CS for EHB 2809

THE STATE SENATE

Tuesday, April 11, 2006

Committee Substitute for

ENGROSSED

House Bill No. 2809

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2809 - By: TREBILCOCK of the House and CORN of the Senate.

[Oklahoma State Bureau of Narcotics and Dangerous Drugs Control - Department of Public Safety – salaries of certain employees - codification – noncodification - effective date - emergency]

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

SECTION 1. 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 2 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 2. 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 July 1, 2006, 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 (OBNDDC):

Minimum $35,287.00, Mid-point $41,875.00, Maximum $50,250.00;

5. Level II Agent (OBNDDC):

Minimum $43,714.00, Mid-point $49,062.00, Maximum $58,875.00;

6. Level III Agent (OBNDDC):

Minimum $50,042.00, Mid-point $57,812.00,

Maximum $69,375.00;

7. Level IV Agent (OBNDDC):

Minimum $58,365.00, Mid-point $63,750.00,

Maximum $76,500.00; and

8. Level V Agent (OBNDDC):

Minimum $66,140.00; Mid-point $70,000.00,

Maximum $84,000.00.

B. Effective July 1, 2006, 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 3. AMENDATORY 47 O.S. 2001, Section 2-105.4, as amended by Section 1, Chapter 161, O.S.L. 2004 (47 O.S. Supp. 2005, Section 2-105.4), is amended to read as follows:

Section 2-105.4. Salaries

A. 1. a. Effective ~~January 1, 2005~~ July 1, 2005, 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	~~$88,400.00~~
	$89,100.00
Assistant Commissioner of Public Safety	~~$82,614.00~~
	$83,314.00
Highway Patrol Colonel	~~$82,614.00~~
	$83,314.00
Highway Patrol Lieutenant Colonel	~~$74,127.00~~
	$74,827.00
Highway Patrol Major	~~$67,118.00~~
	$67,818.00
Highway Patrol Captain	~~$61,326.00~~
	$62,026.00
Highway Patrol First Lieutenant	~~$56,543.00~~
	$57,243.00
Highway Patrol Supervisor	~~$52,606.00~~
	$53,306.00
Highway Patrolman	
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	~~$49,387.00~~
	$50,087.00
Probationary Highway Patrolman	$33,000.00
Cadet Highway Patrolman	$30,000.00

b. ~~On January 1, 2005, 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 whose 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, 2004. If the number of completed years of service of such Patrolman exceeds seven (7) years on January 1, 2005, the Patrolman~~

~~shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.~~

~~c. Beginning January 2, 2005, through June 30, 2005, inclusive, each~~ 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 ~~July 1, 2005~~ 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:

Commissioner of Public Safety	~~$89,100.00~~
	$105,000.00
Assistant Commissioner of Public Safety	~~$83,314.00~~
	$101,030.00
Highway Patrol Colonel	~~$83,314.00~~
	$101,030.00
Highway Patrol Lieutenant Colonel	~~$74,827.00~~
	$91,844.00

Highway Patrol Major	~~$67,818.00~~
	$83,495.00
Highway Patrol Captain	~~$62,026.00~~
	$75,904.00
Highway Patrol First Lieutenant	~~$57,243.00~~
	$69,004.00
Highway Patrol Supervisor	~~$53,306.00~~
	$62,731.00
Highway Patrolman	
Step 1	~~$36,711.00~~
	$38,000.00
Step 2	~~$38,377.00~~
	$40,660.00
Step 3	~~$40,123.00~~
	$43,506.00
Step 4	~~$41,953.00~~
	$46,552.00
Step 5	~~$43,871.00~~
	$49,810.00
Step 6	~~$45,881.00~~
	$53,298.00
Step 7	~~$50,087.00~~
	$57,028.00

Probationary Highway Patrolman ~~$33,000.00~~

$35,514.00

Cadet Highway Patrolman ~~$30,000.00~~

$33,192.00

b. On ~~July 1, 2005~~ 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 whose 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 ~~June 30, 2005~~ December 31, 2006. If the number of completed years of service of such Patrolman exceeds seven (7) years on ~~July 1, 2005~~ January 1, 2007, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.

c. After ~~July 1, 2005~~ 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 for in subparagraph b 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.

3. Except as provided in 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 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 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 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 paragraphs 1 and 2 of this subsection.

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 4. AMENDATORY 47 O.S. 2001, Section 2-105.6, as last amended by Section 44, Chapter 1, O.S.L. 2005 (47 O.S. Supp. 2005, Section 2-105.6), 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. Effective ~~January 1, 2005~~ July 1, 2005, 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 First Lieutenant	~~$56,543.00~~
	$57,243.00
Patrol Supervisor	~~$52,606.00~~
	$53,306.00
Patrolman	
~~Step 6~~	~~$45,881.00~~
Step 7	~~$49,387.00~~
	$50,087.00

b. ~~On January 1, 2005, 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 whose 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. Provided, however, no such Patrolman shall receive less than the salary the Patrolman was receiving on December 31, 2004. If the number of completed years of service of such Patrolman exceeds seven (7) years on January 1, 2005, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.~~

~~c. Beginning January 2, 2005, through June 30, 2005, inclusive, each~~ 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 such 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. a. Effective ~~July 1, 2005~~ 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:

Patrol First Lieutenant	~~$57,243.00~~
	$69,004.00
Patrol Supervisor	~~$53,306.00~~
	$62,731.00
Patrolman	
~~Step 6~~	~~$45,881.00~~
Step 7	~~$50,087.00~~

$57,028.00

b. On ~~July 1, 2005~~ 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 whose 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. Provided, however, no such Patrolman shall receive less than the salary the Patrolman was receiving on ~~June 30, 2005~~ December 31, 2006. If the number of completed years of service of such Patrolman exceeds seven (7) years on ~~July 1, 2005~~ January 1, 2007, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.

c. After ~~July 1, 2005~~ January 1, 2007, 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.

3. Except as provided in paragraphs 1 and 2 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 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 Patrolman shall receive the salary increase which results from a promotion to another position within the Oklahoma Highway Patrol Division.

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

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 5. AMENDATORY 47 O.S. 2001, Section 2-105.7, as last amended by Section 1, Chapter 354, O.S.L. 2004 (47 O.S. Supp. 2005, Section 2-105.7), 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. Effective ~~January 1, 2005~~ July 1, 2005, 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 First Lieutenant	~~$56,543.00~~
	$57,243.00
Patrol Supervisor	~~$52,606.00~~
	$53,306.00
Capitol Patrol Sergeant	~~$50,946.00~~
	$51,646.00
Patrolman	
~~Step 4~~	~~$41,953.00~~
~~Step 5~~	~~$43,871.00~~
Step 6	$45,881.00
Step 7	~~$49,387.00~~
	$50,087.00

b. ~~On January 1, 2005, 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 whose number corresponds to the number of completed years of service the Patrolman has in the Highway Patrol Division, including service in 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, 2004. If the number of completed years of service of such Patrolman exceeds seven (7) years on January 1, 2005, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.~~

~~c. Beginning January 2, 2005, through June 30, 2005, inclusive, each~~ 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 such 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. a. Effective ~~July 1, 2005~~ 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:

Patrol First Lieutenant	~~$57,243.00~~
	$69,004.00
Patrol Supervisor	~~$53,306.00~~
	$62,731.00
Capitol Patrol Sergeant	~~$51,646.00~~
	$57,028.00
Patrolman	
~~Step 4~~	~~$41,953.00~~
~~Step 5~~	~~$43,871.00~~

Step 6 ~~$45,881.00~~

$53,298.00

Step 7 ~~$50,087.00~~

$57,028.00

b. On ~~July 1, 2005~~ 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 whose number corresponds to the number of completed years of service the Patrolman has accumulated in the Highway Patrol Division, including service in 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 ~~June 30, 2005~~ December 31, 2006. If the number of completed years of service of such Patrolman exceeds seven (7) years on ~~July 1, 2005~~ January 1, 2007, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.

c. After ~~July 1, 2005~~ January 1, 2007, 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.

3. Except as provided in paragraphs 1 and 2 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 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 Patrolman shall receive the salary increase which results from a promotion to another position within the Capitol Patrol Section.

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

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 6. 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 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.

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.

C. 1. a. Effective ~~January 1, 2005~~ July 1, 2005, the annual salaries for the positions of Director, Coordinator, Superintendent, Supervisor and Dispatcher within the Communications 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:

Communications Director	~~$48,615.00~~
	$49,315.00
Communications Coordinator	~~$44,505.00~~
	$45,205.00
Communications Superintendent	~~$40,768.00~~
	$41,468.00
Communications Supervisor	~~$37,371.00~~

	$38,071.00
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~~
	$34,983.00
Probationary Communications Dispatcher	~~$25,000.00~~
	$25,349.00

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 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~~
	$62,908.00
Communications Coordinator	~~$45,205.00~~
	$57,189.00
Communications Superintendent	~~$41,468.00~~
	$51,990.00
Communications Supervisor	~~$38,071.00~~
	$47,264.00
Communications Dispatcher	
Step 1	$28,631.00
Step 2	~~$29,297.00~~
	$30,635.00
Step 3	~~$29,979.00~~

	$32,780.00
Step 4	~~$30,678.00~~
	$35,074.00
Step 5	~~$31,395.00~~
	$37,529.00
Step 6	~~$32,130.00~~
	$40,156.00
Step 7	~~$34,983.00~~
	$42,967.00
Probationary Communications Dispatcher	~~$25,349.00~~
	$26,758.00

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 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. If the number of completed years of service of such

Dispatcher exceeds seven (7) years on July 1, 2005, the Dispatcher shall be assigned to and the Dispatcher's salary adjusted to Step 7 of the salary schedule.

c. After July 1, 2005, 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.

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 of the Department of Public Safety.

SECTION 7. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows: The Alcoholic Beverage Laws Enforcement Commission, Office of the Attorney General, Council on Law Enforcement Education and Training, State Fire Marshal Commission, Office of Chief Medical Examiner, Oklahoma State Bureau of Investigation and the Pardon and Parole Board are each hereby authorized to conduct a study of the regional averages of annualized salaries for each class of employee located within each agency and to award an annualized salary increase of each agency employee to an amount not less than the regional average for the employee's job class, regardless of the pay band of each employee. The salary increase shall be effective as of July 1, 2006, subject to available funding.

SECTION 8. This act shall become effective July 1, 2006.

SECTION 9. 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.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-5-06 - DO PASS, As Amended.