

ENROLLED SENATE
BILL NO. 911

By: Haney and Hobson of the
Senate

and

Hamilton and Settle of the
House

An Act funding state judicial entities; making an appropriation to the Court of Criminal Appeals; stating purpose; requiring budgeting in certain categories and amounts; authorizing employment of temporary employees; exempting temporary employees from budgetary limitations; providing for the duties and compensation of employees; authorizing certain judicial entities to set duties and compensation of certain employees; providing budgetary limitations; making an appropriation to the Supreme Court for the district courts; stating purpose; requiring budgeting in certain categories and amounts; limiting the number of judges; providing for compensation of officials and employees of the district courts; limiting number and salaries of certain judges and employees; authorizing the total or partial refund of payments to the State Judicial Fund by local court funds under certain circumstances and providing procedure; allowing certain claim to be filed with the Administrative Office of the Courts for specific purposes; providing procedures for filing of claim and authorizing payment upon certain approval; making appropriations to the Supreme Court; stating purpose; authorizing transfer of

certain funds; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees of the Supreme Court; providing for the duties and compensation of employees of the Court of Civil Appeals; providing budgetary limitations; making an appropriation to the Workers' Compensation Court; stating purpose; authorizing certain lease-purchase agreement; limiting term of agreement; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
COURT OF CRIMINAL APPEALS

SECTION 1. There is hereby appropriated to the Court of Criminal Appeals from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Ninety-six Thousand Seventy-one Dollars (\$96,071.00) or so much thereof as may be required to perform the duties imposed upon the Court of Criminal Appeals by law.

SECTION 2. For the fiscal year ending June 30, 1999, the Court of Criminal Appeals shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$2,562,879.00	\$2,712,879.00

SECTION 3. The Court of Criminal Appeals is authorized to employ temporary employees as may be necessary to relieve the backlog of criminal appeal cases. Personnel employed pursuant to the provisions of this section shall be exempt from the limitation on full-time-equivalent employees provided in Section 4 of this act.

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Criminal Appeals by law shall be set by the Judges of the Court of Criminal Appeals. The Court of Criminal Appeals, for the fiscal year ending June 30, 1999, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	36.0
Lease-Purchase Agreements	\$53,211.00

DISTRICT COURTS

SECTION 5. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of One Million Six Hundred Sixty-four Thousand Eight Hundred Seventy-three Dollars (\$1,664,873.00) or so much thereof as may be necessary to perform the duties imposed upon the district courts by law.

SECTION 6. For the fiscal year ending June 30, 1999, the district courts shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$34,647,308.00	\$38,065,566.00

SECTION 7. For the fiscal year ending June 30, 1999, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY RANGE	
District Judge	73		
Associate District Judge			
County Population over 30,000	32		
County Population 10,000 to 30,000	30		
County Population under 10,000	15		
Special Judge	78		
TITLE	NUMBER AUTHORIZED	MINIMUM	MAXIMUM
Court Reporter	196	\$19,236.00	\$28,174.00
Trial Court Administrator	2	20 O.S., Section 126	
Secretary to Administrative Presiding Judge of the Judicial District	9	\$20,325.00	\$26,676.00
Secretary Bailiff	157	\$18,604.00	\$24,371.00
TOTAL	583.0		

ANNUAL SALARY RANGE
EFFECTIVE JANUARY 1, 1999

TITLE	NUMBER AUTHORIZED	MINIMUM	MAXIMUM
Court Reporter	196	\$20,486.00	\$29,424.00
Secretary to Administrative Presiding Judge of the Judicial District	9	\$21,575.00	\$27,926.00
Secretary Bailiff	156	\$19,854.00	\$25,621.00

SECTION 8. A. Payments made by local court funds to the State Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma Statutes during fiscal year 1999 may be totally or partially refunded upon approval by the Chief Justice to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes. All such refunds shall be paid from the Supreme Court Revolving Fund.

B. When local court funds are insufficient to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes or outstanding liabilities for constitutionally mandated services and items of expense, a claim may be filed with the

Administrative Office of the Courts by a Court Fund Governing Board, or by the person or corporation to whom money is due as verified by the Court Fund Governing Board or by the Administrative Office of the Courts. All such claims shall be filed with the Administrative Office of the Courts by July 31, 1999. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

SUPREME COURT

SECTION 9. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the amount of One Million Two Hundred Eighty-one Thousand Seven Hundred Ninety-one Dollars (\$1,281,791.00) or so much thereof as may be necessary to perform the duties imposed upon the Supreme Court and the Court of Civil Appeals by law.

SECTION 10. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) for transfer to the "Legal Services Revolving Fund" created pursuant to subsection H of Section 921.1 of Title 12 of the Oklahoma Statutes.

SECTION 11. For the fiscal year ending June 30, 1999, the State Supreme Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Supreme Court Justices, Court of Civil Appeals and Staff	\$ 3,978,976.00	\$ 4,128,976.00
Court of Civil Appeals Administrative Office of the Courts	3,391,560.00 1,175,739.00	3,491,560.00 1,475,739.00
Court Clerk's Office	268,257.00	318,257.00
Legal Aid Services Contract	600,000.00	600,000.00
Management Information Services	1,697,251.00	1,997,251.00
Dispute Mediation	703,266.00	853,266.00
Judicial Retirement	<u>2,990,748.00</u>	<u>2,990,748.00</u>
TOTAL	<u>\$14,805,797.00</u>	<u>\$15,855,797.00</u>

SECTION 12. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Supreme Court by law shall be set by the Supreme Court Justices by majority vote.

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Civil Appeals by law shall be set by the Court of Civil Appeals, subject to the approval of the Supreme Court.

SECTION 14. The Supreme Court and the Court of Civil Appeals for the fiscal year ending June 30, 1999, shall be subject to the following budgetary limitations, on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects and excluding lawful expenditures from the State Judicial Fund, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	156.0
Lease-Purchase Agreements	\$50,000.00

WORKERS' COMPENSATION COURT

SECTION 15. There is hereby appropriated to the Workers' Compensation Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the amount of Three Hundred Thirteen Thousand One Hundred Seventy-nine Dollars (\$313,179.00) or so much thereof as

may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 16. Pursuant to the requirements of paragraphs 4 and 5 of subsection I of Section 85.4 of Title 74 of the Oklahoma Statutes, the Workers' Compensation Court is hereby authorized to acquire a computer system by lease-purchase agreement. Further, the term of the lease-purchase agreement may be in excess of three (3) years but not to exceed five (5) years.

SECTION 17. For the fiscal year ending June 30, 1999, the Workers' Compensation Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 768,826.00	\$1,925,889.00
General Court Operations	<u>3,050,704.00</u>	<u>4,914,733.00</u>
TOTAL	\$3,819,535.00	\$6,840,622.00

SECTION 18. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Workers' Compensation Court by law shall be set by the Administrator. The Workers' Compensation Court for the fiscal year ending June 30, 1999, shall be subject to the following budgetary limitations, on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	104.0
Lease-Purchase Agreements	\$1,790,665.00

SECTION 19. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99) or may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00). Funds budgeted for FY-99 may be encumbered only through June 30, 1999, and must be expended by November 15, 1999. Any funds remaining after November 15, 1999, and not budgeted for FY-00, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-00 may be encumbered only through June 30, 2000. Any funds remaining after November 15, 2000, 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-99, and not required to pay obligations for that fiscal year, may be budgeted for FY-00, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-99 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 20. This act shall become effective September 1, 1998.