

HOUSE BILL NO. HB0172

Department of health fiscal oversight.

Sponsored by: Representative(s) Harshman, Barbuto, Craft,
Gingery, Miller, Petroff and Steward and
Senator(s) Peterson, Schiffer and Von
Flatern

A BILL

for

1 AN ACT relating to administration of the government;
2 creating the position within the governor's office of chief
3 financial officer for the department of health; specifying
4 duties; authorizing restriction of department expenditures
5 as specified; providing for contingent reports;
6 transferring a corresponding position and funds from the
7 department of health; and providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 9-1-224 and 9-2-127 are created to
12 read:

13

14 **9-1-224. Department of health chief financial**
15 **officer.**

1

2 (a) There is created within the office of the
3 governor a chief financial officer for the department of
4 health, who shall be appointed by and serve at the pleasure
5 of the governor.

6

7 (b) The chief financial officer for the department of
8 health shall function as a financial and budgetary liaison
9 between the department of health and the governor, and
10 shall carry out those duties specified in W.S. 9-2-127.

11

12 **9-2-127. Chief financial officer; duties and**
13 **responsibilities.**

14

15 (a) The duties of the chief financial officer
16 appointed pursuant to W.S. 9-1-224 shall include:

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18 (i) Oversight of revenues received and
19 expenditures made by each division, program, section,
20 subsection or other function within the department of
21 health;

22

23 (ii) Monitoring all department revenues and
24 expenditures to determine if, for each function and

1 budgetary line item, funds appropriated or anticipated are
2 reasonably expected to be sufficient to meet expenditure
3 obligations for the balance of the applicable fiscal
4 period;

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6 (iii) Consulting with the department director
7 and other officials as necessary to monitor department
8 revenues and expenditures.

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10 (b) The chief financial officer, with approval of the
11 governor and in consultation with the department director,
12 shall have the authority to restrict spending by any
13 department program or function to ensure that expenditures
14 remain within appropriated and other reasonably anticipated
15 available funds for the balance of the applicable fiscal
16 period. The chief financial officer shall certify to the
17 auditor and treasurer any exercise of the authority granted
18 under this subsection, and shall specify the nature and
19 duration of the expenditure restriction.

20

21 (c) The chief financial officer shall report
22 immediately to the governor and within thirty (30) days to
23 the joint appropriations interim committee if:

24

1 (i) Authority to restrict expenditures has been
2 exercised under subsection (b) of this section;

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4 (ii) Revenues for a program or function will be
5 insufficient for the balance of the applicable fiscal
6 period; or

7

8 (iii) Expenditures by the program cannot
9 reasonably be restricted as authorized by this section due
10 to statutory, constitutional, humanitarian, judicial or
11 other restraints.

12

13 (d) All department administrators, managers,
14 supervisors, chiefs and budget personnel shall cooperate
15 fully with the chief financial officer in collecting and
16 reporting data necessary for the performance of duties
17 under this section.

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19 **Section 2.** W.S. 9-2-1005(a) by creating a new
20 paragraph (xiv) is amended to read:

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22 **9-2-1005. Payment of warrants; budget powers of**
23 **governor; agency budgets; federal funds; new employees.**

24

1 (a) No warrant shall be drawn by the auditor or paid
2 by the treasurer:

3

4 (xiv) For expenditures certified by the chief
5 financial officer for the department of health as
6 restricted pursuant to W.S. 9-2-127(b).

7

8 **Section 3.** The position of chief financial officer
9 within the department of health is transferred to the
10 office of the governor and the department of health's
11 authorized full-time positions is reduced accordingly. All
12 appropriated funds associated with this position shall be
13 transferred to the office of the governor.

14

15 **Section 4.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)