

ENROLLED SENATE  
BILL NO. 920

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

An Act funding correctional system agencies; making appropriation to the Department of Corrections; stating purpose; specifying apportionment of funds by certain categories; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing the Director of the Department of Corrections to appoint employees to certain unclassified positions; providing limitations on maximum number of employees placed in said positions; requiring the Department of Mental Health and Substance Abuse Services to maintain certain agreement with the Department of Corrections; authorizing the Department of Corrections to enter into certain agreement with the Department of Human Services; adjusting salary of certain employees to minimum salary schedule for public school teachers; authorizing transfer of certain personnel; authorizing directors to make provisions to effectuate transfer; providing for retention of employment status and benefits; authorizing purchase of facility to establish a community corrections center if funds are available; authorizing transfer of certain funds; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriation to the Pardon and Parole Board; stating purpose; specifying apportionment of appropriation; providing for duties and compensation of employees; limiting the salary of the Chief Administrative Officer; providing budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; providing lapse date; and providing an operative date.

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

DEPARTMENT OF CORRECTIONS

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, 1995, the sum of Ten Million Nine Hundred Eighty-two Thousand Nine Hundred Ninety-three Dollars (\$10,982,993.00) or so

much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 2. For the fiscal year ending June 30, 1995, the Department of Corrections shall budget all funds in the following categories: Administrative Services, Computer Systems, Prison Industries, Community Corrections and Work Centers, Contracted Services, Health Services, Probation and Parole, Offender Programs, and each individual institution.

SECTION 3. 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-two Thousand One Hundred Eighty Dollars (\$72,180.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Department of Corrections for the fiscal year ending June 30, 1995, 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	4,780.0
Lease-Purchase Agreements	\$1,000,000.00
Total Expenditure for Operations	\$219,379,221.00

SECTION 4. Of the full-time-equivalent employees authorized to the Department of Corrections, the Director may appoint a maximum of two hundred fifty-nine (259.0) 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 to the Department of Corrections, 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 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. A maximum of 33 security personnel from the Department of Mental Health and Substance Abuse Services are hereby transferred to the Department of Corrections. The Directors of the Department of Mental Health and Substance Abuse Services and the Department of Corrections shall make provisions to effectuate the transfer. Employees so transferred shall be transferred without the need to pass further examination or meet additional qualifications and shall retain their respective merit system classifications and status. The status of leave time, longevity or retirement accrual of employees transferred shall remain the same as though the transfer had not been made. Any employee involved in the transfer shall be transferred subject to the same right of removal,

examination, or termination as though such transfer had not been made.

SECTION 8. The Department of Corrections is hereby authorized to purchase a facility located in Elk City, Oklahoma for the purpose of establishing a Community Corrections Center if funds are available.

SECTION 9. On the effective date of this act, any unencumbered funds remaining in the Trucking Industry Self-Funded Research and Development (TISRAD) Revolving Fund, as created by Section 1164 of Title 47 of the Oklahoma Statutes, in excess of the amount transferred by Section 10 of Enrolled House Bill No. 2719 of the 2nd Session of the 44th Oklahoma Legislature shall be transferred to the credit of the Department of Corrections Revolving Fund as created by Section 557 of Title 57 of the Oklahoma Statutes. Any unexpended funds remaining in the Trucking Industry Self-Funded Research and Development (TISRAD) Revolving Fund after September 30, 1994, shall be transferred to the credit of the Department of Corrections Revolving Fund. Any monies transferred to the Department of Corrections Revolving Fund from the Trucking Industry Self-Funded Research and Development (TISRAD) Revolving Fund shall be expended for the Community Service Sentencing Program.

SECTION 10. Effective September 1, 1994, all certified teachers and principals employed as teachers in schools operated by the Department of Corrections who are being paid less than Step 9 of their respective pay grade shall receive a one time salary step adjustment up to Step 9 within the assigned salary range for their respective classification in order to bring their salaries more in line with the minimum salary schedule for public school teachers as provided in Section 13-110 and Section 18-114 of Title 70 of the Oklahoma Statutes.

SECTION 11. Funds appropriated to the Department of Corrections in Section 81, Chapter 117, O.S.L. 1993, as amended by Section 16, Chapter 243, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Department of Corrections regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

PARDON AND PAROLE BOARD

SECTION 12. There is hereby appropriated to 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, 1995, the sum of Twenty-six Thousand Two Hundred Sixteen Dollars (\$26,216.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 13. The amounts appropriated by Section 12 of this act and by Section 113 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature shall be expended as follows to perform the duties imposed upon the Pardon and Parole Board by law:

Personal Services	\$1,470,010.00
Other Operating Expenses	<u>86,622.00</u>
TOTAL	\$1,556,632.00

SECTION 14. 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, 1995. The Office of the Pardon and Parole Board for

the fiscal year ending June 30, 1995, 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	42.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,118,492.00
Professional and Personal Services Contracts	\$9,100.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$31,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$1,656,632.00

SECTION 15. Funds appropriated to the Pardon and Parole Board in Section 89, Chapter 117, O.S.L. 1993, as amended by Section 39, Chapter 243, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Pardon and Parole Board regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

SECTION 16. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1995. Any unexpended funds remaining after November 15, 1995, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 17. This act shall become operative September 1, 1994. Passed the Senate the 19th day of May, 1994.

President of the Senate

Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of Representatives