

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1064

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to state judicial entities; making an appropriation to the Court of Criminal Appeals; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; authorizing employment of temporary employees; exempting temporary employees from budgetary limitations; providing for the duties and compensation of employees; providing budgetary limitations; making an appropriation to the Supreme Court for the district courts; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; limiting salaries of certain employees; providing budgetary limitations; 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; requiring certain performance measures; providing for the duties and compensation of employees; 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; requiring certain performance measures; 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; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for the duties and compensation of employees; providing budgetary limitations; requiring certain budget procedures; prohibiting certain budget procedures; making appropriations nonfiscal; providing lapse dates; providing an effective date; and declaring an emergency.

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, 2003, the sum of _____ Dollars (\$0.00) 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, 2003, 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	\$0.00	\$0.00

The agency shall develop outcome-based performance measures for each budget category.

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, 2003, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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	0.0
Lease-Purchase Agreements	\$0.00

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, 2003, the sum of _____ Dollars (\$0.00) 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, 2003, the Supreme Court shall budget all funds appropriated or otherwise made available for the operation of the district courts in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$0.00	\$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 7. For the fiscal year ending June 30, 2003, 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	\$32,024.00
Secretary to Administrative Presiding Judge of the Judicial District	\$21,575.00	\$30,526.00
Secretary Bailiff	\$19,854.00	\$28,221.00

SECTION 8. The district courts, for the fiscal year ending June 30, 2003, shall be subject to the following budgetary limitations on full-time-equivalent employees excluding active retired judges and expenditures, and except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

NUMBER

TITLE	AUTHORIZED
District Judge	73.0
Associate District Judge	
County Population 30,000 and over	32.0
County Population under 30,000	45.0
Special Judge	78.0
<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	\$0.00

SECTION 9. 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 2003 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, 2003. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

COUNCIL ON JUDICIAL COMPLAINTS

SECTION 10. 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, 2003, the sum of _____ Dollars

(\$0.00) or so much thereof as may be required to perform the duties imposed upon the Council on Judicial Complaints by law.

SECTION 11. For the fiscal year ending June 30, 2003, 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	\$0.00	\$0.00
Attorney Services Contract	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 12. 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 _____ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Council on Judicial Complaints for the fiscal year ending June 30, 2003, 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	0.0

SUPREME COURT

SECTION 13. 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, 2003, the sum of _____ Dollars (\$0.00) 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 14. For the fiscal year ending June 30, 2003, the Supreme Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Supreme Court Justices	\$0.00	\$0.00
Court of Civil Appeals	0.00	0.00
Administrative Office of the Courts	0.00	0.00
Court Clerk's Office	0.00	0.00
Legal Aid Services Contract	0.00	0.00
Management Information Services	0.00	0.00
Dispute Mediation	0.00	0.00
Judicial Retirement	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 15. 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 16. 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 17. The Supreme Court and the Court of Civil Appeals for the fiscal year ending June 30, 2003, 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	0.0
Lease-Purchase Agreements	\$0.00

WORKERS' COMPENSATION COURT

SECTION 18. 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, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 19. Pursuant to the requirements of paragraphs 3 and 4 of subsection K 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 20. For the fiscal year ending June 30, 2003, 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	\$0.00	\$0.00
Data Processing	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 21. 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, 2003, 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 22. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03), or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, 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-03, and not required to pay obligations for that fiscal year, may be budgeted for FY-04, 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-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 23. This act shall become effective July 1, 2002.

SECTION 24. 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.