(2ND EXTRAORDINARY SESSION
OF THE 50TH LEGISLATURE)
ENGROSSED SENATE
BILL NO. 44XX

By: Crutchfield and Rabon of the Senate

and

Benge and Newport of the House

An Act relating to the Office of Juvenile Affairs; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing certain budgetary restrictions; specifying certain expenditures; providing for duties and compensation of employees; limiting the salary of the Director; authorizing certain attorney position; providing budgetary limitations for certain employees and expenditures; authorizing certain requests for exemptions from expenditure limitations and budgetary limitations; requiring certain procedures of request for exemption; requiring certain filings; requiring notification of noncompliance; requiring certain approvals; requiring written notice; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; and prohibiting certain budget procedures.

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

SECTION 1. For the fiscal year ending June 30, 2007, the Office of Juvenile Affairs shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$ 6,642,871.00	$ 7,029,673.00
Santa Claus	0.00	10,000.00
Office of Juvenile Justice and Delinquency Prevention (OJJDP)	128,653.00	1,536,794.00
Juvenile Accountability Incentive Block Grant (JAIBG)	14,551.00	848,276.00
Residential Services	43,186,896.00	51,243,978.00

Nonresidential Services	31,801,864.00	37,105,031.00
Community Youth Services Agencies	22,444,750.00	22,444,750.00
TOTAL	$104,219,585.00	$120,218,502.00

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

The amount of funds budgeted pursuant to this section for Community Youth Services Agencies may be only reallocated, reduced, or expended for any other purpose in an amount proportional to the amount that the Office of Juvenile Affairs total budget is reduced through the appropriation process by the Legislature. In the event of a revenue failure, funds budgeted for the Community At Risk Services Program may be reduced in the same proportion as the total revenue reduction experienced by the Office of Juvenile Affairs.

SECTION 2. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of Five Hundred Seventy-five Thousand Dollars ($575,000.00) shall be used for the graduated sanctions program.

SECTION 3. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of Seven Hundred Thousand Dollars ($700,000.00) shall be used to provide rate increases to juvenile detention centers.

SECTION 4. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of Fifteen Thousand Dollars ($15,000.00) shall be used for a Youthful Offender facility study.

SECTION 5. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the

amount of Eight Hundred Thousand Dollars ($800,000.00) shall be used to provide mental health treatment services through the Community At Risk Services (CARS) Program for those juveniles within the custody of the Office of Juvenile Affairs.

SECTION 6. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of Six Hundred Twenty-three Thousand Dollars ($623,000.00) shall be used for two Multi-Systemic Treatment (MST) Programs.

SECTION 7. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of Four Hundred Fifty-eight Thousand Six Hundred Eighty-five Dollars ($458,685.00) shall be used for operational increases due to rising energy costs.

SECTION 8. From the funds appropriated to the Office of Juvenile Affairs in Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the amount of One Million Three Hundred Seventy-five Thousand Dollars ($1,375,000.00) shall be used to provide pay raises for direct care and security positions at Office of Juvenile Affairs facilities and in Office of Juvenile Affairs district offices. In addition to the pay raises authorized by Enrolled Senate Bill No. 82XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, salaries for the following Office of Juvenile Affairs positions shall be increased by One Thousand Dollars ($1,000.00): Police Officer, Fire Prevention and Security Officer; Juvenile Justice Specialist; Institutional Safety and Security Coordinator; Food Service Specialist, Food Service Manager; Volunteer Services Specialist; Juvenile Specialist; Chaplain; Alcohol and Drug Counselor; Psychological Clinician; Recreation Therapist. Administrative, human resources, financial, physical plant, maintenance and grounds

positions and training positions at the facilities are not eligible for the one-thousand-dollar pay raise.

SECTION 9. 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 Ninety-six Thousand Seven Hundred Five Dollars ($96,705.00) per annum, payable monthly for the fiscal year ending June 30, 2007. 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, 2007, 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	1,055.0
Lease-Purchase Agreements	$0.00

SECTION 10. A. The Director of the Office of Juvenile Affairs may request that receipt and expenditure of unanticipated federal funds awarded after July 1, 2006, 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 Chair and Vice-Chair of the Legislative Oversight Committee on State Budget Performance created by Section 41.47 of Title 62 of the Oklahoma Statutes. The Committee 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 Chair and Vice-Chair of the Legislative Oversight Committee on State Budget Performance provide written notification to the Director of State Finance within twelve (12) calendar days of the Committee's 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 Chair and Vice-Chair within eighteen (18) calendar days of receiving the request.

SECTION 11. Appropriations made by Section 42 of Enrolled Senate Bill No. 80XX of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07), or may be budgeted for the fiscal year ending June 30, 2008 (hereafter FY-08). Funds budgeted for FY-07 may be encumbered only through June 30, 2007, and must be expended by November 15, 2007. Any funds remaining after November 15, 2007, and not budgeted for FY-08, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-08 may be encumbered only through June 30, 2008. Any funds remaining after November 15, 2008, 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-07, and not required to pay obligations for that fiscal year, may be budgeted for FY-08, 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-07 budget work program and

after such revision has been approved by the Office of State Finance.

Passed the Senate the 21st day of June, 2006.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2006.

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Presiding Officer of the House
of Representatives