

1 **SENATE FLOOR VERSION**

2 February 19, 2014

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 232

By: Jolley of the Senate

and

Christian of the House

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7
8
9 [Department of Public Safety - salaries - certain
10 study - effective date -
emergency]

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12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-105.4, is
15 amended to read as follows:

16 Section 2-105.4.

17 A. ~~1. a.~~ The annual salaries for the Commissioner of Public
18 Safety, the Assistant Commissioner of Public Safety
19 and the commissioned officers within the Highway
20 Patrol Division shall be in accordance and conformity
21 with the ~~following salary schedule~~ findings for
22 Department of Public Safety law enforcement personnel
23 of the State of Oklahoma Total Remuneration Study of
24 2013, 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

~~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

1 ~~b. Each Highway Patrolman shall receive upon the~~
2 ~~anniversary date of the Patrolman an annual salary~~
3 ~~increase to the step of the salary schedule provided~~
4 ~~for in subparagraph a of this paragraph which step~~
5 ~~number corresponds to the number of completed years of~~
6 ~~service the Patrolman has accumulated in the Highway~~
7 ~~Patrol Division, including service in the former Lake~~
8 ~~Patrol Division and the former Capitol Patrol Division~~
9 ~~of the Department of Public Safety if the Patrolman,~~
10 ~~within the preceding twelve-month period:~~

11 ~~(1) has achieved a satisfactory Performance Rating~~
12 ~~Score,~~

13 ~~(2) has not received any disciplinary action which~~
14 ~~has resulted in any suspension from the~~
15 ~~Department for a period of ten (10) or more days,~~
16 ~~and~~

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

19 ~~Provided, if the number of completed years of service on~~
20 ~~the anniversary date of the Patrolman is or exceeds seven~~
21 ~~(7) years, said Patrolman shall be assigned to, and the~~
22 ~~salary of the Patrolman adjusted to, Step 7 of said salary~~
23 ~~schedule.~~

1 ~~2. a. Effective January 1, 2007, the annual salaries for the~~
2 ~~Commissioner of Public Safety, the Assistant~~
3 ~~Commissioner of Public Safety and the commissioned~~
4 ~~officers within the Highway Patrol Division shall be~~
5 ~~in accordance and conformity with the following salary~~
6 ~~schedule, exclusive of longevity pay, as authorized by~~
7 ~~Section 840-2.18 of Title 74 of the Oklahoma Statutes,~~
8 ~~expense allowance, as authorized by Section 2-130 of~~
9 ~~this title, irregular shift pay, as authorized by~~
10 ~~Section 2-130.1 of this title, and any pay from~~
11 ~~working shifts in addition to or in lieu of regularly~~
12 ~~scheduled shifts that may result from a contractual~~
13 ~~agreement entered into by the Department or from a~~
14 ~~special enforcement assignment:~~

15	Commissioner of Public Safety	\$111,133.00
16	Assistant Commissioner of Public Safety	\$101,030.00
17	Highway Patrol Colonel (Chief)	\$101,030.00
18	Highway Patrol Lieutenant Colonel	
19	(Assistant Chief)	\$91,844.00
20	Highway Patrol Lieutenant Colonel	
21	(Deputy Chief)	\$83,495.00
22	Highway Patrol Major	\$75,904.00
23	Highway Patrol Captain	\$69,004.00
24	Highway Patrol Lieutenant	\$62,731.00

~~Highway Patrolman (Trooper)~~

~~Step 1 \$38,000.00~~

~~Step 2 \$40,660.00~~

~~Step 3 \$43,506.00~~

~~Step 4 \$46,552.00~~

~~Step 5 \$49,810.00~~

~~Step 6 \$53,298.00~~

~~Step 7 \$57,028.00~~

~~Probationary Highway Patrolman \$35,514.00~~

~~Cadet Highway Patrolman \$33,192.00~~

~~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~~

1 ~~adjusted to, Step 7 of the salary schedule provided in subparagraph~~
2 ~~a of this paragraph.~~

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

5 ~~a. a salary increase which exceeds an increase to the~~
6 ~~next higher step of the salary schedule provided for~~
7 ~~in paragraphs 1 and 2 of this subsection, or~~

8 ~~b. more than one such salary increase to the step of the~~
9 ~~salary schedule provided for in paragraphs 1 and 2 of~~
10 ~~this subsection, unless salary increases are~~
11 ~~authorized by the Legislature.~~

12 ~~Provided, however, such Patrolman shall receive the salary increase~~
13 ~~which results from a promotion to another position within the~~
14 ~~Highway Patrol Division.~~

15 ~~4. The steps prescribed for the position of Highway Patrolman~~
16 ~~in the salary schedule provided for in paragraphs 1 and 2 of this~~
17 ~~subsection are for salary and compensation purposes only. No~~
18 ~~Highway Patrolman shall be reassigned to another such step of said~~
19 ~~salary schedule for the purposes of demotion, discipline, promotion,~~
20 ~~incentive, reward or for any other reason other than the salary~~
21 ~~increases provided for in paragraphs 1 and 2 of this subsection.~~

22 ~~5. Upon graduation from the Highway Patrol Academy, each Cadet~~
23 ~~Highway Patrolman shall be promoted to and shall receive the salary~~
24 ~~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.

C. Nothing in this section shall be construed to prohibit a reduction in pay or salary due to involuntary leave without pay as authorized in Section 840-2.27C of Title 74 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 2-105.7, as amended by Section 162, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2013, 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

1 of the Capitol Patrol Section as designated by the Commissioner
2 shall have the authority to enforce all parking, traffic, and
3 criminal laws within Oklahoma County and Tulsa County, and shall
4 have the authority to perform other law enforcement duties within
5 the state as prescribed by the Commissioner of Public Safety.

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

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

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

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

18 3. Serves a twelve-month probationary period which shall
19 commence upon entering the course of training required by paragraph
20 2 of this subsection.

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

23 D. All commissioned officers of the Capitol Patrol Section of
24 the Oklahoma Highway Patrol Division of the Department of Public

1 Safety shall have, in addition to their primary duty as prescribed
2 in subsection A of this section, a secondary duty to enforce all
3 state statutes, to make arrests for violations and to perform other
4 duties as prescribed by the Commissioner of Public Safety in
5 accordance with Section 2-117 of this title.

6 E. The Office of Management and Enterprise Services and the
7 Oklahoma Capitol Improvement Authority shall provide office and
8 operations space for the Capitol Patrol Section of the Oklahoma
9 Highway Patrol Division of the Department of Public Safety.

10 F. ~~1. a. The annual salaries for the commissioned officers~~
11 ~~within the Capitol Patrol Section of the Oklahoma~~
12 ~~Highway Patrol Division of the Department of Public~~
13 ~~Safety shall be in accordance and conformity with the~~
14 ~~following salary schedule, exclusive of longevity pay,~~
15 ~~as authorized by Section 840-2.18 of Title 74 of the~~
16 ~~Oklahoma Statutes, expense allowance, as authorized by~~
17 ~~Section 2-130 of this title, and irregular shift pay,~~
18 ~~as authorized by Section 2-130.1 of this title:~~

19	Patrol Captain	\$57,243.00
20	Patrol Lieutenant	\$53,306.00
21	Capitol Patrol Sergeant	\$51,646.00
22	Patrolman	
23	Step 4	\$41,953.00
24	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. 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:~~

Patrol Captain \$69,004.00

Patrol Lieutenant \$62,731.00

Capitol Patrol Sergeant \$57,028.00

Patrolman \$57,028.00

The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

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 3. AMENDATORY 47 O.S. 2011, Section 2-105.8, is amended to read as follows:

Section 2-105.8. A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety, the Communications Section.

B. An employee shall not be promoted to the position of Communications Coordinator.

~~C. 1. a. The annual salaries for the positions within the Communications 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 Coordinator \$45,205.00~~

~~Communications Superintendent \$41,468.00~~

~~Communications Supervisor \$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 \$34,983.00~~

~~Probationary Communications Dispatcher \$25,349.00~~

~~b. 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 January 1, 2007, the annual salaries for the
positions within the Communications 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 Coordinator	\$57,189.00
Communications Superintendent	\$51,990.00
Communications Supervisor	\$47,264.00
Communications Dispatcher	

Step 1	\$28,631.00
Step 2	\$30,635.00
Step 3	\$32,780.00
Step 4	\$35,074.00
Step 5	\$37,529.00
Step 6	\$40,156.00
Step 7	\$42,967.00

Probationary Communications Dispatcher \$26,758.00

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

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

7 ~~(1) has achieved a satisfactory Performance Rating~~
8 ~~Score,~~

9 ~~(2) has not received any disciplinary action which~~
10 ~~has resulted in any suspension from the~~
11 ~~Department for a period of ten (10) or more days,~~
12 ~~and~~

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

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

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

21 ~~a. a salary increase which exceeds an increase to the~~
22 ~~next higher step of the salary schedule provided for~~
23 ~~in paragraphs 1 and 2 of this subsection, or~~
24

1 ~~b. more than one such salary increase to the step of the~~
2 ~~salary schedule provided for in paragraphs 1 and 2 of~~
3 ~~this subsection, unless salary increases are~~
4 ~~authorized by the Legislature.~~

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

8 ~~4. The steps prescribed for the position of Communications~~
9 ~~Dispatcher in the salary schedule provided for in paragraphs 1 and 2~~
10 ~~of this subsection are for salary and compensation purposes only.~~
11 ~~No Communications Dispatcher shall be reassigned to another such~~
12 ~~step of said salary schedule for the purposes of demotion,~~
13 ~~discipline, promotion, incentive, reward or for any other reason~~
14 ~~other than the salary increases provided for in paragraphs 1 and 2~~
15 ~~of this subsection.~~

16 ~~5. Upon completion of the one-year probationary period as~~
17 ~~required in subsection D of Section 840-4.13 of Title 74 of the~~
18 ~~Oklahoma Statutes, each Probationary Communications Dispatcher shall~~
19 ~~be promoted to and shall receive the salary for Step 1 of the~~
20 ~~position of Communications Dispatcher, as provided for in paragraph~~
21 ~~1 or 2 of this subsection, whichever is applicable. Thereafter, the~~
22 ~~salary of such Dispatcher shall be subject to the provisions of this~~
23 ~~subsection.~~

1 The annual salaries of personnel comprising this section shall be in
2 accordance and conformity with the findings for Department of Public
3 Safety law enforcement personnel of the State of Oklahoma Total
4 Remuneration Study of 2013.

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

9 SECTION 4. AMENDATORY 47 O.S. 2011, Section 2-106, is
10 amended to read as follows:

11 Section 2-106. A. There is hereby established in the
12 Department of Public Safety the Driver License Examining Division
13 and the Driver Compliance Division and such other divisions as the
14 Commissioner of Public Safety may direct.

15 B. The Driver License Examining Division shall consist of
16 noncommissioned classified employees of the Department who may
17 administer tests for the purpose of issuing driver licenses pursuant
18 to ~~Chapter 6~~ Section 6-101 et seq. of this title.

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

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

- 3 a. be a citizen of the State of Oklahoma,
- 4 b. be of good moral character,
- 5 c. possess a high school diploma or General Educational
6 Development equivalency certificate, and
- 7 d. meet physical and mental standards as the Commissioner
8 may prescribe. The scope of the physical and mental
9 examinations for persons appointed as a Driver License
10 Examiner or Senior Driver License Examiner shall be as
11 prescribed by the Commissioner.

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

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

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

24 ~~1. Driver License Examiner \$34,023.00;~~

- ~~2. Senior Driver License Examiner \$40,686.00;~~
- ~~3. Administrative Programs Officer I \$37,202.00;~~
- ~~4. Administrative Programs Officer II \$43,308.00; and~~
- ~~5. Training Specialist \$40,686.00.~~

~~Provided, however, no such employee shall receive less than the salary the employee was receiving on December 31, 2006~~ The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

SECTION 5. This act shall become effective July 1, 2014.

SECTION 6. 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
February 19, 2014 - DO PASS AS AMENDED