

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 2ND CONFERENCE COMMITTEE

4 SUBSTITUTE

5 FOR ENGROSSED

6 HOUSE BILL NO. 1161

By: Bengé and Miller of the
House

7 and

8 Crutchfield, Johnson
(Mike), Adelson and Myers
of the Senate

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10
11 2ND CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Corrections;
13 requiring budgeting of funds in certain categories
and amounts; requiring certain performance measures;
14 providing for duties and compensation of employees;
limiting salary of the Director; authorizing
15 employment of certain percentage of employees in the
unclassified service; providing budgetary
16 limitations; authorizing certain agreement for
construction projects; providing lapse dates;
17 requiring and prohibiting certain budget practices;
providing an effective date; and declaring an
18 emergency.

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

22 SECTION 1. For the fiscal year ending June 30, 2008, the
23 Department of Corrections shall budget all funds in the following
24 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$ 482,617,076.00	\$ 562,104,748.00

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

SECTION 2. 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 of the Department of Corrections. The salary of the Director of the Department of Corrections shall not exceed One Hundred Thirty-two Thousand Three Hundred Nine Dollars (\$132,309.00) per annum, payable monthly for the fiscal year ending June 30, 2008. The Department of Corrections for the fiscal year ending June 30, 2008, 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	5,894.6
Lease-Purchase Agreements	\$10,400,000.00

SECTION 3. The Department of Corrections is hereby authorized to enter into an agreement with the state agencies to utilize prison

1 inmates for construction projects subject to written restrictions
2 and conditions regarding security classification and other matters
3 related to the control of inmates and public safety. Before
4 utilizing inmates, the Department of Corrections shall enter into a
5 written agreement concerning, but not limited to, liability,
6 funding, pay, public security and transportation. Provided further,
7 prison inmates shall not be used to replace any current state agency
8 employees.

9 SECTION 4. Appropriations made by Sections 109 and 110 of
10 Enrolled Senate Bill No. 334 of the 1st Session of the 51st Oklahoma
11 Legislature, not including appropriations made for capital outlay
12 purposes, may be budgeted for the fiscal year ending June 30, 2008
13 (hereafter FY-08) or may be budgeted for the fiscal year ending June
14 30, 2009 (hereafter FY-09). Funds budgeted for FY-08 may be
15 encumbered only through June 30, 2008, and must be expended by
16 November 15, 2008. Any funds remaining after November 15, 2008, and
17 not budgeted for FY-09, shall lapse to the credit of the proper fund
18 for the then current fiscal year. Funds budgeted for FY-09 may be
19 encumbered only through June 30, 2009. Any funds remaining after
20 November 15, 2009, shall lapse to the credit of the proper fund for
21 the then current fiscal year. These appropriations may not be
22 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
23 08, and not required to pay obligations for that fiscal year, may be
24 budgeted for FY-09, after the agency to which the funds have been

1 appropriated has prepared and submitted a budget work program
2 revision removing these funds from the FY-08 budget work program and
3 after such revision has been approved by the Office of State
4 Finance.

5 SECTION 5. This act shall become effective July 1, 2007.

6 SECTION 6. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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11 51-1-15343 MA 05/22/07

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