

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2259

By: Bengé and Miller of the
House

4 and

5 Crutchfield, Johnson
6 (Mike), Adelson and Myers
of the Senate

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9 AS INTRODUCED

10 An Act relating to the Office of Juvenile Affairs;
11 making an appropriation to the Office of Juvenile
Affairs; stating purpose; requiring budgeting in
12 certain categories and amounts; requiring certain
performance measures; providing for duties and
13 compensation of employees; limiting the maximum
salary of the Director; authorizing certain attorney
14 position; providing budgetary limitations;
authorizing certain requests for exemptions from
15 expenditure limitations and budgetary limitations;
requiring certain procedures; requiring certain
16 filings; requiring certain approvals; requiring
written notice; making certain appropriations
17 nonfiscal; providing lapse dates; requiring certain
budget procedures; prohibiting certain budget
18 procedures; providing an effective date; and
declaring an emergency.

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

22 SECTION 1. There is hereby appropriated to the Office of
23 Juvenile Affairs from any monies not otherwise appropriated from the
24 General Revenue Fund of the State Treasury for the fiscal year

1 ending June 30, 2009, the sum of _____ Dollars (\$0.00) or so
2 much thereof as may be necessary to perform the duties imposed upon
3 the Office of Juvenile Affairs by law.

4 SECTION 2. For the fiscal year ending June 30, 2009, the Office
5 of Juvenile Affairs shall budget all funds in the following
6 categories and amounts:

7	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
8	Administration	\$ 0.00	\$ 0.00
9	Santa Claus Commission	0.00	0.00
10	Office of Juvenile Justice		
11	and Delinquency Prevention		
12	(OJJDP)	0.00	0.00
13	Juvenile Accountability		
14	Incentive Block Grant		
15	(JAIBG)	0.00	0.00
16	Residential Services	0.00	0.00
17	Nonresidential Services	0.00	0.00
18	Community Youth Services		
19	Agencies	<u>0.00</u>	<u>0.00</u>
20	TOTAL	\$0.00	\$0.00

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

23 The amount of funds budgeted pursuant to this section for
24 Community Youth Services Agencies may be only reallocated, reduced,

1 or expended for any other purpose in an amount proportional to the
2 amount that the Office of Juvenile Affairs total budget is reduced
3 through the appropriation process by the Legislature. In the event
4 of a revenue failure, funds budgeted for the Community At Risk
5 Services Program may be reduced in the same proportion as the total
6 revenue reduction experienced by the Office of Juvenile Affairs.

7 SECTION 3. The duties and compensation of employees, not
8 otherwise prescribed by law, necessary to perform the duties imposed
9 upon the Office of Juvenile Affairs by law shall be set by the
10 Director. The salary of the Director shall not exceed _____
11 Dollars (\$0.00) per annum, payable monthly for the fiscal year
12 ending June 30, 2009. The Office of Juvenile Affairs is hereby
13 authorized one (1) FTE for an attorney position. This shall be in
14 addition to the position of General Counsel. The Office of Juvenile
15 Affairs for the fiscal year ending June 30, 2009, shall be subject
16 to the following budgetary limitations on full-time-equivalent
17 employees and expenditures excluding expenditures for capital and
18 special projects, except as may be authorized pursuant to the
19 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
20 Full-time-equivalent Employees	0.0
21 Lease-Purchase Agreements	\$0.00

22 SECTION 4. A. The Director of the Office of Juvenile Affairs
23 may request that receipt and expenditure of unanticipated federal
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1 funds awarded after July 1, 2008, be exempt from expenditure
2 limitations and from budgetary limitations.

3 1. The Director shall make a request for exemption to the
4 Director of State Finance in writing and file a revised budget work
5 program.

6 2. The Director shall also file copies of the request for
7 exemption and budget work program revisions with the Chair and Vice-
8 chair of the Joint Legislative Committee on Budget and Program
9 Oversight. The Committee shall notify the Director of State Finance
10 of any noncompliance of the request with legislative intent within
11 twelve (12) calendar days of their receipt of the exemption request.

12 B. The Director of State Finance shall approve the request for
13 exemption unless both the Chair and Vice-chair of the Joint
14 Legislative Committee on Budget and Program Oversight provide
15 written notification to the Director of State Finance within twelve
16 (12) calendar days of the Committee's receipt of the exemption
17 request that the exemption subverts the intention and objectives of
18 the Legislature in establishing the original limit. The Director of
19 State Finance shall give written notice of approval or disapproval
20 of each exemption to the agency, the Governor and the Chair and
21 Vice-chair of the Joint Legislative Committee on Budget and Program
22 Oversight within eighteen (18) calendar days of receiving the
23 request.

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1 SECTION 5. Appropriations made by this act, not including
2 appropriations made for capital outlay purposes, may be budgeted for
3 the fiscal year ending June 30, 2009 (hereafter FY-09) or may be
4 budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10).
5 Funds budgeted for FY-09 may be encumbered only through June 30,
6 2009, and must be expended by November 15, 2009. Any funds
7 remaining after November 15, 2009, and not budgeted for FY-10, shall
8 lapse to the credit of the proper fund for the then current fiscal
9 year. Funds budgeted for FY-10 may be encumbered only through June
10 30, 2010. Any funds remaining after November 15, 2010, shall lapse
11 to the credit of the proper fund for the then current fiscal year.
12 These appropriations may not be budgeted in both fiscal years
13 simultaneously. Funds budgeted in FY-09, and not required to pay
14 obligations for that fiscal year, may be budgeted for FY-10, after
15 the agency to which the funds have been appropriated has prepared
16 and submitted a budget work program revision removing these funds
17 from the FY-09 budget work program and after such revision has been
18 approved by the Office of State Finance.

19 SECTION 6. This act shall become effective July 1, 2008.

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

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