

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE
SUBSTITUTE FOR ENGROSSED
HOUSE BILL NO. 1895

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to compensation and benefits; amending 74 O.S. 1991, Section 250.4, as amended by Section 3, Chapter 239, O.S.L. 1994 (74 O.S. Supp. 1996, Section 250.4), which relates to salaries of certain officials; modifying salary of Governor and Attorney General; providing for maximum salary amounts of Cabinet Secretaries; prescribing salaries for Chief Justice of Oklahoma Supreme Court and Associate Justices; prescribing salaries for Presiding Judge of Oklahoma Court of Criminal Appeals and Judges of the Court of Criminal Appeals; prescribing salaries for Presiding Judge of Oklahoma Court of Civil Appeals and Judges of Oklahoma Court of Civil Appeals; amending 20 O.S. 1991, Section 31, which relates to salaries of certain judges; deleting reference; prescribing salaries for district judges, associate district judges and special judges; prescribing salary for judge of Workers' Compensation Court; amending 19 O.S. 1991, Section 215.30, as last amended by Section 3, Chapter 24, O.S.L. 1996 (19 O.S. Supp. 1996, Section 215.30), which relates to salary of district attorneys; modifying salary; specifying effective date of salary; amending 68 O.S. 1991, Section 102.1, as amended by Section 21, Chapter 367, O.S.L. 1992 (68 O.S. Supp. 1996, Section 102.1), which relates to salaries of Commissioners of the Oklahoma Tax Commission; modifying salary amounts; prescribing date of modification; amending Section 10, Chapter 400, O.S.L. 1992, as amended by Section 1, Chapter 221, O.S.L. 1993 (74 O.S. Supp. 1996, Section 1370), which relates to flexible benefits; increasing certain allowance; providing for increase during certain fiscal years; providing for lump-sum payment amount to certain employees; defining term; amending 26 O.S. 1991, Section 2-118, as last amended by Section 2, Chapter 57, O.S.L. 1996 (26 O.S. Supp. 1996, Section 2-118), which relates to compensation of county election board secretaries; modifying compensation; modifying annual salary of employees of Conservation Districts; providing for contributions to Oklahoma State Employees Deferred Savings Incentive Plan Fund; prescribing procedures for contributions; defining term; requiring certain information to be provided to employees; requiring rules and preparation of plan documents; excluding certain

employees from definition of qualified participant; creating Oklahoma State Employees Deferred Savings Incentive Plan Fund; prescribing procedures; amending 74 O.S. 1991, Section 291.1, which relates to certain per diem; modifying authorized per diem; providing for per diem equivalent to amount authorized by certain provisions of Internal Revenue Code of 1986, as amended; amending 74 O.S. 1991, Section 456, as amended by Section 4, Chapter 336, O.S.L. 1995 (74 O.S. Supp. 1996, Section 456), which relates to certain per diem amounts; providing for per diem equivalent to amount authorized by Internal Revenue Code of 1986, as amended; amending 74 O.S. 1991, Section 500.4, as amended by Section 2, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1996, Section 500.4), which relates to mileage reimbursement; modifying method to determine reimbursement for mileage; providing for payment of certain amounts to retirees; providing for payments to retirees and beneficiaries of members of Oklahoma Firefighters Pension and Retirement System, Oklahoma Police Pension and Retirement System, Oklahoma Law Enforcement Retirement System, and Oklahoma Public Employees Retirement System; prescribing amount of payment; providing certain payment made based upon years of service; providing payment based upon disability and length of service; prescribing procedures for payment; amending 70 O.S. 1991, Section 17-105, as last amended by Section 1 of Enrolled Senate Bill No. 181 of the 1st Session of the 46th Oklahoma Legislature, which relates to benefit payments in the Teachers' Retirement System of Oklahoma; increasing amount of certain death benefit; making appropriations to the Oklahoma Arts Council, State Board of Education, Oklahoma Education Television Authority, Oklahoma State Regents for Higher Education, Department of Libraries, Commissioners of the Land Office, Physician Manpower Training Commission, Board of Private Vocational Schools, Board of Trustees of the Oklahoma School of Science and Mathematics, Oklahoma Center for the Advancement of Science and Technology, State Board of Vocational and Technical Education, Oklahoma Commission for Teacher Preparation, Office of the State Auditor and Inspector, State Election Board, State Ethics Commission, Office of State Finance, Office of the Governor, Oklahoma House of Representatives, Legislative Service Bureau, Office of the Lieutenant Governor, Oklahoma Merit Protection Commission, Office of Personnel Management, Department of Central Services, Secretary of State, Oklahoma State Senate, Oklahoma Tax Commission, Office of the State Treasurer, Department of Civil Emergency Management, Military Department, Oklahoma Department of Commerce, Commission on Children and Youth, Office of Handicapped Concerns, Human Rights Commission, Department of Human Services, Department of Rehabilitation Services, Indian Affairs Commission, Office of Juvenile Affairs, State Department of Health, University Hospitals Authority, Oklahoma Health Care Authority, J.D. McCarty Center for Handicapped Children, Department of Mental Health and Substance Abuse Services, Oklahoma Department of Veterans Affairs, State Department of Agriculture, State Banking Department, Oklahoma Consumer Credit Commission, Oklahoma Conservation Commission, Corporation Commission, Department of Environmental Quality, Oklahoma Horse Racing Commission, State Insurance Department, Oklahoma Department of Labor, Oklahoma Liquefied Petroleum Gas Board, Department of

Mines, Oklahoma Securities Commission, Oklahoma Tourism and Recreation Department, Oklahoma Water Resources Board, Oklahoma Historical Society, J.M. Davis Memorial Commission, Will Rogers Memorial Commission, Alcoholic Beverage Laws Enforcement Commission, Department of Corrections, State Fire Marshal, Oklahoma State Bureau of Investigation, Council on Law Enforcement Education and Training, Board of Medicolegal Investigations, Bureau of Narcotics and Dangerous Drugs, Pardon and Parole Board, Department of Public Safety, Office of the Attorney General, Court of Criminal Appeals, State Supreme Court, Workers' Compensation Court, Oklahoma Indigent Defense System, and the Oklahoma State Employees Deferred Savings Incentive Plan Fund; specifying source of funds; prescribing amounts; providing for inapplicability of certain budgetary limits; providing for budgeting of funds; specifying fiscal years; providing for lapse of funds under certain circumstances; repealing 74 O.S. 1991, Section 250.4-1, as amended by Section 22, Chapter 367, O.S.L. 1992 (74 O.S. Supp. 1996, Section 250.4-1), which relates to the salary of the Secretary of State; providing for codification; providing for noncodification; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 250.4, as amended by Section 3, Chapter 239, O.S.L. 1994 (74 O.S. Supp. 1996, Section 250.4), is amended to read as follows:

Section 250.4 Pursuant to provisions of the Constitution of the State of Oklahoma from and after the beginning date of a term of office which commences in, or after, January, ~~1995~~ 1999, the following officers of the State of Oklahoma shall be annually compensated for their services, payable monthly, as follows:

1. The Governor shall receive a salary ~~of Seventy Thousand Dollars (\$70,000.00)~~ equal to the salary received by the Chief Justice of the Oklahoma Supreme Court;

2. The Lieutenant Governor shall receive a salary equal to the salary received by an associate district judge in a county with a population greater than ten thousand (10,000) and less than thirty thousand (30,000);

3. The Attorney General shall receive a salary equal to the salary received by ~~a district judge~~ the Presiding Judge of the Court of Civil Appeals;

4. The State Superintendent of Public Instruction shall receive a salary equal to the salary received by a district judge;

5. Each member of the Corporation Commission shall receive a salary equal to the salary received by an associate district judge in a county with a population of over thirty thousand (30,000);

6. The State Treasurer shall receive a salary equal to the salary received by an associate district judge in a county with a population of over thirty thousand (30,000);

7. The State Auditor and Inspector shall receive a salary equal to the salary received by an associate district judge in a county with a population of over thirty thousand (30,000);

8. The State Insurance Commissioner shall receive a salary equal to the salary received by an associate district judge in a county with a population of over thirty thousand (30,000); and

9. The Commissioner of Labor shall receive a salary equal to the salary received by a special judge.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 10.5 of Title 74, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning July 1, 1997, the following Cabinet Secretaries may be annually compensated for their services, payable monthly, as follows:

1. The Secretary of Administration may receive a maximum salary of Seventy Five Thousand Dollars (\$75,000.00);

2. The Secretary of Agriculture may receive a maximum salary of Seventy Thousand Dollars (\$70,000.00);

3. The Secretary of Commerce may receive a maximum salary of Seventy Thousand Dollars (\$70,000.00);

4. The Secretary of Education may receive a maximum salary of Sixty Five Thousand Dollars (\$65,000.00);

5. The Secretary of Energy may receive a maximum salary of Seventy Thousand Dollars (\$70,000.00);

6. The Secretary of Finance and Administration may receive a maximum salary of Ninety Thousand Dollars (\$90,000.00);

7. The Secretary of Health and Human Services may receive a maximum salary of Eighty Thousand Dollars (\$80,000.00);

8. The Secretary of Human Resources may receive a maximum salary of Sixty-five Thousand Dollars (\$65,000.00);

9. The Secretary of Safety and Security may receive a maximum salary of Eighty-five Thousand Dollars (\$85,000.00);

10. The Secretary of State may receive a maximum salary of Sixty-five Thousand Dollars (\$65,000.00);

11. The Secretary of Tourism and Recreation may receive a maximum salary of Seventy Thousand Dollars (\$70,000.00); and

12. The Secretary of Veterans Affairs may receive a maximum salary of Sixty-five Thousand Dollars (\$65,000.00).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3.1 of Title 20, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning January 1, 1998, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Chief Justice of the Oklahoma Supreme Court shall receive a salary of One Hundred One Thousand One Hundred Forty Dollars (\$101,140.00); and

2. An Associate Justice of the Oklahoma Supreme Court shall receive a salary of Ninety-seven Thousand Eight Hundred Seven Dollars (\$97,807.00).

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.2 of Title 20, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning January 1, 1998, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Presiding Judge of the Oklahoma Court of Criminal Appeals shall receive a salary of One Hundred One Thousand One Hundred Forty Dollars (\$101,140.00); and

2. A Judge of the Oklahoma Court of Criminal Appeals shall receive a salary of Ninety-seven Thousand Eight Hundred Seven Dollars (\$97,807.00).

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 30.2A of Title 20, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning January 1, 1998, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Presiding Judge of the Oklahoma Court of Civil Appeals shall receive a salary of Ninety-four Thousand Three Hundred Forty-nine Dollars (\$94,349.00); and

2. A Judge of the Oklahoma Court of Civil Appeals shall receive a salary of Ninety-three Thousand Five Hundred Thirty Dollars (\$93,530.00).

SECTION 6. AMENDATORY 20 O.S. 1991, Section 31, is amended to read as follows:

Section 31. The Court of Criminal Appeals shall consist of five (5) Judges, any three of whom shall constitute a quorum, and the concurrence of three Judges shall be necessary to a decision of said Court. Said Judges shall have the same qualifications ~~and receive the same salaries~~ as Justices of the Supreme Court.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 92.1A of Title 20, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning January 1, 1998, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. A judge of the district court shall receive a salary of Eighty-eight Thousand Five Hundred Eleven Dollars (\$88,511.00);

2. An associate district judge:

a. in a county with a population of thirty thousand (30,000) or more persons shall receive a salary of Eighty-two Thousand and Four Dollars (\$82,004.00),

b. in a county with a population of less than thirty thousand (30,000) persons, but not less than ten thousand (10,000) persons shall receive a salary of Seventy-five Thousand Five Hundred Thirty Dollars (\$75,530.00), and

c. in a county with a population of less than ten thousand (10,000) persons, shall receive a salary of Sixty-nine Thousand Fifty-six Dollars (\$69,056.00);

3. A special judge shall receive a salary of Sixty-nine Thousand Fifty-six Dollars (\$69,056.00).

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1.2A of Title 85, unless there is created a duplication in numbering, reads as follows:

Notwithstanding other limits established by law, beginning January 1, 1998, the following judicial officers shall receive compensation for their services, payable monthly as follows:

A judge of the Workers' Compensation Court shall receive a salary as prescribed by Section 1.2 of Title 85 of the Oklahoma Statutes.

SECTION 9. AMENDATORY 19 O.S. 1991, Section 215.30, as last amended by Section 3, Chapter 24, O.S.L. 1996 (19 O.S. Supp. 1996, Section 215.30), is amended to read as follows:

Section 215.30 A. ~~Beginning January 1, 1993, each district attorney shall receive a salary of Sixty-five Thousand Dollars (\$65,000.00) per year, payable monthly. Beginning January 1, 1995, each district attorney shall receive a salary of Sixty-eight Thousand Two Hundred Fifty Dollars (\$68,250.00) per year, payable monthly.~~ Beginning January 1, 1997, each district attorney shall receive a salary of Seventy-one Thousand Six Hundred Sixty-three Dollars (\$71,663.00) per year, payable monthly. Beginning January 1, 1999, each district attorney shall receive a salary of Eighty-five Thousand Dollars (\$85,000.00) per year, payable monthly.

B. All appointees and employees of district attorneys, except special district attorneys appointed pursuant to subsection C of Section 215.37M of this title, shall be deemed to be state officers or employees for all purposes. All special district attorneys appointed pursuant to subsection C of Section 215.37M of this title shall be deemed to be state officers only for purposes of the Governmental Tort Claims Act and Rule 1.11 of the Rules of Professional Conduct for attorneys licensed to practice law in this state.

C. Population, for the purposes of Section 215 et seq. of this title, shall be as determined by the last Federal Decennial Census. The salaries of the district attorneys and the salaries of the assistant district attorneys and their operating and maintenance expenses in each county shall be paid by the state. Provided however:

1. In counties having a population of five hundred fifty thousand (550,000) or more, the salary of the district attorney and assistant district attorneys may be supplemented by the county. Such supplement for the district attorney shall not exceed twenty-five percent (25%) of the salary provided for district attorneys by this section. Such supplement for the assistant district attorneys shall not exceed twenty-five percent (25%) of the salary authorized for assistant district attorneys in Section 215.34 of Title 19 of the Oklahoma Statutes.

2. The salaries and operating expenses of those assistant district attorneys who are assigned to child support enforcement duties shall be paid by funds received as reimbursement from the Department of Human Services under terms of a contract with the office of the district attorney as authorized by Section 237.1 of Title 56 of the Oklahoma Statutes.

D. The District Attorneys Council, which may hereinafter be referred to as the "Council", a special division of the Attorney General's Office, is hereby designated as the state agency for the administration and disbursement of all salaries and expenses of the offices of district attorneys authorized by law. All such payrolls and claims against State Treasury funds must be approved by the Council prior to submission to the Office of State Finance for payment. The Council and the Director of State Finance shall promulgate reasonable rules and regulations covering the preparation of estimates of needs, budgets and claims for the administration of this act, Section 215.1 et seq. of this title, the transmittal of county funds to the State Treasury and the disbursement of all state and county funds under this act.

SECTION 10. AMENDATORY 68 O.S. 1991, Section 102.1, as amended by Section 21, Chapter 367, O.S.L. 1992 (68 O.S. Supp. 1996, Section 102.1), is amended to read as follows:

~~1. From and after the beginning date of a term of office which commences in, or after, January, 1989, the annual compensation, payable monthly, of the Chairman, Vice Chairman and Secretary-Member of the Oklahoma Tax Commission shall be as follows:~~

~~1. For the period commencing in January, 1989, and ending in December, 1990:~~

Chairman	\$62,922.00
Vice Chairman	\$61,798.00
Secretary-Member	\$61,798.00

~~2. For the period commencing in January, 1991, and ending in December, 1992:~~

Chairman	\$66,068.00
Vice Chairman	\$64,888.00
Secretary-Member	\$64,888.00

~~3. For the period commencing in January, 1993, and ending in December, 1994, the annual salary, payable monthly, of the officers of the Oklahoma Tax Commission shall be as follows:~~

Chairman	\$69,371.00
Vice Chairman	\$68,132.00
Secretary-Member	\$68,132.00

~~2.~~ For any period commencing on or after January, 1995, the annual ~~compensation~~ salary of a Commissioner shall be increased by the percentage or amount provided for salary increases for employees of the Oklahoma Tax Commission for each fiscal year beginning with Fiscal Year 1995, if such employee salary increases are authorized by the Legislature.

3. From and after the beginning date of a term of office which commences in, or after, January 1997, the annual salary, payable monthly, of the officers of the Oklahoma Tax Commission shall be as follows:

<u>Chairman</u>	<u>\$85,000.00</u>
<u>Vice-Chairman</u>	<u>\$84,500.00</u>

Secretary-Member

\$84,500.00

All such salaries shall be payable monthly out of monies available for expenditure for such purpose.

SECTION 11. AMENDATORY Section 10, Chapter 400, O.S.L. 1992, as amended by Section 1, Chapter 221, O.S.L. 1993 (74 O.S. Supp. 1996, Section 1370), is amended to read as follows:

Section 1370. A. Subject to the requirement that a participant must elect at least the default benefits, or the basic plan, flexible benefit dollars may be used to purchase any of the benefits offered by the Oklahoma State Employees Benefits Council under the flexible benefits plan. A participant's flexible benefit dollars for a plan year shall consist of the sum of (1) flexible benefit allowance credited to a participant by the participating employer, and (2) pay conversion dollars elected by a participant.

B. ~~Each~~ Except as otherwise provided by Section 12 of this act, each participant ~~will~~ shall be credited annually with a specified amount as a flexible benefit allowance which ~~will~~ shall be available for the purchase of benefits. The amount of the flexible benefit allowance credited to each participant shall be communicated to him or her prior to the enrollment period for each plan year. ~~The~~ For fiscal the year ending June 30, 1998, the amount of a participant's benefit allowance, which shall be the total amount the employer contributes for the payment of insurance premiums or other benefits, shall be ~~One Hundred Eighty-seven Dollars and nineteen cents (\$187.19)~~ Two Hundred Twenty-four Dollars and sixty-nine cents (\$224.69) per month or the amount determined by the Council based on a formula for determining a participant's benefit credits consistent with the requirements of 26 U.S.C., Section 125(g)(2) and regulations thereunder. For the fiscal year ending June 30, 1999, and thereafter, the amount of a participant's benefit allowance, which shall be the total amount the employer contributes for the payment of insurance premiums or other benefits, shall be Two Hundred Sixty-two Dollars and nineteen cents (\$262.19) per month or the amount determined by the Council based on a formula for determining a participant's benefit

credits consistent with the requirements of 26 U.S.C., Section 125(g) (2) and regulations thereunder. Provided, this section shall not prohibit payments for supplemental health insurance coverage made pursuant to Section 1314.4 of this title or payments for the cost of providing health insurance coverage for dependents of employees of the Grand River Dam Authority.

C. If a participant desires to buy benefits whose sum total of benefit prices is in excess of his or her flexible benefit allowance, the participant may elect to use pay conversion dollars to purchase such excess benefits. Pay conversion dollars may be elected through a salary reduction agreement made pursuant to the election procedures of Section 1371 of this title. The elected amount shall be deducted from the participant's compensation in equal amounts each pay period over the plan year. On termination of employment during a plan year, a participant shall have no obligation to pay the participating employer any pay conversion dollars allocated to the portion of the plan year after the participant's termination of employment.

D. If a participant elects benefits whose sum total of benefit prices is less than his or her flexible benefit allowance, he or she shall receive any excess flexible benefit allowance as taxable compensation. Such taxable compensation will be paid in substantially equal amounts each pay period over the plan year. On termination during a plan year, a participant shall have no right to receive any such taxable cash compensation allocated to the portion of the plan year after the participant's termination. Nothing herein shall affect a participant's obligation to elect the minimum benefits or to accept the default benefits of the plan with corresponding reduction in the sum of his or her flexible benefit allowance equal to the sum total benefit price of such minimum benefits or default benefits.

SECTION 12. A. Qualified employees, as defined by this section, of the University Hospitals Authority shall receive a lump-sum payment of Two Hundred Twenty-five Dollars (\$225.00), August 1, 1997, from the University Hospitals Authority in lieu of the increase in the flexible benefit plan allowance provided by Req. No. 10213Page 11

subsection B of Section 11 of this act. "Qualified employees" means persons who, on August 1, 1997, are permanent classified employees and unclassified employees and employees of the University Hospitals Authority Model Personnel System who have been continuously employed for more than six (6) months in the state service.

B. Any employees of the University Hospitals Authority after the reduction-in-force that occurs when the University Hospitals are leased to a nongovernmental entity pursuant to the University Hospitals Authority Act shall receive the flexible benefits plan allowance pursuant to Section 11 of this act beginning on the date of the reduction-in-force.

SECTION 13. AMENDATORY 26 O.S. 1991, Section 2-118, as last amended by Section 2, Chapter 57, O.S.L. 1996 (26 O.S. Supp. 1996, Section 2-118), is amended to read as follows:

Section 2-118. A. The secretary of each county election board shall be paid an annual salary according to the following schedule; ~~provided, however, that.~~ However, the salary of a county election board secretary shall not fall below the level of the June 30, ~~1995~~ 1997, salary, regardless of the number of registered voters, excluding inactive, in the county and provided that no salary shall be increased to the secretary of any county election board while that county is under the administrative supervision of the Secretary of the State Election Board:

1. Until July 1, 1997, the annual salary, payable monthly, shall be:

Registered Voters	Salary
0 to 10,000	\$15,438.28
10,001 to 15,000	\$16,238.28
15,001 to 17,500	\$19,402.45
17,501 to 25,000	\$22,578.93
25,001 to 50,000	\$28,288.18
50,001 to 75,000	\$37,160.58
75,001 to 150,000	\$42,285.58
150,001 or more	\$47,410.58

2. Beginning July 1, 1997, through June 30, 1998, the annual salary, payable monthly, shall be:

<u>Registered Voters</u>	<u>Salary</u>
<u>0 to 10,000</u>	<u>\$15,888.28</u>
<u>10,001 to 15,000</u>	<u>\$16,688.28</u>
<u>15,001 to 17,500</u>	<u>\$19,852.45</u>
<u>17,501 to 25,000</u>	<u>\$23,028.93</u>
<u>25,001 to 50,000</u>	<u>\$28,738.18</u>
<u>50,001 to 75,000</u>	<u>\$37,610.58</u>
<u>75,001 to 150,000</u>	<u>\$42,735.58</u>
<u>150,001 or more</u>	<u>\$47,860.58</u>

3. Beginning July 1, 1998, the annual salary, payable monthly, shall be:

<u>Registered Voters</u>	<u>Salary</u>
<u>0 to 10,000</u>	<u>\$16,338.28</u>
<u>10,001 to 15,000</u>	<u>\$17,138.28</u>
<u>15,001 to 17,500</u>	<u>\$20,302.45</u>
<u>17,501 to 25,000</u>	<u>\$23,478.93</u>
<u>25,001 to 50,000</u>	<u>\$29,188.18</u>
<u>50,001 to 75,000</u>	<u>\$38,060.58</u>
<u>75,001 to 150,000</u>	<u>\$43,185.58</u>
<u>150,001 or more</u>	<u>\$48,310.58</u>

B. The salary and fringe benefits paid to each secretary shall be paid from county funds on a monthly basis and shall be reimbursed from funds appropriated by the Legislature for that purpose at a rate of not to exceed ~~one hundred twenty-five percent (125%)~~ one hundred thirty-five percent (135%) of the above-specified salaries. Claims for said reimbursement shall be filed according to procedures prescribed by the Secretary of the State Election Board and approved by the Director of State Finance. Said claims for reimbursement shall only be paid for actual expenditures made by the county. The number of registered voters, for the purposes of this section, shall be determined by the number of registered voters, excluding inactive voters, in the county on January 1, 1979, and every two (2) years thereafter.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1501-901 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 1997, the annual salary of employees of the Conservation Districts, payable monthly, shall be Four Hundred Fifty Dollars (\$450.00) greater than the annual salary, payable monthly, paid during the 1997 fiscal year.

B. Effective July 1, 1998, the annual salary of employees of the Conservation Districts, payable monthly, shall be Four Hundred Fifty Dollars (\$450.00) greater than the annual salary, payable monthly, paid during the 1998 fiscal year.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1707 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Effective January 1, 1998, for each qualified participant as defined in this section who is a state employee as defined in this section, the Oklahoma Public Employees Retirement System shall pay each month from funds appropriated to the Oklahoma State Employees Deferred Savings Incentive Plan Fund created pursuant to this section the sum of Twenty-five Dollars (\$25.00) to a plan established pursuant to the Internal Revenue Code, Section 401(a), for the benefit of the employee; provided, if monies in the fund are insufficient to fully fund the contributions in any month, payments shall be suspended until such time as sufficient monies are available.

B. For the purposes of this section, "qualified participant" means a state employee as defined in this section who is an active participant in the Oklahoma State Employees Deferred Compensation Plan making deferrals of at least Twenty-five Dollars (\$25.00) per month. The Administrator of the Office of Personnel Management and the Director of State Finance shall be responsible for the provision of such information and assistance as may be necessary to determine which employees are qualified participants. The Oklahoma Public Employees Retirement System shall be responsible

for establishing rules and plan documents for administration of such contributions. Funds so credited shall be held and invested in the same manner as the Oklahoma State Employees Deferred Compensation Plan, as provided in Section 1701 of Title 74 of the Oklahoma Statutes.

C. For the purposes of this section, "state employee" means any officer or employee of the executive, legislative, or judicial branches of the government of this state who is an active member of a public retirement system of this state, but does not include:

1. Employees of the public elementary, secondary, or area vocational school districts;

2. Employees of The Oklahoma State System of Higher Education except employees of the Oklahoma State Regents of Higher Education and employees of the governing boards;

3. Persons on temporary, student, internship, or other limited-term appointments except for Executive Fellows in the Carl Albert Public Internship Program created in Section 840-3.4 of Title 74 of the Oklahoma Statutes;

4. Persons employed pursuant to Section 1.6a of Title 53 of the Oklahoma Statutes or Section 1806.1 of Title 74 of the Oklahoma Statutes; or

5. Persons who, on January 1, 1998, are serving in a probationary period in the classified service and unclassified employees who have not been continuously employed for six (6) months in the state service; provided, such persons, unless otherwise excluded by this section, shall be considered state employees for the purposes of this section upon completion of the probationary period or the six (6) months of regular unclassified service.

D. No public official shall be able to make contributions to the Section 401(a) plan described by this section during a term of office which commenced prior to the effective date of this act. A public official may make contributions to the Section 401(a) plan described by this section during a term of office which commences after the effective date of this act. No legislator shall be eligible to make contributions to the Section 401(a) plan

described by this section until such contributions have been approved by the Board on Legislative Compensation.

E. There is hereby created in the State Treasury a revolving fund to be designated the "Oklahoma State Employees Deferred Savings Incentive Plan Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of any monies the Legislature may appropriate or transfer to the fund and any monies contributed for the fund from any other sources, public or private. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Public Employees Retirement System for the matching of deferred compensation contributions pursuant to this section and in accordance with rules promulgated by the Oklahoma Public Employees Retirement System. Expenditures from the fund shall be made by warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 16. AMENDATORY 74 O.S. 1991, Section 291.1, is amended to read as follows:

Section 291.1 Members of the Legislature shall be allowed a per diem in lieu of expenses in ~~the an amount of Thirty-five Dollars (\$35.00)~~ authorized by the provisions of the Internal Revenue Code of 1986, as amended, for deductibility of expenses for travel while away from home without additional documentation for each night spent away from home in the performance of their official duties within the state during regular and extraordinary legislative sessions, not to exceed the number of legislative days per week.

SECTION 17. AMENDATORY 74 O.S. 1991, Section 456, as amended by Section 4, Chapter 336, O.S.L. 1995 (74 O.S. Supp. 1996, Section 456), is amended to read as follows:

Section 456. A. Committees and subcommittees of each house of the Legislature are hereby authorized to meet when the Legislature is not in session, subject to the approval of the presiding officer of the respective house.

B. When the Legislature is not in session, members of the Legislature shall be reimbursed their expenses in attending meetings of committees and subcommittees of which they are members or to which they are invited by committee chairs and shall be reimbursed as provided in subsection C of this section for expenses for such meetings and such other legislative business as may be authorized by the rules or by resolution of the member's respective house.

C. In addition to reimbursement for mileage as authorized by law, per diem in lieu of expenses in the amount of Twenty-five Dollars (\$25.00) is hereby authorized for not to exceed twenty (20) days when the Legislature is not in session. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may authorize per diem for meetings exceeding twenty (20) days for members of their respective houses as they deem necessary.

D. A per diem in lieu of expenses in the amount ~~of Forty-five Dollars (\$45.00)~~ deductible without additional documentation pursuant to the Internal Revenue Code of 1986, as amended, is hereby authorized for meetings outside the state by members, officers and employees of the Legislature. A per diem in lieu of expenses in the amount ~~of Sixty Dollars (\$60.00)~~ deductible without additional documentation pursuant to the Internal Revenue Code of 1986, as amended, for the destination within the geographical area of travel is hereby authorized for official travel to high-rate geographical areas, as designated in Section 500.9 of this title, by members, officers and employees of the Legislature. Provided, however, that members and employees of the Legislature may, in lieu of the above provisions, be reimbursed for out-of-state travel pursuant to the State Travel Reimbursement Act.

E. In addition to reimbursement allowed under subsection D of this section, reimbursement for out-of-state transportation costs shall be made at an amount not exceeding the cost of coach airplane fare. Provided that reimbursement for travel by commercial airplane on a first-class basis may be made if coach-
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class space is not available within a reasonable time and is justified by attachments to claim for reimbursement. Claims for reimbursement for first-class transportation by commercial airline shall be accompanied by the passenger's duplicate of airline ticket, or other airline receipt which includes information as to class of accommodation for which reimbursement is claimed.

F. Members, officers and employees of the Legislature shall be reimbursed for any membership dues or fees paid to any association or organization connected with the performance of their duties with the state, upon the approval of the Speaker of the House of Representatives or the President Pro Tempore of the Senate.

SECTION 18. AMENDATORY 74 O.S. 1991, Section 500.4, as amended by Section 2, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1996, Section 500.4), is amended to read as follows:

Section 500.4 A. Authorized persons traveling on official state business within the State of Oklahoma may utilize railroads, airplanes, buses, whether intracity or intercity, or other public conveyance. Reimbursement for fares paid for airplane transportation shall not exceed coach class fare. Other public conveyance fares shall not exceed the normal charge, but in no instance may the fare exceed coach class airplane fare. Taxicab fares within the State of Oklahoma and communication charges may be reimbursed only upon justification as to the necessity for their use.

B. Agency heads or their authorized designees may approve the use of motor vehicles for official travel within the State of Oklahoma. If available, agency owned motor vehicles or motor vehicles leased from the State Motor Pool, either on a full-time basis or for individual trips, shall be utilized for such travel. Reimbursement for use of privately owned motor vehicles may be authorized by the agency head.

C. Reimbursement for authorized use of privately owned motor vehicles shall be ~~twenty-eight cents (\$0.28) per mile~~ made using the amount prescribed by the Internal Revenue Code of 1986, as amended, or rules, procedures or other action by the Internal

Revenue Service, for use in determining the standard mileage rate allowed for a business expense deduction. Distances for which reimbursement for use of privately owned motor vehicles is claimed shall not exceed distances set forth in the latest Transportation Commission road map. Vicinity travel on official business shall be entered on travel claims as a separate item.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 49-143.2 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Firefighters Pension and Retirement System shall pay to its retirees, who retire not later than June 30, 1997, or their beneficiaries, from assets of the retirement system, an additional amount, for the fiscal year ending June 30, 1998, based upon the number of years of credited service upon which the retirement benefit of the member was computed as follows:

1. For paid firefighters:

- a. One Hundred Fifty Dollars (\$150.00) for at least ten (10), but no more than fourteen (14) years of service,
- b. Three Hundred Dollars (\$300.00) for at least fifteen (15), but no more than nineteen (19) years of service,
- c. Four Hundred Fifty Dollars (\$450.00) for at least twenty (20), but no more than twenty-four (24) years of service, and
- d. Six Hundred Dollars (\$600.00) for twenty-five (25) or more years of service.

2. For volunteer firefighters:

- a. Seventy-five Dollars (\$75.00) for at least ten (10), but no more than fourteen (14) years of service,
- b. One Hundred Fifty Dollars (\$150.00) for at least fifteen (15), but no more than nineteen (19) years of service,

- c. Two Hundred Twenty-five Dollars (\$225.00) for at least twenty (20), but no more than twenty-four (24) years of service, and
- d. Three Hundred Dollars (\$300.00) for twenty-five (25) or more years of service;

3. One Hundred Fifty Dollars (\$150.00) for a paid firefighter with less than ten (10) years of service who received a disability retirement; and

4. Seventy-five Dollars (\$75.00) for a volunteer firefighter with less than ten (10) years of service who received a disability retirement.

B. For purposes of subsection A or B of this section, months of credited service in excess of a whole number of years shall be disregarded for purposes of determining the applicable payment amount.

C. The payment authorized by this section shall be distributed not later than August 1, 1997.

D. The payment authorized by this section shall not be a recurring benefit and shall only be made for the fiscal year ending June 30, 1998, and for no other fiscal year.

E. If a retiree has multiple beneficiaries, the amount prescribed by subsection A of this section shall be divided equally among the beneficiaries on a per capita basis.

SECTION 20. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50-136.2 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. Except as provided by subsection B of this section, the Oklahoma Police Pension and Retirement System shall pay to its retirees, who retire not later than June 30, 1997, or their beneficiaries, from assets of the retirement system, an additional amount, for the fiscal year ending June 30, 1998, based upon the number of years of credited service upon which the retirement benefit of the member was computed as follows:

1. One Hundred Fifty Dollars (\$150.00) for at least ten (10), but no more than fourteen (14) years of service;

2. Three Hundred Dollars (\$300.00) for at least fifteen (15), but no more than nineteen (19) years of service;

3. Four Hundred Fifty Dollars (\$450.00) for at least twenty (20), but no more than twenty-four (24) years of service; and

4. Six Hundred Dollars (\$600.00) for twenty-five (25) or more years of service.

B. The Oklahoma Police Pension and Retirement System shall pay to retirees, who retire not later than June 30, 1997, with a disability retirement benefit and having less than ten (10) years of service, the sum of One Hundred Fifty Dollars (\$150.00).

C. For purposes of subsection A or B of this section, months of credited service in excess of a whole number of years shall be disregarded for purposes of determining the applicable payment amount.

D. The payment authorized by this section shall be distributed not later than August 1, 1997.

E. The payment authorized by this section shall not be a recurring benefit and shall only be made for the fiscal year ending June 30, 1998, and for no other fiscal year.

F. If a retiree has multiple beneficiaries, the amount prescribed by subsection A of this section shall be divided equally among the beneficiaries on a per capita basis.

SECTION 21. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-305.4 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Except as provided by subsection B of this section, the Oklahoma Law Enforcement Retirement System shall pay to its retirees, who retire not later than June 30, 1997, or their beneficiaries, from assets of the retirement system, an additional amount, for the fiscal year ending June 30, 1998, based upon the number of years of credited service upon which the retirement benefit of the member was computed as follows:

1. One Hundred Fifty Dollars (\$150.00) for at least ten (10), but no more than fourteen (14) years of service;

2. Three Hundred Dollars (\$300.00) for at least fifteen (15), but no more than nineteen (19) years of service;

3. Four Hundred Fifty Dollars (\$450.00) for at least twenty (20), but no more than twenty-four (24) years of service; and

4. Six Hundred Dollars (\$600.00) for twenty-five (25) or more years of service.

B. The Oklahoma Law Enforcement Retirement System shall pay to retirees, who retire not later than June 30, 1997, with a disability retirement benefit and having less than ten (10) years of service, the sum of One Hundred Fifty Dollars (\$150.00).

C. For purposes of subsection A or B of this section, months of credited service in excess of a whole number of years shall be disregarded for purposes of determining the applicable payment amount.

D. The payment authorized by this section shall be distributed not later than August 1, 1997.

E. The payment authorized by this section shall not be a recurring benefit and shall only be made for the fiscal year ending June 30, 1998, and for no other fiscal year.

F. If a retiree has multiple beneficiaries, the amount prescribed by subsection A of this section shall be divided equally among the beneficiaries on a per capita basis.

SECTION 22. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 930.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Except as provided by subsection B of this section, the Oklahoma Public Employees Retirement System shall pay to its retirees, who retire not later than June 30, 1997, or their joint annuitant, from assets of the retirement system, an additional amount, for the fiscal year ending June 30, 1998, based upon the number of years of credited service upon which the retirement benefit of the member was computed as follows:

1. One Hundred Fifty Dollars (\$150.00) for at least ten (10), but no more than fourteen (14) years of service;

2. Three Hundred Dollars (\$300.00) for at least fifteen (15), but no more than nineteen (19) years of service;

3. Four Hundred Fifty Dollars (\$450.00) for at least twenty (20), but no more than twenty-four (24) years of service; and

4. Six Hundred Dollars (\$600.00) for twenty-five (25) or more years of service.

B. The Oklahoma Public Employees Retirement System shall pay to retirees, who retire not later than June 30, 1997, with a disability retirement benefit and having less than ten (10) years of service, the sum of One Hundred Fifty Dollars (\$150.00).

C. For purposes of subsection A or B of this section, months of credited service in excess of a whole number of years shall be disregarded for purposes of determining the applicable payment amount.

D. The payment authorized by this section shall be distributed not later than August 1, 1997.

E. The payment authorized by this section shall not be a recurring benefit and shall only be made for the fiscal year ending June 30, 1998, and for no other fiscal year.

F. If a retiree has multiple joint annuitants, the amount prescribed by subsection A of this section shall be divided equally among the beneficiaries on a per capita basis.

SECTION 23. AMENDATORY 70 O.S. 1991, Section 17-105, as last amended by Section 1 of Enrolled Senate Bill No. 181 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 17-105. (1) (a) Any member who has attained age fifty-five (55) or who has completed thirty (30) years of creditable service, as defined in Section 17-101 of this title, or for any person who initially became a member prior to July 1, 1992, regardless of whether there were breaks in service after July 1, 1992, whose age and number of years of creditable service total eighty (80) may be retired upon filing a written application for such retirement. Such a retirement date will also apply to any person who became a member of the sending system as defined in this act, prior to July 1, 1992, regardless of whether there were

breaks in service after July 1, 1992. Any person who became a member after June 30, 1992, whose age and number of years of creditable service total ninety (90) may be retired upon filing a written application for such retirement. The application shall be filed on the form provided by the Board of Trustees for this purpose, not less than thirty (30) days nor more than ninety (90) days before the date of retirement.

(b) An individual who becomes a member of the Teachers' Retirement System after July 1, 1967, shall be employed by the public schools, state colleges or universities of Oklahoma for a minimum of ten (10) years and be a contributing member of the Teachers' Retirement System of Oklahoma for a minimum of ten (10) years to qualify for monthly retirement benefits from the Teachers' Retirement System of Oklahoma. Provided, however, any individual who was a contributing member of the System for a minimum of ten (10) years and withdrew such individual's accumulated contributions upon termination of employment may repay to the System such contributions with interest as determined by the Board for the purpose of receiving monthly retirement benefits from the System. All repayments made as provided for in this subsection shall be made prior to September 1, 1986.

(c) Any member with ten (10) or more years of Oklahoma teaching service and whose accumulated contributions during such period have not been withdrawn shall be given an indefinite extension of membership beginning with the sixth year following his last contributing membership and shall become eligible to apply for retirement and be retired upon attaining age fifty-five (55).

(d) Members currently teaching in the public schools of Oklahoma past the fiscal year during which age seventy (70) was attained and who have not retired shall be granted the privilege of making up the five percent (5%) contributions, plus interest, for the years taught after age seventy (70). Such member shall be given an indefinite extension of membership and be eligible to retire upon the filing of proper application for retirement as hereinbefore provided.

(2) An unclassified optional member who has retired or who retires at sixty-two (62) years of age or older or whose retirement is because of disability shall have his minimum retirement benefits calculated on an average salary of Five Thousand Three Hundred Fifty Dollars (\$5,350.00) or, if a larger monthly allowance would result, an amount arrived at pursuant to application of the formula prescribed herein.

(3) No member shall receive a lesser retirement benefit than he would have received under the law in effect at the time he retired. Any individual under the Teachers' Retirement System, who through error in stating the title of the position which he held, may, at the discretion of the Board of Trustees, be changed from the nonclassified optional group to the classified group for the purpose of calculating retirement benefits.

Any individual regardless of residence, who has a minimum of ten (10) years of teaching in Oklahoma schools prior to July 1, 1943, or who taught in Oklahoma schools prior to 1934 and thereafter taught a minimum of ten (10) years and who does not qualify under the present retirement System, or who has a minimum of thirty (30) years of teaching in Oklahoma schools and has reached seventy (70) years of age prior to July 1, 1984, and is not otherwise eligible to receive any benefits from the retirement system shall receive a minimum of One Hundred Fifty Dollars (\$150.00) per month in retirement benefits from the Teachers' Retirement System of Oklahoma plus any general increase in benefits for annuitants as may be provided hereafter by the Legislature. Each individual must apply to the Teachers' Retirement System for such benefit and provide evidence to the Teachers' Retirement System that the service was actually rendered. The surviving spouse of any person who made application for the benefit provided for by this paragraph during his lifetime but did not receive said benefit may submit an application to the System for payment of said benefit for those months during the lifetime of the deceased person that he was eligible for but did not receive the benefit. Upon approval of the application by the

Board of Trustees, the benefit shall be paid to the surviving spouse in one lump sum.

(4) The value of each year of prior service is the total monthly retirement benefit divided by the number of years of creditable service.

(5) Upon application of a member who is actively engaged in teaching in Oklahoma or his employer, any member who has been a contributing member for ten (10) years may be retired by the Board of Trustees not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, on a disability retirement allowance, provided that it is found by the Board of Trustees after medical examination of such member by a duly qualified physician that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. The Board of Trustees shall give due consideration to the conclusions and recommendations in the certified written report of the Medical Board of the Teachers' Retirement System regarding the disability application of such member. If a member is determined to be eligible for disability benefits pursuant to the Social Security System, then such determination shall entitle the member to the authorized disability retirement allowance provided by law. For members who are not eligible for disability benefits pursuant to the Social Security System, the Board of Trustees shall apply the same standard for which provision is made in the first two sentences of this subsection for determining the eligibility of a person for such disability benefits in making a determination of eligibility for disability benefits as authorized by this subsection.

(6) (a) A member who at the time of retirement has been found to be permanently physically or mentally incapacitated to teach school shall receive a minimum monthly retirement payment for life or until such time as the member may be found to be recovered to the point where he may return to teaching. Any member retired before the effective date of this act shall be eligible to receive the monthly retirement allowance herein

provided, but such payment shall not begin until the first payment due him after the effective date of this act, and shall not be retroactive. The Board of Trustees is empowered to make such rules and regulations as it considers proper to preserve equity in retirements under this provision.

(b) A member who has qualified for retirement benefits under disability retirement shall have the total monthly payment deducted from his accumulated contributions plus interest earned and any money remaining in the member's account after the above deductions at the death of the member shall be paid in a lump sum to the beneficiary or to the estate of the member. Provided, if the deceased disabled member had thirty (30) years or more of creditable service and the death occurred after June 30, 1981, and death occurred prior to the disabled member receiving twelve monthly retirement payments, a surviving spouse may elect to receive the retirement benefit to which the deceased member would have been entitled at the time of death under the Option 2 Plan of Retirement provided for in subsection (8) of this section in lieu of the death benefit provided for in this subsection and in subsection (12) of this section.

(c) Once each year the Board of Trustees may require any disabled annuitant who has not yet attained the age of sixty (60) years to undergo a medical examination, such examination to be made at the place of residence for said disabled annuitant or other place mutually agreed upon by a physician or physicians designated by the Board of Trustees. Should any disabled annuitant who has not yet attained the age of sixty (60) years refuse to submit to at least one medical examination in any such year by a physician or physicians designated by the Board of Trustees his allowance may be discontinued until he submits to such examination.

(d) Should the Medical Board report and certify to the Board of Trustees that such disabled annuitant is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and the average final compensation, and should the Board of Trustees concur in such

report then the amount of his pension shall be reduced to an amount which, together with his retirement allowance and that amount earnable by him, shall equal the amount of his average final compensation. Should his earning capacity be later increased, the amount of his pension may be further modified, provided the new pension shall not exceed that amount of the pension originally granted nor an amount, which when added to the amount earnable by the member, together with his annuity, equals the amount of his average final compensation.

(e) Should a disabled annuitant be restored to active service, his disability retirement allowance shall cease and he shall again become a member of the Teachers' Retirement System and shall make regular contributions as required under this article. The unused portion of his accumulated contributions shall be reestablished to his credit in the Teachers' Savings Fund. Any such prior service certificates on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect.

(7) Should a member before retirement under this act make application for withdrawal duly filed with the Board of Trustees and approved by it, not earlier than four (4) months after the date of termination of such service as a teacher, the contribution standing to the credit of his individual account in the Teachers' Savings Fund shall be paid to him or, in the event of his death before retirement, shall be paid to such person or persons as he shall have nominated by written designation, duly executed and filed with the Board of Trustees; provided, however, if there be no designated beneficiary surviving upon such death, such contributions shall be paid to his administrators, executors, or assigns, together with interest as hereinafter provided. In lieu of a lump-sum settlement at the death of the member, the amount of money the member has on deposit in the Teachers' Savings Fund and the money the member has on deposit in the Teachers' Deposit Fund may be paid in monthly payments to a designated beneficiary, who must be the spouse, under the Maximum or Option 1 Plan of Retirement providing the monthly payment shall be not less than

Twenty-five Dollars (\$25.00) per month. The monthly payment shall be the actuarial equivalent of the amount becoming due at the member's death based on the sex of the spouse and the age the spouse has attained at the last birthday prior to the member's death. Provided further, if there be no designated beneficiary surviving upon such death, and the contributions standing to the credit of such member do not exceed Two Hundred Dollars (\$200.00), no part of such contributions shall be subject to the payment of any expense of the last illness or funeral of the deceased member or any expense of administration of the estate of such deceased and the Board of Trustees, upon satisfactory proof of the death of such member and of the name or names of the person or persons who would be entitled to receive such contributions under the laws of descent and distribution of the state, may authorize the payment of accumulated contributions to such person or persons. A member terminating his membership by withdrawal shall have the interest computed at a rate of interest determined by the Board of Trustees and paid to him subject to the following schedule:

(a) If termination occurs within seven (7) years from the date membership began, no part of such interest accumulations shall be paid.

(b) With at least seven (7) but less than sixteen (16) years of membership, fifty percent (50%) of such interest accumulations shall be paid.

(c) With at least sixteen (16) but less than twenty-one (21) years of membership, sixty percent (60%) of such interest accumulations shall be paid.

(d) With at least twenty-one (21) but less than twenty-six (26) years of membership, seventy-five percent (75%) of such interest accumulations shall be paid.

(e) With at least twenty-six (26) years of membership, ninety percent (90%) of such interest accumulations shall be paid.

In case of death of an active member, the interest shall be calculated and restored to the member's account and paid to his beneficiary.

(8) (a) In lieu of his retirement allowance payable throughout life for such an amount as determined under this section, the member may select a retirement allowance for a reduced amount payable under any of the following options the present value of which is the actuarial equivalent thereof.

(b) A member may select the option under which he desires to retire at the end of the school year in which he attains age seventy (70) and said option shall be binding and cannot be changed. Provided further that if a member retires before age seventy (70), no election of an option shall be effective in case an annuitant dies before the first payment due under such option has been received.

(c) The first payment of any benefit selected shall be made on the first day of the month following approval of the retirement by the Board of Trustees. If the named designated beneficiary under Option 2 or 3 dies at any time after the member's retirement date, but before the death of the member, the member shall return to the retirement benefit, including any post retirement benefit increases the member would have received had the member not selected Option 2 or 3 of this subsection. The benefit shall be determined at the date of death of the designated beneficiary or July 1, 1994, whichever is later. This increase shall become effective the first day of the month following the date of death of the designated beneficiary or July 1, 1994, whichever is later, and shall be payable for the member's remaining lifetime. The member shall notify the Teachers' Retirement System of Oklahoma of the death of the designated beneficiary in writing. In the absence of said written notice being filed by the member notifying the Teachers' Retirement System of Oklahoma of the death of the designated beneficiary within six (6) months of the date of death, nothing in this subsection shall require the Teachers' Retirement System of Oklahoma to pay more than six (6) months of retrospective benefits increase.

Option 1. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal

representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Trustees at the time of his retirement; or

Option 2. A member takes a reduced retirement allowance for life. Upon the death of the member the payments shall continue to the member's designated beneficiary, who must be a spouse, for the life of the beneficiary. The written designation of the beneficiary, who must be a spouse, must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement; or

Option 3. A member receives a reduced retirement allowance for life. Upon the death of the member one-half (1/2) of the retirement allowance paid the member shall be continued throughout the life of the designated beneficiary, who must be a spouse. A written designation of a beneficiary must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement; or

Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Trustees; or

Option 5. A member receives a reduced retirement allowance for life. If the member dies within twenty-five (25) years from the date of commencement of the retirement payments, such payments shall be continued to the beneficiary of the member during the balance of the twenty-five-year period. The written designation of the beneficiary, who must be a spouse, shall be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement.

(9) The governing board of any "public school", as that term is defined in Section 17-101 of this title, is hereby authorized and empowered to pay additional retirement allowances or compensation to any person who was in the employ of such public school for not less than seven (7) school years preceding the date

of his retirement. Payments so made shall be a proper charge against the current appropriation or appropriations of any such public school for salaries for the fiscal year in which such payments are made. Such payments shall be made in regular monthly installments in such amounts as the governing board of any such public school, in its judgment, shall determine to be reasonable and appropriate in view of the length and type of service rendered by any such person to such public school by which such person was employed at the time of retirement. All such additional payments shall be uniform, based upon the length of service and the type of services performed, to persons formerly employed by such public school who have retired or been retired in accordance with the provisions of this act.

The governing board of any such public school may adopt rules and regulations of general application outlining the terms and conditions under which such additional retirement benefits shall be paid, and all decisions of such board shall be final.

(10) In addition to the teachers' retirement herein provided, teachers may voluntarily avail themselves of the Federal Social Security Program upon a district basis.

(11) For those members who joined the System prior to July 1, 1992, upon the death of an in-service member, the System shall pay to the designated beneficiary of the member or, if there is no designated beneficiary or if the designated beneficiary predeceases the member, to the estate of the member, the sum of Eighteen Thousand Dollars (\$18,000.00) as a death benefit. Provided, if the deceased member had ten (10) years or more of creditable service and the death occurred after February 1, 1985, a surviving spouse may elect to receive the retirement benefit to which the deceased member would have been entitled at the time of death under the Option 2 plan of retirement in lieu of the death benefit provided for in this subsection. Provided further, if the death occurred after June 1, 1987, and the surviving spouse elects to receive the retirement benefit to which the deceased member would have been entitled at the time of death under the Option 2 plan of retirement, the retirement benefit shall be determined

using the average annual salary of the deceased member during any three (3) of the last five (5) years of participating service, but not to exceed Forty Thousand Dollars (\$40,000.00).

(12) Upon the death of an annuitant who has contributed to the System, the retirement system shall pay to the designated beneficiary of the annuitant or, if there is no designated beneficiary or if the designated beneficiary predeceases the annuitant, to the estate of the annuitant, the sum of ~~Four Thousand Dollars (\$4,000.00)~~ Five Thousand Dollars (\$5,000.00) as a death benefit.

(13) Upon the death of a member who dies leaving no living beneficiary or having designated his estate as beneficiary, the System may pay any applicable death benefit, unpaid contributions, or unpaid benefit which may be subject to probate, in an amount of Five Thousand Dollars (\$5,000.00) or less, without the intervention of the probate court or probate procedure pursuant to Section 1 et seq. of Title 58 of the Oklahoma Statutes.

(a) Before any applicable probate procedure may be waived, the System must be in receipt of the member's proof of death and the following documents from those persons claiming to be the legal heirs of the deceased member:

1. The member's valid last will and testament;
2. An affidavit or affidavits of heirship which must state:
 - a. the names and signatures of all claiming heirs to the deceased member's estate including the claiming heirs' names, relationship to the deceased, current addresses and current telephone numbers,
 - b. a statement or statements by the claiming heirs that no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction,
 - c. a statement that the value of the deceased member's entire estate is subject to probate, and that the estate wherever located, less liens

and encumbrances, does not exceed Five Thousand Dollars (\$5,000.00), including the payment of benefits or unpaid contributions from the System as authorized by this subsection,

- d. a description of the personal property claimed, (i.e., death benefit or unpaid contributions or both) together with a statement that such personal property is subject to probate,
- e. a statement by each individual claiming heir identifying the amount of personal property that the heir is claiming from the System, and that the heir has been notified of, is aware of and consents to the identified claims of all the other claiming heirs of the deceased member pending with the System;

3. A written agreement or agreements signed by all claiming heirs of the deceased member which provides that the claiming heirs release, discharge and hold harmless the System from any and all liability, obligations and costs which it may incur as a result of making a payment to any of the deceased member's heirs;

4. A corroborating affidavit from an individual other than a claiming heir, who was familiar with the affairs of the deceased member;

5. Proof that all debts of the deceased member, including payment of last sickness, hospital, medical, death, funeral and burial expenses have been paid or provided for.

(b) The Executive Director of the System shall retain complete discretion in determining which requests for probate waiver may be granted or denied, for any reason. Should the System have any question as to the validity of any document presented by the claiming heirs, or as to any statement or assertion contained therein, the probate

requirement provided for in Section 1 et seq. of Title 58 of the Oklahoma Statutes, shall not be waived.

- (c) After paying any death benefits or unpaid contributions to any claiming heirs as provided pursuant to this subsection, the System is discharged and released from any and all liability, obligation and costs to the same extent as if the System had dealt with a personal representative of the deceased member. The System is not required to inquire into the truth of any matter specified in this subsection or into the payment of any estate tax liability.

SUBCOMMITTEE ON EDUCATION

SECTION 24. There is hereby appropriated to the Oklahoma Arts Council 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 Six Thousand Nine Hundred Thirty-five Dollars (\$6,935.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Arts Council by law.

SECTION 25. There is hereby appropriated to the State Board of Education 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 Thirty-six Thousand Six Hundred Forty-three Dollars (\$236,643.00) or so much thereof as may be necessary for Administrative and Support Functions of the State Department of Education.

SECTION 26. Of the funds appropriated in Section 25 of this act, the amount of Eighty-seven Thousand Five Hundred Sixty-eight Dollars (\$87,568.00) shall be used for the Early Intervention Program.

SECTION 27. Of the funds appropriated in Section 25 of this act, the amount of One Thousand Four Hundred Fifty-eight Dollars (\$1,458.00) shall be used for the Office of Accountability.

SECTION 28. There is hereby appropriated to the Oklahoma Educational Television Authority 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 Twenty-nine

Thousand Seven Hundred Twenty Dollars (\$29,720.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law.

SECTION 29. There is hereby appropriated to the Oklahoma State Regents for Higher Education 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-eight Thousand Seven Hundred Seventy-three Dollars (\$68,773.00) or so much thereof as may be necessary for the general operating budget of the Administrative Offices of the Oklahoma State Regents for Higher Education.

SECTION 30. There is hereby appropriated to the Department of Libraries 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 Thirty-seven Thousand Six Hundred Forty-six Dollars (\$37,646.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Libraries by law.

SECTION 31. There is hereby appropriated to the Commissioners of the Land Office from any monies not otherwise appropriated from the Commissioners of the Land Office Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Twenty-eight Thousand Seven Hundred Thirty Dollars (\$28,730.00) or so much thereof as may be necessary to perform the duties imposed upon the Commissioners of the Land Office by law.

SECTION 32. There is hereby appropriated to the Physician Manpower Training 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 Thousand Nine Hundred Seventy-two Dollars (\$2,972.00) or so much thereof as may be necessary to perform the duties imposed upon the Physician Manpower Training Commission by law.

SECTION 33. There is hereby appropriated to the Board of Private Vocational Schools 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 Thousand

Four Hundred Sixty-six Dollars (\$1,466.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Private Vocational Schools by law.

SECTION 34. There is hereby appropriated to the Board of Trustees of the Oklahoma School of Science and Mathematics 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 Twenty-two Thousand Four Hundred Seventy-five Dollars (\$22,475.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Trustees of the Oklahoma School of Science and Mathematics by law.

SECTION 35. There is hereby appropriated to the Oklahoma Center for the Advancement of Science and Technology 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 Eight Thousand Four Hundred Twenty-one Dollars (\$8,421.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law.

SECTION 36. There is hereby appropriated to the State Board of Vocational and Technical Education 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 Fifty-eight Thousand Three Hundred Two Dollars (\$158,302.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Vocational and Technical Education by law.

SECTION 37. There is hereby appropriated to the Oklahoma Commission for Teacher Preparation 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 Ninety-one Dollars (\$991.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Commission for Teacher Preparation by law.

SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

SECTION 38. There is hereby appropriated to the Office of the State Auditor and Inspector 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 Seventy-nine Thousand Seven Hundred Forty-nine Dollars (\$79,749.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the State Auditor and Inspector by law.

SECTION 39. There is hereby appropriated to the State Election Board 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 Thousand Five Hundred Twenty-four Dollars (\$50,524.00) or so much thereof as may be necessary to perform the duties imposed upon the State Election Board by law.

SECTION 40. There is hereby appropriated to the State Ethics 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 Three Thousand Four Hundred Sixty-seven Dollars (\$3,467.00) or so much thereof as may be necessary to perform the duties imposed upon the State Ethics Commission by law.

SECTION 41. There is hereby appropriated to the Office of State Finance 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-six Thousand Seven Hundred Eighty-nine Dollars (\$56,789.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of State Finance by law.

SECTION 42. There is hereby appropriated to the Office of the Governor 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 Twenty Thousand Three Hundred Nine Dollars (\$20,309.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Governor by law.

SECTION 43. There is hereby appropriated to the Oklahoma House of Representatives 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 Eight Hundred Nine Thousand Seven Hundred Ninety Dollars (\$809,790.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma House of Representatives by law.

SECTION 44. There is hereby appropriated to the Legislative Service Bureau 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 Twelve Thousand Eight Hundred Seventy-nine Dollars (\$12,879.00) or so much thereof as may be necessary to perform the duties imposed upon the Legislative Service Bureau by law.

SECTION 45. There is hereby appropriated to the Office of the Lieutenant Governor 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 Thousand Nine Hundred Sixty-three Dollars (\$3,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Lieutenant Governor by law.

SECTION 46. There is hereby appropriated to the Oklahoma Merit Protection 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 Three Thousand Nine Hundred Sixty-three Dollars (\$3,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Merit Protection Commission by law.

SECTION 47. There is hereby appropriated to the Office of Personnel Management 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-one Thousand Twenty Dollars (\$51,020.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Personnel Management by law.

SECTION 48. There is hereby appropriated to the Department of Central Services 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 Fifteen Thousand Six Hundred Dollars (\$115,600.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Central Services by law.

SECTION 49. There is hereby appropriated to the Secretary of State 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 Fourteen Thousand Eight Hundred Sixty Dollars (\$14,860.00) or so much thereof as may be necessary to perform the duties imposed upon the Secretary of State by law.

SECTION 50. There is hereby appropriated to the Oklahoma State Senate 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 Five Hundred Ten Thousand Eight Hundred Fifty-one Dollars (\$510,851.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Senate by law.

SECTION 51. There is hereby appropriated to the Oklahoma Tax 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 Five Hundred Forty-four Thousand Three Hundred Seventy-six Dollars (\$544,376.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tax Commission by law.

SECTION 52. There is hereby appropriated to the Office of the State Treasurer 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 Twenty-nine Thousand Seven Hundred Twenty Dollars (\$29,720.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the State Treasurer by law.

SECTION 53. There is hereby appropriated to the Department of Civil Emergency Management 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 Five Thousand Seven Hundred Ninety-seven Dollars (\$5,797.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Civil Emergency Management by law.

SECTION 54. There is hereby appropriated to the Military Department of the State of Oklahoma 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-one Thousand Nine Hundred Thirty-seven Dollars (\$61,937.00) or so much thereof as may be necessary to perform the duties imposed upon the Military Department of the State of Oklahoma by law.

SECTION 55. There is hereby appropriated to the Oklahoma Department of Commerce 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 Eighty-one Thousand Two Hundred Thirty-five Dollars (\$81,235.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SUBCOMMITTEE ON HUMAN SERVICES

SECTION 56. There is hereby appropriated to the Commission on Children and Youth 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 Eleven Thousand Seven Hundred Forty-five Dollars (\$11,745.00) or so much thereof as may be necessary to perform the duties imposed upon the Commission on Children and Youth by law.

SECTION 57. There is hereby appropriated to the Office of Handicapped Concerns 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 Three Thousand Three Hundred Fifty-seven Dollars (\$3,357.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Handicapped Concerns by law.

SECTION 58. There is hereby appropriated to the Human Rights 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 Ten Thousand Eight Hundred Ninety-seven Dollars (\$10,897.00) or so much thereof as may be necessary to perform the duties imposed upon the Human Rights Commission by law.

SECTION 59. There is hereby appropriated to the Department of Human Services 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 Million Three Hundred One Thousand Eight Hundred Four Dollars (\$2,301,804.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 60. There is hereby appropriated to the Department of Rehabilitation Services 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 Eighty Three Thousand Thirty-three Dollars (\$183,033.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Rehabilitation Services by law.

SECTION 61. There is hereby appropriated to the Indian Affairs 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 One Thousand Four Hundred Eighty-six Dollars (\$1,486.00) or so much thereof as may be necessary to perform the duties imposed upon the Indian Affairs Commission by law.

SECTION 62. There is hereby appropriated to the Office of Juvenile Affairs 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 Five Hundred Forty-one Thousand Eight Hundred Ninety-nine Dollars (\$541,899.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Juvenile Affairs by law.

SUBCOMMITTEE ON HEALTH AND SOCIAL SERVICES

SECTION 63. There is hereby appropriated to the State Department of Health 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 Six Hundred Twenty-three Thousand Ninety-seven Dollars (\$623,097.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Health by law.

SECTION 64. There is hereby appropriated to the University Hospitals Authority 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 Five Hundred Seventy Thousand One Hundred Thirty-three Dollars (\$570,133.00) or so much thereof as may be necessary to perform the duties imposed upon the University Hospitals Authority by law.

SECTION 65. There is hereby appropriated to the Oklahoma Health Care Authority 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 Forty-nine Thousand Four Hundred Forty-five Dollars (\$49,445.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 66. There is hereby appropriated to the J.D. McCarty Center for Handicapped Children 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-one Thousand Five Hundred Fifteen Dollars (\$51,515.00) or so much thereof as may be necessary to perform the duties imposed upon the J.D. McCarty Center for Handicapped Children by law.

SECTION 67. There is hereby appropriated to the Department of Mental Health and Substance Abuse Services 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 One Hundred Thirty-three Thousand Three Hundred Thirty-two Dollars (\$1,133,332.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 68. There is hereby appropriated to the Oklahoma Department of Veterans Affairs 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 Six Hundred Fifty-five Thousand Three Hundred Thirty-two Dollars (\$655,332.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Veterans Affairs by law.

SUBCOMMITTEE ON NATURAL RESOURCES AND REGULATORY SERVICES

SECTION 69. There is hereby appropriated to the State Department of Agriculture 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 Twenty-two Thousand Seven Hundred Eighty-one Dollars (\$222,781.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 70. There is hereby appropriated to the State Banking Department 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 Twenty Thousand Eight Hundred and Four Dollars (\$20,804.00) or so much thereof as may be necessary to perform the duties imposed upon the State Banking Department by law.

SECTION 71. There is hereby appropriated to the Oklahoma Consumer Credit 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 Six Thousand Four Hundred Thirty-Nine Dollars (\$6,439.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 72. There is hereby appropriated to the Oklahoma Conservation 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 One Hundred Six Thousand One Hundred Forty-five Dollars (\$106,145.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 73. Of the funds appropriated in Section 72 of this act, the amount of Ninety-seven Thousand Eighty-six Dollars

(\$97,086.00) shall be used for Conservation Commission District Employees.

SECTION 74. There is hereby appropriated to the Corporation 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 One Hundred Ninety-two Thousand Eight Hundred Seventy-three Dollars (\$192,873.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 75. There is hereby appropriated to the Department of Environmental Quality 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 Ninety-eight Dollars (\$64,098.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 76. There is hereby appropriated to the Oklahoma Horse Racing 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 Twenty Thousand Three Hundred and Nine Dollars (\$20,309.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 77. There is hereby appropriated to the State Insurance Department 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-three Thousand and One Dollars (\$53,001.00) or so much thereof as may be necessary to perform the duties imposed upon the State Insurance Department by law.

SECTION 78. There is hereby appropriated to the Oklahoma Department of Labor 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-two Thousand Five Hundred and Six Dollars (\$52,506.00) or so much thereof as may be

necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 79. There is hereby appropriated to the Oklahoma Liquefied Petroleum Gas Board 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 Three Thousand Four Hundred Sixty-seven Dollars (\$3,467.00) or so much thereof as may be necessary to perform the duties imposed upon the State Banking Department by law.

SECTION 80. There is hereby appropriated to the Department of Mines 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 Sixteen Thousand Three Hundred Eighty-two Dollars (\$16,382.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines by law.

SECTION 81. There is hereby appropriated to the Oklahoma Securities 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 Thirteen Thousand Three Hundred Seventy-four Dollars (\$13,374.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Securities Commission by law.

SECTION 82. There is hereby appropriated to the Oklahoma Tourism and Recreation Department 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 Three Hundred Eighty-one Thousand Four Hundred and Ten Dollars (\$381,410.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 83. There is hereby appropriated to the Oklahoma Water Resources Board 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 Thirty-nine Thousand Six Hundred Twenty-seven Dollars (\$39,627.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 84. There is hereby appropriated to the Oklahoma Historical Society 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-two Thousand Four Hundred Thirteen Dollars (\$62,413.00) or so much thereof may be necessary to perform the duties imposed upon the Oklahoma Historical Society by law.

SECTION 85. There is hereby appropriated to the J.M. Davis Memorial 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 Three Thousand Four Hundred Sixty-seven Dollars (\$3,467.00) or so much thereof as may be necessary to perform the duties imposed upon the J.M. Davis Memorial Commission by law.

SECTION 86. There is hereby appropriated to the Will Rogers Memorial 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 Three Thousand Nine Hundred Sixty-three Dollars (\$3,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Will Rogers Memorial Commission by law.

SUBCOMMITTEE ON PUBLIC SAFETY AND JUDICIARY

SECTION 87. 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 Thirty-two Thousand Six Hundred Ninety-two Dollars (\$32,692.00) or so much thereof as may be necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law.

SECTION 88. There is hereby appropriated to the Department of Corrections 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 Million One Hundred Seventy-six Thousand Five Hundred Eighty-nine Dollars (\$2,176,589.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 89. There is hereby appropriated to the State Fire Marshal 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 Thousand Nine Hundred Seven Dollars (\$9,907.00) or so much thereof as may be necessary to perform the duties imposed upon the State Fire Marshal by law.

SECTION 90. 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, 1998, the sum of One Hundred Seven Thousand Nine Hundred Eighty-four Dollars (\$107,984.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law.

SECTION 91. 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 Sixteen Thousand Eight Hundred Forty-one Dollars (\$16,841.00) 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 92. 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 Twenty-four Thousand Two Hundred Seventy-two Dollars (\$24,272.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 93. There is hereby appropriated to the 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 Forty-one Thousand Six Hundred Eight Dollars (\$41,608.00) or so much thereof as may be necessary to perform the duties imposed upon the Bureau of Narcotics and Dangerous Drugs Control by law.

SECTION 94. There is hereby appropriated to the Pardon and Parole Board from any monies not otherwise appropriated from the
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General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1998, the sum of Seventeen Thousand Eight Hundred Thirty-two Dollars (\$17,832.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 95. 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 Five Hundred Fifty-five Thousand Thirty-six Dollars (\$555,036.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 96. There is hereby appropriated to the Office of the Attorney General 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-five Thousand Six Hundred Forty-eight Dollars (\$55,648.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Attorney General by law.

SECTION 97. There is hereby appropriated to the Office of the Attorney General 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-two Thousand Five Hundred Forty-four Dollars (\$262,544.00) or so much thereof as may be necessary to perform the duties imposed upon the District Attorneys and District Attorneys Council by law.

SECTION 98. 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 Twenty-seven Thousand Two Hundred Seventy-eight Dollars (\$27,278.00) or so much thereof as may be necessary to perform the duties imposed upon the Court of Criminal Appeals by law.

SECTION 99. 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 sum of One Million Eighty-nine Thousand Thirty-two Dollars (\$1,089,032.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

SECTION 100. 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 sum of One Hundred Twenty-two Thousand Seven Hundred Seventy-one Dollars (\$122,771.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court or Court of Civil Appeals by law.

SECTION 101. 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 sum of Eighty-nine Thousand Seven Hundred Thirty-two Dollars (\$89,732.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 102. There is hereby appropriated to the Oklahoma Indigent Defense System 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 Thirty-nine Thousand Six Hundred Twenty-seven Dollars (\$39,627.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 103. There is hereby appropriated to the Oklahoma State Employees Deferred Savings Incentive Plan Fund created by Section 15 of this act from monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Million Dollars (\$2,000,000.00) or so much thereof as may be necessary to provide contributions to qualified participants from January through June, 1998, pursuant to Section 15 of this act.

SECTION 104. Budgetary limits otherwise imposed upon agencies by law shall not apply to expenditures by state agencies from monies appropriated in this act.

SECTION 105. The appropriations made by this act, but 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 has prepared and submitted a budget 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 106. REPEALER 74 O.S. 1991, Section 250.4-1, as amended by Section 22, Chapter 367, O.S.L. 1992 (74 O.S. Supp. 1996, Section 250.4-1), is hereby repealed.

SECTION 107. NONCODIFICATION Section 12 of this act shall not be codified in the Oklahoma Statutes.

SECTION 108. Sections 2 and 11 through 107 of this act shall become effective July 1, 1997.

SECTION 109. Sections 3, 4, 5, 6, 7 and 8 of this act shall become effective January 1, 1998.

SECTION 110. Section 9 of this act shall become effective January 1, 1999.

SECTION 111. 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.

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