

SHORT TITLE: Social services; making appropriations to the Department of Human Services, Department of Rehabilitation Services, Office of Juvenile Affairs; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 208

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

An Act relating to social services; making an appropriation to the Department of Human Services; specifying purpose; specifying amounts and categories of appropriation; providing expenditure limits; providing budgetary limitations; providing for duties and compensation of employees; prohibiting finalization of certain rates before certain time; making an appropriation to the Department of Rehabilitation Services; specifying purpose; specifying categories and amounts; providing expenditure limits; providing for duties and compensation of employees; 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; specifying categories and amounts for certain funds; providing expenditure limits; providing for duties and compensation of employees; setting budgetary limitations; providing exemption from expenditure and budgetary limitations; providing

exceptions; making certain appropriations
nonfiscal; providing an effective date; and
declaring an emergency.

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

DEPARTMENT OF HUMAN SERVICES

SECTION 1. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 2. The funds appropriated to the Department of Human Services in Sections XXX and XXX of Enrolled Senate Bill No. XXX of the 1st Session of the 45th Oklahoma Legislature, and Section 1 of this act shall be expended in the following amounts and categories:

1. Division of Child Welfare	\$0.00
2. Oklahoma Youth Services Agencies	0.00
3. Services for the Developmentally Disabled	0.00
4. AFDC Entitlements	0.00
5. AABD State Supplement Payments	0.00
6. Day Care Payments	0.00
7. Family Support Services	0.00
8. Field Operations	0.00
9. Aging Services	0.00
10. Administration and Data Services Division	0.00
11. Office of Child Care	<u>0.00</u>
TOTAL	\$0.00

SECTION 3. From all sources of revenue during the fiscal year ending June 30, 1996, expenditures for the following categories by

the Department of Human Services excluding expenditures for capital and special projects, shall not exceed:

1. Division of Child Welfare	\$0.00
2. Services for the Developmentally Disabled	0.00
3. AFDC Entitlements	0.00
4. AABD State Supplement Payments	0.00
5. Day Care Payments	0.00
6. Family Support Services	0.00
7. Field Operations	0.00
8. Child Support Enforcement	0.00
9. Aging Services	0.00
10. Administration and Data	
Services Division	0.00
11. Office of Child Care	<u>0.00</u>
TOTAL	\$0.00

SECTION 4. 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	0.00
Lease-Purchase Agreements	\$0.00

SECTION 5. 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 not later than 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.

DEPARTMENT OF REHABILITATION SERVICES

SECTION 6. There is hereby appropriated to the Department of Rehabilitation 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Rehabilitation Services by law.

SECTION 7. The funds appropriated to the Department of Rehabilitation Services in Sections XXX and XXX of Enrolled Senate Bill No. XXX and Section 9 of this act shall be expended in the following amounts and categories:

- | | |
|---------------------------------------|--------|
| 1. Rehabilitation and Visual Services | \$0.00 |
| 2. Oklahoma School for the Blind | 0.00 |
| 3. Oklahoma School for the Deaf | 0.00 |

4. Disability Determination Division	<u>0.00</u>
TOTAL	\$0.00

SECTION 8. From all sources of revenue during the fiscal year ending June 30, 1996, expenditures for the following categories by the Department of Rehabilitation Services excluding expenditures for capital and special projects, shall not exceed:

1. Rehabilitation and Visual Services	\$0.00
2. Oklahoma School for the Blind	0.00
3. Oklahoma School for the Deaf	0.00
4. Disability Determination Unit	<u>0.00</u>
TOTAL	\$0.00

SECTION 9. 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-one Thousand Two Hundred Sixty-nine Dollars (\$61,269.00) 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 10. The limitation on the transfer of funds between accounts specified in Section 41.12 of Title 62 of the Oklahoma Statutes shall relate only to the line items specified in Sections 7 and 8 of this act, and shall not be construed to be a limitation on budgetary subdivisions included in either agency's budget work program.

SECTION 11. 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 12. 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.

OFFICE OF JUVENILE AFFAIRS

SECTION 13. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 14. The funds appropriated to the Office of Juvenile Affairs in Sections XXX and XXX of Enrolled Senate Bill No. XXX and Section 13 of this act shall be expended in the following amounts and categories:

<u>Program</u>	<u>Appropriation</u>	<u>Total</u>
1. Administration	\$0.00	\$0.00
2. Residential		
Services	0.00	0.00
3. Nonresidential		
Services	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 15. From all sources of revenue during the fiscal year ending June 30, 1996, expenditures for the following categories by the Office of Juvenile Affairs excluding expenditures for capital and special projects, shall not exceed:

1. General Operations	\$0.00
2. Data Processing	\$0.00

SECTION 16. 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 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	0.0
Lease-Purchase Agreements	\$0.00

SECTION 17. Receipt and expenditure of unanticipated federal funds awarded after July 1, 1995, shall be exempt from the expenditure limitations in Sections 3 and 8 of this act and from

budgetary limitations provided for in Sections 4 and 9 of this act, provided that any such funds used for operations shall be included in either agency's budget work program.

SECTION 18. The appropriations made by Sections 1, 6 and 13 of this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 19. This act shall become effective July 1, 1995.

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

45-1-0534

CSP