STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1098

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the State Department of Rehabilitation Services; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for exemptions from certain expenditure limitations; providing for duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; making certain employee positions exempt from FTE limitations; requiring that certain amounts of appropriated funds be used for specified purposes; authorizing certain early transfers of tax collections for specific purpose; authorizing and requiring transfer of certain monies; specifying certain purposes; authorizing certain interyear transfers; requiring certain process and maintenance of records; 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 State 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, 2006, the sum of Twenty-seven Million Three Hundred Sixty-five Thousand Nine Hundred Twenty-five Dollars ($27,365,925.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Rehabilitation Services by law.

SECTION 2. For the fiscal year ending June 30, 2006, the State Department of Rehabilitation Services shall budget all appropriated and other funds in the following categories and amounts:

Category	Appropriation	Total
Vocational Rehabilitative and Visual Services	$13,294,032.00	$ 83,200,000.00
Oklahoma School for the Blind	6,233,352.00	9,175,000.00
Oklahoma School for the Deaf	7,838,541.00	11,625,000.00
Disability Determination Division	0.00	25,000,000.00
TOTAL	$27,365,925.00	$129,000,000.00

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

Receipt and expenditure of unanticipated federal funds awarded the State Department of Rehabilitation Services after July 1, 2005, shall be exempt from expenditure limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Rehabilitation Services by law shall be set by the Commission for Rehabilitation Services. The salary of the Director shall not exceed Seventy-seven Thousand One Hundred Dollars ($77,100.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The State Department of Rehabilitation Services for the fiscal year ending June 30, 2006, 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:

Budgetary Limitation	Amount
Full-Time-Equivalent Employees	737.0

Lease-Purchase Agreements $100,000.00

SECTION 4. Any employees of the Disability Determination Division in the State Department of Rehabilitation Services whose salaries are funded in whole by federal funds shall be exempted from the agency FTE limit.

SECTION 5. From the funds appropriated to the State Department of Rehabilitation Services in Section 1 of this act, the amount of Four Hundred Ninety-one Thousand Dollars ($491,000.00) shall be used to provide Braille textbooks and materials to students who are attending public schools or who are being home-schooled.

SECTION 6. From the funds appropriated to the State Department of Rehabilitation Services in Section 1 of this act, the amount of One Hundred Seventy-one Thousand Dollars ($171,000.00) shall be used to comply with public school teacher salary increases enacted in Enrolled Senate Bill No. 1272 of the 2nd Session of the 49th Oklahoma Legislature, related to those teachers at the Oklahoma School for the Blind and the Oklahoma School for the Deaf.

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

SECTION 8. The Director of the State Department of Rehabilitation Services may request the Director of State Finance to transfer funds from the Rehabilitation Services Federal Fund to the Rehabilitation Services Disbursing Funds and to the State Department of Rehabilitation Services Medical and Assistance Funds for expenditure in the client service, supported employment, and independent living programs.

SECTION 9. The Director of State Finance shall transfer monies appropriated from the General Revenue Fund to the State Department

of Rehabilitation Services Disbursing Funds in the amounts and ratios requested by the 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 from the fiscal year ending June 30, 2006, may be transferred to these disbursing funds for the fiscal year ending June 30, 2005, 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, 2005, to the disbursing funds for the fiscal year ending June 30, 2006, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The State Department of Rehabilitation Services shall maintain records of the interyear transfers.

SECTION 10. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06) or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, 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-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, 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-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 11. This act shall become effective July 1, 2005.

SECTION 12. 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.

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