

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2503

By: Mass and Bonny of the House

and

Haney and Hobson of the  
Senate

AS INTRODUCED

An Act relating to the Office of Juvenile Affairs; making an appropriation to the Office of Juvenile Affairs; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director and the number of full-time-equivalent employees; authorizing certain attorney position; providing budgetary limitation on lease-purchase agreements; prohibiting certain finalization of changes of certain rates; providing exception; requiring written notice and explanation; authorizing certain requests for exemptions from expenditure limitations and budgetary limitations; requiring certain procedures; requiring certain filings; requiring certain approvals; requiring written notice; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

SECTION 1. 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, 2003, the sum of \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Juvenile Affairs by law.

SECTION 2. For the fiscal year ending June 30, 2003, the Office of Juvenile Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
-----------------	----------------------	--------------

Administration	\$ .00	\$ .00
Santa Claus	\$ .00	\$ .00
OJJDP	\$ .00	\$ .00
JAIBG	\$ .00	\$ .00
Welfare to Work	\$ .00	\$ .00
Residential Services	\$ .00	\$ .00
Nonresidential Services	\$ .00	\$ .00
Delinquency and Youth Gang		
Intervention Programs	\$ .00	\$ .00
Community Youth Services Agencies	<u>\$ .00</u>	<u>\$ .00</u>
TOTAL	\$ .00	\$ .00

SECTION 3. 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 Director. The salary of the Director shall not exceed \_\_\_\_\_ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Office of Juvenile Affairs is hereby authorized one (1) FTE for an attorney position. This shall be in addition to the position of General Counsel. The Office of Juvenile Affairs for the fiscal year ending June 30, 2003, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, 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 4. The Office of Juvenile Affairs, except in cases of emergency or when required by state or federal law, shall not finalize provider rates for fiscal year 2004 until the end of the 1st Session of the 49th Oklahoma Legislature. Further, the Board of Juvenile Affairs shall not change rates for fiscal year 2003 after

January 1, 2003, except in cases of emergency or when required by state or federal law. If, in the opinion of the Board, an emergency situation or legal mandate exists, the Board may make appropriate provider rate changes. The Board 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 Office of Juvenile Affairs 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 Board of Juvenile Affairs, 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 5. A. The Director of the Office of Juvenile Affairs may request that receipt and expenditure of unanticipated federal funds awarded after July 1, 2002, be exempt from expenditure limitations and from budgetary limitations.

1. The Director shall make a request for exemption to the Director of State Finance in writing and file a revised budget work program.

2. The Director shall also file copies of the request for exemption and budget work program revisions with the Oklahoma House of Representatives Appropriations and Budget Committee Chairman and the Oklahoma State Senate Appropriations and Budget Committee Chairman. The Oklahoma House of Representatives Appropriations and Budget Committee Chairman and/or the Oklahoma State Senate Appropriations and Budget Committee Chairman shall notify the Director of State Finance of any noncompliance of the request with

legislative intent within twelve (12) calendar days of their receipt of the exemption request.

B. The Director of State Finance shall approve the request for exemption unless both the Chairman of the Oklahoma House of Representatives Appropriations and Budget Committee and the Chairman of the Oklahoma State Senate Appropriations and Budget Committee provide written notification to the Director of State Finance within twelve (12) calendar days of the their receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Director of State Finance shall give written notice of approval or disapproval of each exemption to the agency, the Governor and the Chairman of the Oklahoma House of Representatives Appropriations and Budget Committee and the Chairman of the Oklahoma State Senate Appropriations and Budget Committee within eighteen (18) calendar days of receiving the request.

SECTION 6. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03) or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, 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-03, and not required to pay obligations for that fiscal year, may be budgeted for FY-04, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds

from the FY-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 7. This act shall become effective July 1, 2002.

SECTION 8. 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.

48-2-15313      SB      6/12/15