

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1489

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to public safety; authorizing the Council on Law Enforcement Education and Training to enter into lease-purchase agreements for certain facilities; making an appropriation to the Department of Public Safety; stating purpose; requiring certain expenditure by the Department of Public Safety; limiting certain expenditure by the Department of Public Safety; authorizing a patrol academy and specifying minimum participation; authorizing the Department of Public Safety to expend certain funds for specific purposes; authorizing the State Fire Marshal to employ certain personnel; providing exemption from Merit System of Personnel Administration; making an appropriation to the Office of State Fire Marshal; stating purpose; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 4, Chapter 316, O.S.L. 2000, as amended by Section 73, Chapter 433, O.S.L. 2001, Section 23, Chapter 218, O.S.L. 2001, as amended by Section 77, Chapter 433, O.S.L. 2001, Section 25, Chapter 218, O.S.L. 2001, as amended by Section 78, Chapter 433, O.S.L. 2001, Section 24, Chapter 218, O.S.L. 2001, as amended by Section 94, Chapter 433, O.S.L. 2001, and Sections 76, 79, 82 and 83, Chapter 433, O.S.L. 2001, which relate to public safety; providing for noncodification; and declaring an emergency.

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

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

The Council on Law Enforcement Education and Training is authorized to enter into a lease-purchase agreement for the acquisition of a statewide training facility that is consistent with the proposal presented to the State Facility Capital Needs Committee

on November 12, 1997, as adjusted for inflation, and other facilities for the education and training of officers consistent with the mission of the Council. Funding for such lease-purchase agreement shall be provided by assessments deposited in the C.L.E.E.T. Training Center Revolving Fund pursuant to Section 3311.6 of Title 70 of the Oklahoma Statutes. The Council on Law Enforcement Education and Training is authorized to pledge such revenues to the payments required by the lease-purchase agreement.

SECTION 2. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law, less any amounts disbursed or allocated prior to the effective date of this act pursuant to the appropriation made by Section 76, Chapter 433, O.S.L. 2001.

SECTION 3. Of the monies appropriated to the Department of Public Safety for the fiscal year ending June 30, 2002, Sixty-five Thousand Dollars (\$65,000.00) shall be expended for the annual lease payment of the Clinton/Sherman Industrial Complex. Any amounts expended prior to the effective date of this act pursuant to Section 77, Chapter 433, O.S.L. 2001 shall be included within the expenditure limitation provided in this section.

SECTION 4. Of the monies available to the Department of Public Safety, not more than One Hundred Seventy-one Thousand Three Hundred Eleven Dollars (\$171,311.00) may be used to support the Board of Tests for Alcohol and Drug Influence for the fiscal year ending June 30, 2002. Any amounts expended prior to the effective date of this act pursuant to Section 78, Chapter 433, O.S.L. 2001 shall be included within the expenditure limitation provided in this section.

SECTION 5. The Department of Public Safety, for the fiscal year ending June 30, 2002, may have a Patrol Academy consisting of no fewer than thirty cadets.

SECTION 6. The Department of Public Safety is hereby authorized to expend Three Million Five Hundred Thousand Dollars (\$3,500,000.00) from the Department of Public Safety Patrol Vehicle Revolving Fund for the fiscal year ending June 30, 2002, for the purchase of patrol vehicles and equipping vehicles. Any amounts expended prior to the effective date of this act pursuant to Section 94, Chapter 433, O.S.L. 2001, shall be included within the expenditure limitation provided in this section.

SECTION 7. The Office of the State Fire Marshal is hereby authorized to employ one Fire Protection Engineer. This position shall not be subject to the Merit System of Personnel Administration.

SECTION 8. There is hereby appropriated to the State Fire Marshal from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Twenty-eight Thousand Seven Hundred Fifty Dollars (\$28,750.00) or so much thereof as may be necessary to hire 1.0 additional support FTE to assist field agents to perform the duties imposed upon the State Fire Marshal by law, less any amounts disbursed or allocated prior to the effective date of this act pursuant to the appropriation made by Section 83, Chapter 433, O.S.L. 2001.

SECTION 9. Budgetary and employee limitations otherwise imposed upon agencies by law shall not apply to expenditures by state agencies made from appropriations and transfers made by this act.

SECTION 10. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02), or may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03).

Funds budgeted for FY-02 may be encumbered only through June 30, 2002, and must be expended by November 15, 2002. Any funds remaining after November 15, 2002, and not budgeted for FY-03, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-03 may be encumbered only through June 30, 2003. Any funds remaining after November 15, 2003, 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-02, and not required to pay obligations for that fiscal year, may be budgeted for FY-03, 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-02 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 11. REPEALER Section 4, Chapter 316, O.S.L. 2000, as amended by Section 73, Chapter 433, O.S.L. 2001, Section 23, Chapter 218, O.S.L. 2001, as amended by Section 77, Chapter 433, O.S.L. 2001, Section 25, Chapter 218, O.S.L. 2001, as amended by Section 78, Chapter 433, O.S.L. 2001, Section 24, Chapter 218, O.S.L. 2001, as amended by Section 94, Chapter 433, O.S.L. 2001, Chapter 433, O.S.L. 2001, and Sections 76, 79, 82 and 83, Chapter 433, O.S.L. 2001, are hereby repealed.

SECTION 12. 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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