compensation of employees; providing budgetary limitations; providing lapse dates; and providing an effective date.

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, 1998, the sum of Two Hundred Sixty-one Thousand Five Hundred Seventy-six Dollars (\$261,576.00) 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, 1998, the Alcoholic Beverage Laws Enforcement Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 645,087.00	\$ 645,087.00
Business Office	1,157,945.00	1,157,945.00
Enforcement	1,660,420.00	1,683,420.00
Motor Vehicle Operations	59,000.00	99,000.00
Alcohol Education	<u>0.00</u>	<u>72,264.00</u>
Total	\$3,522,452.00	\$3,657,716.00

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-six Thousand Six Hundred Five Dollars (\$56,605.00) per annum, payable monthly for the fiscal year ending

June 30, 1998. The Alcoholic Beverage Laws Enforcement Commission 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	71.0

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 General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1998, the sum of One Hundred Forty-five Thousand Eight Hundred Twelve Dollars (\$145,812.00) 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, 1998, the Council on Law Enforcement Education and Training shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 409,037.00	\$ 409,037.00
Training Services	1,439,947.00	1,519,947.00
Private Security Services	<u>360,658.00</u>	<u>362,658.00</u>
Total	\$2,209,642.00	\$2,291,642.00

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-seven Thousand Seven Hundred Forty-nine Dollars (\$47,749.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Council on Law Enforcement Education and Training 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	34.0
Lease-Purchase Agreements	\$35,000.00

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, 1998.

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 8. For the fiscal year ending June 30, 1998, the Oklahoma State Bureau of Investigation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$1,167,039.00	\$ 1,982,140.00
Investigations	3,528,405.00	4,693,553.00
Criminalistics	2,445,813.00	4,746,331.00
Information Services	<u>1,827,428.00</u>	<u>5,992,110.00</u>
Total	\$8,968,685.00	\$17,414,134.00

SECTION 9. 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-two Thousand Six Hundred Seventy-four Dollars (\$62,674.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Oklahoma State Bureau of Investigation for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees, excluding 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	261.0

SECTION 10. 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.

SECTION 11. Of the Two Hundred Sixty-one (261) full-time-equivalent employee positions authorized for the Oklahoma State Bureau of Investigation in this act, eleven (11.0) shall perform duties in accordance with the Criminal Intelligence Unit, nine (9.0) shall perform duties in accordance with the Criminal Records Audit Unit, and five (5) shall perform duties in accordance with the Marijuana Analysis Project. The continuation of these full-time-equivalent employees is contingent upon sufficient agency revolving funds and federal funding to support them.

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, 1998, the sum of Fifty-seven Thousand Nine Hundred Forty-nine Dollars (\$57,949.00) 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, 1998, the Bureau of Narcotics and Dangerous Drugs Control shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,659,230.00	\$4,850,000.00
Enforcement	1,910,874.00	5,550,000.00
OSTAR	<u>552,160.00</u>	<u>552,160.00</u>
Total	\$4,122,264.00	\$10,952,160.00

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-eight Thousand Eight Hundred Forty-seven Dollars (\$58,847.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for the fiscal year ending June 30, 1998, 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	97.0

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.

SECTION 17. AMENDATORY 63 O.S. 1991, Section 2-503, as last amended by Section 2, Chapter 347, O.S.L. 1996 (63 O.S. Supp. 1996, Section 2-503), is amended to read as follows:

Section 2-503. A. The following shall be subject to forfeiture:

1. All controlled dangerous substances which have been manufactured, distributed, dispensed, acquired, concealed or possessed in violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title;

2. All raw materials, products and equipment of any kind and all drug paraphernalia as defined by the Uniform Controlled Dangerous Substances Act, which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting, injecting, ingesting, inhaling, or otherwise introducing into the human body any controlled dangerous substance in violation of the provisions of the Uniform Controlled Dangerous Substances Act;

3. All property which is used, or intended for use, as a container for property described in paragraphs 1 and 2 of this subsection;

4. All conveyances, including aircraft, vehicles, vessels, or farm implements which are used to transport, conceal, or cultivate for the purpose of distribution as defined in Section 2-101 of this Title, or which are used in any manner to facilitate the transportation or cultivation for the purpose of sale or receipt of property described in paragraphs 1 or 2 of this subsection or when the property described in paragraphs 1 or 2 of this subsection is unlawfully possessed by an occupant thereof, except that:

- a. no conveyance used by a person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provisions of the Uniform Controlled Dangerous Substances Act unless it shall appear that the owner or other person in charge of such conveyance was a consenting party or

privity to a violation of the Uniform Controlled Dangerous Substances Act, and

- b. no conveyance shall be forfeited under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the knowledge or consent of such owner, and if the act is committed by any person other than such owner the owner shall establish further that the conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of any state;

5. All books, records and research, including formulas, microfilm, tapes and data which are used in violation of the Uniform Controlled Dangerous Substances Act;

6. All things of value furnished, or intended to be furnished, in exchange for a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act, all proceeds traceable to such an exchange, and all monies, negotiable instruments, and securities used, or intended to be used, to facilitate any violation of the Uniform Controlled Dangerous Substances Act;

7. All moneys, coin and currency found in close proximity to forfeitable substances, to forfeitable drug manufacturing or distribution paraphernalia or to forfeitable records of the importation, manufacture or distribution of substances, which are rebuttably presumed to be forfeitable under Section 2-101 et seq. of this title. The burden of proof is upon claimants of the property to rebut this presumption;

8. All real property, including any right, title, and interest in the whole of any lot or tract of land and any appurtenance or improvement thereto, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of the Uniform Controlled Dangerous Substances Act which is punishable by imprisonment for more than one (1) year, except that no property right, title or interest

shall be forfeited pursuant to this paragraph, by reason of any act or omission established by the owner thereof to have been committed or omitted without the knowledge or consent of that owner; and

9. All weapons possessed, used or available for use in any manner to facilitate a violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title.

B. Any property or thing of value of a person is subject to forfeiture if it is established by a preponderance of the evidence that such property or thing of value was acquired by such person during the period of the violation of the Uniform Controlled Dangerous Substances Act or within a reasonable time after such period and there was no likely source for such property or thing of value other than the violation of the Uniform Controlled Dangerous Substances Act.

C. Any property or thing of value of a person is subject to forfeiture if it is established by a preponderance of the evidence that the person has not paid all or part of a fine imposed pursuant to the provisions of Section 2-415 of this title.

D. All items forfeited in this section shall be forfeited under the procedures established in Section 2-506 of this title. Whenever any item is forfeited pursuant to this section except for items confiscated by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Oklahoma Department of Corrections, or the Office of the Attorney General, the district court of the district shall order that such item, money, or monies derived from the sale of such item be deposited by the state, county or city law enforcement agency which seized the item in the revolving fund provided for in Section 2-506 of this title; provided, such item, money or monies derived from the sale of such item forfeited due to nonpayment of a fine imposed pursuant to the provisions of Section 2-415 of this title shall be apportioned as provided in Section 2-416 of this title. Items, money or monies seized pursuant to subsections A and B of this section shall not

be applied or considered toward satisfaction of the fine imposed by Section 2-415 of this title. All raw materials used or intended to be used by persons to unlawfully manufacture or attempt to manufacture any controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act shall be summarily forfeited pursuant to the provisions of Section 2-505 of this title.

E. All property taken or detained under this section by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Oklahoma Department of Corrections, or the Office of the Attorney General, shall not be repleviable, but shall remain in the custody of the Bureaus, Departments, Commission, or Office, respectively, subject only to the orders and decrees of a court of competent jurisdiction. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Commissioner of Public Safety, the Director of the Oklahoma State Bureau of Investigation, the Director of the Alcoholic Beverage Laws Enforcement Commission, the Director of the Oklahoma Department of Corrections, and the Attorney General shall follow the procedures outlined in Section 2-506 of this title dealing with notification of seizure, intent of forfeiture, final disposition procedures, and release to innocent claimants with regard to all property included in this section detained by the Oklahoma Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Oklahoma Department of Corrections, or the Office of the Attorney General. Property taken or detained by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Oklahoma Department of Corrections, or the Office of the Attorney General shall be disposed of or sold pursuant to the provisions of Section 2-508 of this title.

F. The proceeds of any forfeiture of items seized by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be distributed as follows:

1. To the bona fide or innocent purchaser, conditional sales vendor or mortgagee of the property, if any, up to the amount of his interest in the property, when the court declaring a forfeiture orders a distribution to such person; and

2. The balance to the Oklahoma State Bureau of Narcotics' revolving fund or the Bureau's agency special account established pursuant to Section 7.2 of Title 62 of the Oklahoma Statutes, provided the Bureau may enter into agreements with municipal, county, state or federal law enforcement agencies, assisting in the forfeiture or underlying criminal investigation, to return to such an agency a percentage of said proceeds.

The Bureau may expend up to ~~Five Hundred Thousand Dollars (\$500,000.00)~~ Nine Hundred Thousand Dollars (\$900,000.00) of the forfeited funds within a fiscal year without prior approval of the Legislature. Documentation of such expenditures shall be forwarded to the Governor, Speaker of the House of Representatives and the President Pro Tempore of the Senate on a quarterly basis. Any additional expenditures of forfeited funds shall be pre-approved by the annual appropriations process or the Contingency Review Board.

G. Any agency that acquires seized or forfeited property or money shall maintain a true and accurate inventory and record of all such property seized pursuant to this section.

DEPARTMENT OF PUBLIC SAFETY

SECTION 18. 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, 1998, the sum of One Million Eight Hundred Four Thousand Sixty-four Dollars (\$1,804,064.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 19. For the fiscal year ending June 30, 1998, the Department of Public Safety shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 6,697,629.00	\$ 7,347,629.00
Law Enforcement Services	25,378,247.00	36,378,247.00
Motor Vehicle Operations	4,187,302.00	5,087,302.00
Lake Patrol	1,624,705.00	2,474,705.00
Capitol Patrol	1,763,027.00	2,063,027.00
Driver's Licensing	8,374,832.00	8,574,832.00
Size and Weight Permits	708,450.00	798,450.00
Management Information Services	5,670,020.00	9,170,020.00
Highway Safety Office	130,121.00	4,235,121.00
Board of Chemical Tests	170,000.00	170,000.00
Criminal Justice Resource Center	<u>473,494.00</u>	<u>623,494.00</u>
Total	\$55,177,827.00	\$76,922,827.00

SECTION 20. 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, 1998, 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	1,386.0
Lease-Purchase Agreements	\$630,500.00

SECTION 21. Of the monies appropriated to the Department of Public Safety not more than Sixty-five Thousand Dollars

(\$65,000.00) shall be used for the annual lease payment of the Clinton/Sherman Industrial Complex.

SECTION 22. 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, 1998.

SECTION 23. The Department of Public Safety is hereby authorized to expend Five Hundred Thousand Dollars (\$500,000.00) from the Department of Public Safety Patrol Vehicle Revolving Fund for the fiscal year ending June 30, 1998, for the purchase of patrol vehicles and equipment necessary to equip those vehicles.

SECTION 24. The Department of Public Safety, for the fiscal year ending June 30, 1998, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

BOARD OF MEDICOLEGAL INVESTIGATIONS

SECTION 25. 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, 1998, the sum of Nine Hundred Twenty-five Thousand Six Hundred Seventy Dollars (\$925,670.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 26. For the fiscal year ending June 30, 1998, the Board of Medicolegal Investigations shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative	\$ 376,700.00	\$ 376,700.00
Investigations	<u>3,143,042.00</u>	<u>4,014,089.00</u>
Total	\$3,519,742.00	\$4,390,789.00

SECTION 27. 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-five Thousand Six Hundred Ninety-six Dollars (\$95,696.00) per annum, payable monthly for the fiscal

year ending June 30, 1998. The Board of Medicolegal Investigations 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, intra-agency payments and special projects, except as 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	60.0

SECTION 28. 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 29. This act shall become effective September 1, 1997.

46-1-10189 JG