

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 951

By: Haney and Hobson of the
Senate

and

Hamilton and Settle of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to state corrections entities; making an appropriation to the Department of Corrections; stating purpose; authorizing expenditures in certain amounts for certain purposes; authorizing purchase of property; 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; making an appropriation to the Pardon and Parole Board; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting the salary of the Chief Administrative Officer; providing budgetary limitations; 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, 1999, the sum of Thirty-five Million Five Hundred Eighty-nine Thousand Six Hundred Sixty-two Dollars (\$35,589,662.00) 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, 1999, 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. Of monies appropriated to the Oklahoma Department of Corrections in Section 1 of this act, not more than One Million Nine Hundred Thirty-eight Thousand Three Hundred Sixty-eight Dollars (\$1,938,368.00) shall be used for the purpose of funding personnel pay increases, monies appropriated for this purpose shall not be expended prior to January 1, 1999.

SECTION 4. The Department of Corrections is authorized to expend up to One Million Dollars (\$1,000,000.00) out of the Industries Revolving Fund account for the purpose of constructing an industries building to be used for furniture production and general warehouse purposes at the Lexington Assessment and Reception Center.

The Department of Corrections is authorized to expend up to Seven Hundred Fifty Thousand Dollars (\$750,000.00) out of the Industries Revolving Account for the purpose of constructing an industries building to be used for garment production at the Oklahoma State Reformatory.

The Department of Corrections is authorized to expend up to Eight Hundred Fifty Thousand Dollars (\$850,000.00) out of the Industries Revolving Account for the purpose of constructing an industries building to be used for a sign and warehouse facility at the Mack Alford Correctional Center.

The Department of Corrections is authorized to purchase one acre of land adjacent to the Muskogee Community Corrections Center for the construction of office space for Probation and Parole.

The Department is authorized to purchase a building located at 6702 Highland Avenue in Lawton for the purpose of a Day Reporting Center, office space, and computer lab training.

SECTION 5. AMENDATORY 57 O.S. 1991, Section 537, is amended to read as follows:

Section 537. A. There shall be established a Board of Directors for all canteen services within the Department of Corrections. The members of the Board shall be appointed by the Director of the Department of Corrections. All canteen operations shall be under the control of the Board and shall operate pursuant to written guidelines established by the Board. The overall canteen operation shall be self-supporting.

B. Each correctional facility may have a canteen. The directors of each canteen shall be the facility head and two directors appointed by the facility head. The business manager shall act as custodian of canteen funds and shall make daily deposits of cash receipts in an agency special account approved by the Special Agency Account Board. Canteen funds may be transferred from one canteen fund special account to another canteen fund special account upon an affirmative vote by the Board of Directors. All disbursements made from the account shall be by voucher signed by two of the directors of the canteen. Documentation of each disbursement shall be kept on permanent file at each institution. Accounting procedures in accordance with state fiscal accounting procedures shall be followed in administering canteen funds. All profits from the canteen operations shall be used exclusively for the benefit of the inmates of the various institutions and personnel of the Department of Corrections as determined by the canteen Board of Directors pursuant to subsection A of this section.

C. Employees utilized in the operation of the canteen services at each institution shall be state employees. Inmates may work in the canteen operations. Reimbursement for said work shall be accomplished through the institution incentive pay program.

D. The operations of the canteen service shall be the subject of an annual audit by the Office of the State Auditor and Inspector. Reports of the audit shall be provided to the Governor, the Speaker of the House of Representatives, the President Pro

Tempore of the Senate, the Legislative Service Bureau, the Department of Corrections, and to the warden of the concerned institution.

E. Merchandise for resale purchased and sold through a correctional facilities' canteen as established in this section shall be exempted from the provisions of the Oklahoma Central Purchasing Act.

SECTION 6. 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 Eighty Thousand Dollars (\$80,000.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Department of Corrections for the fiscal year ending June 30, 1999, shall be authorized to employ up to six percent (6%) of it's total authorized full-time-equivalent employees in the unclassified service and 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	5720.0
Lease-Purchase Agreements	\$3,500,000.00

SECTION 7. 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 8. 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 employees.

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, 1999, the sum of One Hundred Twenty-six Thousand Seven Hundred Fifteen Dollars (\$126,715.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 10. For the fiscal year ending June 30, 1999, the Pardon and Parole Board shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,885,752.00	\$2,045,752.00

SECTION 11. 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-nine Thousand Nine Hundred Thirty-one Dollars (\$49,931.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Office of the Pardon and Parole Board for the fiscal year ending June 30, 1999, 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 12. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99) or may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00). Funds budgeted for FY-99 may be encumbered only through

June 30, 1999, and must be expended by November 15, 1999. Any funds remaining after November 15, 1999, and not budgeted for FY-00, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-00 may be encumbered only through June 30, 2000. Any funds remaining after November 15, 2000, 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-99, and not required to pay obligations for that fiscal year, may be budgeted for FY-00, 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-99 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, 1998.

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