

ENROLLED SENATE  
BILL NO. 951

By: Haney and Hobson of the  
Senate

and

Settle and Begley of the  
House

An Act relating to state corrections entities; making appropriations to the Department of Corrections; stating purposes; requiring budgeting of funds in certain categories; requiring certain performance measures; providing for 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; amending 57 O.S. 1991, Section 513.1, as last amended by Section 3, Chapter 266, O.S.L. 1995 (57 O.S. Supp. 1999, Section 513.1), which relates to limits of petty cash funds; modifying limits; requiring expenditure of certain funds for specific purpose; authorizing expenditure of certain funds; authorizing certain purchases for specific purposes; authorizing expenditure of certain funds for specific purposes; authorizing construction of facilities at certain locations; authorizing purchase of certain real estate; making an appropriation to the Pardon and Parole Board; stating purpose; requiring budgeting of funds in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Chief Administrative Officer; providing budgetary limitations; amending 57 O.S. 1991, Section 332.4, as last amended by Section 7, Chapter 51, O.S.L. 1998 (57 O.S. Supp. 1999, Section 332.4), which relates to compensation of Pardon and Parole Board members; modifying compensation; making appropriations nonfiscal; providing lapse dates; requiring and prohibiting certain budget practices; providing for noncodification; providing effective dates; and declaring an emergency.

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, 2001, the sum of Three Million Three Hundred Twenty-five Thousand Six Hundred Twenty-seven Dollars (\$3,325,627.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 2. There is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Million Two Hundred Fifty Thousand Seventy-three Dollars (\$1,250,073.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 3. 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, 2001, the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) or so much thereof as may be necessary for Community Sentencing activities authorized by Section 988.1 et seq. of Title 22 of the Oklahoma Statutes.

SECTION 4. For the fiscal year ending June 30, 2001, the Department of Corrections shall budget all funds in the following categories:

Category

Facilities

General Operations

Contracted Services

Health Services

Probation and Parole Services

Offender Programs

Prison Industries

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

SECTION 5. 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-eight Thousand Dollars (\$88,000.00) per annum, payable monthly for the months of July, August and September 2000. Effective October 1, 2000, the salary of the Director shall not exceed Ninety Thousand Dollars (\$90,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Department of Corrections for the fiscal year ending June 30, 2001, shall be authorized to employ up to six percent (6%) of its total authorized full-time-

equivalent employees in the unclassified service and shall be subject to the following budgetary limitations and 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	5,801.2
Lease-Purchase Agreements	\$4,620,000.00

SECTION 6. 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 7. 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.

SECTION 8. AMENDATORY 57 O.S. 1991, Section 513.1, as last amended by Section 3, Chapter 266, O.S.L. 1995 (57 O.S. Supp. 1999, Section 513.1), is amended to read as follows:

Section 513.1 The maximum amounts that may be maintained in petty cash funds, established in accordance with the provisions of Section 513 of this title, are as specified below:

	Maximum Amount
Department of Corrections	\$1,000.00
Ouachita Correctional Center (Hodgen)	\$2,000.00
Mack H. Alford Correctional Center	\$2,500.00
Howard C. McLeod Correctional Center (Farris)	\$2,000.00
Lexington Assessment and Reception Center	\$2,500.00
Oklahoma State Penitentiary (McAlester)	<del>\$5,000.00</del> <u>\$8,000.00</u>
Oklahoma State Reformatory (Granite)	\$3,000.00
R.B. "Dick" Conner Correctional Center (Hominy)	\$3,000.00

Joe Harp Correctional Center (Lexington)	\$3,000.00
Jess Dunn Correctional Center (Taft)	\$3,500.00
James Crabtree Correctional Center (Helena)	\$2,000.00
Mabel Bassett Correctional Center (Oklahoma City)	\$2,000.00
John Lilley Correctional Center (Boley)	\$2,000.00
Oklahoma City Community Corrections Center	\$2,000.00
Clara Waters Community Corrections Center (Oklahoma City)	\$2,000.00
Kate Barnard Community Corrections Center (Oklahoma City)	\$2,000.00
Tulsa Community Corrections Center	\$2,000.00
Muskogee Community Corrections Center	\$2,000.00
Lawton Community Corrections Center	\$2,000.00
Enid Community Corrections Center	\$2,000.00
Jackie Brannon Correctional Center	\$3,000.00
William S. Key Correctional Center (Fort Supply)	\$3,000.00
Dr. Eddie Walter Warrior Correctional Center (Taft)	\$3,000.00
Northeast Oklahoma Correctional Center (Vinita)	\$3,000.00
Charles E. "Bill" Johnson Correctional Center	\$3,000.00

SECTION 9. For the fiscal year ending June 30, 2001, the Department of Corrections shall expend the sum of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, from canteen funds derived from charges for collect telephone calls made by inmates, for provision of health care services to inmates. Such expenditures shall be exempt from budgetary limitations provided in Section 5 of this act.

SECTION 10. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Department of Corrections is hereby authorized to expend from the Industries Revolving Fund, created pursuant to Section 541 of Title 57 of the Oklahoma Statutes, the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 11. The Department of Corrections, subject to funds available, is authorized to build restrictive housing units for Jess

Dunn Correctional Center, James Crabtree Correctional Center, Howard McLeod Correctional Center, Lexington Assessment and Reception Center, Joseph Harp Correctional Center, and Dick Conner Correctional Center; and an activities building at Bill Johnson Correctional Center.

SECTION 12. The Oklahoma Department of Corrections Agri-Services Division, subject to funds available in the Industries Revolving Fund, is authorized to expend funds for the following projects in the following amounts:

1. Eleven Thousand Dollars (\$11,000.00) to purchase forty (40) acres of land contiguous with the agricultural unit at the John H. Lilley Correctional Center.
2. One Hundred Forty Thousand Dollars (\$140,000.00) to purchase one hundred ten (110) acres of land and structures, and Fifteen Thousand Dollars (\$15,000.00) to purchase thirty (30) acres of land, at the Howard McLeod Agri-Services unit.
3. Seventy-five Thousand Dollars (\$75,000.00) to construct a frozen food warehouse at the James Crabtree Correctional Center.
4. Three Hundred Thousand Dollars (\$300,000.00) to expand the meat processing facility at the Jackie Brannon Correctional Center.

PARDON AND PAROLE BOARD

SECTION 13. 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, 2001, the sum of Ninety-six Thousand Three Hundred Twenty-five Dollars (\$96,325.00) or so much thereof as may be necessary to perform the duties imposed upon the Pardon and Parole Board by law.

SECTION 14. For the fiscal year ending June 30, 2001, 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	\$2,052,545.00	\$2,147,545.00

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 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 months of July, August and September 2000. Effective October 1, 2000, the salary of the Chief Administrative Officer shall not exceed Fifty-one Thousand Nine Hundred Thirty-one Dollars (\$51,931.00) per annum, payable monthly for the remainder of the

fiscal year ending June 30, 2001. The Office of the Pardon and Parole Board for the fiscal year ending June 30, 2001, 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	45.0

SECTION 16. AMENDATORY 57 O.S. 1991, Section 332.4, as last amended by Section 7, Chapter 51, O.S.L. 1998 (57 O.S. Supp. 1999, Section 332.4), is amended to read as follows:

Section 332.4 The Chairman of the Pardon and Parole Board shall be selected by ~~said~~ the Board. The members of ~~said~~ the Board shall receive ~~Nine Thousand Six Hundred Dollars (\$9,600.00)~~ Sixteen Thousand Eight Hundred Dollars (\$16,800.00) per annum, payable monthly; provided, that failure on the part of any member to attend Board meetings during any month will preclude his right to said month's compensation except in case of justifiable cause. In addition, the ~~Chairman~~ Chair and members of ~~said~~ the Pardon and Parole Board shall receive expenses while attending and going to and from meetings of the Board and in performing their official duties, according to the State Travel Reimbursement Act. Such compensation shall be paid by the State Treasurer by state warrant drawn against funds appropriated for such purpose by the Legislature. Hours worked by Board members shall be exempt from full-time-equivalent employee limits.

SECTION 17. 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 18. Sections 1 and 3 through 10 and 13 through 17 of this act shall become effective July 1, 2000.

SECTION 19. Sections 11 and 12 of this act shall become effective September 1, 2000.

SECTION 20. 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.

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