ENROLLED HOUSE
BILL NO. 1142

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

An Act relating to the Alcoholic Beverage Laws Enforcement Commission; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; stating legislative intent; providing lapse dates; requiring and prohibiting certain budget practices; 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 Alcoholic Beverage Laws Enforcement Commission 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 Three Million Seven Hundred Thirty-eight Thousand Eight Hundred Thirty-nine Dollars ($3,738,839.00) or so much thereof as may be necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law.

SECTION 2. For the fiscal year ending June 30, 2006, the Alcoholic Beverage Laws Enforcement Commission shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administrative Services	$725,039.00	$755,039.00
Business Office	1,082,527.00	1,247,527.00
Enforcement	1,891,273.00	1,931,273.00
Motor Vehicle Operations	0.00	50,000.00
Alcohol Education	40,000.00	70,000.00
TOTAL	$3,738,839.00	$4,053,839.00

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

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law shall be set by the Director. The salary of the Director shall not exceed Seventy-two Thousand One Hundred Dollars ($72,100.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The Alcoholic Beverage Laws Enforcement Commission 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	71.0
Lease-Purchase Agreements	$0.00

SECTION 4. It is the intent of the Legislature for the Alcoholic Beverage Laws Enforcement Commission to develop a process for the implementation of a computerized licensing and collection system.

SECTION 5. 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 6. This act shall become effective July 1, 2005.

SECTION 7. 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.

Passed the House of Representatives the 25th day of May, 2005.

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Presiding Officer of the House of Representatives

Passed the Senate the 26th day of May, 2005.

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Presiding Officer of the Senate