

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 1550

6 By: Settle, Begley and Sullivan
7 (John) of the House

8 and

9 Haney and Hobson of the
10 Senate

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to state legal services; making an
13 appropriation to the Attorney General; stating
14 purpose; requiring budgeting in certain categories
15 and amounts; providing for the duties and
16 compensation of employees; providing budgetary
17 limitations; making an appropriation to the Attorney
18 General for the benefit of the District Attorneys
19 Council; stating purpose; requiring budgeting in
20 certain categories and amounts; authorizing transfer
21 of certain funds; providing for duties and
22 compensation of employees; providing budgetary
23 limitations; authorizing the District Attorneys
24 Council to hire certain number of legal interns for
25 certain period of time; exempting interns from
26 budgetary limitations; making certain employee
27 positions contingent on unappropriated funds; making
28 an appropriation to the Oklahoma Indigent Defense
29 System; stating purpose; requiring budgeting in
30 certain categories and amounts; providing for duties
31 and compensation of employees; providing budgetary
32 limitations; providing limitation on use of
appropriation; making appropriations nonfiscal; 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 Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of One Hundred Ninety-seven Thousand Seven Hundred Sixty-four Dollars (\$197,764.00) or so much thereof as may be necessary to perform the duties imposed upon the Attorney General by law.

1 SECTION 2. For the fiscal year ending June 30, 2000, the
 2 Attorney General shall budget all funds in the following categories
 3 and amounts:

4 <u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5 General Operations	\$1,648,983.00	\$ 2,008,082.00
6 Legal Services	3,968,273.00	6,538,273.00
7 Financial Fraud and		
8 Special Investigations	459,141.00	599,141.00
9 Medicaid Fraud Control	259,367.00	1,357,468.00
10 Workers' Compensation Fraud	<u>0.00</u>	<u>1,250,000.00</u>
11 TOTAL	\$6,335,764.00	\$11,752,964.00

12 SECTION 3. The duties and compensation of employees, not
 13 otherwise prescribed by law, necessary to perform the duties imposed
 14 upon the Office of the Attorney General by law shall be set by the
 15 Attorney General. The Office of the Attorney General for the fiscal
 16 year ending June 30, 2000, shall be subject to the following
 17 budgetary limitations on full-time-equivalent employees, except as
 18 may be authorized pursuant to the provisions of Section 3603 of
 19 Title 74 of the Oklahoma Statutes:

20 <u>Budgetary Limitation</u>	<u>Amount</u>
21 Full-time-equivalent Employees	163.0
22 Lease-Purchase Agreements	\$0.00

23 DISTRICT ATTORNEYS COUNCIL

24 SECTION 4. There is hereby appropriated to the Attorney General
 25 from any monies not otherwise appropriated from the General Revenue
 26 Fund of the State Treasury for the fiscal year ending June 30, 2000,
 27 the sum of One Million One Hundred Thirty Thousand One Hundred
 28 Thirteen Dollars (\$1,130,113.00) or so much thereof as may be
 29 necessary to perform the duties imposed upon the District Attorneys
 30 Council by law.

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1 SECTION 5. For the fiscal year ending June 30, 2000, the
2 District Attorneys Council shall budget all funds in the following
3 categories and amounts:

4 <u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5 Prosecutorial Services	\$28,926,027.00	\$32,214,110.00
6 General Administration	954,826.00	1,044,826.00
7 Child Support Services	0.00	13,500,000.00
8 Bogus Check Enforcement		
9 and Restitution	0.00	10,750,000.00
10 Federal Grant Programs	0.00	8,200,000.00
11 Federal Pass-Through Grants	0.00	23,500,000.00
12 Drug Asset Forfeiture	0.00	1,000,000.00
13 Crime Victim Services	<u>0.00</u>	<u>4,720,000.00</u>
14 TOTAL	\$29,880,853.00	\$94,928,936.00

15 SECTION 6. For the fiscal year ending June 30, 2000, the
16 District Attorneys Council is authorized to transfer an amount not
17 to exceed One Hundred Fifty Thousand Dollars (\$150,000.00), on an
18 as-needed basis, from the Crime Victims Compensation Revolving Fund
19 created by Section 142.17 of Title 21 of the Oklahoma Statutes to
20 the Sexual Assault Examination Fund created by Section 142.20 of
21 Title 21 of the Oklahoma Statutes.

22 SECTION 7. For the fiscal year ending June 30, 2000, up to One
23 Hundred Sixty Thousand Dollars (\$160,000.00) is authorized to be
24 transferred from the Crime Victims Compensation Revolving Fund,
25 created by Section 142.17 of Title 21 of the Oklahoma Statutes to
26 the District Attorneys Council for two (2) employees, including
27 related duties to support the Crime Victims Compensation Board.

28 SECTION 8. The duties and compensation of employees, not
29 otherwise prescribed by law, necessary to perform the duties imposed
30 upon the district attorneys and District Attorneys Council by law
31 shall be set by the District Attorneys Council within the limits
32 prescribed by Sections 215.30 and 215.34 of Title 19 of the Oklahoma

1 Statutes. The district attorneys and District Attorneys Council for
2 the fiscal year ending June 30, 2000, shall be subject to the
3 following budgetary limitations on full-time-equivalent employees,
4 except as may be authorized pursuant to the provisions of Section
5 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
6 Full-time-equivalent Employees	1,208.0
7 Lease-Purchase Agreements	\$0.00

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9 SECTION 9. The District Attorneys Council is hereby authorized
10 to hire twenty (20) legal interns for the fiscal year ending June
11 30, 2000. Such interns shall be exempt from the budgetary
12 limitations as provided in Section 8 of this act.

13 SECTION 10. Of the one thousand two hundred eight (1,208) full-
14 time-equivalent employee positions authorized for the District
15 Attorneys and District Attorneys Council in Section 8 of this act,
16 six hundred seventy-eight (678) full-time-equivalent employee
17 positions shall be contingent on unappropriated funds and shall be
18 eliminated when unappropriated funds for the positions are
19 discontinued. If unappropriated funds are decreased then positions
20 shall be decreased correspondingly.

21 OKLAHOMA INDIGENT DEFENSE SYSTEM

22 SECTION 11. There is hereby appropriated to the Oklahoma
23 Indigent Defense System from any monies not otherwise appropriated
24 from the General Revenue Fund of the State Treasury for the fiscal
25 year ending June 30, 2000, the sum of Three Hundred Seventy-four
26 Thousand Nine Hundred Ninety Dollars (\$374,990.00) or so much
27 thereof as may be necessary to perform the duties imposed upon the
28 Oklahoma Indigent Defense System by law.

29 SECTION 12. For the fiscal year ending June 30, 2000, the
30 Oklahoma Indigent Defense System shall budget all funds in the
31 following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
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1	Trial Services	\$ 8,101,560.00	\$11,335,900.00
2	Appellate Services	3,735,000.00	3,735,000.00
3	General Operations	<u>2,150,000.00</u>	<u>2,150,000.00</u>
4	TOTAL	\$13,986,560.00	\$17,220,900.00

5 SECTION 13. The duties and compensation of employees, not
6 otherwise prescribed by law, necessary to perform the duties imposed
7 upon the Oklahoma Indigent Defense System by law shall be set by the
8 Executive Director of the Oklahoma Indigent Defense System. The
9 Oklahoma Indigent Defense System for the fiscal year ending June 30,
10 2000, shall be subject to the following budgetary limitations on
11 full-time-equivalent employees, except those used for the statewide
12 Trial Indigent Defense System, except as may be authorized pursuant
13 to the provisions of Section 3603 of Title 74 of the Oklahoma
14 Statutes:

15	<u>Budgetary Limitation</u>	<u>Amount</u>
16	Full-time-equivalent Employees	80.0
17	Lease-Purchase Agreements	\$0.00

18 SECTION 14. Of the monies appropriated to the Oklahoma Indigent
19 Defense System in Section 11 of this act, not more than Two Hundred
20 Seventy Thousand Nine Hundred Dollars (\$270,900.00) shall be used
21 for the purpose of funding personnel pay increases for attorneys in
22 the Trial Service Division and Appellate Services Division.

23 SECTION 15. Appropriations made by this act, not including
24 appropriations made for capital outlay purposes, may be budgeted for
25 the fiscal year ending June 30, 2000 (hereafter FY-00) or may be
26 budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01).
27 Funds budgeted for FY-00 may be encumbered only through June 30,
28 2000, and must be expended by November 15, 2000. Any funds
29 remaining after November 15, 2000, and not budgeted for FY-01, shall
30 lapse to the credit of the proper fund for the then current fiscal
31 year. Funds budgeted for FY-01 may be encumbered only through June
32 30, 2001. Any funds remaining after November 15, 2001, shall lapse

1 to the credit of the proper fund for the then current fiscal year.
2 These appropriations may not be budgeted in both fiscal years
3 simultaneously. Funds budgeted in FY-00, and not required to pay
4 obligations for that fiscal year, may be budgeted for FY-01, after
5 the agency to which the funds have been appropriated has prepared
6 and submitted a budgeted work program revision removing these funds
7 from the FY-00 budget work program and after such revision has been
8 approved by the Office of State Finance.

9 SECTION 16. This act shall become effective September 1, 1999.

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