

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE
SUBSTITUTE FOR
HOUSE BILL NO. 1883

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to supplemental funding of various state entities; making appropriations to the Office of the Attorney General, the Office of the State Auditor and Inspector, the Department of Corrections, the State Ethics Commission, the State Fire Marshal, the Oklahoma Historical Society, the Oklahoma Horse Racing Commission, the Human Rights Commission, the Indian Affairs Commission, the Oklahoma Indigent Defense System, the Board of Trustees of the Oklahoma School of Science and Mathematics, the Oklahoma Tax Commission, the Oklahoma Tourism and Recreation Department and the University Hospitals Authority; stating purposes; amending Section 2, Chapter 262, O.S.L. 1996, which relates to budgetary limitations; modifying limitations; providing redesignation of appropriation; stating legislative intent; amending Section 4, Chapter 267, O.S.L. 1996, which relates to budgetary limitations; modifying limitations; amending Section 5, Chapter 262, O.S.L. 1996, which relates to budgetary limitations; modifying limitations; providing requirements for encumbering certain appropriated monies; amending Sections 11 and 12, Chapter 262, O.S.L. 1996, which relate to budgetary limitations; modifying limitations; amending Section 33, Chapter 264, O.S.L. 1996, which relates to budgetary limitations; modifying limitations; making appropriations and redesignation nontransferable; authorizing expenditure of carryover funds; and declaring an emergency.

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

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, 1996, the sum of Five Hundred Two Thousand Seventy-three Dollars (\$502,073.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Attorney General by law.

SECTION 2. AMENDATORY Section 2, Chapter 262, O.S.L. 1996, is amended to read as follows:

Section 2. For the fiscal year ending June 30, 1997, 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	\$1,628,934.00 <u>\$1,610,142.00</u>	\$2,128,934.00 <u>\$2,000,612.00</u>
Legal Services	2,917,500.00 <u>2,737,663.00</u>	3,925,500.00 <u>4,228,000.00</u>
Criminal Interdiction	0.00	225,000.00 <u>260,000.00</u>
Financial Fraud and		
Special Investigations	465,000.00 <u>238,422.00</u>	540,000.00 <u>325,000.00</u>
Medicaid Fraud Control	240,000.00 <u>191,993.00</u>	960,000.00 <u>811,972.00</u>
Workers' Compensation Fraud	<u>0.00</u>	<u>850,000.00</u>
Total	\$5,251,434.00 <u>\$4,778,220.00</u>	\$8,629,434.00 <u>\$8,475,584.00</u>

SECTION 3. There is hereby appropriated to the Office of the State Auditor and Inspector 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 Two Hundred Sixty-six Thousand Two Hundred Thirty-four Dollars (\$266,234.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the State Auditor and Inspector by law.

SECTION 4. 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 Eight Hundred Thirty-six Thousand Three Hundred Forty Dollars (\$836,340.00) or so much thereof as

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

SECTION 5. REDESIGNATION The amount of One Million Dollars (\$1,000,000.00) appropriated to the Department of Corrections by Section 2, Chapter 267, O.S.L. 1996, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, for implementation of the Oklahoma Community Corrections Act is hereby redesignated for performance of the duties imposed upon the Department of Corrections by law.

SECTION 6. It is the intent of the Legislature that the Department of Corrections reallocate Two Million Dollars (\$2,000,000.00) in payroll surplus funds, One Million Dollars (\$1,000,000.00) in redesignated Oklahoma Community Corrections Act funds and One Million Dollars (\$1,000,000.00) in Department of Corrections Revolving Fund funds to add two hundred seventy-eight (278) correctional officers and support staff at existing correctional facilities, to purchase inmate supplies such as food and clothing, to fund inmate medical costs and to staff the infirmary at the Mabel Bassett Correctional Center.

SECTION 7. It is the intent of the Legislature that the Department of Corrections use Two Million Five Hundred Thousand Dollars (\$2,500,000.00) from existing funds for the purpose of purchasing additional inmate space.

SECTION 8. AMENDATORY Section 4, Chapter 267, O.S.L. 1996, is amended to read as follows:

Section 4. 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, 1997. The Department of Corrections for the fiscal year ending June 30, 1997, 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	5,034.0
	<u>5,312.0</u>
Lease-Purchase Agreements	\$2,200,000.00

SECTION 9. 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, 1996, the sum of One Hundred Thirty-nine Thousand One Hundred Forty Dollars (\$139,140.00) or so much thereof as may be necessary for the District Attorneys Council to meet costs associated with the possible prosecution of the person or persons involved in the bombing of the Alfred P. Murrah Federal Building.

SECTION 10. AMENDATORY Section 5, Chapter 262, O.S.L. 1996, is amended to read as follows:

Section 5. For the fiscal year ending June 30, 1997, 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	\$25,584,436.00	\$26,776,062.00
	<u>\$25,723,576.00</u>	<u>\$26,915,202.00</u>
General Administration	788,874.00	807,857.00
Child Support Services	0.00	8,391,054.00
Bogus Check Enforcement and Restitution	0.00	5,800,000.00
Federal Grant Programs	0.00	3,218,000.00
Federal Pass-Through Grants	0.00	19,709,000.00
Drug Asset Forfeiture	0.00	1,000,000.00
Crime Victim Services	<u>0.00</u>	<u>3,040,000.00</u>
Total	\$26,373,310.00	\$68,741,973.00
	<u>\$26,512,450.00</u>	<u>\$68,881,113.00</u>

SECTION 11. There is hereby appropriated to the State Ethics Commission 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 Twenty-five Thousand Eight

Hundred Seventy-three Dollars (\$25,873.00) or so much thereof as may be necessary for the purpose of restoring a full-time special investigator and meeting other operational needs of the State Ethics Commission.

SECTION 12. There is hereby appropriated to 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, 1996, the sum of Eighty-three Thousand One Hundred Twenty-three Dollars (\$83,123.00) or so much thereof as may be necessary for conducting arson investigations and meeting other operational needs of the State Fire Marshal.

SECTION 13. There is hereby appropriated to the Oklahoma Historical Society 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 Two Hundred Sixty-two Thousand Dollars (\$262,000.00) or so much thereof as may be necessary to comply with the provisions of Section 608(b)(2)(A)(i) of House Resolution No. 4236 of the 2nd Session of the 104th Congress pertaining to approximately three hundred twenty-six (326) acres of land as described in said act.

The monies appropriated by this section shall not be encumbered by the Oklahoma Historical Society until:

1. An amount of money is raised from nonstate sources that when combined with the monies appropriated by this section is sufficient to purchase the entire tract of land specified in this subsection;

2. a. the Attorney General has determined that the title to the land is marketable, or
b. the seller of the land provides title insurance coverage for the land; and

3. The grantee in the deed issued for the purchase of any land pursuant to this section shall be the United States of America for the use and benefit of the National Park Service for consideration of economic, historic, and other benefits that the transfer will confer on the State of Oklahoma. The deed shall contain a provision that provides that the grantee by acceptance

of the deed shall develop and operate the tract of land as a National Historical Site as provided for in House Resolution No. 4236 of the 2nd Session of the 104th Congress.

SECTION 14. There is hereby appropriated to the Oklahoma Horse Racing Commission 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 Twenty-nine Thousand Three Hundred Thirty-three Dollars (\$29,333.00) or so much thereof as may be necessary to perform financial audits of racing facilities and for lease of motor vehicles from the Department of Central Services.

SECTION 15. There is hereby appropriated to the Human Rights Commission 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-four Thousand Seven Hundred Eleven Dollars (\$34,711.00) or so much thereof as may be necessary to perform the duties imposed upon the Human Rights Commission by law.

SECTION 16. There is hereby appropriated to the Indian Affairs Commission 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 Thirteen Thousand Five Hundred Forty-four Dollars (\$13,544.00) or so much thereof as may be necessary to perform the duties imposed upon the Indian Affairs Commission by law.

SECTION 17. 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, 1996, the sum of Seven Hundred Ninety-five Thousand Nine Hundred Forty-one Dollars (\$795,941.00) or so much thereof as may be necessary to reimburse the Court Fund for expenses incurred by the Oklahoma Indigent Defense System in providing court-appointed attorneys for indigent defendants and to pay for court-appointed attorneys appointed in February 1997 and March 1997.

SECTION 18. 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, 1996, the sum of One Million Three Hundred Fourteen Thousand One Hundred Thirty-four Dollars (\$1,314,134.00) or so much thereof as may be necessary to contract with private attorneys across the state to provide legal representation for indigent defendants in noncapital criminal trial cases.

SECTION 19. 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, 1996, the sum of One Hundred Eighty-one Thousand Five Hundred Forty-six Dollars (\$181,546.00) or so much thereof as may be necessary to hire thirteen (13) temporary employees to reduce the backlog of pending capital post-conviction appeals.

SECTION 20. AMENDATORY Section 11, Chapter 262, O.S.L. 1996, is amended to read as follows:

Section 11. For the fiscal year ending June 30, 1997, 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	\$6,120,780.00	\$6,771,869.00
	<u>\$ 7,771,278.00</u>	<u>\$ 8,672,622.00</u>
Appellate Services	2,224,412.00	2,260,164.00
	<u>2,099,573.00</u>	<u>2,676,659.00</u>
General Operations	<u>543,034.00</u>	<u>728,144.00</u>
Total	\$9,041,419.00	\$9,740,177.00
	<u>\$10,413,885.00</u>	<u>\$12,077,425.00</u>

SECTION 21. AMENDATORY Section 12, Chapter 262, O.S.L. 1996, is amended to read as follows:

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, 1997, 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
<u>Temporary Full-time-equivalent</u> <u>Employees pursuant to Section</u> <u>19 of this act</u>	<u>13.0</u>
<u>TOTAL</u>	<u>93.0</u>

SECTION 22. There is hereby appropriated to the Board of Trustees of the Oklahoma School of Science and Mathematics 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 Five Hundred Twelve Thousand Dollars (\$512,000.00) or so much thereof as may be necessary to furnish the dormitory. The Board of Trustees of the School of Science and Mathematics shall purchase goods provided for in this section from Oklahoma State Prison Industries pursuant to the requirements of Section 549.1 of Title 57 of the Oklahoma Statutes.

SECTION 23. There is hereby appropriated to the Oklahoma Tax Commission 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 Hundred Fifteen Thousand Five Hundred Fifty-four Dollars (\$415,554.00) or so much thereof as may be necessary for processing tax returns and expediting tax refunds to Oklahoma citizens.

SECTION 24. There is hereby appropriated to the Oklahoma Tourism and Recreation Department 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 One Million Four Hundred Ten Thousand Two Hundred Dollars (\$1,410,200.00) or so much thereof as may be necessary to construct and furnish a banquet facility at the Quartz Mountain Arts and Conference Center.

SECTION 25. There is hereby appropriated to the Oklahoma Tourism and Recreation Department 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 Three Hundred Eighty-six Thousand Seven Hundred Fifty Dollars (\$386,750.00) or so much thereof as may be necessary to provide additional parking at the Quartz Mountain Arts and Conference Center.

SECTION 26. There is hereby appropriated to the Oklahoma Tourism and Recreation Department 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 Seven Hundred Thirty Thousand Four Hundred Dollars (\$730,400.00) or so much thereof as may be necessary to provide water supply and retention improvements at the Quartz Mountain Arts and Conference Center.

SECTION 27. There is hereby appropriated to the University Hospitals Authority 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 One Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much thereof as may be necessary to offset the impact of the budget deficit on the Academic Affiliation Agreement and offer direct support of the University of Oklahoma College of Medicine.

SECTION 28. There is hereby appropriated to the University Hospitals Authority 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 Seven Hundred Thousand Dollars (\$700,000.00) or so much thereof as may be necessary to prevent reductions in Medi-Flight Oklahoma services.

SECTION 29. There is hereby appropriated to the University Hospitals Authority 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 Hundred Thousand Dollars (\$400,000.00) or so much thereof as may be necessary to offset potential budget reductions in the Child Study Center.

SECTION 30. There is hereby appropriated to the University Hospitals Authority 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 Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary to offset potential budget reductions in the Poison Control Center.

SECTION 31. AMENDATORY Section 33, Chapter 264, O.S.L. 1996, is amended to read as follows:

Section 33. For the fiscal year ending June 30, 1997, the University Hospitals Authority shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Hospital Operations	\$28,026,697.00	\$223,568,661.00
	<u>\$29,376,556.00</u>	<u>\$224,918,520.00</u>
TOTAL	\$28,026,697.00	\$223,568,661.00
	<u>\$29,376,556.00</u>	<u>\$224,918,520.00</u>

SECTION 32. The appropriations and redesignation made in this act shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 33. Appropriations and redesignation made by this act to state agencies for the operations of state government, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 15, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, 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-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-97 budget work

program and after such revision has been approved by the Office of State Finance.

SECTION 34. 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.

46-1-10150

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