

ENROLLED SENATE
BILL NO. 1096

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

An Act relating to the Department of Corrections; making an appropriation; stating purpose; requiring minimum expenditure for certain purpose; requiring budgeting of funds in certain categories; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Director; authorizing employment of certain percentage of employees in the unclassified service; providing budgetary limitations; requiring certain agreement for public work positions; authorizing certain agreement for construction projects; authorizing construction of facilities at certain locations; authorizing purchase of certain real estate; authorizing the sale of certain real estate; authorizing the issuance of certain bonds for specific purposes; providing lapse dates; requiring and prohibiting certain budget practices; providing an effective date; and declaring an emergency.

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

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, 2003, the sum of Three Hundred Ninety-two Million Eight Hundred Twenty-eight Thousand Five Hundred Fifty-five Dollars (\$392,828,555.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 2. From all monies appropriated to the Department of Corrections, at least Five Million Dollars (\$5,000,000.00) shall be expended for the purpose of funding community sentencing activities authorized by Section 988.1 et seq. of Title 22 of the Oklahoma Statutes.

SECTION 3. For the fiscal year ending June 30, 2003, 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 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 One Hundred Ten Thousand Dollars (\$110,000.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Department of Corrections for the fiscal year ending June 30, 2003, 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 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	5,844.6
Lease-Purchase Agreements	\$8,500,000.00

SECTION 5. 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 6. 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 7. The Department of Corrections, subject to funds available, is authorized to build restrictive housing units for

James Crabtree Correctional Center, Howard McLeod Correctional Center, Oklahoma State Reformatory, and Dick Conner Correctional Center.

SECTION 8. The Department of Corrections is hereby authorized to purchase a tract of real property adjacent to the James Crabtree Correctional Center described as Block Three (3) of the Town of Helena. The Department is further authorized to expend a sum not to exceed Twenty-five Thousand Dollars (\$25,000.00) for the purchase of this property.

SECTION 9. The Oklahoma Department of Corrections Agri-Services Division is authorized to sell a ten-acre tract of land located near the Oklahoma State Reformatory.

SECTION 10. The Oklahoma Department of Corrections, subject to funds available, is authorized to purchase property adjacent to their Classen building for the purpose of constructing a parking lot and fleet vehicle maintenance center.

SECTION 11. The Oklahoma Department of Corrections is authorized to issue up to Four Million Dollars (\$4,000,000.00) in bonds to support architectural fees and renovation associated with their Classen office building for the purpose of relocating administrative activities from several Oklahoma City sites to this central location.

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, 2003 (hereafter FY-03), or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, 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-03, and not required to pay obligations for that fiscal year, may be budgeted for FY-04, 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-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 13. This act shall become effective July 1, 2002.

SECTION 14. 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, 2002.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2002.

Presiding Officer of the House
of Representatives