

ENROLLED HOUSE
BILL NO. 1544

By: Settle and Begley of the
House

and

Haney and Hobson of the
Senate

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; providing budgetary limitations; amending Section 128 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, which relates to an appropriation to the Court of Criminal Appeals; modifying appropriation; making an appropriation to the Supreme Court for the district courts; stating purpose; requiring budgeting in certain categories and amounts; limiting salaries of certain employees; providing budgetary limitations on certain full-time-equivalent employees; authorizing the total or partial refund of payments to the State Judicial Fund by local court funds under certain circumstances; providing procedure; making an appropriation to the Council on Judicial Complaints; 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 the 47th Oklahoma Legislature, which relates to an appropriation to the Workers' Compensation Court; modifying appropriation; making appropriations nonfiscal; 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, 2000, the sum of Fifty-nine Thousand Eight Hundred Forty-four Dollars (\$59,844.00) 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, 2000, 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	\$2,571,828.00	\$2,693,442.00

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, 2000, 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	\$0.00

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

Section 128. 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, 2000, the sum of ~~Two Million Four Hundred Fifty-three Thousand Nine Hundred Fourteen Dollars (\$2,453,914.00)~~ Two Million Five Hundred Eleven Thousand Nine Hundred Eighty-four Dollars (\$2,511,984.00) or so much thereof as may be necessary to perform the duties imposed upon the Court of Criminal Appeals by law.

DISTRICT COURTS

SECTION 6. 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, 2000,

the sum of Eight Hundred Thirty-nine Thousand Five Hundred Eighty-three Dollars (\$839,583.00) or so much thereof as may be necessary to perform the duties imposed upon the district courts by law.

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

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

SECTION 8. For the fiscal year ending June 30, 2000, the annual compensation of the following 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.

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

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

TITLE	NUMBER AUTHORIZED
District Judge	73.0
Associate District Judge	
County Population over 30,000	32.0
County Population 10,000 to 30,000	30.0
County Population under 10,000	15.0
Special Judge	78.0
<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	602.0
Lease-Purchase Agreements	\$0.00

SECTION 10. 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 2000 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, 2000. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

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

Section 142. 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, 2000, the sum of ~~Sixteen Million Two Hundred Eighty-nine Thousand Nine Hundred Eighty-two Dollars (\$16,289,982.00)~~ Eighteen Million Three Hundred Ninety-eight Thousand Five Hundred Seven Dollars (\$18,398,507.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

COUNCIL ON JUDICIAL COMPLAINTS

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

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

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$203,904.00	\$218,904.00
Attorney Services		
Contract	<u>90,000.00</u>	<u>90,000.00</u>
TOTAL	\$293,904.00	\$308,904.00

SECTION 14. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Council on Judicial Complaints by law shall be set by the Director. The salary of the Director shall not exceed Seventy Thousand Dollars (\$70,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Council on Judicial Complaints for the fiscal year ending June 30, 2000, 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	2.0

SUPREME COURT

SECTION 15. 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, 2000, the amount of Two Hundred Ninety-one Thousand Eight Hundred Ninety Dollars (\$291,890.00) 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 16. For the fiscal year ending June 30, 2000, 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	\$ 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
Legal Aid Services Contract	600,000.00	600,000.00
Management Information Services	1,570,038.00	6,631,070.00
Dispute Mediation	718,706.00	764,736.00
Judicial Retirement	<u>745,698.00</u>	<u>745,698.00</u>
TOTAL	\$12,624,659.00	\$20,504,402.00

SECTION 17. 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 18. 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 19. The Supreme Court and the Court of Civil Appeals for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees, excluding active retired judges, 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

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

Section 145. 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, 2000, the sum of ~~Twelve Million Six Hundred Twenty-one Thousand Thirty-nine Dollars (\$12,621,039.00)~~ Ten Million Three Hundred Fifty Thousand Two Hundred Sixty-four Dollars (\$10,350,264.00) or so much thereof as may be necessary to perform the duties imposed upon the Supreme Court or Court of Civil Appeals by law.

WORKERS' COMPENSATION COURT

SECTION 21. 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, 2000, the amount of One Hundred Eleven Thousand One Hundred Forty-nine Dollars (\$111,149.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 22. 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 23. For the fiscal year ending June 30, 2000, the Workers' Compensation Court shall budget all funds in the following 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

SECTION 24. 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, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees, excluding active retired judges, 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	\$1,035,000.00

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

Section 149. 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, 2000, the sum of ~~Three Million Six Hundred Fifty-nine Thousand One Hundred One Dollars (\$3,659,101.00)~~ Three Million Seven Hundred Sixty-three Thousand Two Hundred Eighty-one Dollars (\$3,763,281.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 26. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00) or may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01). Funds budgeted for FY-00 may be encumbered only through June 30, 2000, and must be expended by November 15, 2000. Any funds remaining after November 15, 2000, and not budgeted for FY-01, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-01 may be encumbered only through June 30, 2001. Any funds remaining after November 15, 2001, 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-00, and not required to pay obligations for that fiscal year, may be budgeted for FY-01, 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-00 budget work program and after such revision has been approved by the Office of State Finance.

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

Passed the House of Representatives the 20th day of May, 1999.

Speaker of the House of
Representatives

Passed the Senate the 20th day of May, 1999.

President of the Senate