

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1221

By: Miller and Martin (Scott)
of the House
and

Johnson (Mike) and Myers of
the Senate

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8 AS INTRODUCED

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10 An Act relating to the Office of Juvenile Affairs;
11 making an appropriation to the Office of Juvenile
12 Affairs; stating purpose; requiring budgeting in
13 certain categories and amounts; requiring certain
14 performance measures; providing for duties and
15 compensation of employees; limiting the maximum
16 salary of the Director; authorizing certain attorney
17 position; providing budgetary limitations;
18 authorizing certain requests for exemptions from
19 expenditure limitations and budgetary limitations;
20 requiring certain procedures; requiring certain
21 filings; requiring certain approvals; requiring
22 written notice; making certain appropriations
23 nonfiscal; providing lapse dates; requiring certain
24 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. There is hereby appropriated to the Office of
Juvenile Affairs from any monies not otherwise appropriated from the
General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2010, the sum of _____ Dollars (\$0.00) or so

1 much thereof as may be necessary to perform the duties imposed upon
2 the Office of Juvenile Affairs by law.

3 SECTION 2. For the fiscal year ending June 30, 2010, the Office
4 of Juvenile Affairs shall budget all funds in the following
5 categories and amounts:

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

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

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

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

6 SECTION 3. The duties and compensation of employees, not
7 otherwise prescribed by law, necessary to perform the duties imposed
8 upon the Office of Juvenile Affairs by law shall be set by the
9 Director. The salary of the Director shall not exceed _____
10 Dollars (\$0.00) per annum, payable monthly for the fiscal year
11 ending June 30, 2010. The Office of Juvenile Affairs is hereby
12 authorized one (1) FTE for an attorney position. This shall be in
13 addition to the position of General Counsel. The Office of Juvenile
14 Affairs for the fiscal year ending June 30, 2010, shall be subject
15 to the following budgetary limitations on full-time-equivalent
16 employees and expenditures excluding expenditures for capital and
17 special projects, except as may be authorized pursuant to the
18 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

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

21 SECTION 4. A. The Director of the Office of Juvenile Affairs
22 may request that receipt and expenditure of unanticipated federal
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1 funds awarded after July 1, 2009, 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, 2010 (hereafter FY-10) or may be
4 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
5 Funds budgeted for FY-10 may be encumbered only through June 30,
6 2010, and must be expended by November 15, 2010. Any funds
7 remaining after November 15, 2010, and not budgeted for FY-11, shall
8 lapse to the credit of the proper fund for the then current fiscal
9 year. Funds budgeted for FY-11 may be encumbered only through June
10 30, 2011. Any funds remaining after November 15, 2011, 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-10, and not required to pay
14 obligations for that fiscal year, may be budgeted for FY-11, 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-10 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, 2009.

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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