ENROLLED SENATE
BILL NO. 104

By: Morgan and Robinson of the Senate

and

Mitchell and Bonny of the House

An Act relating to the Department of Public Safety; making appropriations to the Department of Public Safety; stating purpose; requiring certain expenditures; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for the duties and compensation of employees; providing budgetary limitations; providing exceptions to the budgetary limitations; authorizing certain expenditures; limiting expenditures for certain purpose; providing lapse dates; providing an effective date; and declaring an emergency.

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

SECTION 1. 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, 2004, the sum of Sixty Million Three Hundred Forty-five Thousand Nine Hundred Five Dollars ($60,345,905.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 2. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the C.L.E.E.T. Fund of the State Treasury for the fiscal year ending June 30, 2004, the sum of Five Hundred Eighty-three Thousand Six Hundred Twenty-seven Dollars ($583,627.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 3. Of the monies appropriated to the Department of Public Safety in this act, Twenty-six Thousand Dollars ($26,000.00) shall be expended for the services of a Capitol Patrol Officer to the Oklahoma Workers' Compensation Court pursuant to a contract between the Department of Public Safety and the Oklahoma Workers' Compensation Court.

SECTION 4. For the fiscal year ending June 30, 2004, the Department of Public Safety shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administrative Services	$ 6,750,000.00	$ 11,250,000.00
Law Enforcement Services	35,719,532.00	65,719,532.00
Motor Vehicle Operations	1,750,000.00	9,750,000.00
Driver's Licensing	9,500,000.00	13,000,000.00
Size and Weight Permits	700,000.00	1,050,000.00
Telecommunication Services	6,000,000.00	14,000,000.00
Highway Safety Office	160,000.00	7,170,000.00
Homeland Security	190,000.00	40,190,000.00
Board of Tests for Alcohol and Drug Influence	160,000.00	200,000.00
TOTAL	$60,929,532.00	$162,329,532.00

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

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Public Safety by law shall be set by the Director. The Department of Public Safety for the fiscal year ending June 30, 2004, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, except the full-time-equivalent employee limit shall not include cadets while they are members of a patrol school or during their employment in probationary status, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	1,548.0
Lease-Purchase Agreements	$630,500.00

SECTION 6. Of the monies appropriated to the Department of Public Safety not more than Sixty-five Thousand Dollars ($65,000.00) shall be used for the annual lease payment of the Clinton/Sherman Industrial Complex.

SECTION 7. 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, 2004, for the purchase of patrol vehicles and equipping those vehicles.

SECTION 8. Of the monies available to the Department of Public Safety, not more than One Hundred Sixty Thousand Dollars ($160,000.00) may be used to support the Board of Tests for Alcohol and Drug Influence for the fiscal year ending June 30, 2004.

SECTION 9. The Department of Public Safety, for the fiscal year ending June 30, 2004, may have a Patrol Academy consisting of no fewer than thirty (30) cadets, subject to the availability of funds.

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, 2004 (hereafter FY-04) or may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05). Funds budgeted for FY-04 may be encumbered only through June 30, 2004, and must be expended by November 15, 2004. Any funds remaining after November 15, 2004, and not budgeted for FY-05, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-05 may be encumbered only through June 30, 2005. Any funds remaining after November 15, 2005, 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-04, and not required to pay obligations for that fiscal year, may be budgeted for FY-05, 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-04 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 11. This act shall become effective July 1, 2003.

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.

Passed the Senate the 23rd day of May, 2003.

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Presiding Officer of the Senate

Passed the House of Representatives the 27th day of May, 2003.

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Presiding Officer of the House
of Representatives