

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 1248

By: Miller and Martin (Scott)  
of the House

7 and

8 Johnson (Mike) and Myers of  
9 the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma State Bureau of  
12 Narcotics and Dangerous Drugs Control; requiring  
13 budgeting in certain categories and amounts;  
14 providing for the duties and compensation of  
15 employees; limiting salary of the Director; providing  
16 budgetary limitations; providing exception to  
17 budgetary limitations; limiting amount of  
18 appropriation which may be used for certain purpose;  
19 authorizing transfer of funds to an agency special  
20 account for certain purposes; limiting amount  
21 authorized to be transferred; requiring promulgation  
22 of certain rules; authorizing exemption of certain  
23 federal funds from expenditure limitations;  
24 specifying how funds will be used; providing lapse  
dates; requiring and prohibiting certain budget  
practices; providing an effective date; and declaring  
an emergency.

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

1 SECTION 1. For the fiscal year ending June 30, 2010, the  
2 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall  
3 budget all funds in the following categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	Administrative Services	\$1,090,390.00	\$ 3,000,000.00
6	Enforcement	2,802,602.00	10,000,000.00
7	Wire Intercept/Drug		
8	Interdiction	1,100,180.00	4,000,000.00
9	Diversion	624,065.00	4,000,000.00
10	Information		
11	Technology/Communications	319,480.00	4,000,000.00
12	Prevention, Education and		
13	Training	<u>363,005.00</u>	<u>2,000,000.00</u>
14	TOTAL	\$6,299,722.00	\$27,000,000.00

15 SECTION 2. The duties and compensation of employees, not  
16 otherwise prescribed by law, necessary to perform the duties imposed  
17 upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs  
18 Control by law shall be set by the Director. The salary of the  
19 Director shall not exceed Ninety-six Thousand Three Hundred Five  
20 Dollars (\$96,305.00) per annum, payable monthly for the fiscal year  
21 ending June 30, 2010. The Oklahoma State Bureau of Narcotics and  
22 Dangerous Drugs Control for the fiscal year ending June 30, 2010,  
23 shall be subject to the following budgetary limitations on full-  
24 time-equivalent employees and expenditures excluding expenditures

1 for capital and special projects, except as may be authorized  
2 pursuant to the provisions of Section 3603 of Title 74 of the  
3 Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
4 Full-Time-Equivalent Employees	113.0
6 Lease-Purchase Agreements	\$225,000.00

7 Full-time-equivalent employees solely paid by grant funds shall  
8 not count against the agency's budgetary limitations as specified in  
9 this section.

10 SECTION 3. Of the amount appropriated to the Oklahoma State  
11 Bureau of Narcotics and Dangerous Drugs Control by Sections 110 and  
12 111 of Enrolled Senate Bill No. 216 of the 1st Session of the 52nd  
13 Oklahoma Legislature, an amount not to exceed Two Hundred Thousand  
14 Dollars (\$200,000.00) may be transferred to an agency special  
15 account established pursuant to the provisions of Section 7.2 of  
16 Title 62 of the Oklahoma Statutes. Funds in this account are to  
17 purchase controlled dangerous substances to be used as evidence in  
18 narcotics cases, for fees for informers, or employees, and for other  
19 expenses necessary to apprehend and convict violators of state laws  
20 regulating controlled dangerous substances. The Director of the  
21 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and  
22 the Director of State Finance shall promulgate rules for the  
23 expenditure of the funds transferred by this section.

24

1 SECTION 4. The Director of the Oklahoma State Bureau of  
2 Narcotics and Dangerous Drugs Control may request that the receipt  
3 and expenditure of unanticipated federal funds after July 1, 2009,  
4 be exempt from expenditure limitations, provided that any such funds  
5 are used for operations and shall be included in the agency's budget  
6 work program.

7 SECTION 5. Appropriations made by Sections 110 and 111 of  
8 Enrolled Senate Bill No. 216 of the 1st Session of the 52nd Oklahoma  
9 Legislature, not including appropriations made for capital outlay  
10 purposes, may be budgeted for the fiscal year ending June 30, 2010  
11 (hereafter FY-10) or may be budgeted for the fiscal year ending June  
12 30, 2011 (hereafter FY-11). Funds budgeted for FY-10 may be  
13 encumbered only through June 30, 2010, and must be expended by  
14 November 15, 2010. Any funds remaining after November 15, 2010, and  
15 not budgeted for FY-11, shall lapse to the credit of the proper fund  
16 for the then current fiscal year. Funds budgeted for FY-11 may be  
17 encumbered only through June 30, 2011. Any funds remaining after  
18 November 15, 2011, shall lapse to the credit of the proper fund for  
19 the then current fiscal year. These appropriations may not be  
20 budgeted in both fiscal years simultaneously. Funds budgeted in FY-  
21 10, and not required to pay obligations for that fiscal year, may be  
22 budgeted for FY-11, after the agency to which the funds have been  
23 appropriated has prepared and submitted a budget work program  
24 revision removing these funds from the FY-10 budget work program and

1 after such revision has been approved by the Office of State  
2 Finance.

3 SECTION 6. This act shall become effective July 1, 2009.

4 SECTION 7. It being immediately necessary for the preservation  
5 of the public peace, health and safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

8

9 52-1-15213 MA 05/18/09

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24