

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)
CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2968

By: Taylor of the House

and

Weedn of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to counties and county officers; amending 19 O.S. 1991, Section 165, as amended by Section 6, Chapter 239, O.S.L. 1993 (19 O.S. Supp. 1997, Section 165), which relates to travel allowance in lieu of travel expenses of county officers; permitting county officers to use county-owned vehicles or equipment under certain circumstances; defining term; amending 19 O.S. 1991, Section 421.1, which relates to the procedure for sale of certain county property; permitting board of county commissioners to enter into certain agreements with other counties or political subdivisions for disposing of certain equipment or materials; amending Section 6, Chapter 334, O.S.L. 1993 (19 O.S. Supp. 1997, Section 180.74), as amended by Section 1 of Enrolled Senate Bill No. 1074 of the 2nd Session of the 46th Oklahoma Legislature, which relates to computing the basic salary of county officers; increasing basic salary for county officers; repealing Section 6, Chapter 334, O.S.L. 1993 (19 O.S. Supp. 1997, Section 180.74), as amended by Section 5 of Enrolled Senate Bill No. 1245 of the 2nd Session of the 46th Oklahoma Legislature, which relates to computing the basic salary of county officers; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 165, as amended by Section 6, Chapter 239, O.S.L. 1993 (19 O.S. Supp. 1997, Section 165), is amended to read as follows:

Section 165. A. In lieu of reimbursement for traveling expenses within their county each county commissioner and sheriff may receive a monthly travel allowance of Three Hundred Fifty Dollars (\$350.00). In lieu of the reimbursement for traveling expenses authorized by law for each county officer, each county assessor may receive a monthly travel allowance of Two Hundred

Fifty Dollars (\$250.00), and each county clerk, court clerk and county treasurer may receive a monthly travel allowance of One Hundred Fifty Dollars (\$150.00). Each such county officer may be subject to the penalty provided by Section 166 of this title for failure to attend the meetings specified in that section.

B. The provisions of this section and Sections 163 and 164 of this title shall not prevent the emergency use of a county-owned vehicle or county-owned equipment by a county officer when such county officer is acting on behalf of the county or when such use is related to county business. As used in this subsection, "emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action.

SECTION 2. AMENDATORY 19 O.S. 1991, Section 421.1, is amended to read as follows:

Section 421.1 A. The board of county commissioners is hereby authorized to use any tools, apparatus, machinery or equipment belonging to the county, the original cost of which exceeded Two Hundred Fifty Dollars (\$250.00), as a trade-in on a cash purchase of any other tools, apparatus, machinery or equipment.

B. The following procedures shall be used for the sale, by the board of county commissioners, of any tools, apparatus, machinery or equipment, the original cost of which exceeded Two Hundred Fifty Dollars (\$250.00), belonging to the county:

1. The board of county commissioners shall give notice of such sale by publication in a newspaper of general paid circulation in the county for two (2) successive weekly issues;

2. Bids for such tools, apparatus, machinery or equipment on sale shall be in writing, sealed and delivered to the county clerk of such county;

3. At the next regular meeting of the board of county commissioners after the expiration of fifteen (15) days from the date of first publication of notice of the sale, the board of county commissioners shall open such bids and award such tools, apparatus, machinery or equipment to the highest and best bidder with the option of rejecting all bids; and

4. The board of county commissioners may hold a public auction in lieu of advertising for sealed bids as provided above. Such auction shall be advertised as provided herein.

C. A board of county commissioners may sell any materials, tools, apparatus, machinery or equipment to a state agency, if the agency is subject to the Oklahoma Central Purchasing Act, or to a political subdivision of the state if the political subdivision is subject to such act or a similar competitive bidding procedure. The board of county commissioners may purchase materials, tools, apparatus, machinery or equipment from a state agency, if the agency is subject to the Oklahoma Central Purchasing Act, or from a political subdivision of the state if the political subdivision is subject to such act or a similar competitive bidding procedure.

D. The board of county commissioners may, by resolution, enter into an agreement with any other county or political subdivision for the purpose of selling, transferring, trading or otherwise disposing of equipment or materials.

SECTION 3. AMENDATORY Section 6, Chapter 334, O.S.L. 1993 (19 O.S. Supp. 1997, Section 180.74), as amended by Section 1 of Enrolled Senate Bill No. 1074 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 180.74 A. The basic salaries of county officers upon which all salaries and future increases or decreases thereof shall be computed, shall be as follows:

1. In every county having a service-ability factor, as defined in Section 180.71 of this title, of Four Hundred Thousand Dollars (\$400,000.00) or less, the basic salary of each of the county officers named in Section 180.73 of this title shall not ~~exceed~~ be less than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-nine Thousand Dollars (\$39,000.00) per annum;

2. In every county having a service-ability factor, as defined in Section 180.71 of this title, of more than Four Hundred Thousand Dollars (\$400,000.00) but not more than Eight Hundred Thousand Dollars (\$800,000.00), the basic salary of each of the county officers named in Section 180.73 of this title shall not

~~exceed~~ be less than Twenty-two Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall it exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per annum;

3. In every county having a service-ability factor, as defined in Section 180.71 of this title, of more than Eight Hundred Thousand Dollars (\$800,000.00) but not more than Three Million Dollars (\$3,000,000.00), the basic salary of each of the county officers named in Section 180.73 of this title shall not ~~exceed~~ be less than Twenty-four Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall it exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per annum;

4. In every county having a service-ability factor, as defined in Section 180.71 of this title, of more than Three Million Dollars (\$3,000,000.00) but not more than Ten Million Dollars (\$10,000,000.00), the basic salary of each of the county officers named in Section 180.73 of this title shall not ~~exceed~~ be less than Twenty-two Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall it exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per annum; and

5. In every county having a service-ability factor, as defined in Section 180.71 of this title, of more than Ten Million Dollars (\$10,000,000.00), the basic salary of each of the county officers named in Section 180.73 of this title shall not ~~exceed~~ be less than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-nine Thousand Dollars (\$39,000.00) per annum.

B. In all counties of this state, the total annual salaries of each of the county officers named in Section 180.73 of this title shall be fixed by the board of county commissioners except where otherwise provided by law, and in each county the salary last fixed by the board of county commissioners before the election or appointment of any such officer shall be the applicable salary for such county officer for the ensuing term.

C. The annual salaries fixed by Section 180.71 of this title shall be paid either monthly or twice a month, by order of the

board of county commissioners, for each month or fraction thereof the incumbent lawfully occupies and holds title to such office.

SECTION 4. REPEALER Section 6, Chapter 334, O.S.L. 1993 (19 O.S. Supp. 1997, Section 180.74), as amended by Section 5 of Enrolled Senate Bill No. 1245 of the 2nd Session of the 46th Oklahoma Legislature, is hereby repealed.

SECTION 5. This act shall become effective November 1, 1998.

46-2-11564 JAF