

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2322

By: Miller and Jones of the
House

7 and

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

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Court of Criminal Appeals;
13 requiring budgeting in certain categories and
14 amounts; authorizing employment of temporary
15 employees; exempting temporary employees from
16 budgetary limitations; providing for the duties and
17 compensation of employees; providing budgetary
18 limitations; providing lapse dates; requiring and
19 prohibiting certain budget practices; providing an
20 effective date; and declaring an emergency.

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

22 SECTION 1. For the fiscal year ending June 30, 2009, the Court
23 of Criminal Appeals shall budget all funds in the following
24 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$3,474,527.00	\$3,850,000.00

1 SECTION 2. The Court of Criminal Appeals is authorized to
2 employ temporary employees as may be necessary to maintain timely
3 disposition of criminal appeal cases. Personnel employed pursuant
4 to the provisions of this section shall be exempt from the
5 limitation on full-time-equivalent employees provided in Section 3
6 of this act.

7 SECTION 3. The duties and compensation of employees, not
8 otherwise prescribed by law, necessary to perform the duties imposed
9 upon the Court of Criminal Appeals by law shall be set by the Judges
10 of the Court of Criminal Appeals. The Court of Criminal Appeals for
11 the fiscal year ending June 30, 2009, shall be subject to the
12 following budgetary limitations on full-time-equivalent employees
13 and expenditures excluding expenditures for capital and special
14 projects, except as may be authorized pursuant to the provisions of
15 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-Time-Equivalent Employees	36.0
Lease-Purchase Agreements	\$0.00

19 SECTION 4. Appropriations made by Section 112 of Enrolled House
20 Bill No. 2276 of the 2nd Session of the 51st Oklahoma Legislature,
21 not including appropriations made for capital outlay purposes, may
22 be budgeted for the fiscal year ending June 30, 2009 (hereafter FY-
23 09) or may be budgeted for the fiscal year ending June 30, 2010
24 (hereafter FY-10). Funds budgeted for FY-09 may be encumbered only

1 through June 30, 2009, and must be expended by November 15, 2009.
2 Any funds remaining after November 15, 2009, and not budgeted for
3 FY-10, shall lapse to the credit of the proper fund for the then
4 current fiscal year. Funds budgeted for FY-10 may be encumbered
5 only through June 30, 2010. Any funds remaining after November 15,
6 2010, shall lapse to the credit of the proper fund for the then
7 current fiscal year. These appropriations may not be budgeted in
8 both fiscal years simultaneously. Funds budgeted in FY-09, and not
9 required to pay obligations for that fiscal year, may be budgeted
10 for FY-10, after the agency to which the funds have been
11 appropriated has prepared and submitted a budget work program
12 revision removing these funds from the FY-09 budget work program and
13 after such revision has been approved by the Office of State
14 Finance.

15 SECTION 5. This act shall become effective July 1, 2008.

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

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21 51-2-15556 MA 04/30/08

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