

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 726

BY: TAYLOR and HANEY of the
SENATE

and

HAMILTON (James) and
STEIDLEY of the HOUSE

AS INTRODUCED

AN ACT RELATING TO VARIOUS STATE AGENCIES; MAKING AN
APPROPRIATION TO THE DEPARTMENT OF CIVIL EMERGENCY
MANAGEMENT; STATING PURPOSE; PROVIDING FOR THE
DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE
SALARY OF THE DIRECTOR; PROVIDING BUDGETARY
LIMITATIONS; MAKING AN APPROPRIATION TO THE
DEPARTMENT OF CORRECTIONS; STATING PURPOSE;
PROVIDING FOR THE DUTIES AND COMPENSATION OF
EMPLOYEES; LIMITING THE SALARY OF THE DIRECTOR;
PROVIDING BUDGETARY LIMITATIONS; MAKING AN
APPROPRIATION TO THE OFFICE OF THE STATE FIRE
MARSHAL; STATING PURPOSE; PROVIDING FOR THE DUTIES
AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY
OF THE DIRECTOR; PROVIDING BUDGETARY LIMITATIONS;
MAKING AN APPROPRIATION TO THE MILITARY DEPARTMENT
OF THE STATE OF OKLAHOMA; STATING PURPOSE;
PROVIDING FOR THE DUTIES AND COMPENSATION OF
EMPLOYEES; LIMITING THE SALARY OF THE DIRECTOR;
PROVIDING BUDGETARY LIMITATIONS; MAKING AN
APPROPRIATION TO THE OFFICE OF THE PARDON AND
PAROLE BOARD; STATING PURPOSE; PROVIDING FOR THE

DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE
SALARY OF THE DIRECTOR; PROVIDING BUDGETARY
LIMITATIONS; PROVIDING LAPSE DATE; PROVIDING AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

DEPARTMENT OF CIVIL EMERGENCY MANAGEMENT

SECTION 1. There is hereby appropriated to the Department of Civil Emergency Management from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Four Hundred Seventy-five Thousand Seven Hundred Ninety-seven Dollars (\$475,797.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Civil Emergency Management by law.

SECTION 2. Of the amount appropriated in Section 1 of this act, a maximum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) may be used in obtaining air support services on a contractual basis.

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Civil Emergency Management by law shall be set by the Director. The salary of the Director shall not exceed Forty Thousand Five Hundred Thirty-three Dollars (\$40,533.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Department of Civil Emergency Management for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	30.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$800,817.00
Professional and Personal Services Contracts	\$12,540.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$41,000.00
Expenditure of Federal Funds	\$1,630,057.00
Total Expenditures for Operations	\$2,105,854.00

SECTION 4. There is hereby appropriated to the State Emergency Fund created pursuant to Section 139.42 of Title 62 of the Oklahoma Statutes from any monies not otherwise appropriated from the Constitutional Reserve Fund of the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary for state emergencies.

DEPARTMENT OF CORRECTIONS

SECTION 5. 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, 1993, the sum of One Hundred Seventy-two Million Three Hundred Thirty Thousand Eighty Dollars (\$172,330,080.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 6. 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-three Thousand Nine Hundred Forty-one Dollars (\$73,941.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Department of Corrections for the fiscal year ending June 30, 1993,

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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	4,315.00
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$104,439,806.00
Professional and Personal Services Contracts	\$4,188,503.00
Purchase of Equipment	\$3,778,221.00
Lease-Purchase Agreements	\$567,715.00
Expenditure of Federal Funds	\$1,198,883.00
Expenditure of Industries Revolving Fund	\$14,664,350.00
Expenditure of Department of Corrections Revolving Fund	\$5,525,706.00
Total Expenditures for Operations	\$193,719,019.00

SECTION 7. Of the full-time-equivalent employees authorized in Section 6 of this act, the Director may appoint a maximum of two hundred twenty (220.0) 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 6 of this act, the Director may appoint a maximum of eleven (11.0) employees to the Oklahoma State Industries unclassified positions authorized in paragraph 30 of Section 840.8 of Title 74 of the Oklahoma Statutes.

SECTION 8. 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 9. 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.

OFFICE OF THE STATE FIRE MARSHAL

SECTION 10. There is hereby appropriated to the Office of the State Fire Marshal from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Nine Hundred Seventy-one Thousand Five Hundred Fifty-eight Dollars (\$971,558.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the State Fire Marshal by law.

SECTION 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the State Fire Marshal by law shall be set by the State Fire Marshal. The salary of the State Fire Marshal shall not exceed Forty-four Thousand Three Hundred Fifteen Dollars (\$44,315.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Office of the State Fire Marshal for the fiscal year ending June 30, 1993 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

22.5

Payroll, Salaries or Wages, Including Tax-sheltered Deferment

Contracts and Longevity Payments Authorized by State Statutes

\$586,574.00

Professional and Personal Services Contracts \$2,800.00

Lease-Purchase Agreements \$0.00

Purchase of Equipment \$0.00

Expenditure of Federal Funds \$0.00

Total Expenditures for Operations \$971,558.00

MILITARY DEPARTMENT OF THE STATE OF OKLAHOMA

SECTION 12. There is hereby appropriated to the Military Department of the State of Oklahoma from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Four Million One Hundred Forty-eight Thousand Eight Hundred Ninety-five Dollars (\$4,148,895.00) or so much thereof as may be necessary to perform the duties imposed upon the Military Department of the State of Oklahoma by law.

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Military Department of the State of Oklahoma by law shall be set by the Adjutant General. The Military Department of the State of Oklahoma, for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	283.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment
 Contracts and Longevity Payments Authorized by State Statutes
 \$7,805,751.00

Professional and Personal Services Contracts	\$50,000.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$72,370.00
Expenditure of Federal Funds	\$5,728,618.00
Expenditure of Revolving Funds	\$12,000.00
Total Expenditures for Operations	\$9,889,513.00

OFFICE OF THE PARDON AND PAROLE BOARD

SECTION 14. There is hereby appropriated to the Office of the Pardon and Parole Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Million Four Hundred Ninety-six Thousand One Hundred Seventy-eight Dollars (\$1,496,178.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Pardon and Parole Board by law.

SECTION 15. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the Pardon and Parole Board shall be set by the Chief Administrative Officer. The salary of the Chief Administrative Officer shall not exceed Forty-six Thousand Eleven Dollars (\$46,011.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Office of the Pardon and Parole Board for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	47.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments	
Authorized by State Statutes	\$1,045,670.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$21,202.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$1,496,178.00

SECTION 16. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1993. Any unexpended funds remaining after November 15, 1993, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 17. This act shall become effective July 1, 1992.

SECTION 18. 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.

43-2-1535 PWA