

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1228

By: Miller and Martin (Scott)
of the House

4 and

5 Johnson (Mike) and Myers of
6 the Senate

7
8 AS INTRODUCED

9
10 An Act relating to the Department of Corrections;
11 making an appropriation; stating purpose; requiring
12 budgeting of funds in certain categories and amounts;
13 providing for duties and compensation of employees;
14 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
17 construction projects; providing lapse dates;
18 requiring and prohibiting certain budget practices;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. There is hereby appropriated to the Department of
23 Corrections from any monies not otherwise appropriated from the
24 General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2010, 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.

1 SECTION 2. For the fiscal year ending June 30, 2010, the
2 Department of Corrections shall budget all funds in the following
3 categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	General Operations	\$ 0.00	\$ 0.00
6	Central Office Operations	0.00	0.00
7	Regional Office Operations	0.00	0.00
8	Medical Services	0.00	0.00
9	Prison Operations	0.00	0.00
10	Contracted Services	0.00	0.00
11	Community Corrections	0.00	0.00
12	Community Sentencing	0.00	0.00
13	Offender Programs	0.00	0.00
14	Prison Industries	<u>0.00</u>	<u>0.00</u>
15	TOTAL	\$0.00	\$0.00

16 SECTION 3. The duties and compensation of employees, not
17 otherwise prescribed by law, necessary to perform the duties imposed
18 upon the Department of Corrections by law shall be set by the
19 Director of the Department of Corrections. The salary of the
20 Director of the Department of Corrections shall not exceed
21 _____ Dollars (\$0.00) per annum, payable monthly for the
22 fiscal year ending June 30, 2010. The Department of Corrections for
23 the fiscal year ending June 30, 2010, shall be subject to the
24 following budgetary limitations on full-time-equivalent employees

1 and expenditures excluding expenditures for capital and special
2 projects, except as may be authorized pursuant to the provisions of
3 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
4 Full-Time-Equivalent Employees	0.0
6 Lease-Purchase Agreements	\$0.00

7 SECTION 4. The Department of Corrections is hereby authorized to
8 enter into an agreement with the state agencies to utilize prison
9 inmates for construction projects subject to written restrictions
10 and conditions regarding security classification and other matters
11 related to the control of inmates and public safety. Before
12 utilizing inmates, the Department of Corrections shall enter into a
13 written agreement concerning, but not limited to, liability,
14 funding, pay, public security and transportation. Provided further,
15 that prison inmates shall not be used to replace any current state
16 agency employees.

17 SECTION 5. Appropriations made by this act, not including
18 appropriations made for capital outlay purposes, may be budgeted for
19 the fiscal year ending June 30, 2010 (hereafter FY-10) or may be
20 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
21 Funds budgeted for FY-10 may be encumbered only through June 30,
22 2010, and must be expended by November 15, 2010. Any funds
23 remaining after November 15, 2010, and not budgeted for FY-11, shall
24 lapse to the credit of the proper fund for the then current fiscal

1 year. Funds budgeted for FY-11 may be encumbered only through June
2 30, 2011. Any funds remaining after November 15, 2011, shall lapse
3 to the credit of the proper fund for the then current fiscal year.
4 These appropriations may not be budgeted in both fiscal years
5 simultaneously. Funds budgeted in FY-10, and not required to pay
6 obligations for that fiscal year, may be budgeted for FY-11, after
7 the agency to which the funds have been appropriated has prepared
8 and submitted a budget work program revision removing these funds
9 from the FY-10 budget work program and after such revision has been
10 approved by the Office of State Finance.

11 SECTION 6. This act shall become effective July 1, 2009.

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

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