STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1189 By By:Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Office of Juvenile Affairs; providing for duties and compensation of employees; limiting the maximum salary of the Director; authorizing certain attorney position; providing budgetary limitations; 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. 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, 2006. 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, 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	0.0
Lease-Purchase Agreements	$0.00

SECTION 2. A. The Director of the Office of Juvenile Affairs may request that receipt and expenditure of unanticipated federal funds awarded after July 1, 2005, 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 Joint Legislative Committee on Budget and Program Oversight. 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 Joint Legislative Committee on Budget and Program Oversight 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 of the Joint Legislative Committee on Budget and Program Oversight within eighteen (18) calendar days of receiving the request.

SECTION 3. 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 4. This act shall become effective July 1, 2005.

SECTION 5. 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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