

(2ND EXTRAORDINARY SESSION
OF THE 50TH LEGISLATURE)
ENGROSSED SENATE
BILL NO. 82XX

By: Crutchfield and Rabon of
the Senate

and

Benge and Newport of the
House

An Act relating to state employees; amending 26 O.S. 2001, Section 2-118, as last amended by Section 5, Chapter 248, O.S.L. 2005 (26 O.S. Supp. 2005, Section 2-118), which relates to county election board secretaries; amending salary schedule; amending 47 O.S. 2001, Sections 2-105.4, 2-105.6 and 2-105.7, as last amended by Sections 2, 3 and 4 of Enrolled House Bill No. 2664 of the 2nd Session of the 50th Oklahoma Legislature, 2-105.8, as amended by Section 4, Chapter 161, O.S.L. 2004 and 2-106, as amended by Section 6, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2005, Sections 2-105.8 and 2-106), which relate to the Department of Public Safety; modifying and establishing salaries of certain employees of the Department; providing for certain salary adjustments; modifying circumstances under which certain positions may be reclassified; amending 63 O.S. 2001, Section 2-103, as amended by Section 13, Chapter 199, O.S.L. 2003 (63 O.S. Supp. 2005, Section 2-103), which relates to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; specifying salaries for certain positions; amending 63 O.S. 2001, Section 935, which relates to responsibilities of the Chief Medical Examiner; establishing salaries of certain employees of the Examiner; amending 74 O.S. 2001, Section 150.6a, as amended by Section 1, Chapter 346, O.S.L. 2004 (74 O.S. Supp. 2005, Section 150.6a), which relates to salaries of certain employees within the Oklahoma State Bureau of Investigation; modifying salaries of certain employees; providing for pay increase for certain employees; defining terms; prescribing conditions for pay increase; providing increase applicable to certain persons; providing for method to implement pay increase for persons on leave without pay status; providing method to implement pay increase for certain employees based upon interruption in service; excluding certain officers and employees from eligibility for pay increase; prohibiting expenditure of certain funds for purposes related to personnel service contracts; providing exception; providing for codification; providing for noncodification; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 2-118, as last amended by Section 5, Chapter 248, O.S.L. 2005 (26 O.S. Supp. 2005, Section 2-118), is amended to read as follows:

Section 2-118. A. The secretary of each county election board shall be paid an annual salary to be determined by the following schedule. However, the salary of a county election board secretary shall not fall below the level of the April 30, 2003, salary, and the salary of any person who is reappointed to the position of county election board secretary shall not fall below the salary received in the immediately preceding term, regardless of the number of active registered voters in the county. A county election board secretary serving on April 30, 2004, shall not receive a salary increase if said secretary is paid an amount greater than the salary indicated in this section according to the number of registered voters in said county. A county election board secretary shall not receive a salary increase while the county is under the administrative supervision of the State Election Board.

1. Beginning May 1, 2003 and ending April 30, 2007, the annual salary, payable monthly shall be:

Registered Voters	Salary
0 to 10,000	\$21,588.28
10,001 to 15,000	\$22,388.28
15,001 to 17,500	\$26,252.45
17,501 to 25,000	\$29,429.93
25,001 to 50,000	\$35,846.94
50,001 to 75,000	\$45,174.66
75,001 to 150,000	\$50,611.26
150,001 or more	\$56,043.00

2. Beginning May 1, 2007, the annual salary, payable monthly shall be:

<u>Registered Voters</u>	<u>Salary</u>
<u>0 to 10,000</u>	<u>\$22,667.69</u>

<u>10,001 to 15,000</u>	<u>\$23,507.68</u>
<u>15,001 to 17,500</u>	<u>\$27,565.07</u>
<u>17,501 to 25,000</u>	<u>\$30,901.43</u>
<u>25,001 to 50,000</u>	<u>\$37,639.29</u>
<u>50,001 to 75,000</u>	<u>\$47,433.39</u>
<u>75,001 to 150,000</u>	<u>\$53,141.82</u>
<u>150,001 or more</u>	<u>\$58,845.15</u>

B. The salary and fringe benefits paid to each secretary shall be paid from county funds on a monthly basis and shall be reimbursed from funds appropriated by the Legislature for that purpose at a rate of not to exceed one hundred thirty-five percent (135%) of the above-specified salaries. Claims for said reimbursement shall be filed according to procedures prescribed by the Secretary of the State Election Board and approved by the Director of State Finance. Said claims for reimbursement shall only be paid for actual expenditures made by the county. The number of registered voters, for the purposes of this section, shall be determined by the number of registered voters, excluding inactive voters, in the county on January 1, 1979, and every two (2) years thereafter.

SECTION 2. AMENDATORY 47 O.S. 2001, Section 2-105.4, as last amended by Section 2 of Enrolled House Bill No. 2664 of the 2nd Session of the 50th Oklahoma Legislature, is amended to read as follows:

Section 2-105.4 A. 1. a. 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Commissioner of Public Safety	\$89,100.00
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Assistant Commissioner of Public Safety	\$83,314.00
Highway Patrol Colonel (Chief)	\$83,314.00
Highway Patrol Lieutenant Colonel (Assistant Chief)	\$74,827.00
Highway Patrol Lieutenant Colonel (Deputy Chief)	\$67,818.00
Highway Patrol Major	\$62,026.00
Highway Patrol Captain	\$57,243.00
Highway Patrol Lieutenant	\$53,306.00
Highway Patrolman (Trooper)	
Step 1	\$36,711.00
Step 2	\$38,377.00
Step 3	\$40,123.00
Step 4	\$41,953.00
Step 5	\$43,871.00
Step 6	\$45,881.00
Step 7	\$50,087.00
Probationary Highway Patrolman	\$33,000.00
Cadet Highway Patrolman	\$30,000.00

b. 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 subparagraph a of this paragraph 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 and the former Capitol Patrol Division of the Department of Public Safety if the Patrolman, within the preceding twelve-month period:

- (1) has achieved a satisfactory Performance Rating Score,

(2) 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

(3) 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 seven (7) years, said Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of said salary schedule.

2. a. Effective January 1, 2007, 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

<u>Commissioner of Public Safety</u>	<u>\$111,133.00</u>
<u>Assistant Commissioner of Public Safety</u>	<u>\$101,030.00</u>
<u>Highway Patrol Colonel (Chief)</u>	<u>\$101,030.00</u>
<u>Highway Patrol Lieutenant Colonel (Assistant Chief)</u>	<u>\$91,844.00</u>
<u>Highway Patrol Lieutenant Colonel (Deputy Chief)</u>	<u>\$83,495.00</u>
<u>Highway Patrol Major</u>	<u>\$75,904.00</u>
<u>Highway Patrol Captain</u>	<u>\$69,004.00</u>
<u>Highway Patrol Lieutenant</u>	<u>\$62,731.00</u>
<u>Highway Patrolman (Trooper)</u>	
<u>Step 1</u>	<u>\$38,000.00</u>

<u>Step 2</u>	<u>\$40,660.00</u>
<u>Step 3</u>	<u>\$43,506.00</u>
<u>Step 4</u>	<u>\$46,552.00</u>
<u>Step 5</u>	<u>\$49,810.00</u>
<u>Step 6</u>	<u>\$53,298.00</u>
<u>Step 7</u>	<u>\$57,028.00</u>
<u>Probationary Highway Patrolman</u>	<u>\$35,514.00</u>
<u>Cadet Highway Patrolman</u>	<u>\$33,192.00</u>

- b. On January 1, 2007, each Patrolman shall be assigned and the salary of such Patrolman shall be adjusted to the salary schedule provided for in subparagraph a of this paragraph. Such initial adjustment of salaries shall be to the step 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 and the former Capitol Patrol Division of the Department of Public Safety. Provided, however, no such Patrolman shall receive less than the salary the Patrolman was receiving on December 31, 2006. If the number of completed years of service of such Patrolman exceeds seven (7) years on January 1, 2007, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.
- c. After January 1, 2007, each Highway Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the step of the salary schedule provided in subparagraph a of this paragraph 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 and the

former Capitol Patrol Division of the Department of Public Safety, if the Patrolman, within the preceding twelve-month period:

(1) has achieved a satisfactory Performance Rating Score,

(2) 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

(3) 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 seven (7) years, the Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of the salary schedule provided in subparagraph a of this paragraph.

3. Except as provided in ~~paragraph~~ paragraphs 1 and 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~~ paragraphs 1 and 2 of this subsection, or
- b. more than one such salary increase to the step of the salary schedule provided for in ~~paragraph~~ paragraphs 1 and 2 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.

~~3.~~ 4. The steps prescribed for the position of Highway Patrolman in the salary schedule provided for in ~~paragraph~~ paragraphs 1 and 2 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 increases provided for in ~~paragraph~~ paragraphs 1 and 2 of this subsection.

~~4.~~ 5. 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 or 2 of this subsection, as applicable. Thereafter, the salary of such Patrolman shall be subject to the provisions of this subsection.

B. The provisions of this section shall supersede all existing laws covering the salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officers in the Highway Patrol Division of the Department of Public Safety.

SECTION 3. AMENDATORY 47 O.S. 2001, Section 2-105.6, as last amended by Section 3 of Enrolled House Bill No. 2664 of the 2nd Session of the 50th Oklahoma Legislature, is amended to read as follows:

Section 2-105.6 A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety a Lake Patrol Section which shall consist of such employees as may be necessary to enforce the provisions of Section 4001 et seq., Section 4101 et seq., and Section 4200 et seq. of Title 63 of the Oklahoma Statutes. All commissioned officers of the Lake Patrol Section as designated by the Commissioner shall have the authority to stop and board any vessel subject to Section 4001 et seq. of Title 63 of the

Oklahoma Statutes and make any necessary arrest for violations of Section 4001 et seq. of Title 63 of the Oklahoma Statutes or the rules promulgated by the Department of Public Safety or the Department of Wildlife Conservation or take any other action within their lawful authority. Any statutory references to the Oklahoma Lake Patrol Division shall mean the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

B. Any officer of the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety may request reclassification to the equivalent lateral position, rank and salary within the Oklahoma Highway Patrol Division and shall be reclassified to such position if the officer:

1. Meets the requirements of paragraph 2 of subsection B of Section 2-105 of this title. Provided, such officer shall be exempt from the maximum age limitation;

2. Satisfactorily completes a course of training as prescribed by the Commissioner; and

3. Serves a twelve-month probationary period which shall commence upon entering into the course of training required by paragraph 2 of this subsection.

C. All commissioned officers of the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall have, in addition to their primary duty as prescribed in subsection A of this section, a secondary duty to enforce all state statutes, to make arrests for violations and to perform other duties as prescribed by the Commissioner.

D. 1. a. The annual salaries for the commissioned officers within the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Patrol Captain	\$57,243.00
Patrol Lieutenant	\$53,306.00
Patrolman	
Step 6	\$45,881.00
Step 7	\$50,087.00

b. Each Highway Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if the Patrolman, within the preceding twelve-month period:

- (1) has achieved a satisfactory Performance Rating Score,
- (2) 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
- (3) has not received any disciplinary action which has resulted in demotion.

If the number of completed years of service on the anniversary date of the Patrolman is or exceeds seven (7) years, the Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of the salary schedule.

~~2. Except as provided in paragraph 1 of this subsection, in any twelve-month period no 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 Oklahoma Highway Patrol Division.~~

~~3. The steps prescribed for the position of Patrolman in the salary schedule provided for in paragraph 1 of this subsection are for salary and compensation purposes only. No 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 increases provided for in paragraph 1 of this subsection.~~

Effective January 1, 2007, the annual salaries for the commissioned officers within the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

<u>Patrol Captain</u>	<u>\$69,004.00</u>
<u>Patrol Lieutenant</u>	<u>\$62,731.00</u>
<u>Patrolman</u>	<u>\$57,028.00</u>

E. The provisions of this section shall supersede all existing laws covering the salaries for the commissioned Patrolmen in the Lake Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 4. AMENDATORY 47 O.S. 2001, Section 2-105.7, as last amended by Section 4 of Enrolled House Bill No. 2664 of the 2nd

Session of the 50th Oklahoma Legislature, is amended to read as follows:

Section 2-105.7 A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety a Capitol Patrol Section which shall consist of such employees as may be necessary to provide law enforcement services to all state buildings and properties, including grounds appurtenant thereto, within Oklahoma County and Tulsa County. All commissioned officers of the Capitol Patrol Section as designated by the Commissioner shall have the authority to enforce all parking, traffic, and criminal laws within Oklahoma County and Tulsa County, and shall have the authority to perform other law enforcement duties within the state as prescribed by the Commissioner of Public Safety.

B. A Patrolman shall not be promoted to the position of Capitol Patrol Sergeant.

C. Any officer of the Capitol Patrol Section of the Oklahoma Highway Patrol Division may request reclassification to the equivalent lateral position, rank, and salary within the Oklahoma Highway Patrol Division and shall be reclassified to the position if the officer:

1. Meets the requirements of paragraph 2 of subsection B of Section 2-105 of this title. Provided, the officer shall be exempt from the maximum age limitation;

2. Satisfactorily completes a course of training as prescribed by the Commissioner. ~~Provided, the course of training shall be comparable to the course of training conducted pursuant to paragraph 2 of subsection B of Section 2-105.6 of this title and shall be conducted and completed within six (6) months of the effective date of this act;~~ and

3. Serves a twelve-month probationary period which shall commence upon entering the course of training required by paragraph 2 of this subsection.

Such reclassified officer shall be subject to reassignment as determined by the Chief of the Oklahoma Highway Patrol Division.

D. All commissioned officers of the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall have, in addition to their primary duty as prescribed in subsection A of this section, a secondary duty to enforce all state statutes, to make arrests for violations and to perform other duties as prescribed by the Commissioner of Public Safety in accordance with Section 2-117 of this title.

E. The Department of Central Services and the Oklahoma Capitol Improvement Authority shall provide office and operations space for the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

F. 1. a. The annual salaries for the commissioned officers within the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Patrol Captain	\$57,243.00
Patrol Lieutenant	\$53,306.00
Capitol Patrol Sergeant	\$51,646.00
Patrolman	
Step 4	\$41,953.00
Step 5	\$43,871.00
Step 6	\$45,881.00
Step 7	\$50,087.00

b. Each Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the next

higher step of the salary schedule provided for in subparagraph a of this paragraph if the Patrolman, within the preceding twelve-month period:

- (1) has achieved a satisfactory Performance Rating Score,
- (2) 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
- (3) has not received any disciplinary action which has resulted in demotion.

If the number of completed years of service on the anniversary date of the Patrolman is or exceeds seven (7) years, the Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of the salary schedule.

~~2. Except as provided in paragraph 1 of this subsection, in any twelve-month period no 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 Capitol Patrol Section.~~

~~3. The steps prescribed for the position of Patrolman in the salary schedule provided for in paragraph 1 of this subsection are for salary and compensation purposes only. No 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 increases provided for in paragraph 1 of this subsection.~~

Effective January 1, 2007, the annual salaries for the commissioned officers within the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

<u>Patrol Captain</u>	<u>\$69,004.00</u>
<u>Patrol Lieutenant</u>	<u>\$62,731.00</u>
<u>Capitol Patrol Sergeant</u>	<u>\$57,028.00</u>
<u>Patrolman</u>	<u>\$57,028.00</u>

G. The provisions of this section shall supersede all existing laws covering the salaries for the commissioned officers in the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 5. AMENDATORY 47 O.S. 2001, Section 2-105.8, as amended by Section 4, Chapter 161, O.S.L. 2004 (47 O.S. Supp. 2005, Section 2-105.8), is amended to read as follows:

Section 2-105.8 A. There is hereby ~~established~~ created within the Oklahoma Highway Patrol Division of the Department of Public Safety, the Communications Division within the Department of Public Safety. This division shall be divided into a Dispatchers Bureau and a Technicians Bureau and such other bureaus as the Commissioner may direct Section.

B. ~~Before the Department of Public Safety may add or change any communication site or dispatch office, the Commissioner of Public Safety shall submit a plan for approval by the Legislature~~ An employee shall not be promoted to the position of Communications Coordinator.

C. 1. a. ~~Effective January 1, 2005, the~~ The annual salaries for the positions ~~of Director, Coordinator, Superintendent, Supervisor and Dispatcher~~ within the Communications ~~Division~~ Section 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Communications Director	\$48,615.00
Communications Coordinator	\$44,505.00
	<u>\$45,205.00</u>
Communications Superintendent	\$40,768.00
	<u>\$41,468.00</u>
Communications Supervisor	\$37,371.00
	<u>\$38,071.00</u>
Communications Dispatcher	
Step 1	\$28,631.00
Step 2	\$29,297.00
Step 3	\$29,979.00
Step 4	\$30,678.00
Step 5	\$31,395.00
Step 6	\$32,130.00
Step 7	\$34,283.00
	<u>\$34,983.00</u>
Probationary Communications Dispatcher	\$25,000.00
	<u>\$25,349.00</u>

b. ~~On January 1, 2005, each Communications Dispatcher shall be assigned and the salary of such Dispatcher shall be adjusted to the salary schedule provided for~~

~~in subparagraph a of this paragraph. Such initial adjustment of salaries shall be to the step whose number corresponds to the number of completed years of service the Dispatcher has accumulated in the Communications Division of the Department of Public Safety. Provided, however, no such Dispatcher shall receive less than the salary the Dispatcher was receiving on December 31, 2004. If the number of completed years of service of such Dispatcher exceeds seven (7) years on January 1, 2005, the Dispatcher shall be assigned to and the Dispatcher's salary adjusted to Step 7 of the salary schedule.~~

~~c. Beginning January 2, 2005, through June 30, 2005, inclusive, each~~ Each Communications Dispatcher shall receive upon the anniversary date of such Dispatcher an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if such Dispatcher, within the preceding twelve-month period:

- (1) has achieved a satisfactory Performance Rating Score,
- (2) 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
- (3) has not received any disciplinary action which has resulted in demotion.

If the number of completed years of service on the anniversary date of the Dispatcher is or exceeds seven (7) years, the Dispatcher shall be assigned to, and the salary of the Dispatcher adjusted to, Step 7 of the salary schedule.

2. a. Effective ~~July 1, 2005~~ January 1, 2007, the annual salaries for the positions of ~~Director, Coordinator, Superintendent, Supervisor and Dispatcher~~ within the Communications ~~Division~~ Section 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, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Communications Director	\$49,315.00
Communications Coordinator	\$45,205.00
	<u>\$57,189.00</u>
Communications Superintendent	\$41,468.00
	<u>\$51,990.00</u>
Communications Supervisor	\$38,071.00
	<u>\$47,264.00</u>
Communications Dispatcher	
Step 1	\$28,631.00
Step 2	\$29,297.00
	<u>\$30,635.00</u>
Step 3	\$29,979.00
	<u>\$32,780.00</u>
Step 4	\$30,678.00
	<u>\$35,074.00</u>
Step 5	\$31,395.00
	<u>\$37,529.00</u>
Step 6	\$32,130.00
	<u>\$40,156.00</u>
Step 7	\$34,983.00
	<u>\$42,967.00</u>
Probationary Communications Dispatcher	\$25,349.00

b. On ~~July 1, 2005~~ January 1, 2007, each Communications Dispatcher shall be assigned and the salary of such Dispatcher shall be adjusted to the salary schedule provided for in subparagraph a of this paragraph. Such initial adjustment of salaries shall be to the step whose number corresponds to the number of completed years of service the Dispatcher has accumulated in the Communications ~~Division~~ Section of the Oklahoma Highway Patrol Division of the Department of Public Safety. Provided, however, no such Dispatcher shall receive less than the salary the Dispatcher was receiving on ~~June 30, 2005~~ December 31, 2006. If the number of completed years of service of such Dispatcher exceeds seven (7) years on ~~July 1, 2005~~ January 1, 2007, the Dispatcher shall be assigned to and the Dispatcher's salary adjusted to Step 7 of the salary schedule.

c. After ~~July 1, 2005~~ January 1, 2007, each Communications Dispatcher shall receive upon the anniversary date of the Dispatcher an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if the Dispatcher, within the preceding twelve-month period:

(1) has achieved a satisfactory Performance Rating Score,

(2) 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

(3) has not received any disciplinary action which has resulted in demotion.

If the number of completed years of service on the anniversary date of the Dispatcher is or exceeds seven (7) years, the Dispatcher shall be assigned to, and the salary of the Dispatcher adjusted to, Step 7 of the salary schedule.

3. Except as provided in paragraphs 1 and 2 of this subsection, in any twelve-month period no Dispatcher shall receive:

- a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, or
- b. more than one such salary increase to the step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, unless salary increases are authorized by the Legislature.

Provided, however, such Dispatcher shall receive the salary increase which results from a promotion to another position within the Communications ~~Division~~ Section.

4. The steps prescribed for the position of Communications Dispatcher in the salary schedule provided for in paragraphs 1 and 2 of this subsection are for salary and compensation purposes only. No Communications Dispatcher 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 increases provided for in paragraphs 1 and 2 of this subsection.

5. Upon completion of the one-year probationary period as required in subsection D of Section 840-4.13 of Title 74 of the Oklahoma Statutes, each Probationary Communications Dispatcher shall be promoted to and shall receive the salary for Step 1 of the position of Communications Dispatcher, as provided for in paragraph 1 or 2 of this subsection, whichever is applicable. Thereafter, the

salary of such Dispatcher shall be subject to the provisions of this subsection.

D. The provisions of this section shall supersede all existing laws covering the salaries for the positions in the Communications ~~Division~~ Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 6. AMENDATORY 47 O.S. 2001, Section 2-106, as amended by Section 6, Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2005, Section 2-106), is amended to read as follows:

Section 2-106. A. There is hereby established in the Department of Public Safety an administrative unit to be known as the Driver License Administration, which shall be divided into the Driver License Examining Division, the Driver License Services Division, the Driver Improvement Division, the Financial Responsibility Division, and such other divisions as the Commissioner of Public Safety may direct.

B. The Driver License Examining Division shall consist of noncommissioned classified employees of the Department who may administer tests for the purpose of issuing driver licenses pursuant to Chapter 6 of this title.

C. Any employee appointed to the position of Driver License Examiner shall be not less than twenty-one (21) nor more than sixty-five (65) years of age and any person appointed to the position of Senior Driver License Examiner shall have held the position of Driver License Examiner with the Department for not less than three (3) years immediately preceding such appointment.

D. 1. Any person appointed to any position created pursuant to this section shall:

- a. be a citizen of the State of Oklahoma,
- b. be of good moral character,
- c. possess a high school diploma or General Educational Development equivalency certificate, and

d. meet physical and mental standards as the Commissioner may prescribe. The scope of the physical and mental examinations for persons appointed as a Driver License Examiner or Senior Driver License Examiner shall be as prescribed by the Commissioner.

2. Any person appointed to the position of Driver License Examiner shall be required to complete satisfactorily a course of training as prescribed by the Commissioner.

E. Drunkenness, being under the influence of an intoxicating substance or any conduct not becoming an officer or public employee shall be sufficient grounds for the removal of any employee appointed pursuant to this section.

F. Effective January 1, 2007, the annual salaries of the following employees of the Driver License Examining Division of the Department of Public Safety shall be in accordance with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes:

- | | |
|--|-------------------------|
| 1. <u>Driver License Examiner</u> | <u>\$34,023.00;</u> |
| 2. <u>Senior Driver License Examiner</u> | <u>\$40,686.00;</u> |
| 3. <u>Administrative Programs Officer I</u> | <u>\$37,202.00;</u> |
| 4. <u>Administrative Programs Officer II</u> | <u>\$43,308.00; and</u> |
| 5. <u>Training Specialist</u> | <u>\$40,686.00.</u> |

Provided, however, no such employee shall receive less than the salary the employee was receiving on December 31, 2006.

SECTION 7. AMENDATORY 63 O.S. 2001, Section 2-103, as amended by Section 13, Chapter 199, O.S.L. 2003 (63 O.S. Supp. 2005, Section 2-103), is amended to read as follows:

Section 2-103. A. The Director shall be appointed by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission. The Director of Narcotics and Dangerous Drugs Control on January 1, 1984, shall be initially appointed as Director. The succeeding Director shall, at the time of the appointment, have a

Bachelor's Degree from an accredited college or university and at least five (5) years' experience in drug law enforcement. The Director may appoint necessary assistants, agents, and other personnel to perform the work of the office and may prescribe their titles and duties and fix their compensation, other than the salaries established in subsection A of Section 8 of this act, pursuant to Merit System rules. The Director may appoint an employee to the position of Public Information/Education Officer. Said position shall be unclassified and exempt from the rules and procedures of the Office of Personnel Management, except leave regulations. The office of the Director shall be located at a suitable place in Oklahoma City, Oklahoma.

B. 1. Agents appointed by the Director shall have the powers of peace officers generally; provided, the Director may appoint special agents to meet specific investigatory need, who do not meet the age and educational requirements as specified in this section.

2. Agents appointed on and after November 1, 1998, shall be at least twenty-one (21) years of age and shall have a Bachelor's Degree from an accredited college or university.

3. Each entering agent shall be required to serve one (1) year in a probationary status as a prerequisite to being placed on permanent status.

C. Agents appointed pursuant to the provisions of this section shall have the responsibility of investigating alleged violations and shall have the authority to arrest those suspected of having violated the provisions of the Uniform Controlled Dangerous Substances Act.

D. A commissioned employee of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be entitled to receive upon retirement by reason of length of service, the continued custody and possession of the sidearm and badge carried by such employee immediately prior to retirement.

E. A commissioned employee of the Bureau may be entitled to receive, upon retirement by reason of disability, the continued custody and possession of the sidearm and badge carried by such employee immediately prior to retirement upon written approval of the Director.

F. Custody and possession of the sidearm and badge of a commissioned employee killed in the line of duty may be awarded by the Director to the spouse or next of kin of the deceased employee.

G. Custody and possession of the sidearm and badge of a commissioned employee who dies while employed at the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control may be awarded by the Director to the spouse or next of kin of the deceased employee.

H. Any Director appointed on or after July 1, 2003, shall be eligible to participate in either the Oklahoma Public Employees Retirement System or in the Oklahoma Law Enforcement Retirement System and shall make an irrevocable election in writing to participate in one of the two retirement systems.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-103a of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Effective January 1, 2007, the annual salaries for positions within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control specified in this section 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:

1. Director: \$96,305.00;

2. Deputy Director:

The salary of the Deputy Director shall be ninety-five percent (95%) of that received by the Director;

3. Division Director:

The salary of the Division Director shall be ninety percent (90%) of that received by the Director;

4. Level I Agent (OBNDD):
Minimum \$35,287.00, Mid-point \$41,875.00,
Maximum \$50,250.00;
5. Level II Agent (OBNDD):
Minimum \$43,714.00, Mid-point \$49,062.00,
Maximum \$58,875.00;
6. Level III Agent (OBNDD):
Minimum \$50,042.00, Mid-point \$57,812.00,
Maximum \$69,375.00;
7. Level IV Agent (OBNDD):
Minimum \$58,365.00, Mid-point \$63,750.00,
Maximum \$76,500.00; and
8. Level V Agent (OBNDD):
Minimum \$66,140.00; Mid-point \$70,000.00,
Maximum \$84,000.00.

Provided, however, no employee in any such position shall receive less than the salary the employee received on December 31, 2006.

B. Effective January 1, 2007, all positions may receive additional compensation through the use of pay mechanisms provided for in the Oklahoma Personnel Act and the Merit System of Personnel Administration Rules.

SECTION 9. AMENDATORY 63 O.S. 2001, Section 935, is amended to read as follows:

Section 935. A. The Chief Medical Examiner shall be directly responsible to the Board for the performance of the duties provided for in this act and for the administration of the office of the Chief Medical Examiner. The Chief Medical Examiner may, however, delegate specific duties to competent and qualified deputies who may

act for the Chief Medical Examiner within the scope of the express authority granted by ~~him~~ the Chief Medical Examiner, subject, however, to such rules as the Board may prescribe.

B. Effective January 1, 2007, the annual salaries of the following officers and employees of the Office of the Chief Medical Examiner shall be in accordance with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes:

1. Administrative Officer:

Minimum \$35,155.67, Mid-point \$40,769.22, Maximum \$46,382.76;

2. Chief Forensic Toxicologist:

Minimum \$72,360.00, Mid-point \$85,626.00, Maximum \$98,892.00;

3. Deputy Chief Forensic Toxicologist:

Minimum \$65,124.00, Mid-point \$72,239.40, Maximum \$79,354.80;

4. Deputy Chief Medical Examiner:

Minimum \$156,780.00, Mid-point \$162,810.00, Maximum \$168,840.00;

5. Division Administrator:

Minimum \$35,155.67, Mid-point \$40,769.22, Maximum \$46,382.76;

6. Forensic Chemist II:

Minimum \$37,386.00, Mid-point \$41,607.00, Maximum \$45,828.00;

7. Forensic Chemist IV:

Minimum \$42,210.00, Mid-point \$48,240.00, Maximum \$54,270.00;

8. Forensic Pathologist:

Minimum \$118,188.00, Mid-point \$131,454.00, Maximum \$144,720.00;

9. Forensic Pathologist I:

Minimum \$123,012.00, Mid-point \$136,881.00,

Maximum \$150,750.00;

10. Investigator I:

Minimum \$31,959.00, Mid-point \$40,099.50,

Maximum \$48,240.00;

11. Investigator II:

Minimum \$33,768.00, Mid-point \$42,813.00,

Maximum \$51,858.00;

12. Investigator III:

Minimum \$36,180.00, Mid-point \$45,225.00,

Maximum \$54,270.00; and

13. Records Supervisor:

Minimum \$25,626.29, Mid-point \$29,647.70,

Maximum \$33,669.11.

Provided, however, no such employee shall receive less than the salary the employee received on December 31, 2006.

SECTION 10. AMENDATORY 74 O.S. 2001, Section 150.6a, as amended by Section 1, Chapter 346, O.S.L. 2004 (74 O.S. Supp. 2005, Section 150.6a), is amended to read as follows:

Section 150.6a A. Effective July 1, 2004, the annual salaries for the Deputy Director, and the positions within the Oklahoma State Bureau of Investigation, as set out in this section, shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay as authorized by Section 840-2.18 of this title:

1. Deputy Director:

The salary of the Deputy Director shall be ninety-five percent (95%) of that received by the Director;

2. Division Director:

The salary of a Division Director shall be ninety percent (90%) of that received by the Director;

3. Agent I (OSBI), Criminalist I:
Minimum \$33,500.00, Mid-point \$41,875.00,
Maximum \$50,250.00;
4. Agent II (OSBI), Criminalist II:
Minimum \$39,250.00, Mid-point \$49,062.00,
Maximum \$58,875.00;
5. Agent III (OSBI), Criminalist III:
Minimum \$46,250.00, Mid-point \$57,812.00,
Maximum \$69,375.00;
6. Agent IV (OSBI), Criminalist IV:
Minimum \$51,000.00, Mid-point \$63,750.00,
Maximum \$76,500.00; and
7. Agent V (OSBI), Criminalist V:
Minimum \$56,000.00, Mid-point \$70,000.00,
Maximum \$84,000.00.

B. Effective July 1, 2004, positions allocated to the agent and criminalist job families may receive additional compensation through the use of pay mechanisms provided for in the Oklahoma Personnel Act and the Merit System of Personnel Administration Rules.

C. Effective January 1, 2007, the annual salaries for the Deputy Director, and the positions within the Oklahoma State Bureau of Investigation, as set out in this section, shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay as authorized by Section 840-2.18 of this title:

1. Director: \$80,138.10;

2. Deputy Director:

The salary of the Deputy Director shall be ninety-five percent (95%) of that received by the Director;

3. Division Director:

The salary of a Division Director shall be ninety percent (90%) of that received by the Director;

4. Agent I (OSBI), Criminalist I:

Minimum \$35,600.00, Mid-point \$43,975.00,
Maximum \$52,350.00;

5. Agent II (OSBI), Criminalist II:

Minimum \$41,350.00, Mid-point \$51,162.00,
Maximum \$60,975.00;

6. Agent III (OSBI), Criminalist III:

Minimum \$51,980.00, Mid-point \$63,542.00,
Maximum \$75,105.00;

7. Agent IV (OSBI), Criminalist IV:

Minimum \$60,615.00, Mid-point \$73,365.00,
Maximum \$86,115.00; and

8. Agent V (OSBI), Criminalist V:

Minimum \$66,386.00, Mid-point \$80,386.00,
Maximum \$94,386.00.

Provided, however, no such employee shall receive less than the salary the employee received on December 31, 2006.

SECTION 11. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. Effective October 1, 2006, all full-time and part-time officers and employees, including temporary and other limited-term employees, of the state who were employed by the state on the last working day of September 2006, shall be awarded an annualized salary increase equal to five percent (5%) of such officer's or employee's salary.

B. As used in this section, "temporary and other limited-term employees" are those persons who:

1. Are not full-time or permanent employees;
2. Are not otherwise excluded by this section; and

3. Are compensated by an agency, board, commission or department or other employing entity for a limited duration and without any subjective expectation by either the employer or the employee that the employment will become permanent.

C. Except for those personnel specifically excluded from eligibility for any increase or advancement in salary pursuant to this section, the salary increase provided by this section shall be applicable to:

1. Employees of county health departments;
2. Employees of a conservation district; and
3. Employees of the George Nigh Rehabilitation Institute.

D. Employees eligible for the increase provided for in subsection A of this section who are on leave without pay on October 1, 2006, shall receive an annualized increase, effective upon their return to work, but shall not receive any increase for a period of time prior to their return to work.

E. Employees who leave the state service before October 1, 2006, and who are reinstated or reemployed in the state service during October 2006, without a break in service, who are otherwise eligible for the pay increase provided for in this section, shall be granted such raise effective immediately upon such reinstatement or reemployment. As used in this subsection, "break in service" is defined as a period of time in excess of thirty (30) calendar days between two periods of state employment.

F. The following officers and employees shall be ineligible for a pay increase pursuant to this section and nothing, except as otherwise provided by Section 840-2.17 of Title 74 of the Oklahoma Statutes, shall be construed to authorize any increase or advancement of the salaries of:

1. Any elected official;
2. Any cabinet secretary whose salary is governed by Section 10.5 of Title 74 of the Oklahoma Statutes;

3. Any agency director who is also a cabinet secretary pursuant to Section 10.3 of Title 74 of the Oklahoma Statutes;

4. Any justice or judge whose salary is governed by Section 1.2 or 1.2A of Title 85 of the Oklahoma Statutes or whose compensation is set by the Board on Judicial Compensation pursuant to Section 3.4 of Title 20 of the Oklahoma Statutes;

5. Any district attorney whose salary is governed by Section 215.30 of Title 19 of the Oklahoma Statutes;

6. Officers and employees of institutions under the administrative authority of the Oklahoma State Regents for Higher Education, except for officers and employees of the George Nigh Rehabilitation Institute;

7. Persons employed pursuant to Section 2241 of Title 74 of the Oklahoma Statutes;

8. Persons employed pursuant to Section 1.6a of Title 53 of the Oklahoma Statutes;

9. Persons who are employed or under contract pursuant to subsection B of Section 1419 of Title 10 of the Oklahoma Statutes;

10. The Adjutant General and Assistant Adjutants General pursuant to Section 27 of Title 44 of the Oklahoma Statutes; and

11. Employees in those positions listed in the salary schedules in subsection F of Section 2-106 of Title 47, Section 8 of this act, Section 935 of Title 63, and Section 150.6a of Title 74 of the Oklahoma Statutes.

G. No salary increase pursuant to this section shall be made that exceeds a salary limitation provided in an agency's annual appropriation bill or salary limits set by statute. Classified employees eligible for the salary increase provided for in this section shall receive such increase even though it causes the employee's salary to exceed the maximum for the employee's pay band.

SECTION 12. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

No funds appropriated for the purpose of implementing the pay increase provided in Section 11 of this act shall be expended by any employing public agency, board, commission or other public employing entity in order to increase compensation for persons employed by a private business entity that has entered into a contract with the public employing entity to provide personnel services or temporary services to the public employing entity in order for the public employing entity to perform duties imposed upon it by law or functions which the public employing entity is authorized to perform by law. The provisions of this section shall not be construed to prohibit increases in compensation to a vendor performing other types of services pursuant to a sole source contract or contract awarded pursuant to the Oklahoma Central Purchasing Act.

SECTION 13. This act shall become effective October 1, 2006.

Passed the Senate the 21st day of June, 2006.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2006.

Presiding Officer of the House
of Representatives