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BILL NO. 1761

By: Hamilton and Steidley of  
the House

and

Haney and Hobson of the  
Senate

An Act funding state corrections entities; 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; authorizing appointments to the unclassified service, with limitations; requiring certain agreement for public work positions; authorizing certain agreement for construction projects; authorizing the Department of Corrections to purchase a facility, if funds are available; stating location; authorizing construction of a prison industry facility; limiting source of payment and cost; providing for the budgeting and expenditure of certain funds; 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 Chief Administrative Officer; providing budgetary limitations; providing for the budgeting and expenditure of certain funds; providing lapse date; and providing an effective 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, 1996, the sum of Four Million Three Hundred Ninety-seven Thousand Nine Hundred Ninety-five Dollars (\$4,397,995.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

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-two Thousand Nine Hundred Eighty Dollars (\$72,980.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Department of Corrections for the fiscal year ending June 30, 1996, 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	4,985.0
Lease-Purchase Agreements	\$2,200,000.00

SECTION 3. 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 4. 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 5. 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 6. 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 7. The Department of Corrections is authorized to construct a prison industry facility at Oklahoma State Reformatory. Expenditures for construction of the building shall be made only from the Department of Corrections Industries Revolving Fund and shall not exceed Six Hundred Thousand Dollars (\$600,000.00).

SECTION 8. Funds appropriated to the Department of Corrections in Sections 104 and 105, Chapter 187, O.S.L. 1994, Section 1, Chapter 276, O.S.L. 1994 and Sections 19 and 20, Chapter 201, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

#### PARDON AND PAROLE BOARD

SECTION 9. 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, 1996, the sum of Thirty-nine Thousand One Hundred Thirty-four Dollars (\$39,134.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 10. 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 Eight Hundred Eleven Dollars (\$46,811.00) per annum, payable monthly for

the fiscal year ending June 30, 1996. The Office of the Pardon and Parole Board for the fiscal year ending June 30, 1996, 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

SECTION 11. Funds appropriated to the Pardon and Parole Board in Section 113, Chapter 187, O.S.L. 1994, and Section 12, Chapter 276, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

SECTION 12. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96) or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 5, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, after the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 13. This act shall become effective September 1, 1995.

Passed the House of Representatives the 18th day of May, 1995.

Speaker of the House of  
Representatives

Passed the Senate the 18th day of May, 1995.

President of the Senate