

ENROLLED SENATE
BILL NO. 208

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

An Act relating to social services; amending Section 2 of Enrolled House Bill No. 1757 of the 1st Session of the 45th Oklahoma Legislature, which relates to the Department of Human Services; modifying amount of appropriation; providing for duties and compensation of employees; providing budgetary limitations; prohibiting finalization of certain rates before certain time; limiting ability of Commission for Human Services to charge certain rates; requiring certain notification; modifying purpose for which funds may be expended; providing for duties and compensation of employees of the Department of Rehabilitation Services; setting maximum salary of the Director; providing budgetary limitations; authorizing certain transfers; providing for effect of transfer limitations; prescribing procedures for transfer of certain funds; authorizing request by certain directors for fund transfer; making an appropriation to the Office of Juvenile Affairs; specifying purpose; directing expenditure of specified sum of money; providing for duties and compensation of employees; setting maximum salary of the Executive Director; setting budgetary limitations; providing exceptions; making a reappropriation to the Office

of Juvenile Affairs; stating purpose; making certain appropriations nonfiscal; providing lapse dates; and providing an effective date.

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

DEPARTMENT OF HUMAN SERVICES

SECTION 1. AMENDATORY Section 2 of Enrolled House Bill No. 1757 of the 1st Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 2. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1996, the sum of Three Hundred Twenty-seven Million Seven Hundred Sixty-five Thousand Eight Hundred Thirty-nine Dollars (\$327,765,839.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Human Services by law shall be set by the Director of Human Services. The Department of Human Services for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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>
Average Full-time-equivalent Employees	7,823.0
Lease-Purchase Agreements	\$8,477,000.00

SECTION 3. The Commission for Human Services, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 1997 until the end of the 2nd Regular Session of the 45th Oklahoma Legislature. Further, the Commission shall not change rates for fiscal year 1996 after January 1, 1996, except in cases of emergency or when required by state or federal law. If, in the opinion of the Commission, an emergency situation or legal mandate exists, the Commission may make appropriate provider rate changes. The Commission shall make these rate changes effective on the effective date of any such legal requirement.

Prior to final approval of rate changes due to an emergency or legal mandate, the Director of the Department of Human Services shall provide written notification of the intended actions and reasons for such actions to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Following final approval of the changes by the Commission, the Director shall further provide the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate with a written explanation of the methodology and assumptions made in arriving at the emergency rate change. The provisions of this section shall be subject to the provisions of the Oklahoma Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 4. Funds appropriated to the Department of Human Services in Sections 70, 71 and 72, Chapter 187, O.S.L. 1994, and in Sections 1 and 2, Chapter 253, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be

budgeted and expended for the general operations of the Department of Human Services regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

DEPARTMENT OF REHABILITATION SERVICES

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Rehabilitation Services by law shall be set by the Commission for Rehabilitation Services. The salary of the Director shall not exceed Sixty-two Thousand Four Hundred Twenty-nine Dollars (\$62,429.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Department of Rehabilitation Services for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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	922.0
Lease-Purchase Agreements	\$0.00

SECTION 6. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund to the Department of Human Services' and the Department of Rehabilitation Services' disbursing funds in the amounts and ratios requested by either agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund.

Monies appropriated or collected for the fiscal year ending June 30, 1996, may be transferred to these disbursing funds for the fiscal year ending June 30, 1995, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1995, to the disbursing funds for the fiscal year ending June 30, 1996, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Department of Human Services and the Department of Rehabilitation Services shall maintain records of the interyear transfers.

SECTION 7. The Directors of the Department of Human Services and the Department of Rehabilitation Services may request through the Director of State Finance the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to either agency's disbursing funds to alleviate cash-flow problems.

SECTION 8. Funds appropriated to the Department of Rehabilitation Services in Sections 74 and 75, Chapter 187, O.S.L. 1994, and in Section 9, Chapter 253, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operations of the Department of Rehabilitation Services regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

OFFICE OF JUVENILE AFFAIRS

SECTION 9. There is hereby appropriated to the Office of Juvenile Affairs from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1996, the sum of One Million Eight Hundred Twenty-four Thousand Eight Hundred Forty Dollars (\$1,824,840.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 10. Of the funds appropriated in Section 102 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature and Section 9 of this act the Office of Juvenile Affairs shall expend One Million Four Hundred Thousand Dollars

(\$1,400,000.00) for the Delinquency and Youth Gang Intervention Program.

SECTION 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of Juvenile Affairs by law shall be set by the Executive Director of the Board of Juvenile Affairs. The salary of the Director shall not exceed Sixty-five Thousand Dollars (\$65,000.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Office of Juvenile Affairs for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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	1,184.5
Lease-Purchase Agreements	\$315,142.00

SECTION 12. REAPPROPRIATION AND REDESIGNATION The amount of Fifty-seven Million Six Hundred Sixty-one Thousand Six Hundred Sixty-seven Dollars (\$57,661,667.00) originally appropriated to the Department of Human Services in Sections 70, 71 and 72, Chapter 187, O.S.L. 1994 and in Section 1, Chapter 253, O.S.L. 1994 and reappropriated to the Department of Human Services in Section 2, Chapter 253, O.S.L. 1994 and allocated to programs administered by the Office of Juvenile Justice in Section 3, Chapter 253, O.S.L. 1994 and to the operations of the Office of Juvenile Justice in Section 4, Chapter 253, O.S.L. 1994, is hereby reappropriated and redesignated to the Office of Juvenile Affairs for the general operations of the Office of Juvenile Affairs for the fiscal year ending June 30, 1995, as adjusted by transfer, less the amounts that have been expended as of the effective date of this act.

SECTION 13. Appropriations made by Sections 1, 4, 8, 9 and 12 of this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96) or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 15, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, 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-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 14. This act shall become effective September 1, 1995.