

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

2ND CONFERENCE COMMITTEE
SUBSTITUTE FOR ENGROSSED
HOUSE BILL NO. 1869

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to state corrections entities; making an appropriation to the Department of Corrections; stating purpose; specifying that funds be included in certain budget categories; 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; requiring certain agreement for public service work; authorizing certain agreement for construction projects; making an appropriation to the Office of the Pardon and Parole Board; stating purpose; specifying that funds be included in certain budget category; providing for the duties and compensation of employees; limiting the salary of the Chief Administrative Officer; providing budgetary limitations; requiring certain budgetary procedures; prohibiting certain budgetary procedures; providing lapse dates; 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, 1998, the sum of Twenty Eight Million Eight Hundred Sixty-one Thousand Five Hundred Forty-six Dollars (\$28,861,546.00) 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, 1998, the Department of Corrections shall budget all funds in the following categories:

Category

- Facilities
- General Operations
- Contracted Services
- Health Services
- Probation & Parole Services
- Offender Programs
- Prison Industries

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-four Thousand one Hundred Eighty Dollars (\$74,180.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Department of Corrections for the fiscal year ending June 30, 1998, 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	5,566.0
Lease-Purchase Agreements	\$2,200,000.00

SECTION 4. Of the full-time-equivalent employees authorized to the Department of Corrections, the Director may appoint a maximum of two hundred ninety-one (291.0) employees to the unclassified positions authorized in paragraph 1 of Subsection B of Section 840-5.11 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 thirteen (13.0) employees to the Oklahoma State Industries unclassified positions authorized in paragraph 2 of Subsection B of Section 840-5.11 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.

PARDON AND PAROLE BOARD

SECTION 7. 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, 1998, the sum of One Hundred Twenty-eight Thousand Three Hundred Eighty-two Dollars (\$128,382.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 8. For the fiscal year ending June 30, 1998, the Pardon and Parole Board shall budget all funds in the following category and amounts:

<u>Category</u>	<u>Appropriated</u>	<u>Total</u>
Administrative Services	\$1,776,459.00	\$1,856,459.00

SECTION 9. 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-eight Thousand Eleven Dollars (\$48,011.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Office of the Pardon and

Parole Board for the fiscal year ending June 30, 1998, 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	44.0

SECTION 10. 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 5, 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 11. This act shall become effective September 1, 1997.

46-1-10198 MAH