ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE BILL NO. 1267

BY: HAMILTON (James) and STEIDLEY of the HOUSE

and

TAYLOR and HANEY of the SENATE

(DEPARTMENT OF CORRECTIONS - APPROPRIATION -

CERTAIN AGREEMENTS WITH OTHER STATE AGENCIES -

AMENDING 57 O.S., SECTIONS 502 AND 509 -

EFFECTIVE DATE -

EMERGENCY)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

[DEPARTMENT OF CORRECTIONS - APPROPRIATION -

AMENDING 57 O.S., SECTIONS 502, 509 AND

513.1 - PENAL INSTITUTIONS -

EMERGENCY]

SECTION 1. There is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

Personal Services	$125,683,187.00
Other Operating Expenses	40,501,875.00

TOTAL OPERATIONS $166,185,062.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Corrections by law shall be set by the Director. The salary of the Director shall not exceed Seventy Thousand Dollars ($70,000.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Department of Corrections for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	4,508.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	$100,475,852.00
Professional and Personal Services Contracts	$4,800,000.00
Purchase of Equipment	$5,900,000.00
Lease-Purchase Agreements	$600,000.00
Expenditure of Federal Funds	$1,810,000.00
Expenditure of Industries Revolving Fund	$15,000,000.00
Expenditure of Department of Corrections Revolving Fund	$5,550,000.00
Total Expenditures for Operations	$188,545,062.00

SECTION 3. Of the full-time-equivalent employees authorized in Section 2 of this act, the Director may appoint a maximum of two hundred seventeen (217) employees to the unclassified positions authorized in paragraph 29 of Section 840.8 of Title 74 of the Oklahoma Statutes. Of the full-time-equivalent employees authorized in Section 2 of this act, the Director may appoint a maximum of eleven (11) employees to the Oklahoma State Industries unclassified

positions authorized in paragraph 30 of Section 840.8 of Title 74 of the Oklahoma Statutes.

SECTION 4. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Department of Corrections shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1992, to include the following budget entities and activities: Individual Institutions, Community Corrections Centers, Administration, Health Services, Programs and Services, Probation and Parole, Security and Internal Affairs, Information Services, Agriculture - OSI, Manufacturing - OSI, Rodeo and Special Events, and Federal Grants/Programs.

SECTION 5. The Department of Mental Health and Substance Abuse Services shall maintain an agreement with the Department of Corrections to provide public service work positions for a minimum of fifty (50) trustees pursuant to Section 215 et seq. of Title 57 of the Oklahoma Statutes.

SECTION 6. The Department of Corrections is authorized to enter into an agreement with the Department of Human Services to utilize prison inmates for construction projects subject to written restrictions and conditions regarding security classification and other matters related to the control of inmates and public safety. Before utilizing inmates the Department of Corrections shall enter into a written agreement concerning, but not limited to, liability, funding, pay, public security and transportation. Provided, further, that prison inmates shall not be used to replace any current Department of Human Services employee.

SECTION 7. AMENDATORY 57 O.S. 1981, Section 502, as last amended by Section 10, Chapter 303, O.S.L. 1989 (57 O.S. Supp. 1990, Section 502), is amended to read as follows:

Section 502. As used in this title, unless the context otherwise requires:

(a) "Board" means the State Board of Corrections;

(b) "Department" means the Department of Corrections;

(c) "Institutions" means the Oklahoma State Penitentiary located at McAlester, Oklahoma; the Oklahoma State Reformatory located at Granite, Oklahoma; the Lexington Assessment and Reception Center located at Lexington, Oklahoma; the Joseph Harp Correctional Center located at Lexington, Oklahoma; the Jackie Brannon Correctional Center located at McAlester, Oklahoma; the Howard C. McLeod Correctional Center located at Farris, Oklahoma; the Mack H. Alford Correctional Center located at Stringtown, Oklahoma; the Ouachita Correctional Center located at Hodgens, Oklahoma; the Mabel Bassett Correctional Center located at Oklahoma City, Oklahoma; the R.B. "Dick" Conner Correctional Center located at Hominy, Oklahoma; the James Crabtree Correctional Center located at Helena, Oklahoma; the Jess Dunn Correctional Center located at Taft, Oklahoma; the John Lilley Correctional Center located at Boley, Oklahoma; the William S. Key Correctional Center located at Fort Supply, Oklahoma; the Dr. Eddie Walter Warrior Correctional Center located at Taft, Oklahoma; the Oklahoma City, Clara Waters and Kate Barnard Community ~~Treatment~~ Corrections Centers located at Oklahoma City, Oklahoma; the Tulsa Community ~~Treatment~~ Corrections Center located at Tulsa, Oklahoma; the Community ~~Treatment~~ Corrections Centers located at Lawton, Enid, Muskogee and McAlester; and other facilities under the jurisdiction and control of the Department of Corrections or hereafter established by the Department of Corrections;

(d) "Director" means the Director of the Department of Corrections;

(e) "House arrest" means a program whereby persons committed to the Department of Corrections are authorized to be away from a correctional facility and are placed by the Department in a community for the purpose of reintegration of the person into

society, pursuant to the provisions of Section 510.2 of this title; and

(f) "Private prison contractor" means a nongovernmental entity which, pursuant to a contract with the Department of Corrections:

(1) operates an institution within the Department; or

(2) provides for the housing, care, and control of inmates and performs other functions related to said responsibilities within a minimum security level facility not owned by the Department but operated by the contractor.

SECTION 8. AMENDATORY 57 O.S. 1981, Section 509, as last amended by Section 11, Chapter 303, O.S.L. 1989 (57 O.S. Supp. 1990, Section 509), is amended to read as follows:

Section 509. The Oklahoma State Penitentiary shall be located at McAlester in Pittsburg County, State of Oklahoma; and the Oklahoma State Reformatory shall be located at Granite in Greer County, State of Oklahoma; and the Lexington Assessment and Reception Center shall be located at Lexington in Cleveland County, State of Oklahoma; and the Jackie Brannon Correctional Center shall be located at McAlester in Pittsburg County, State of Oklahoma; and the Joseph Harp Correctional Center shall be located at Lexington in Cleveland County, State of Oklahoma; and the Howard C. McLeod Correctional Center shall be located at Farris in Atoka County, State of Oklahoma; and the Mack H. Alford Correctional Center shall be located at Stringtown in Atoka County, State of Oklahoma; and the Ouachita Correctional Center shall be located at Hodgens in LeFlore County, State of Oklahoma; and the Mabel Bassett Correctional Center shall be located at Oklahoma City in Oklahoma County, State of Oklahoma; and the R.B. "Dick" Conner Correctional Center shall be located at Hominy in Osage County, State of Oklahoma; and the James Crabtree Correctional Center shall be located at Helena in Alfalfa County, State of Oklahoma; and the Jess Dunn Correctional Center shall be located at Taft in Muskogee County, State of Oklahoma; and

the John Lilley Correctional Center shall be located at Boley in Okfuskee County, State of Oklahoma; and the William S. Key Correctional Center shall be located at Fort Supply in Woodward County, State of Oklahoma; and the Dr. Eddie Walter Warrior Correctional Center shall be located at Taft in Muskogee County, State of Oklahoma; and the Oklahoma City, Clara Waters and Kate Barnard Community ~~Treatment~~ Corrections Centers shall be located at Oklahoma City in Oklahoma County, State of Oklahoma; and the Tulsa Community ~~Treatment~~ Corrections Center shall be located at Tulsa in Tulsa County, State of Oklahoma; and the Muskogee Community ~~Treatment~~ Corrections Center shall be located at Muskogee in Muskogee County, State of Oklahoma; and the Lawton Community ~~Treatment~~ Corrections Center shall be located at Lawton in Comanche County, State of Oklahoma; and the Enid Community ~~Treatment~~ Corrections Center shall be located at Enid in Garfield County, State of Oklahoma; and the McAlester Community ~~Treatment~~ Corrections Center shall be located at McAlester in Pittsburg County, State of Oklahoma; and said institutions and community ~~treatment~~ corrections centers are hereby established within the Department. Said Department shall be the legal successor of and, except as otherwise provided in the Oklahoma Corrections Act of 1967, Section 501 et seq. of this title, shall have the powers and duties vested by law in the Office of Public Affairs in all matters relating to penal institutions, heretofore or hereafter established by the Department, which institutions and community ~~treatment~~ corrections centers shall be under the administrative direction and control of the Department.

SECTION 9. AMENDATORY 57 O.S. 1981, Section 513.1, as last amended by Section 18, Chapter 258, O.S.L. 1990 (57 O.S. Supp. 1990, Section 513.1), is amended to read as follows:

Section 513.1 The maximum amounts that may be maintained in petty cash funds, established in accordance with the provisions of Section 513 of this title, are as specified below:

	Maximum Amount
Department of Corrections	$1,000.00
Ouachita Correctional Center (Hodgen)	$2,000.00
Mack H. Alford Correctional Center	$2,500.00
Howard C. McLeod Correctional Center (Farris)	$2,000.00
Lexington Assessment and Reception Center	$2,500.00
Oklahoma State Penitentiary (McAlester)	$5,000.00
Oklahoma State Reformatory (Granite)	$3,000.00
R.B. "Dick" Conner Correctional Center (Hominy)	$3,000.00
Joe Harp Correctional Center (Lexington)	$3,000.00
Jess Dunn Correctional Center (Taft)	$3,500.00
James Crabtree Correctional Center (Helena)	$2,000.00
Mabel Bassett Correctional Center (Oklahoma City)	$2,000.00
John Lilley Correctional Center (Boley)	$2,000.00
Oklahoma City Community ~~Treatment~~ Corrections Center	$2,000.00
Clara Waters Community ~~Treatment~~ Corrections Center (Oklahoma City)	$2,000.00
Kate Barnard Community ~~Treatment~~ Corrections Center (Oklahoma City)	$2,000.00
Tulsa Community ~~Treatment~~ Corrections Center	$2,000.00
Muskogee Community ~~Treatment~~ Corrections Center	$2,000.00
Lawton Community ~~Treatment~~ Corrections Center	$2,000.00
Enid Community ~~Treatment~~ Corrections Center	$2,000.00
McAlester Community ~~Treatment~~ Corrections Center	$2,000.00
Jackie Brannon Correctional Center	$3,000.00
William S. Key Correctional Center (Fort Supply)	$3,000.00

Dr. Eddie Walter Warrior Correctional Center

(Taft) $3,000.00

SECTION 10. The appropriation made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 11. This act shall become operative July 1, 1991.

SECTION 12. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the Senate the 26th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives