

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1323

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

6 and

7 Miller and Jones of the  
8 House

9  
10  
11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Corrections;  
13 requiring budgeting of funds in certain categories  
14 and amounts; requiring certain performance measures;  
15 providing for duties and compensation of employees;  
16 limiting salary of the Director; authorizing  
17 employment of certain percentage of employees in the  
18 unclassified service; providing budgetary  
19 limitations; authorizing certain agreement for  
20 construction projects; authorizing purchase of  
21 certain building, real property and all appurtenances  
22 thereto; requiring and prohibiting certain budget  
23 practices; providing lapse dates; providing an  
24 effective date; and declaring an emergency.

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

SECTION 1. For the fiscal year ending June 30, 2009, the  
Department of Corrections shall budget all funds in the following  
categories and amounts:

1	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
2	Administration	\$ 34,165,474.00	\$ 48,175,238.00
3	Institutions and field		
4	operations	217,143,453.00	264,371,768.00
5	Contract Beds	116,854,269.00	121,778,274.00
6	Community Corrections	56,779,205.00	60,779,205.00
7	Treatment and Rehabilitation		
8	Services	<u>78,057,599.00</u>	<u>93,883,187.00</u>
9	TOTAL	\$503,000,000.00	\$588,987,672.00

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

12 SECTION 2. The duties and compensation of employees, not  
13 otherwise prescribed by law, necessary to perform the duties imposed  
14 upon the Department of Corrections by law shall be set by the  
15 Director of the Department of Corrections. The salary of the  
16 Director of the Department of Corrections shall not exceed One  
17 Hundred Thirty-two Thousand Three Hundred Nine Dollars (\$132,309.00)  
18 per annum, payable monthly for the fiscal year ending June 30, 2009.  
19 The Department of Corrections for the fiscal year ending June 30,  
20 2009, shall be authorized to employ up to six percent (6%) of its  
21 total authorized full-time-equivalent employees in the unclassified  
22 service and shall be subject to the following budgetary limitations  
23 on full-time-equivalent employees and expenditures excluding  
24 expenditures for capital and special projects, except as may be

1 authorized pursuant to the provisions of Section 3603 of Title 74 of  
2 the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	5,894.6
Lease-Purchase Agreements	\$10,400,000.00

6 SECTION 3. The Department of Corrections is hereby authorized  
7 to enter into an agreement with the state agencies to utilize prison  
8 inmates for construction projects subject to written restrictions  
9 and conditions regarding security classification and other matters  
10 related to the control of inmates and public safety. Before  
11 utilizing inmates, the Department of Corrections shall enter into a  
12 written agreement concerning, but not limited to, liability,  
13 funding, pay, public security and transportation. Provided further,  
14 prison inmates shall not be used to replace any current state agency  
15 employees.

16 SECTION 4. The Department of Corrections, subject to funds  
17 available, is authorized to purchase a building together with five  
18 acres of land and all appurtenances thereto in the City of Healdton,  
19 Oklahoma, for a negotiated price not to exceed One Hundred Seventy-  
20 five Thousand Dollars (\$175,000.00).

21 SECTION 5. Appropriations made by Sections 95 and 96 of  
22 Enrolled House Bill No. 2276 of the 2nd Session of the 51st Oklahoma  
23 Legislature, not including appropriations made for capital outlay  
24 purposes, may be budgeted for the fiscal year ending June 30, 2009

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

17 SECTION 6. This act shall become effective July 1, 2008.

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

22

23 51-2-3823 SW 5/20/2008 4:19:44 PM

24