

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 449

By: Snyder of the Senate

and

Davis of the House

(State Department of Health - utilization of
clearing account -

emergency)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
insert

"(State Department of Health - utilization of
clearing account -

emergency)

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

The purpose of this act is to attempt to restore, among those
persons whose occupations are regulated by the State Department of
Health, some measure of confidence that monies paid for licenses and
other purposes relating to regulation of occupations are not used to
subsidize or otherwise sustain unrelated functions, programs, or
activities of the State Department of Health.

SECTION 2. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

A. Subject to such requirements or restrictions as the Director
of State Finance, the State Treasurer, or the State Auditor and
Inspector may determine to impose, the State Department of Health
shall utilize a clearing account or fund from which to pay claims

attributable to the general administrative costs of carrying out the Department's occupational licensing and regulatory responsibilities. The Department shall, by adoption and promulgation of rules pursuant to the Administrative Procedures Act, determine what costs are general administrative costs attributable to occupational licensing and regulatory responsibilities.

B. No claims for general administrative costs shall be paid directly from any revolving or continuing fund which receives occupational license fees or other fees or income from occupational licensing and regulation, hereinafter occupational revolving fund.

C. For each fiscal year, the Department shall levy a uniform assessment for general administrative costs upon each occupational revolving fund. The assessment shall be a percentage of the total income of the occupational revolving fund for the previous fiscal year. The percentage shall be no greater than is required to pay general administrative costs of the occupational licensing and regulatory responsibilities of the Department, shall not be used to subsidize or sustain other functions, programs, or activities of the Department, and shall not exceed nine percent (9%). The assessed sum for each occupational revolving fund shall be transferred to the clearing account or fund during the fiscal year to which the assessment applies. Transfers from an occupational revolving fund to the clearing account or fund may be made in a lump sum or in several partial amounts but shall not be so made as to cause a negative balance in any occupational revolving fund.

SECTION 3. 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."

Passed the House of Representatives the 10th day of April, 2001.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2001.

Presiding Officer of the Senate