

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1247

By: Bengé and Miller of the
House

and

7 Crutchfield, Johnson
8 (Mike), Adelson and Myers
9 of the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Office of Juvenile Affairs;
12 requiring budgeting in certain categories and
13 amounts; requiring certain performance measures;
14 providing certain budgetary restrictions; requiring
15 certain funds be used for certain juvenile detention
16 beds; requiring certain funds be used for certain pay
17 raises; providing for certain cap; requiring funds
18 for certain rate increase for certain homes;
19 requiring certain funds to be used for certain
20 association; expressing legislative intent; requiring
21 certain funds to be used for certain community
22 intervention centers; providing for duties and
23 compensation of employees; limiting the maximum
24 salary of the Director; authorizing attorney
position; providing budgetary limitations for
employees and certain expenditures; authorizing
certain requests for exemptions from expenditure
limitations and budgetary limitations; providing
procedures for exemption requests; requiring certain
filings and notice; requiring approval for exemption
requests; 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.

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

2 SECTION 1. For the fiscal year ending June 30, 2008, the Office
3 of Juvenile Affairs shall budget all funds in the following
4 categories and amounts:

5	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
6	Administration	\$ 6,697,339.00	\$ 7,084,141.00
7	Santa Claus	0.00	10,000.00
8	Office of Juvenile Justice		
9	and Delinquency Prevention		
10	(OJJDP)	130,408.00	1,538,549.00
11	Juvenile Accountability		
12	Incentive Block Grant		
13	(JAIBG)	15,776.00	849,501.00
14	Residential Services	44,468,616.00	51,815,034.00
15	Nonresidential Services	33,878,923.00	38,781,100.00
16	Community Youth Services		
17	Agencies	<u>24,869,750.00</u>	<u>24,869,750.00</u>
18	TOTAL	\$110,060,812.00	\$124,948,075.00

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

21 The amount of funds budgeted pursuant to this section for
22 Community Youth Services Agencies may be only reallocated, reduced,
23 or expended for any other purpose in an amount proportional to the
24 amount that the Office of Juvenile Affairs total budget is reduced

1 through the appropriation process by the Legislature. In the event
2 of a revenue failure, funds budgeted for the Community At Risk
3 Services Program may be reduced in the same proportion as the total
4 revenue reduction experienced by the Office of Juvenile Affairs.

5 SECTION 2. From the funds appropriated to the Office of
6 Juvenile Affairs in Sections 77 and 78 of Enrolled Senate Bill No.
7 334 of the 1st Session of the 51st Oklahoma Legislature, the amount
8 of Two Hundred Seventy Thousand Dollars (\$270,000.00) shall be used
9 to pay for the increased number of juvenile detention beds added
10 within the juvenile detention center system.

11 SECTION 3. From the funds appropriated to the Office of
12 Juvenile Affairs in Sections 77 and 78 of Enrolled Senate Bill No.
13 334 of the 1st Session of the 51st Oklahoma Legislature, the amount
14 of One Million Two Hundred Twenty-three Thousand Dollars
15 (\$1,223,000.00) shall be used to provide pay raises for classified
16 positions located at Office of Juvenile Affairs facilities and in
17 Office of Juvenile Affairs district offices. The pay raises shall
18 be effective as of July 1, 2007, and shall be determined as follows:

19 1. The salaries for Office of Juvenile Affairs positions at
20 Office of Juvenile Affairs institutions and in Office of Juvenile
21 Affairs district offices shall be increased by One Thousand Dollars
22 (\$1,000.00) with the exclusion of those positions which received a
23 one-thousand-dollar raise during fiscal year 2007; and

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1 2. After applying the above-listed one-thousand-dollar
2 increase, a salary adjustment for all classified positions at Office
3 of Juvenile Affairs institutions and in Office of Juvenile Affairs
4 district offices to the midpoint of their respective salary levels
5 but not to exceed Two Thousand Dollars (\$2,000.00). Said adjustment
6 shall be capped to ensure that the salary does not exceed the
7 midpoint of the salary level.

8 SECTION 4. From the funds appropriated to the Office of
9 Juvenile Affairs in Sections 77 and 78 of Enrolled Senate Bill No.
10 334 of the 1st Session of the 51st Oklahoma Legislature, the amount
11 of Four Hundred Eighty-six Thousand One Hundred Eighty Dollars
12 (\$486,180.00) shall be used to provide a rate increase for Level E
13 group homes.

14 SECTION 5. From the funds appropriated to the Office of
15 Juvenile Affairs in Sections 77 and 78 of Enrolled Senate Bill No.
16 334 of the 1st Session of the 51st Oklahoma Legislature, the amount
17 of Two Million Dollars (\$2,000,000.00) shall be used to increase
18 funding to the Oklahoma Association of Youth Services for the
19 purpose of providing services to juveniles and their families. It
20 is the intent of the Legislature that the Executive Director of the
21 Office of Juvenile Affairs, in conjunction with the Executive
22 Director of the Oklahoma Association of Youth Services, develop an
23 allocation for distributing the funding in this section in a manner
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1 that ensures the continued viability of local youth service agencies
2 throughout the State of Oklahoma.

3 SECTION 6. From the funds appropriated to the Office of
4 Juvenile Affairs in Sections 77 and 78 of Enrolled Senate Bill No.
5 334 of the 1st Session of the 51st Oklahoma Legislature, the amount
6 of Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be
7 used for the purpose of establishing two community intervention
8 centers to be located in Tulsa and Woodward. Of this amount, Three
9 Hundred Thousand Dollars (\$300,000.00) shall be expended toward the
10 center in Tulsa. The remaining One Hundred Twenty-five Thousand
11 Dollars (125,000.00) shall be expended toward the center in
12 Woodward.

13 SECTION 7. The duties and compensation of employees, not
14 otherwise prescribed by law, necessary to perform the duties imposed
15 upon the Office of Juvenile Affairs by law shall be set by the
16 Director. The salary of the Director shall not exceed Ninety Six
17 Thousand Seven Hundred Five Dollars (\$96,705.00) per annum, payable
18 monthly for the fiscal year ending June 30, 2008. The Office of
19 Juvenile Affairs is hereby authorized one (1) FTE for an attorney
20 position. This shall be in addition to the position of General
21 Counsel. The Office of Juvenile Affairs for the fiscal year ending
22 June 30, 2008, shall be subject to the following budgetary
23 limitations on full-time-equivalent employees and expenditures
24 excluding expenditures for capital and special projects, except as

1 may be authorized pursuant to the provisions of Section 3603 of
2 Title 74 of the Oklahoma Statutes:

3 <u>Budgetary Limitation</u>	<u>Amount</u>
4 Full-time-equivalent Employees	1,055.0
5 Lease-Purchase Agreements	\$0.00

6 SECTION 8. A. The Director of the Office of Juvenile Affairs
7 may request that receipt and expenditure of unanticipated federal
8 funds awarded after July 1, 2007, be exempt from expenditure
9 limitations and from budgetary limitations.

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

13 2. The Director shall also file copies of the request for
14 exemption and budget work program revisions with the Chair and Vice
15 Chair of the Joint Legislative Committee on Budget and Program
16 Oversight. The Committee shall notify the Director of State Finance
17 of any noncompliance of the request with legislative intent within
18 twelve (12) calendar days of their receipt of the exemption request.

19 B. The Director of State Finance shall approve the request for
20 exemption unless both the Chair and Vice Chair of the Joint
21 Legislative Committee on Budget and Program Oversight provide
22 written notification to the Director of State Finance within twelve
23 (12) calendar days of the Committee's receipt of the exemption
24 request that the exemption subverts the intention and objectives of

1 the Legislature in establishing the original limit. The Director of
2 State Finance shall give written notice of approval or disapproval
3 of each exemption to the agency, the Governor and the Chair and Vice
4 Chair of the Joint Legislative Committee on Budget and Program
5 Oversight within eighteen (18) calendar days of receiving the
6 request.

7 SECTION 9. Appropriations made by Section 77 and 78 of Enrolled
8 Senate Bill No. 334 of the 1st Session of the 51st Oklahoma
9 Legislature, not including appropriations made for capital outlay
10 purposes, may be budgeted for the fiscal year ending June 30, 2008
11 (hereafter FY-08) or may be budgeted for the fiscal year ending June
12 30, 2009 (hereafter FY-09). Funds budgeted for FY-08 may be
13 encumbered only through June 30, 2008, and must be expended by
14 November 15, 2008. Any funds remaining after November 15, 2008, and
15 not budgeted for FY-09, shall lapse to the credit of the proper fund
16 for the then current fiscal year. Funds budgeted for FY-09 may be
17 encumbered only through June 30, 2009. Any funds remaining after
18 November 15, 2009, shall lapse to the credit of the proper fund for
19 the then current fiscal year. These appropriations may not be
20 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
21 08, and not required to pay obligations for that fiscal year, may be
22 budgeted for FY-09, after the agency to which the funds have been
23 appropriated has prepared and submitted a budget work program
24 revision removing these funds from the FY-08 budget work program and

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

3 SECTION 10. This act shall become effective July 1, 2007.

4 SECTION 11. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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