STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. _____ By: Mickle

AS INTRODUCED

An Act relating to the Department of Public Safety; amending 47 O.S. 1991, Section 2-105.4, as last amended by Section 4, Chapter 245, O.S.L. 1998 (47 O.S. Supp. 1998, Section 2-105.4), which relates to the Highway Patrol Division; allowing certain credit for Lake Patrol Division service; providing back pay for certain patrolmen; providing for noncodification; and declaring an emergency.

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

SECTION 300. AMENDATORY 47 O.S. 1991, Section 2-105.4, as last amended by Section 4, Chapter 245, O.S.L. 1998 (47 O.S. Supp. 1998, Section 2-105.4), is amended to read as follows:

Section 2-105.4 1. Effective January 1, 1999, the annual salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officers within the Highway Patrol Division shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, irregular shift pay, as authorized by Section 2-130.1 of this title:

Commissioner of Public Safety	$85,000.00
Assistant Commissioner of Public Safety	$79,214.00
Highway Patrol Colonel	$79,214.00
Highway Patrol Lieutenant Colonel	$70,727.00
Highway Patrol Major	$63,718.00
Highway Patrol Captain	$57,926.00
Highway Patrol First Lieutenant	$53,143.00

Highway Patrol Supervisor	$49,206.00
Highway Patrolman	
Step 1	$25,000.00
Step 2	$26,200.00
Step 3	$27,458.00
Step 4	$28,776.00
Step 5	$30,157.00
Step 6	$31,604.00
Step 7	$33,121.00
Step 8	$34,711.00
Step 9	$36,377.00
Step 10	$38,123.00
Step 11	$39,953.00
Step 12	$41,871.00
Step 13	$43,881.00
Step 14	$45,987.00
Probationary Highway Patrolman	$24,454.00
Cadet Highway Patrolman	$22,348.00

2. After January 1, 1999, each Highway Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the step of the salary schedule provided for in paragraph 1 of this subsection which step number corresponds to the number of completed years of service the Patrolman has accumulated in the Highway Patrol Division, including service in the former Lake Patrol Division, of the Department of Public Safety if the Patrolman, within the preceding twelve-month period:

a. has achieved a satisfactory Performance Rating Score,

b. has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and

c. has not received any disciplinary action which has resulted in demotion.

Provided, if the number of completed years of service on the anniversary date of the Patrolman is or exceeds fourteen (14) years, said Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 14 of said salary schedule.

3. Notwithstanding the provisions of paragraph 2 of this subsection, in any twelve-month period no Highway Patrolman shall receive:

a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided for in paragraph 1 of this subsection, or

b. more than one such salary increase to the step of the salary schedule provided for in paragraph 1 of this subsection, unless salary increases are authorized by the Legislature.

Provided, however, such Patrolman shall receive the salary increase which results from a promotion to another position within the Highway Patrol Division.

4. The steps prescribed for the position of Highway Patrolman in the salary schedule provided for in paragraph 1 of this subsection are for salary and compensation purposes only. No Highway Patrolman shall be reassigned to another such step of said salary schedule for the purposes of demotion, discipline, promotion, incentive, reward or for any other reason other than the salary increase provided for in paragraph 2, 3 or 4 of this subsection.

5. The provisions of this subsection shall supersede all existing laws covering the salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officer positions in the Highway Patrol Division of the Department of Public Safety.

6. Upon graduation from the Highway Patrol Academy, each Cadet Highway Patrolman shall be promoted to and shall receive the salary for the position of Probationary Highway Patrolman. Upon completion

of the one-year probationary period, as required in subsection C of Section 2-105 of this title, each Probationary Highway Patrolman shall be promoted to and shall receive the salary for Step 1 of the position of Highway Patrolman, as provided for in paragraph 1 of this subsection. Thereafter, the salary of such Patrolman shall be subject to the provisions of this subsection.

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Highway Patrolmen who served with the former Lake Patrol Division shall receive back pay for the period beginning with the month of January 1999 and ending with the month this act becomes effective. Such back pay shall equal the difference between the Patrolman's salary during this period, which did not include former Lake Patrol Division service credit, and what their salary would have been had such former Lake Patrol Division service credit been included.

SECTION 2. 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.

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