

ENROLLED SENATE  
BILL NO. 940

By: Haney and Hobson of the  
Senate

and

Settle and Begley of the  
House

An Act relating to state legal services; making an appropriation to the Attorney General; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for the duties and compensation of employees; providing budgetary limitations; making an appropriation to the Attorney General for the benefit of the District Attorneys Council; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; authorizing transfer of certain funds; providing for duties and compensation of employees; providing budgetary limitations; authorizing the District Attorneys Council to hire certain number of legal interns for certain period of time; exempting interns from budgetary limitations; making certain employee positions contingent on nonappropriated funds; making an appropriation to the Oklahoma Indigent Defense System; stating purpose; requiring transfer of certain funds; limiting expenditure of certain funds for salary increases; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; exempting certain employees from budgetary limitations; making appropriations nonfiscal; providing lapse dates; requiring and prohibiting certain budget practices; 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, 2001, the sum of One Hundred Thirty-four Thousand Nine Hundred Two Dollars (\$134,902.00) 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, 2001, the Attorney General shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$1,730,433.00	\$ 2,509,433.00
Legal Services	4,169,425.00	6,406,425.00
Financial Fraud and Special Investigations	502,314.00	565,814.00
Medicaid Fraud Control	267,514.00	1,182,514.00
Workers' Compensation Fraud	<u>0.00</u>	<u>1,135,976.00</u>
TOTAL	\$6,669,686.00	\$11,800,162.00

The agency shall develop outcome-based performance measures for each budget category.

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, 2001, 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	168.0
Lease-Purchase Agreements	\$0.00

DISTRICT ATTORNEYS COUNCIL

SECTION 4. 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, 2001, the sum of Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to perform the duties imposed upon the District Attorneys Council by law.

SECTION 5. For the fiscal year ending June 30, 2001, the District Attorneys Council shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Prosecutorial Services	\$29,908,441.00	\$33,796,524.00
General Administration	1,104,626.00	1,334,626.00
Child Support Services	0.00	14,000,000.00

Bogus Check Enforcement

and Restitution	0.00	10,750,000.00
Federal Grant Programs	0.00	8,200,000.00
Federal Pass-Through Grants	0.00	23,500,000.00
Drug Asset Forfeiture	0.00	1,000,000.00
Crime Victim Services	<u>0.00</u>	<u>4,720,000.00</u>
TOTAL	\$31,013,067.00	\$97,301,150.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 6. For the fiscal year ending June 30, 2001, 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. Provided that if House Bill No. 2594 of the 2nd Session of the 47th Oklahoma Legislature is enacted, the amount authorized for transfer in this section shall not exceed Two Hundred Thousand Dollars (\$200,000.00).

SECTION 7. For the fiscal year ending June 30, 2001, up to One Hundred Sixty Thousand Dollars (\$160,000.00) is authorized to be transferred from the Crime Victims Compensation Revolving Fund, created by Section 142.17 of Title 21 of the Oklahoma Statutes to the District Attorneys Council for two (2) employees, including related duties to support the Crime Victims Compensation Board.

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 within the limits prescribed by Sections 215.30 and 215.34 of Title 19 of the Oklahoma Statutes. The district attorneys and District Attorneys Council for the fiscal year ending June 30, 2001, 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	1,218.0
Lease-Purchase Agreements	\$0.00

SECTION 9. The District Attorneys Council is hereby authorized to hire twenty (20) legal interns for the fiscal year ending June 30, 2001. Such interns shall be exempt from the budgetary limitations as provided in Section 8 of this act.

SECTION 10. Of the one thousand two hundred eighteen (1,218) full-time-equivalent employee positions authorized for the district attorneys and District Attorneys Council in Section 8 of this act, six hundred eighty-eight (688) full-time-equivalent employee positions shall be contingent on nonappropriated funds and shall be eliminated when nonappropriated funds for the positions are discontinued. If nonappropriated funds are decreased then positions shall be decreased correspondingly.

OKLAHOMA INDIGENT DEFENSE SYSTEM

SECTION 11. 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, 2001, the sum of Three Hundred Eighty-three Thousand Three Hundred Fifty-eight Dollars (\$383,358.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 12. TRANSFER The Director of State Finance shall transfer the balance of funds in the Alfred P. Murrah Federal Building Revolving Fund, created pursuant to Section 1370 of Title 22 of the Oklahoma Statutes, to the Oklahoma Indigent Defense System Revolving Fund.

SECTION 13. From all monies appropriated to the Oklahoma Indigent Defense System, not more than Three Hundred Thirty-nine Thousand Six Hundred Twelve Dollars (\$339,612.00) may be expended for the purpose of funding salary increases for staff attorneys.

SECTION 14. For the fiscal year ending June 30, 2001, the Oklahoma Indigent Defense System shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Trial Services	\$ 9,031,329.00	\$12,296,669.00
Appellate Services	3,183,789.00	3,367,789.00
General Operations	<u>2,373,421.00</u>	<u>2,640,421.00</u>
TOTAL	\$14,588,539.00	\$18,304,879.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 15. 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 Oklahoma Indigent Defense System. The Oklahoma Indigent Defense System for the fiscal year ending June 30, 2001, 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	83.0
Lease-Purchase Agreements	\$0.00

SECTION 16. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01) or may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02). Funds budgeted for FY-01 may be encumbered only through June 30, 2001, and must be expended by November 15, 2001. Any funds remaining after November 15, 2001, and not budgeted for FY-02, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-02 may be encumbered only through June 30, 2002. Any funds remaining after November 15, 2002, 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-01, and not required to pay obligations for that fiscal year, may be budgeted for FY-02, 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-01 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 17. This act shall become effective September 1, 2000.

Passed the Senate the 24th day of May, 2000.

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President of the Senate

Passed the House of Representatives the 25th day of May, 2000.

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Speaker of the House of  
Representatives