

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1491

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to the state correctional system; authorizing reimbursement to Pardon and Parole Board members for travel expenses; amending 57 O.S. 2001, Section 332.4 (Section 17, Chapter 292, O.S.L. 2001), which relates to the selection of the Chair of the Pardon and Parole Board; making language gender neutral; modifying sentence structure; adding criteria for certain resolution; providing for duties and compensation of employees of the Department of Corrections; limiting the salary of the Director of the Department of Corrections; setting budgetary limitations; repealing 57 O.S. 2001, Section 332.4 (Section 75, Chapter 433, O.S.L. 2001), Section 4, Chapter 292, O.S.L. 2001, as amended by Section 104, Chapter 433, O.S.L. 2001, and Section 74, Chapter 433, O.S.L. 2001, which relate to the state correctional system; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 332.4a of Title 57, unless there is created a duplication in numbering, reads as follows:

The Chair and members of the Pardon and Parole Board shall receive reimbursement for reasonable and necessary expenses, according to the State Travel Reimbursement Act, while attending and going to and from meetings of the Board and in performing their official duties. 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 2. AMENDATORY 57 O.S. 2001, Section 332.4

(Section 17, Chapter 292, O.S.L. 2001), is amended to read as follows:

Section 332.4 A. The ~~Chairman~~ Chair of the Pardon and Parole Board shall be selected by the Board. The ~~Chairman~~ Chair of the Pardon and Parole Board shall receive Twenty-four Thousand Eight Hundred Dollars (\$24,800.00) per annum, payable monthly, in the following allotment:

1. Four Hundred Dollars (\$400.00) for preparation for said meeting; and
2. One Thousand Six Hundred Sixty-seven Dollars (\$1,667.00) for the regular monthly Board meeting.

B. The members of the Board shall receive Twenty-two Thousand Eight Hundred Dollars (\$22,800.00) per annum, payable monthly in the following allotment:

1. Four Hundred Dollars (\$400.00) for preparation for said meeting; and
2. One Thousand Five Hundred Dollars (\$1,500.00) for the regular monthly Board meeting.

C. 1. Failure of any member to attend one Board meeting in any calendar year, except for justifiable excuse as determined by the ~~Chairman~~ Chair pursuant to written policy established by the Board, shall preclude the right of the member to receive his or her monthly compensation established by subsection A or B of this section.

2. ~~Failure of~~ In addition, any member who fails to attend two or more Board meetings in any calendar year except for extraordinary circumstances as determined by the ~~Chairman~~ Chair pursuant to written policy established by the Board shall be deemed to have committed official misconduct as such term is defined by Section 93 of Title 51 of the Oklahoma Statutes ~~and may be removed from office upon a resolution passed.~~ To initiate a removal from office pursuant to this paragraph, the Board shall pass a resolution by a

majority of the members of the Board detailing the alleged misconduct. Such removal ~~is~~ shall be subject to the provisions of Chapter 3 of Title 51 of the Oklahoma Statutes.

3. Failure to attend meetings of the Board, pursuant to the policy established by the Board, shall constitute cause for removal pursuant to Section 10 of Article VI of the Oklahoma Constitution.

SECTION 3. 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, 2002. The Department of Corrections for the fiscal year ending June 30, 2002, shall be authorized to employ up to six percent (6%) of its total authorized full-time-equivalent employees in the classified 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	\$4,800,000.00

SECTION 4. REPEALER 57 O.S. 2001, Section 332.4 (Section 75, Chapter 433, O.S.L. 2001), Section 4, Chapter 292, O.S.L. 2001, as amended by Section 104, Chapter 433, O.S.L. 2001, and Section 74, Chapter 433, O.S.L. 2001, are hereby repealed.

SECTION 5. 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.