

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 CONFERENCE COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 HOUSE BILL NO. 1544

6 By: Settle and Begley of the  
7 House

8 and

9 Haney and Hobson of the  
10 Senate

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act funding state judicial entities; making an  
13 appropriation to the Court of Criminal Appeals;  
14 stating purpose; requiring budgeting in certain  
15 categories and amounts; authorizing employment of  
16 temporary employees; exempting temporary employees  
17 from budgetary limitations; providing for the duties  
18 and compensation of employees; providing budgetary  
19 limitations; amending Section 128 of Enrolled Senate  
20 Bill No. 161 of the 1st Session of the 47th Oklahoma  
21 Legislature, which relates to an appropriation to the  
22 Court of Criminal Appeals; modifying appropriation;  
23 making an appropriation to the Supreme Court for the  
24 district courts; stating purpose; requiring budgeting  
25 in certain categories and amounts; limiting salaries  
26 of certain employees; providing budgetary limitations  
27 on certain full-time-equivalent employees;  
28 authorizing the total or partial refund of payments  
29 to the State Judicial Fund by local court funds under  
30 certain circumstances; providing procedure; making an  
31 appropriation to the Council on Judicial Complaints;  
32 stating purpose; requiring budgeting in certain  
categories and amounts; providing budgetary  
limitations; providing limit on salary of the  
Director; making an appropriation to the Supreme  
Court; stating purpose; 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; amending Section 145 of  
Enrolled Senate Bill No. 161 of the 1st Session of  
the 47th Oklahoma Legislature, which relates to an  
appropriation to the Supreme Court; modifying  
appropriation; making an appropriation to the  
Workers' Compensation Court; stating purpose;  
authorizing certain lease-purchase agreement;  
requiring budgeting in certain categories and  
amounts; providing for the duties and compensation of  
employees; providing budgetary limitations; requiring  
certain budget procedures; amending Section 149 of  
Enrolled Senate Bill No. 161 of the 1st Session of

1 the 47th Oklahoma Legislature, which relates to an  
2 appropriation to the Workers' Compensation Court;  
3 modifying appropriation; making appropriations  
4 nonfiscal; and providing an effective date.

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

6 COURT OF CRIMINAL APPEALS

7 SECTION 1. There is hereby appropriated to the Court of  
8 Criminal Appeals from any monies not otherwise appropriated from the  
9 General Revenue Fund of the State Treasury for the fiscal year  
10 ending June 30, 2000, the sum of Fifty-nine Thousand Eight Hundred  
11 Forty-four Dollars (\$59,844.00) or so much thereof as may be  
12 required to perform the duties imposed upon the Court of Criminal  
13 Appeals by law.

14 SECTION 2. For the fiscal year ending June 30, 2000, the Court  
15 of Criminal Appeals shall budget all funds in the following  
16 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$2,571,828.00	\$2,693,442.00

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

24 SECTION 4. The duties and compensation of employees, not  
25 otherwise prescribed by law, necessary to perform the duties imposed  
26 upon the Court of Criminal Appeals by law shall be set by the Judges  
27 of the Court of Criminal Appeals. The Court of Criminal Appeals,  
28 for the fiscal year ending June 30, 2000, shall be subject to the  
29 following budgetary limitations on full-time-equivalent employees,  
30 except as may be authorized pursuant to the provisions of Section  
31 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
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1 Full-time-equivalent Employees 36.0

2 Lease-Purchase Agreements \$0.00

3 SECTION 5. AMENDATORY Section 128 of Enrolled Senate  
4 Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is  
5 amended to read as follows:

6 Section 128. There is hereby appropriated to the Court of  
7 Criminal Appeals from any monies not otherwise appropriated from the  
8 General Revenue Fund of the State Treasury for the fiscal year  
9 ending June 30, 2000, the sum of ~~Two Million Four Hundred Fifty-~~  
10 ~~three Thousand Nine Hundred Fourteen Dollars (\$2,453,914.00)~~ Two  
11 Million Five Hundred Eleven Thousand Nine Hundred Eighty Dollars  
12 (\$2,511,984.00) or so much thereof as may be necessary to perform  
13 the duties imposed upon the Court of Criminal Appeals by law.

14 DISTRICT COURTS

15 SECTION 6. There is hereby appropriated to the Supreme Court  
16 from any monies not otherwise appropriated from the General Revenue  
17 Fund of the State Treasury for the fiscal year ending June 30, 2000,  
18 the sum of Eight Hundred Thirty-nine Thousand Five Hundred Eighty-  
19 three Dollars (\$839,583.00) or so much thereof as may be necessary  
20 to perform the duties imposed upon the district courts by law.

21 SECTION 7. For the fiscal year ending June 30, 2000, the  
22 district courts shall budget all funds in the following categories  
23 and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$37,179,648.00	\$38,400,496.00

26 SECTION 8. For the fiscal year ending June 30, 2000, the annual  
27 compensation of the following employees of the district courts  
28 payable monthly from appropriated funds shall not exceed the  
29 following schedule, exclusive of overtime and longevity payments,  
30 except as may be authorized pursuant to the provisions of Section  
31 3603 of Title 74 of the Oklahoma Statutes.

32 MINIMUM MAXIMUM

1	Court Reporter	\$20,486.00	\$29,424.00
2	Secretary to Administrative		
3	Presiding Judge of the		
4	Judicial District	\$21,575.00	\$27,926.00
5	Secretary Bailiff	\$19,854.00	\$25,621.00

6 SECTION 9. The district courts, for the fiscal year ending June  
7 30, 2000, shall be subject to the following budgetary limitations on  
8 full-time-equivalent employees excluding active retired judges, and  
9 except as may be authorized pursuant to the provisions of Section  
10 3603 of Title 74 of the Oklahoma Statutes.

11		NUMBER
12	TITLE	AUTHORIZED
13	District Judge	73.0
14	Associate District Judge	
15	County Population over 30,000	32.0
16	County Population 10,000 to 30,000	30.0
17	County Population under 10,000	15.0
18	Special Judge	78.0
19	<u>Budgetary Limitation</u>	<u>Amount</u>
20	Full-time-equivalent Employees	602.0
21	Lease-Purchase Agreements	\$0.00

22 SECTION 10. A. Payments made by local court funds to the State  
23 Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma  
24 Statutes during fiscal year 2000 may be totally or partially  
25 refunded upon approval by the Chief Justice to meet unpaid expenses  
26 authorized by Section 1304 of Title 20 of the Oklahoma Statutes.  
27 All such refunds shall be paid from the Supreme Court Revolving  
28 Fund.

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

1 Administrative Office of the Courts by a Court Fund Governing Board,  
2 or by the person or corporation to whom money is due as verified by  
3 the Court Fund Governing Board or by the Administrative Office of  
4 the Courts. All such claims shall be filed with the Administrative  
5 Office of the Courts by July 31, 2000. All such claims may be paid  
6 from the Supreme Court Revolving Fund upon approval of the Chief  
7 Justice.

8 SECTION 11. AMENDATORY Section 142 of Enrolled Senate  
9 Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is  
10 amended to read as follows:

11 Section 142. There is hereby appropriated to the Supreme Court  
12 from any monies not otherwise appropriated from the General Revenue  
13 Fund of the State Treasury for the fiscal year ending June 30, 2000,  
14 the sum of ~~Sixteen Million Two Hundred Eighty-nine Thousand Nine~~  
15 ~~Hundred Eighty-two Dollars (\$16,289,982.00)~~ Eighteen Million Three  
16 Hundred Ninety-eight Thousand Five Hundred Seven Dollars  
17 (\$18,398,507.00) or so much thereof as may be necessary to perform  
18 the duties imposed upon the District Courts by law.

19 COUNCIL ON JUDICIAL COMPLAINTS

20 SECTION 12. There is hereby appropriated to the Council on  
21 Judicial Complaints from any monies not otherwise appropriated from  
22 the General Revenue Fund of the State Treasury for the fiscal year  
23 ending June 30, 2000, the sum of One Thousand Nine Hundred Four  
24 Dollars (\$1,904.00) or so much thereof as may be required to perform  
25 the duties imposed upon the Council on Judicial Complaints by law.

26 SECTION 13. For the fiscal year ending June 30, 2000, the  
27 Council on Judicial Complaints shall budget all funds in the  
28 following categories and amounts:

29	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
30	General Operations	\$203,904.00	\$218,904.00
31	Attorney Services		
32	Contract	<u>90,000.00</u>	<u>90,000.00</u>

1 TOTAL \$293,904.00 \$308,904.00

2 SECTION 14. The duties and compensation of employees, not  
3 otherwise prescribed by law, necessary to perform the duties imposed  
4 upon the Council on Judicial Complaints by law shall be set by the  
5 Director. The salary of the Director shall not exceed Seventy  
6 Thousand Dollars (\$70,000.00) per annum, payable monthly for the  
7 fiscal year ending June 30, 2000. The Council on Judicial  
8 Complaints for the fiscal year ending June 30, 2000, shall be  
9 subject to the following budgetary limitations on full-time-  
10 equivalent employees and expenditures excluding expenditures for  
11 capital and special projects, except as may be authorized pursuant  
12 to the provisions of Section 3603 of Title 74 of the Oklahoma  
13 Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	2.0

16 SUPREME COURT

17 SECTION 15. There is hereby appropriated to the Supreme Court  
18 from any monies not otherwise appropriated from the General Revenue  
19 Fund of the State Treasury for the fiscal year ending June 30, 2000,  
20 the amount of Two Hundred Ninety-one Thousand Eight Hundred Ninety  
21 Dollars (\$291,890.00) or so much thereof as may be necessary to  
22 perform the duties imposed upon the Supreme Court and the Court of  
23 Civil Appeals by law.

24 SECTION 16. For the fiscal year ending June 30, 2000, the State  
25 Supreme Court shall budget all funds in the following categories and  
26 amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Supreme Court Justices	\$ 3,889,810.00	\$ 3,957,271.00
Court of Civil Appeals	3,501,178.00	3,556,478.00
Administrative Office		
of the Courts	1,046,082.00	3,669,970.00
Court Clerk's Office	553,147.00	579,179.00

1	Legal Aid Services Contract	600,000.00	600,000.00
2	Management Information Services	1,570,038.00	6,631,070.00
3	Dispute Mediation	718,706.00	764,736.00
4	Judicial Retirement	<u>745,698.00</u>	<u>745,698.00</u>
5	TOTAL	\$12,624,659.00	\$20,504,402.00

6 SECTION 17. The duties and compensation of employees, not  
7 otherwise prescribed by law, necessary to perform the duties imposed  
8 upon the Supreme Court by law shall be set by the Supreme Court  
9 Justices by majority vote.

10 SECTION 18. The duties and compensation of employees, not  
11 otherwise prescribed by law, necessary to perform the duties imposed  
12 upon the Court of Civil Appeals by law shall be set by the Court of  
13 Civil Appeals, subject to the approval of the Supreme Court.

14 SECTION 19. The Supreme Court and the Court of Civil Appeals  
15 for the fiscal year ending June 30, 2000, shall be subject to the  
16 following budgetary limitations on full-time-equivalent employees,  
17 excluding active retired judges, and expenditures, excluding  
18 expenditures for capital and special projects and excluding lawful  
19 expenditures from the State Judicial Fund, except as may be  
20 authorized pursuant to the provisions of Section 3603 of Title 74 of  
21 the Oklahoma Statutes:

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

25 SECTION 20. AMENDATORY Section 145 of Enrolled Senate  
26 Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is  
27 amended to read as follows:

28 Section 145. There is hereby appropriated to the Supreme Court  
29 from any monies not otherwise appropriated from the General Revenue  
30 Fund of the State Treasury for the fiscal year ending June 30, 2000,  
31 the sum of ~~Twelve Million Six Hundred Twenty-one Thousand Thirty-~~  
32 ~~nine Dollars (\$12,621,039.00)~~ Ten Million Three Hundred Fifty

1 Thousand Two Hundred Sixty-four Dollars (\$10,350,264.00) or so much  
2 thereof as may be necessary to perform the duties imposed upon the  
3 Supreme Court or Court of Civil Appeals by law.

4 WORKERS' COMPENSATION COURT

5 SECTION 21. There is hereby appropriated to the Workers'  
6 Compensation Court from any monies not otherwise appropriated from  
7 the General Revenue Fund of the State Treasury for the fiscal year  
8 ending June 30, 2000, the amount of One Hundred Eleven Thousand One  
9 Hundred Forty-nine Dollars (\$111,149.00) or so much thereof as may  
10 be necessary to perform the duties imposed upon the Workers'  
11 Compensation Court by law.

12 SECTION 22. Pursuant to the requirements of paragraphs 4 and 5  
13 of subsection I of Section 85.4 of Title 74 of the Oklahoma  
14 Statutes, the Workers' Compensation Court is hereby authorized to  
15 acquire a computer system by lease-purchase agreement. Further, the  
16 term of the lease-purchase agreement may be in excess of three (3)  
17 years but not to exceed five (5) years.

18 SECTION 23. For the fiscal year ending June 30, 2000, the  
19 Workers' Compensation Court shall budget all funds in the following  
20 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Court Operations	\$3,652,210.00	\$5,270,416.00
Data Processing	<u>322,220.00</u>	<u>1,613,981.00</u>
TOTAL	\$3,974,430.00	\$6,884,397.00

25 SECTION 24. The duties and compensation of employees, not  
26 otherwise prescribed by law, necessary to perform the duties imposed  
27 upon the Workers' Compensation Court by law shall be set by the  
28 Administrator. The Workers' Compensation Court for the fiscal year  
29 ending June 30, 2000, shall be subject to the following budgetary  
30 limitations on full-time-equivalent employees, excluding active  
31 retired judges, and expenditures, excluding expenditures for capital  
32

1 and special projects, except as may be authorized pursuant to the  
2 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	\$1,035,000.00

6 SECTION 25. AMENDATORY Section 149 of Enrolled Senate  
7 Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is  
8 amended to read as follows:

9 Section 149. There is hereby appropriated to the Workers'  
10 Compensation Court from any monies not otherwise appropriated from  
11 the General Revenue Fund of the State Treasury for the fiscal year  
12 ending June 30, 2000, the sum of ~~Three Million Six Hundred Fifty-~~  
13 ~~nine Thousand One Hundred One Dollars (\$3,659,101.00)~~ Three Million  
14 Seven Hundred Sixty-three Thousand Two Hundred Eighty-one Dollars  
15 (\$3,763,281.00) or so much thereof as may be necessary to perform  
16 the duties imposed upon the Workers' Compensation Court by law.

17 SECTION 26. Appropriations made by this act, not including  
18 appropriations made for capital outlay purposes, may be budgeted for  
19 the fiscal year ending June 30, 2000 (hereafter FY-00) or may be  
20 budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01).  
21 Funds budgeted for FY-00 may be encumbered only through June 30,  
22 2000, and must be expended by November 15, 2000. Any funds  
23 remaining after November 15, 2000, and not budgeted for FY-01, shall  
24 lapse to the credit of the proper fund for the then current fiscal  
25 year. Funds budgeted for FY-01 may be encumbered only through June  
26 30, 2001. Any funds remaining after November 15, 2001, shall lapse  
27 to the credit of the proper fund for the then current fiscal year.  
28 These appropriations may not be budgeted in both fiscal years  
29 simultaneously. Funds budgeted in FY-00, and not required to pay  
30 obligations for that fiscal year, may be budgeted for FY-01, after  
31 the agency to which the funds have been appropriated has prepared  
32 and submitted a budget work program revision removing these funds

1 from the FY-00 budget work program and after such revision has been  
2 approved by the Office of State Finance.

3 SECTION 27. This act shall become effective September 1, 1999.

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