STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2289

By: Benge and Newport of the House

and

Crutchfield and Kerr of the Senate

AS INTRODUCED

An Act relating to Department of Corrections; making an appropriation; stating purpose; requiring budgeting of funds in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Director; authorizing employment of certain percentage of employees in the unclassified service; providing budgetary limitations; authorizing certain agreement for construction projects; 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, 2007, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 2. For the fiscal year ending June 30, 2007, the Department of Corrections shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
General Operations	$0.00	$0.00
Central Office Operations	0.00	0.00
Regional Office Operations	0.00	0.00

Medical Services	0.00	0.00
Prison Operations	0.00	0.00
Contracted Services	0.00	0.00
Community Corrections	0.00	0.00
Community Sentencing	0.00	0.00
Offender Programs	0.00	0.00
Prison Industries	0.00	0.00
TOTAL	$0.00	$0.00

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 Department of Corrections by law shall be set by the Director. The salary of the Director shall not exceed _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2007. The Department of Corrections for the fiscal year ending June 30, 2007, 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:

Budgetary Limitation	Amount
Full-Time-Equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 4. The Department of Corrections is hereby authorized to enter into an agreement with the state agencies 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 state agency employees.

SECTION 5. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07) or may be budgeted for the fiscal year ending June 30, 2008 (hereafter FY-08). Funds budgeted for FY-07 may be encumbered only through June 30, 2007, and must be expended by November 15, 2007. Any funds remaining after November 15, 2007, and not budgeted for FY-08, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-08 may be encumbered only through June 30, 2008. Any funds remaining after November 15, 2008, 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-07, and not required to pay obligations for that fiscal year, may be budgeted for FY-08, 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-07 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 6. This act shall become effective July 1, 2006.

SECTION 7. 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.

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