

ENROLLED SENATE  
BILL NO. 970

By: Haney and Hobson of the  
Senate

and

Hamilton and Settle of the  
House

An Act relating to state agencies; making an appropriation to the Special Cash Fund; stating finding; authorizing certain transfers; amending Section 9, Chapter 299, O.S.L. 1997, which relates to the support of public school activities; modifying apportionment of certain monies; correcting cites; amending Section 13, Chapter 299, O.S.L. 1997, which relates to the Advancement Placement Program; modifying use of monies allocated for such program; amending Section 17, Chapter 299, O.S.L. 1997, which relates to Instructional, Cooperative and Technological Education; modifying allocation of monies apportioned to such education; amending Section 20, Chapter 265, O.S.L. 1997, which relates to the Department of Public Safety; modifying certain budgetary limitations; designating certain full-time-equivalent employee positions for use by the Oklahoma Criminal Justice Resource Center; transferring monies for purpose of completing the transfer of the Criminal Justice Resource Center; amending 57 O.S. 1991, Section 332.4, as amended by Section 2, Chapter 293, O.S.L. 1992 (57 O.S. Supp. 1997, Section 332.4), which relates to the Pardon and Parole Board; modifying compensation of members

of the Board; amending Section 6, Chapter 261, O.S.L. 1997, as amended by Section 6, Chapter 372, O.S.L. 1997, which relates to District Courts; modifying certain fund category amounts; amending Section 11, Chapter 261, O.S.L. 1997, which relates to the State Supreme Court; modifying certain fund category amounts; amending Section 54, Chapter 299, O.S.L. 1997, which relates to the State Board of Vocational and Technical Education; modifying certain fund category amounts; amending 74 O.S. 1991, Section 3601, as last amended by Section 2, Chapter 412, O.S.L. 1997 (74 O.S. Supp. 1997, Section 3601), which relates to the maximum number of full-time-equivalent employees in various state agencies, boards, commissions, departments, and programs and the salary limitation of each executive officer of such entities; modifying salary limitations for certain executive officers of certain entities; amending Section 39, Chapter 299, O.S.L. 1997, which relates to the Board of Trustees of the Oklahoma School of Science and Mathematics; modifying certain fund category amounts; amending Section 11, Chapter 310, O.S.L. 1997, which relates to Oklahoma Indian Affairs Commission; modifying certain fund category amounts; amending 20 O.S. 1991, Section 1308, as last amended by Section 2 of Enrolled House Bill No. 3062 of the 2nd Session of the 46th Oklahoma Legislature, which relates to the State Judicial Fund; modifying deposit requirements; and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Special Cash Fund from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury designated by the Office of State Finance as the "097 Fund", the sum of One Hundred Four Million Six Hundred Fifty Thousand Two Hundred Sixty-seven Dollars (\$104,650,267.00). Pursuant to paragraph 4 of Section 10.1 of Title 62 of the Oklahoma Statutes, the Legislature finds that the monies appropriated by this section are not necessary for the current year cash-flow needs. Pursuant to Section 10.3 of Title 62 of the Oklahoma Statutes, in the event of a monthly shortfall of revenues, the Director of the Office of State Finance shall transfer from the Special Cash Fund of the State Treasury to the Cash-flow Reserve Fund an amount necessary to avert the shortfall.

SECTION 2. AMENDATORY Section 9, Chapter 299, O.S.L. 1997, is amended to read as follows:

Section 9. Beginning July 1, 1997, monies in support of public school activities by the State Board of Education payable from monies appropriated by Sections 2 through 9, Chapter 60, O.S.L. 1997, Section 5, Chapter 277, O.S.L. 1997, and Sections 1 through 4, 6 and 7, Chapter 299, O.S.L. 1997, shall be apportioned as follows:

1. Funds appropriated and authorized by Sections 2 through 4, Chapter 60, O.S.L. 1997, Section 5, Chapter 277, O.S.L. 1997, and Section 1, Chapter 299, O.S.L. 1997:

Local and State Supported Financial Support of Public Schools	\$1,489,019,833.00
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SUBTOTAL, PARAGRAPH 1	\$1,489,019,833.00
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2. Funds appropriated by Sections 6 through 8, Chapter 60, O.S.L. 1997, and Sections 2 through 4 and Sections 6 and 7, Chapter 299, O.S.L. 1997:

Purchase of Textbooks	\$ 19,196,448.00
Psychometric Services	887,042.00
Staff Development	9,810,422.00
Advanced Placement Incentives	3,700,000.00
Teacher Consultant Stipends	1,037,713.00
Teacher Retirement Credit	31,600,000.00
School Lunch Matching	3,541,085.00
School Lunch Programs	3,190,614.00
Homebound Children	1,192,928.00
Alternative and High Challenge Education	20,849,797.00
Adult Education Matching	1,309,045.00
Driver Education	1,604,631.00
Early Intervention	8,310,990.00
Hissom Compliance	241,447.00

Community Education Grants	425,000.00
Parent Training Program	2,459,144.00
Special Education Assistance	700,000.00
Out-of-Home Placement	383,750.00
School/Community Network for Arts-in-Education	129,468.00
Instructional, Cooperative and Technological Education	1,153,136.00
Summer Arts Institute	300,000.00
AG in the Classroom	50,001.00
Office of Accountability	230,000.00
Oklahoma Ambassador of Teaching	48,000.00
Education Leadership Oklahoma	750,000.00
Student Identification System	1,500,000.00
Ad Valorem Tax Protest	<u>4,546,022.00</u>
SUBTOTAL, PARAGRAPH 2	\$119,146,683.00

3. Funds appropriated by Section 9, Chapter 60, O.S.L. 1997, and Section 6, Chapter 299, O.S.L. 1997:

Administrative and Support Functions of the State Department of Education	\$ 17,887,095.00
SUBTOTAL, PARAGRAPH 3	<u>\$ 17,887,095.00</u>
TOTAL State School Aid and Programs	\$1,626,053,611.00

SECTION 3. AMENDATORY Section 13, Chapter 299, O.S.L. 1997, is amended to read as follows:

Section 13. The funds allocated in Section 9, Chapter 299, O.S.L. 1997, specifically for the purpose of funding the Advanced Placement Program shall be used for one-time equipment or materials grants, subsidized training, school incentives, exam fee reimbursement, and administrative costs.

SECTION 4. AMENDATORY Section 17, Chapter 299, O.S.L. 1997, is amended to read as follows:

Section 17. A portion of the funds allocated in Section 9, Chapter 299, O.S.L. 1997, for Instructional, Cooperative and Technological Education shall be apportioned as follows:

1. Four Hundred Sixty-three Thousand Four Hundred Sixty-seven Dollars (\$463,467.00) for Small School Cooperative shall be awarded on a competitive application basis pursuant to the provisions of Section 18-125 of Title 70 of the Oklahoma Statutes. Up to Two Hundred Fifty Thousand Dollars (\$250,000.00) may be used for telecommunications purposes. No cooperative program shall receive more than a total of Sixty Thousand Dollars (\$60,000.00) each year from the allocation set out in this section. Each calculated award shall be reduced by twenty-five percent (25%) for each district participating whose second preceding year per-child revenue, less federal revenue, is greater than one hundred fifty percent (150%) of the state average; and

2. Fifty-five Thousand Eight Hundred Fifty-two Dollars (\$55,852.00) shall be expended on a contractual basis to the Chickasha Public School District (26-I-001) for the purpose of room and board payments for students at the Jane Brooks School for the Deaf, pursuant to contracts between the Chickasha School District and the Jane Brooks School for the Deaf; and

3. Fifty-three Thousand Three Hundred Seventy-eight Dollars (\$53,378.00) shall be expended on a contractual basis for the Oklahoma Science and Engineering Fair; and

4. Two Hundred Eighty Thousand Three Hundred Forty-four Dollars (\$280,344.00) shall be expended on a competitive application basis to an institution of The Oklahoma State System of Higher Education for the purpose of implementing telecommunications curriculum statewide; and

5. Three Hundred Thousand Dollars (\$300,000.00) shall be awarded to school districts which meet the average daily attendance required to obtain a small school incentive grant pursuant to Section 18-125 of Title 70 of the Oklahoma Statutes, for costs incurred for expanding the number of grades.

SECTION 5. AMENDATORY Section 20, Chapter 265, O.S.L. 1997, is amended to read as follows:

Section 20. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Public Safety by law shall be set by the Director. The Department of Public Safety for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, except the full-time-equivalent employee limit shall not include cadets while they are members of a patrol school or during their employment in probationary status nor shall it include temporary Lake Patrol Officers employed pursuant to Section 840-5.5 of Title 74 of the Oklahoma Statutes, excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	1,390.0
Lease-Purchase Agreements	\$630,500.00

Of the one thousand three hundred ninety (1,390) full-time-equivalent employee positions authorized in this section, nine (9) full-time-equivalent employee positions shall be designated for use by the Oklahoma Criminal Justice Resource Center.

SECTION 6. The Department of Corrections is hereby directed to transfer to the Department of Public Safety the sum of Forty-three Thousand Dollars (\$43,000.00) for the purpose of completing the transfer of the Criminal Justice Resource Center pursuant to Section 508.2 of Title 57 of the Oklahoma Statutes.

SECTION 7. AMENDATORY 57 O.S. 1991, Section 332.4, as amended by Section 2, Chapter 293, O.S.L. 1992 (57 O.S. Supp. 1997, Section 332.4), is amended to read as follows:

Section 332.4 The Chairman of the Pardon and Parole Board shall be selected by said Board. The members of said Board shall receive Nine Thousand Six Hundred Dollars (\$9,600.00) per annum, payable monthly; provided, that failure on the part of any member to attend Board meetings during any month will preclude his right to said month's compensation except in case of justifiable cause. In addition, the Chairman and members of said Pardon and Parole Board shall receive expenses while attending and going to and from meetings of the Board and in performing their official duties, according to the State Travel Reimbursement Act. Such compensation shall be paid by the State Treasurer by state warrant drawn against

funds appropriated for such purpose by the Legislature. Hours worked by Board members shall be exempt from full-time-equivalent employee limits.

SECTION 8. AMENDATORY Section 6, Chapter 261, O.S.L. 1997, as amended by Section 6, Chapter 372, O.S.L. 1997, is amended to read as follows:

Section 6. For the fiscal year ending June 30, 1998, the District Courts shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Court Operations	\$31,093,153.00	\$31,371,477.00

SECTION 9. AMENDATORY Section 11, Chapter 261, O.S.L. 1997, is amended to read as follows:

Section 11. For the fiscal year ending June 30, 1998, the State Supreme Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Supreme Court Justices and Staff	\$ 3,715,521.00	\$ 3,828,921.00
Court of Civil Appeals	3,141,376.00	3,208,776.00
Administrative Office of the Courts	1,416,589.00	2,605,308.00
Court Clerk's Office	247,797.00	465,636.00
Supreme Court Management Information Services	944,054.00	1,074,215.00
Dispute Mediation	<u>599,546.00</u>	<u>599,546.00</u>
TOTAL	\$10,064,883.00	\$12,316,140.00

SECTION 10. AMENDATORY Section 54, Chapter 299, O.S.L. 1997, is amended to read as follows:

Section 54. For the fiscal year ending June 30, 1998, the State Board of Vocational and Technical Education shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Business/Industry/Adult Education 18,392,597.00	\$ 15,843,366.00	\$
Local Schools Support	74,943,429.00 103,122,456.00	
Central Services 21,336,549.00	12,285,845.00	
Inmate and Skills Centers <u>7,633,398.00</u>	<u>4,089,475.00</u>	
TOTAL	\$107,162,115.00	
\$150,485,000.00		

SECTION 11. AMENDATORY 74 O.S. 1991, Section 3601, as last amended by Section 2, Chapter 412, O.S.L. 1997 (74 O.S. Supp. 1997, Section 3601), is amended to read as follows:

Section 3601. A. For purposes of Sections 3601 through 3603 of this title, the term employee means a full-time employee or any number of part-time employees whose combined weekly hours of employment equal those of a full-time employee, but shall not include temporary employees working on a seasonal basis between May 1 and October 31.

B. The maximum number of full-time-equivalent employees for each of the following agencies, boards, commissions, departments, or programs shall not exceed the numbers specified in this section during the fiscal year ending June 30, 1998, except as may be authorized pursuant to the provisions of Section 3603 of this title. The salary of the chief executive officer for each of the following agencies, boards, commissions, departments, or programs shall not exceed the amount specified, per annum, payable monthly, for the fiscal year ending June 30, 1998.

	MAXIMUM NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES	MAXIMUM ANNUAL SALARY FOR CHIEF EXECUTIVE OFFICER
Board of Managers of the State Insurance Fund	591	\$82,641.00
Oklahoma Employment Security Commission	1150	\$76,991.00
Public Accountancy Board	8	\$51,552.00
Board of Governors of Licensed Architects and Landscape Architects	4	\$39,191.00
Board of Chiropractic Examiners	2	\$27,000.00
Cosmetology Board	16	\$33,309.00
Board of Governors of Registered Dentists	5	\$35,794.00
Embalmers and Funeral Directors Board	5	\$35,835.00
Professional Engineers and Land Surveyors Board	7	\$40,727.00
Oklahoma State Board of Medical Licensure and Supervision/Podiatry Board/State Board of Examiners of Perfusionists	29	\$65,000.00
Commission on Marginally Producing Oil and Gas Wells		3\$52,000.00
Oklahoma Motor Vehicle Commission	4	\$48,011.00
Oklahoma Board of Nurse Registration and Nursing Education	20	\$55,991.00
Nursing Homes Board	4	\$41,291.00
Optometry Board	1	
Board of Osteopathic Examiners	5	\$48,405.00
Oklahoma Peanut Commission	2	\$43,386.00
State Board of Pharmacy	9	\$57,531.00
Psychologists Board	2	\$31,400.00
Real Estate Commission	26	\$53,121.00
Speech Pathology and Audiology Board	1	\$10,064.00
Oklahoma Used Motor Vehicle and Parts Commission	10	\$47,986.00
Board of Veterinary Medical Examiners	4	\$29,500.00
Oklahoma Wheat Commission	7	\$48,011.00
Firefighters Pension and Retirement System	11	\$65,701.00
Police Pension and Retirement System	7	\$65,701.00
Oklahoma Teachers' Retirement System	40	\$74,032.00
Oklahoma Public Employees Retirement System	48	\$74,032.00
Student Loan Authority	45	\$92,741.00
Oklahoma Industrial Finance Authority/Oklahoma Development Finance Authority	15	\$89,178.00
State and Education Employees Group Insurance Board	165	\$87,491.00
Oklahoma Capital Investment Board	4	\$72,000.00
Social Workers Board	1	\$30,700.00
State Employees Benefit Council	24	\$70,291.00
Grand River Dam Authority	524	\$95,658.00

C. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the

Oklahoma Public Employees Retirement System Board of Trustees by law shall be set by the said Board of Trustees.

D. Temporary employees of the Oklahoma Used Motor Vehicle and Parts Commission between the dates of November 1 and January 31 annually shall not be counted toward the maximum number of full-time-equivalent employees provided for in this section.

E. Any salary increases provided for by law for chief executive officer positions in this section shall be made regardless of any salary limitation set by this section.

SECTION 12. AMENDATORY Section 39, Chapter 299, O.S.L. 1997, is amended to read as follows:

Section 39. For the fiscal year ending June 30, 1998, the Board of Trustees of the Oklahoma School of Science and Mathematics shall budget all funds in the following categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Statewide Enhancement in the Fields of Mathematics and Science	\$4,316,578.00	\$4,789,053.00

SECTION 13. AMENDATORY Section 11, Chapter 310, O.S.L. 1997, is amended to read as follows:

Section 11. For the fiscal year ending June 30, 1998, the Oklahoma Indian Affairs Commission shall budget all funds in the following category for the following amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	<u>\$201,716.00</u>	<u>\$215,560.00</u>
TOTAL	\$201,716.00	\$215,560.00

SECTION 14. AMENDATORY 20 O.S. 1991, Section 1308, as last amended by Section 2 of Enrolled House Bill No. 3062 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 1308. Clerks in counties having a population of less than seventy thousand (70,000) must transmit each quarter for deposit in the State Judicial Fund the amount by which the receipts deposited in the court fund for the quarter, including the interest earned on the court fund, exceeds the expenses for the quarter, provided the court clerk shall retain from the excess amount a sum equal to twenty percent (20%) of the expenses for the quarter. Clerks in counties having a population of seventy thousand (70,000) or more shall transmit each month for deposit in the State Judicial Fund the amount by which the receipts deposited in the court fund for the reporting period for the report required by Section 1307 of this title, including interest earned on the court fund, exceeds the expenses for the reporting period, provided the clerk shall retain from the excess amount a sum equal to twenty percent (20%) of the expenses for the reporting period. Within thirty (30) days after the end of each fiscal year, the court clerk, in addition to the other amounts due hereunder, shall transmit to the Supreme Court for deposit in the State Judicial Fund an amount equal to the gross receipts for the entire past fiscal year less the total amount of expenses, as defined in subsection A of Section 1307 of this title, and less the transfers made for the past fiscal year.

SECTION 15. 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.