

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1123

By: Sears and Martin (Scott) of
the House

4 and

5 Myers and Jolley of the
6 Senate

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8
9 AS INTRODUCED

10 An Act relating to the State Department of Health;
11 making appropriation; authorizing certain
12 expenditures; stating purpose; requiring budgeting in
13 certain categories and amounts; exempting certain
14 funds from expenditure and budgetary limitations;
15 providing for duties and compensation of employees;
16 limiting salary of the Commissioner; authorizing
17 payment of certain expenses of Commissioner under
18 certain conditions; specifying compliance with and
19 providing for certain budgetary limitations; providing
20 lapse dates; requiring and prohibiting certain budget
21 procedures; and providing an effective date.

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

23 SECTION 1. There is hereby appropriated to the State
24 Department of Health from any monies not otherwise appropriated from
the General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2012, the sum of _____ Dollars (\$0.00) or so

1 much thereof as may be necessary to perform the duties imposed upon
2 the State Department of Health by law.

3 SECTION 2. The State Department of Health is hereby authorized
4 to expend from the American Recovery and Reinvestment Act Fund ("490
5 Fund") the sum of _____ Dollars (\$0.00) or so much thereof as
6 may be necessary to perform the duties imposed upon the State
7 Department of Health by law.

8 SECTION 3. For the fiscal year ending June 30, 2012, the State
9 Department of Health shall budget all funds in the following
10 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support Services	\$0.00	\$0.00
Disease and Prevention		
Services	0.00	0.00
Family Health	0.00	0.00
Community Health		
Services	0.00	0.00
Protective Health		
Services	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

21 Receipt and expenditures of unanticipated federal funds awarded
22 to the State Department of Health after July 1, 2011, shall be
23 exempt from expenditure and budgetary limitations, provided that any
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1 such funds used for operations shall be included in the agency's
2 budget work program.

3 SECTION 4. The duties and compensation of employees, not
4 otherwise prescribed by law, necessary to perform the duties imposed
5 upon the State Department of Health by law shall be set by the State
6 Commissioner of Health. The salary of the State Commissioner of
7 Health shall not exceed _____ Dollars (\$0.00) per annum,
8 payable monthly for the fiscal year ending June 30, 2012. The State
9 Department of Health is authorized, provided that the Commissioner
10 of Health possesses a Doctor of Medicine Degree or a Doctor of
11 Osteopathy Degree and a license to practice medicine in this state,
12 to pay the professional expenses of the Commissioner of Health,
13 including dues, licenses, professional memberships, continuing
14 medical education classes conducted in the State of Oklahoma, and
15 medical malpractice insurance. The State Department of Health for
16 the fiscal year ending June 30, 2012, shall be subject to the
17 following budgetary limitations, except as may be authorized
18 pursuant to the provisions of Section 3603 of Title 74 of the
19 Oklahoma Statutes:

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

22 SECTION 5. Appropriations made by this act, not including
23 appropriations made for capital outlay purposes, may be budgeted for
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1 the fiscal year ending June 30, 2012 (hereafter FY-12) or may be
2 budgeted for the fiscal year ending June 30, 2013 (hereafter FY-13).
3 Funds budgeted for FY-12 may be encumbered only through June 30,
4 2012, and must be expended by November 15, 2012. Any funds
5 remaining after November 15, 2012, and not budgeted for FY-13, shall
6 lapse to the credit of the proper fund for the then current fiscal
7 year. Funds budgeted for FY-13 may be encumbered only through June
8 30, 2013. Any funds remaining after November 15, 2013, shall lapse
9 to the credit of the proper fund for the then current fiscal year.
10 These appropriations may not be budgeted in both fiscal years
11 simultaneously. Funds budgeted in FY-12, and not required to pay
12 obligations for that fiscal year, may be budgeted for FY-13, after
13 the agency to which the funds have been appropriated has prepared
14 and submitted a budget work program revision removing these funds
15 from the FY-12 budget work program and after such revision has been
16 approved by the Office of State Finance.

17 SECTION 6. This act shall become effective September 1, 2011.

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