STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

HOUSE BILL 1136 By: Miller and Martin (Scott) of the House

and

Johnson (Mike) and Myers of the Senate

AS INTRODUCED

An Act relating to education; making appropriations to the State Board of Education; stating purposes; specifying the apportionment of certain funds which were appropriated; providing for the budgeting of funds in certain categories and amounts; requiring development of certain performance measures; requiring transfer of funds to the School Consolidation Assistance Fund; requiring transfer of funds to the Teachers' Retirement System Dedicated Revenue Revolving Fund; providing that certain allocated funds be made available on a statewide competitive application basis; requiring the transfer of funds to the Teachers' Retirement System of Oklahoma for the Teachers' Retirement Credit; requiring funds allocated for Education Leadership Oklahoma to be transferred and expended for certain purposes; specifying purposes for funds allocated for Staff Development; authorizing use of funds for school districts for certain purpose; stating purposes for funds allocated for Alternative and High Challenge Education; requiring certain funds be allocated on a competitive basis; prohibiting reduction in services and number of students in certain circumstances; requiring transfer of Early Intervention funds; stating intent regarding cost reimbursement for indirect administrative costs in the Oklahoma Early Intervention Act; stating purpose for funds allocated for ACE remediation; stating purpose for funds allocated for the Early Childhood Initiative; stating purpose for funds allocated for

the Parent Training Program; specifying expenditure of funds allocated for the Advanced Placement Incentives; limiting funding for administrative costs; stating purpose for funds allocated for certain Mathematics Laboratories programs; stating purpose for funds allocated for certain Academic Achievement Awards programs; stating purpose for funds allocated for Rural Infant Stimulation Environment Program; requiring certain apportionment of funds allocated for Instructional, Cooperative and Technological Education; requiring funds to be awarded to certain entities; stating purpose for funds allocated for the Robotics Program; requiring transfer of funds to the Charter Schools Incentive Fund; requiring funds allocated for the funding of Community Education Grants to be expended on a contractual basis to certain consortium groups for certain purposes; stating purpose for Recreation Therapy Grants; requiring priority be given to certain programs; requiring funds allocated for the Oklahoma Ambassador of Teaching to be used for certain purposes; requiring funds allocated for Administrative and Support Functions of the State Department of Education to be expended for certain purposes; making specifications; providing for duties and compensation of employees of the State Department of Education; providing budgetary limitations; providing designations for the State Department of Education's full-time-equivalent employees; requiring filing of certain report; providing for responsibilities of certain designated employees of the Department; requiring the reduction or withholding of State Aid funds for certain purposes; authorizing the State Board of Education to request certain transfer of funds; providing for certain proportional reduction of funds; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budgeting procedures; prohibiting certain budgeting 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 State Board of Education 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 much thereof as may be necessary for the financial support of public schools.

SECTION 2. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Education Reform Revolving Fund created in Section 41.29b of Title 62 of the Oklahoma Statutes, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 3. The State Board of Education is hereby authorized to expend during the fiscal year ending June 30, 2010, from the Common Education Technology Revolving Fund of the State Treasury, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 4. There is hereby appropriated to the State Board of Education, from any monies not otherwise appropriated from the Mineral Leasing Fund of the State Treasury for the fiscal year ending June 30, 2010, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 5. There is hereby appropriated to the State Board of Education, from any monies not otherwise appropriated from the Mineral Leasing Fund of the State Treasury for the fiscal year ending June 30, 2008, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 6. There is hereby appropriated to the State Board of Education from the Oklahoma Education Lottery Trust Fund of the State Treasury for the fiscal year ending June 30, 2010, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for financial support of public schools.

SECTION 7. There is hereby appropriated to the State Board of Education 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 much thereof as may be necessary for the support of public school activities.

SECTION 8. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for the purchase of textbooks.

SECTION 9. There is hereby appropriated to the State Board of Education 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 much thereof as may be necessary for administrative and support functions of the State Department of Education.

SECTION 10. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Oklahoma Education Lottery Trust Fund of the State Treasury for the fiscal year ending June 30, 2010, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for transfer to the School Consolidation Assistance Fund.

SECTION 11. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Oklahoma Education Lottery Trust Fund of the State Treasury for the fiscal year ending June 30, 2010, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary for transfer to the Teachers' Retirement System Dedicated Revenue Revolving Fund.

SECTION 12. For the fiscal year ending June 30, 2010, the support of public school activities by the State Board of Education payable from monies appropriated and authorized by Sections 1 through 9 of this act shall be apportioned as follows:

1. Funds appropriated and authorized by Sections 1 through 6 of this act:

Local and State-supported Financial Support
of Public Schools.....$0.00

SUBTOTAL, PARAGRAPH 1.....$0.00

2. Funds appropriated by Sections 7 and 8 of this act:

Certified Employee Health Benefit

Allowance.....$0.00

Support Personnel Health Benefit

Allowance.....$0.00

Teachers' Retirement Credit.....$0.00

Education Leadership Oklahoma.....$0.00

Mentor Teacher Stipends.....$0.00

Staff Development.....$0.00

Purchase of Textbooks and

Instructional Materials.....$0.00

Alternative and High Challenge

Education.....$0.00

Early Intervention.....$0.00

ACE Remediation $0.00

Early Childhood Initiative.....$0.00

Parent Training Program.....$0.00

Advanced Placement Incentives.....$0.00

Middle School Mathematics

Laboratories.....$0.00

School Lunch Matching.....$0.00

School Lunch Programs.....$0.00

Academic Achievement Awards.....$0.00

Adult Education Matching.....$0.00

Rural Infant Stimulation

Environment Program.....$0.00

Summer Arts Institute.....$0.00

Driver Education.....$0.00

Instructional, Cooperative and

Technological Education.....$0.00

School/Community Network for

Arts-in-Education.....$0.00

Robotics Program.....$0.00

Charter Schools Incentive Fund.....$0.00

AG in the Classroom.....$0.00

Community Education Grants.....$0.00

Recreation Therapy Grants.....$0.00

Oklahoma Ambassador of Teaching.....$0.00

SUBTOTAL, PARAGRAPH 2.....$0.00

3. Funds appropriated by Section 9 of this act:

Administrative and Support Functions

of the State Department of Education.....$0.00

SUBTOTAL, PARAGRAPH 3.....$0.00

TOTAL State School Aid and Programs.....$0.00

SECTION 13. For the fiscal year ending June 30, 2010, the State Board of Education shall budget all funds in the following categories and amounts:

Category	Total
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	$0.00
Professional and Personal Services Contracts	0.00
Purchase of Equipment	0.00
Lease-Purchase Agreements	0.00
Expenditure of Federal Funds	0.00
TOTAL	$0.00

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

SECTION 14. The funds appropriated in Section 10 of this act in the amount of _____ Dollars ($0.00) shall be transferred to the School Consolidation Assistance Fund.

SECTION 15. The funds appropriated in Section 11 of this act in the amount of _____ Dollars ($0.00) shall be transferred to the Teachers' Retirement System Dedicated Revenue Revolving Fund.

SECTION 16. Funds allocated in Section 12 of this act for Parent Training Program, Advanced Placement Incentives, Middle School Mathematics Laboratories, Community Education and the Robotics Program shall be made available on a statewide competitive application basis as specified.

SECTION 17. The funds allocated in Section 12 of this act specifically for the purpose of funding the Teachers' Retirement Credit shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 18. The funds allocated in Section 12 of this act for the purpose of funding Education Leadership Oklahoma shall be expended as follows:

1. _____ Dollars ($0.00) shall be transferred to the Education Leadership Oklahoma Revolving Fund created in Section 6-204.3 of Title 70 of the Oklahoma Statutes and shall be expended for the purpose of providing assistance and scholarships;

2. _____ Dollars ($0.00) shall be transferred to the Oklahoma National Board Certification Revolving Fund created in Section 6-204.4 of Title 70 of the Oklahoma Statutes for the purpose of awarding annual bonuses as directed; and

3. _____ Dollars (0.00) shall be transferred to the Oklahoma School Psychologist, Speech-Language Pathologist, and Audiologist National Certification Revolving Fund created in Section 6-206.1 of Title 70 of the Oklahoma Statutes for the purpose of awarding annual bonuses as directed.

The remaining funds in the Education Leadership Oklahoma Revolving Fund shall be used to provide program development and evaluation by the Oklahoma Commission for Teacher Preparation and

curriculum enhancement and monitoring programs for teacher applicants on a contractual basis with an institution within The Oklahoma State System of Higher Education.

SECTION 19. The funds allocated in Section 12 of this act for Staff Development shall be expended for teacher training, in-service teacher education and staff development plans as follows:

1. _____ Dollars ($0.00) for scholarships to the Great Expectations Summer Institutes for Teachers offered by an institution within The Oklahoma State System of Higher Education pursuant to the provisions of Section 6-194.2 of Title 70 of the Oklahoma Statutes;

2. _____ Dollars ($0.00) shall be transferred to the Professional Development Institutes Revolving Fund created in Section 6-204.5 of Title 70 of the Oklahoma Statutes and shall be expended for the purpose of developing, offering and administering professional development institutes in reading for elementary school teachers as directed in Section 6-200 of Title 70 of the Oklahoma Statutes. Of these funds, the sum of _____ Dollars ($0.00) shall be expended for the purpose of funding grants for schoolwide professional development to implement comprehensive reading reform and systemic change pursuant to subsection D of Section 6-200 of Title 70 of the Oklahoma Statutes;

3. _____ Dollars ($0.00) for costs associated with multiple ongoing assessments and remediation

pursuant to the provisions of Section 1210.508D of Title 70 of the Oklahoma Statutes;

4. _____ Dollars ($0.00) for a comprehensive professional development program for teachers and other school personnel on neurodevelopmentally-based student learning differences. The program shall provide research-based knowledge and skills training to help educators recognize, understand and manage students with differences in learning. The Board shall select a public, private, or nonprofit provider on a competitive-bid basis to conduct the program;

5. _____ Dollars ($0.00) to continue research-based professional development for teachers through the Oklahoma Technical Assistance Center;

6. _____ Dollars ($0.00) for the purpose of expanding the number of elementary schools which utilize the Oklahoma A+ Schools Art Program offered through an institution within The Oklahoma State System of Higher Education;

7. _____ Dollars ($0.00) for the purpose of implementing the Oklahoma Mathematics Improvement Program established pursuant to the provisions of Section 6-207 of Title 70 of the Oklahoma Statutes; and

8. Any remainder shall be allocated on an average daily attendance basis for the purpose of teacher education and staff development pursuant to rules promulgated by the State Board of

Education. Not more than five percent (5%) of the funds allocated by average daily attendance for Staff Development may be used by local districts for the administration of the staff development program.

SECTION 20. The funds allocated in Section 12 of this act for Alternative and High Challenge Education shall be expended for the purpose of operating the statewide system of alternative education programs as provided in Section 1210.568 of Title 70 of the Oklahoma Statutes, and for encouraging school districts to participate in innovative alternative education programs. The funds shall be expended as follows:

1. _____ Dollars ($0.00) for programs;

2. _____ Dollars ($0.00) for program evaluation, technical assistance and staff development conducted by the technical assistance provider contracted as provided for in Section 1210.568 of Title 70 of the Oklahoma Statutes;

3. _____ Dollars ($0.00) for an arts component;

4. _____ Dollars ($0.00) for a Truancy Diversion Program in a large urban county selected by the State Department of Education;

5. _____ Dollars ($0.00) for the salaries, benefits and administrative costs incurred by the State Board of

Education in administering the Alternative Education Programs and Alternative Academies; and

6. Any remaining funds shall be provided to school districts on a competitive application basis pursuant to the rules promulgated by the State Board of Education. Salary increases provided to certified or noncertified personnel within a school district shall be made without a reduction in the services provided or number of students served in the district's alternative education statewide academy programs.

SECTION 21. The funds allocated in Section 12 of this act for Early Intervention shall be transferred to the fund designated within the Office of State Finance as the Early Intervention Fund 250. It is the intent of the Legislature that funding available for SoonerStart Early Intervention Services be expended for direct services to eligible infants, toddlers and their families. The State Department of Education shall not contract, pay or reimburse for administrative cost recovery personnel, accounting, and management information system costs, maintenance and operations at the state or local level or indirect costs which do not comply with the requirements of Section 13-125 of Title 70 of the Oklahoma Statutes.

SECTION 22. The funds allocated in Section 12 of this act for ACE Remediation shall be allocated by the State Department of Education to school districts for the purpose of funding school

districts on a per-hour per-student basis for the costs associated with providing remediation to students pursuant to the provisions of Section 1210.522 of Title 70 of the Oklahoma Statutes. The State Board of Education shall determine the per-hour per-student dollar amount to be allocated to school districts.

SECTION 23. The funds allocated in Section 12 of this act for the Early Childhood Initiative shall be expended for the purpose of funding the early childhood program pursuant to the provisions of Section 10-105.4 of Title 70 of the Oklahoma Statutes.

SECTION 24. The funds allocated in Section 12 of this act for the Parent Training Program, as authorized in Section 10-105.3 of Title 70 of the Oklahoma Statutes, shall be expended as follows:

1. _____ Dollars ($0.00) shall be expended for the salaries, benefits, technical assistance and administrative costs incurred by the State Board of Education in contracting for technical assistance in field operations for the coordination of the Oklahoma Parents as Teachers Program;

2. _____ Dollars ($0.00) shall be expended for the continuation and expansion of the Oklahoma Parents as Teachers Program;

3. _____ Dollars ($0.00) shall be expended for program evaluation conducted by the Oklahoma Technical Assistance Center;

4. _____ Dollars ($0.00) shall be expended for the establishment of the Oklahoma Parents as Teachers Program in public housing projects; and

5. _____ Dollars ($0.00) shall be expended for the early childhood technical assistance and field operations provided by the State Department of Education.

SECTION 25. The funds allocated in Section 12 of this act for the Advanced Placement Incentives shall be expended for one-time equipment or materials, grants, subsidized training, school incentives, exam fee reimbursement, and administrative costs. The amount of funds expended for administrative costs shall not exceed _____ Dollars ($0.00).

SECTION 26. The funds allocated in Section 12 of this act for Middle School Mathematics Laboratories shall be expended for the purpose of funding Middle School Mathematics Laboratories established pursuant to the provisions of Section 1210.558 of Title 70 of the Oklahoma Statutes.

SECTION 27. The funds allocated in Section 12 of this act for Academic Achievement Awards shall be expended for the purpose of funding awards pursuant to the provisions of Section 3-152.1 of Title 70 of the Oklahoma Statutes.

SECTION 28. The funds allocated for the Rural Infant Stimulation Environment (RISE) Program in Section 12 of this act shall be used for capital expenditures and operations for a school

designed to serve children with disabilities from birth to five years of age.

SECTION 29. The funds allocated in Section 12 of this act for Instructional, Cooperative and Technological Education shall be apportioned as follows:

1. _____ Dollars ($0.00) shall be expended on a contractual basis to the Chickasha Public School District (26-I-001) for the purpose of room and board payments for students at the Jane Brooks School for the Deaf, pursuant to contracts between the Chickasha School District and the Jane Brooks School for the Deaf;

2. _____ Dollars ($0.00) shall be expended on a contractual basis for the Oklahoma Science and Engineering Fair;

3. _____ Dollars ($0.00) shall be awarded to independent school districts which meet the average daily attendance required to obtain a small school incentive grant pursuant to the provisions of Section 18-125 of Title 70 of the Oklahoma Statutes for costs incurred for expanding the number of grades;

4. _____ Dollars ($0.00) shall be awarded to a nonprofit arts center located in Oklahoma that has been selected by the John F. Kennedy Performing Arts Center for a Special Educator Professional Development Program. The State Board of Education shall give priority to any arts center which received funding the preceding year if the operations of the arts center are deemed satisfactory by the Board; and

5. _____ Dollars ($0.00) shall be awarded to a science center located in Oklahoma that provides science education classes, science laboratories, and science demonstrations to public school students, in addition to outreach and teacher professional development for science teachers.

SECTION 30. The funds allocated in Section 12 of this act for the Robotics Program shall be expended for the purpose of funding _____ (0.0) grants to school districts in the amount of _____ Dollars ($0.00) each to establish a robotics project in the school districts. Each robotics project shall involve creation of teams of students who with the assistance of teachers and volunteers design and build a remote-controlled robot that is entered into regional- and national-level robotics competitions. The State Board of Education shall determine grant eligibility criteria, solicit proposals, and establish a process for the consideration of proposals. Proposals shall be considered on a statewide competitive basis.

SECTION 31. The funds allocated in Section 12 of this act for the Charter Schools Incentive Fund shall be transferred to the Charter Schools Incentive Fund for use pursuant to the provisions of Section 3-144 of Title 70 of the Oklahoma Statutes.

SECTION 32. The funds allocated in Section 12 of this act for Community Education Grants shall be awarded on a contractual basis to a community education consortium group which is associated with

an institution in The Oklahoma State System of Higher Education, for the purpose of providing coordination services for community education programs, providing statistical data and information about community education programs to the State Board of Education and to enhance accountability of community education programs.

SECTION 33. The funds allocated in Section 12 of this act for Recreation Therapy Grants shall be awarded as one or more grants to school districts offering recreation therapy for children with special needs. Priority shall be given to schools who have implemented such a program and shown progress under the program.

SECTION 34. The funds allocated in Section 12 of this act for the Oklahoma Ambassador of Teaching shall be expended to enhance the Teacher of the Year Program and to assist the Teacher of the Year in acting as an ambassador for teaching.

SECTION 35. The amount of _____ Dollars ($0.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be expended for continued implementation of the Oklahoma Cost Accounting System.

SECTION 36. The amount of _____Dollars (0.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be expended to ensure school district participation in the National Assessment of Educational Progress.

SECTION 37. The amount of _____ Dollars ($0.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be expended for contracting with the Oklahoma Alliance for Geographic Education to provide in-service training and material for geography instruction.

SECTION 38. The amount of _____Dollars ($0.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be expended for reimbursement of costs associated with the eighth-grade reading level proficiency test administered pursuant to the provisions of Section 1210.515 of Title 70 of the Oklahoma Statutes.

SECTION 39. Of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education, the sum of _____ Dollars ($0.00) shall be expended for North Central Accreditation. The amount of funding shall be sufficient to fund a minimum of four (4) full-time-equivalent employees, to provide office space, to support all of the daily operations of the office, and to allow the office to fully function and perform its duties during the fiscal year ending June 30, 2010. North Central Subvention Funds shall not be used for employee salaries.

SECTION 40. Of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education, the sum of _____ Dollars ($0.00) shall be expended for the purpose of implementing a student identification system pursuant to the provisions of Section 18-200.1 of Title 70 of the Oklahoma Statutes.

SECTION 41. Of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education, the sum of _____ Dollars ($0.00) shall be expended for the purpose of providing training for local district school board members pursuant to the provisions of Sections 5-110 and 5-110.1 of Title 70 of the Oklahoma Statutes.

SECTION 42. Of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education, the sum of _____ Dollars ($0.00) shall be expended for the purpose of implementing pilot character education programs pursuant to the provisions of Section 1210.229-6 of Title 70 of the Oklahoma Statutes.

SECTION 43. Of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education, the sum of _____ Dollars ($0.00) shall be expended to contract with the Council for Economic Education for the purpose of implementing the provisions of Section 11-103.6h of Title 70 of the Oklahoma Statutes.

SECTION 44. The State Department of Education is authorized to expend up to _____ Dollars ($0.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education to establish a pilot project to extend reading opportunities in grades kindergarten through third.

SECTION 45. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Education by law shall be set by the State Board of Education. The State Department of Education for the fiscal year ending June 30, 2010, 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	0.00

SECTION 46. Of the _____ (0.0) full-time-equivalent employees authorized in Section 45 of this act, _____ (0.0) shall be employed to provide services under the provisions of the Oklahoma Early Intervention Act. Prior to February 1, 2010, the Superintendent of Public Instruction shall file a report with the Education Oversight Board on the Oklahoma Early Intervention Program.

SECTION 47. Of the _____ (0.0) full-time-equivalent employees authorized in Section 45 of this act, _____ (0.0) shall be designated for the Parent Training Program as funded in Section 12 of this act.

SECTION 48. Of the _____ (0.0) full-time-equivalent employees authorized in Section 45 of this act, _____ (0.0) shall be employed to provide services pursuant to the provisions of the Oklahoma School Testing Program Act.

SECTION 49. Of the _____ (0.0) full-time-equivalent employees authorized in Section 45 of this act, _____ (0.0) shall be designated as coordinator of support personnel concerns. Responsibilities of the coordinator shall include acting as liaison with the Legislature, with organizations representing support personnel, and with the State Board of Education, and disseminating information to support personnel, including, but not limited to, retirement information.

SECTION 50. Of the _____ (0.0) full-time-equivalent employees authorized in Section 45 of this act, _____ (0.0) shall be designated for the State Aid Section of the Financial Services Division of the State Department of Education.

SECTION 51. State Aid funds shall be reduced or withheld by the State Board of Education in an amount necessary to ensure compliance with the provisions of this act.

SECTION 52. The State Board of Education is authorized to request the Office of State Finance to transfer appropriated funds to the appropriate dispensing fund.

SECTION 53. If funds appropriated in this act are not sufficient to fully fund the provisions of this act, each school district which qualifies for funds, excluding Financial Support of Public Schools, pursuant to the provisions of this act shall take a proportionate reduction.

SECTION 54. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10) or may be budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11). Funds budgeted for FY-10 may be encumbered only through June 30, 2010, and must be expended by November 15, 2010. Any funds remaining after November 15, 2010, and not budgeted for FY-11, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-11 may be encumbered only through June 30, 2011. Any funds remaining after November 15, 2011, 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-10, and not required to pay obligations for that fiscal year, may be budgeted for FY-11, 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-10 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 55. This act shall become effective July 1, 2009.

SECTION 56. 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.

52-1-15040 NB 01/02/09