

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1830

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to State Legal Services; making an appropriation to the Office of the Attorney General; stating purposes; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; providing budgetary limitations; making an appropriation to the Office of the Attorney General for the benefit of the District Attorneys and District Attorneys Council; stating purposes; specifying that funds be included in certain budget categories; authorizing transfer of certain funds; authorizing District Attorneys Council to hire interns; exempting interns from budgetary limitations; providing for duties and compensation of employees; providing budgetary limitations; specifying positions contingent on unappropriated funds; making an appropriation to the Oklahoma Indigent Defense System; stating purposes; specifying that funds be included in certain budget categories; providing for duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; and providing an effective date.

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

ATTORNEY GENERAL

SECTION 1. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1998, the sum of One Million Five Hundred Forty-nine Thousand Three Hundred Eighty-one Dollars (\$1,549,381.00) or so much thereof as may be necessary to perform the duties imposed upon the Attorney General by law.

SECTION 2. For the fiscal year ending June 30, 1998, the Office of the Attorney General shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
General Operations	\$1,558,283.00	\$1,938,282.00
Legal Services	3,626,988.00	5,391,988.00
Criminal Interdiction	0.00	259,023.00
Financial Fraud and Special Investigations	436,032.00	511,032.00
Medicaid Fraud Control	204,225.00	1,031,454.00
Workers' Compensation Fraud	<u>0.00</u>	<u>950,000.00</u>
Total	\$5,825,528.00	\$10,081,779.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the Attorney General by law shall be set by the Attorney General. The Office of the Attorney General for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees, 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	157.0
Lease-Purchase Agreements	\$75,000.00

DISTRICT ATTORNEYS COUNCIL

SECTION 4. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1998, the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) or so much thereof as may be necessary to perform the duties imposed upon the District Attorneys and District Attorneys Council by law.

SECTION 5. For the fiscal year ending June 30, 1998, the District Attorneys and District Attorneys Council shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Prosecutorial Services	\$26,726,000.00	\$28,476,000.00

General Administration	847,310.00	887,310.00
Child Support Services	0.00	9,750,000.00
Bogus Check Enforcement and Restitution	0.00	8,500,000.00
Federal Grant Programs	0.00	5,645,000.00
Federal Pass-Through Grants	0.00	17,000,000.00
Drug Asset Forfeiture	0.00	1,000,000.00
Crime Victim Services	<u>0.00</u>	<u>3,400,000.00</u>
Total	\$27,573,310.00	\$74,658,310.00

SECTION 6. For the fiscal year ending June 30, 1998, the District Attorneys Council is authorized to transfer an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00), on an as-needed basis, from the Crime Victims Compensation Revolving Fund created by Section 142.17 of Title 21 of the Oklahoma Statutes, to the Sexual Assault Examination Fund created by Section 142.20 of Title 21 of the Oklahoma Statutes.

SECTION 7. The District Attorneys Council is hereby authorized to hire twenty (20) legal interns for the fiscal year ending June 30, 1998. Such interns shall be exempt from the budgetary limitations as provided in Section 8 of this act.

SECTION 8. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the District Attorneys and District Attorneys Council by law shall be set by the District Attorneys Council. The District Attorneys and District Attorneys Council for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees, 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	1106.0

SECTION 9. Of the one thousand one hundred and six (1106) full-time-equivalent employee positions authorized for the District Attorneys and District Attorneys Council in Section 8 of this act, five hundred and seventy six (576) full-time-equivalent employee positions shall be contingent on unappropriated funds and

Req. No. 10187Page 3

shall be eliminated when unappropriated funds for the positions are discontinued. If unappropriated funds are decreased then positions shall be decreased correspondingly.

INDIGENT DEFENSE SYSTEM

SECTION 10. There is hereby appropriated to the Oklahoma Indigent Defense System from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1998, the sum of Two Million Nine Hundred Forty-three Thousand One Hundred Fifty-eight Dollars (\$2,943,158.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 11. For the fiscal year ending June 30, 1998, the Oklahoma Indigent Defense System shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Trial Services	\$ 7,321,883.00	\$11,152,695.00
Appellate Services	3,018,815.00	3,276,455.00
General Operations	<u>724,724.00</u>	<u>823,366.00</u>
Total	\$11,065,422.00	\$15,252,516.00

SECTION 12. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law shall be set by the Executive Director of the Indigent Defense System. The Oklahoma Indigent Defense System for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees except those used for the statewide Trial Indigent Defense System, 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	80.0
Temporary full-time equivalent employees to reduce backlog of pending capital post-conviction appeals	<u>13.0</u>

TOTAL

93.0

SECTION 13. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98) or may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99). Funds budgeted for FY-98 may be encumbered only through June 30, 1998, and must be expended by November 15, 1998. Any funds remaining after November 15, 1998, and not budgeted for FY-99, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-99 may be encumbered only through June 30, 1999. Any funds remaining after November 15, 1999, 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-98, and not required to pay obligations for that fiscal year, may be budgeted for FY-99, 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-98 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 14. This act shall become effective September 1, 1997.

46-1-10187

AK