

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE BILL 1207

 By: Murphey

7 AS INTRODUCED

8 An Act relating to state government; enacting the
9 Oklahoma Innovation, Efficiency and Accountability
10 Act of 2011; amending Section 5, Chapter 322, O.S.L.
11 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which
12 relates to certain licenses and permits; authorizing
13 electronic signatures under certain circumstances;
14 amending Section 1, Chapter 152, O.S.L. 2009 (74 O.S.
15 Supp. 2010, Section 85.45 1), which relates to a Trip
16 Optimizer system; modifying provisions related to
17 mandatory use of system; defining term; imposing
18 requirement related to lowest cost option; imposing
19 requirement on Office of State Finance with respect
20 to federal funds disbursed pursuant to the American
21 Recovery and Reinvestment Act of 2009; prescribing
22 formats for information; prescribing list of
23 expenditures and search functionality; prescribing
24 required information; amending 62 O.S. 2001, Section
 41.29, as renumbered by Section 64, Chapter 441,
 O.S.L. 2009, and as last amended by Section 44,
 Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010, Section
 34.36), which relates to certain itemized requests;
 modifying required content with respect to employee
 engaged in financial services; requiring publication
 of report; specifying content of report; providing
 exemption from certain requirements to the Oklahoma
 State Regents for Higher Education and to
 institutions within The Oklahoma State System of
 Higher Education; providing for codification;
 providing for noncodification; providing for
 recodification; and providing an effective date.

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

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

4 This act shall be known and may be cited as the "Oklahoma
5 Innovation, Efficiency and Accountability Act of 2011".

6 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.
7 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as
8 follows:

9 Section 41.5p-1 A. Except as otherwise provided by this
10 section, as of July 1, 2010, each state agency, board, commission or
11 other entity organized within the executive department of state
12 government responsible for licensing or permitting shall utilize the
13 portal system to allow for ~~the~~ a link to a web-based application and
14 renewal application for any license or permit issued by that agency.
15 Access to the online renewal systems shall be featured prominently
16 on the portal system.

17 B. Each entity responsible for licensing or permitting shall
18 make available to the Office of State Finance on a yearly basis a
19 report describing the number of licenses issued, license renewals
20 and permits issued as well as an estimate of the amount of savings
21 incurred by the entity as a result of the online licensing and
22 permitting process.

23
24

1 C. The Office of State Finance shall make available to the
2 public a copy of each report submitted in accordance with the
3 requirements of subsection B of this section by placing the report
4 on the website defined in Section 46 of ~~Title 62 of the Oklahoma~~
5 ~~Statutes~~ this title.

6 D. The Director of the Office of State Finance may exempt a
7 specific license or permit from the requirements of this section
8 should he find compelling evidence that the issuance of the license
9 or permit requires the provision of information that cannot be
10 provided through an online licensing or permitting process and when
11 the failure of the applicant to provide the information would create
12 a significant risk to the integrity of the license or permit. The
13 Director of the Office of State Finance shall document any
14 exemptions issued pursuant to the provisions of this subsection and
15 describe the compelling evidence justifying the need for the
16 exemptions in a report to be provided to the Governor, Speaker of
17 the Oklahoma House of Representatives and Speaker Pro Tempore of the
18 State Senate. The exception provided for in this subsection shall
19 not apply to license renewals pursuant to the Oklahoma Vehicle
20 License and Registration Act of Title 47 of the Oklahoma Statutes.

21 E. The state agencies may accept an electronic signature in the
22 application process for any license or permit; provided, the use of
23
24

1 an electronic signature shall not create a significant risk to the
2 integrity of the license or permit.

3 SECTION 3. AMENDATORY Section 1, Chapter 152, O.S.L.
4 2009 (74 O.S. Supp. 2010, Section 85.45 1), is amended to read as
5 follows:

6 Section 85.45 1 A. ~~Except as otherwise provided by this~~
7 ~~section, each~~ Each state agency, board, commission or other entity
8 organized within the executive department of state government shall
9 use the Trip Optimizer system of the Department of Central Services
10 in computing the optimum method and cost for travel by state
11 employees using a motor vehicle where the travel will exceed one
12 hundred (100) miles per day and the employee is not driving a state-
13 owned or -leased dedicated vehicle. For purposes of this section,
14 "dedicated vehicle" means a vehicle that has been assigned to the
15 employee.

16 B. The provisions of this section shall be used to determine
17 the most cost-effective method of travel by motor vehicles, whether
18 such vehicles are owned by the agency, leased by the agency or by
19 the employee, and shall be applicable for purposes of determining
20 the maximum authorized amount of any travel reimbursement for
21 employees of such agencies related to vehicle usage.

22 C. ~~An~~ A nonappropriated state agency, ~~as defined in subsection~~
23 ~~A of this section,~~ that employs persons who use personal vehicles as

1 part of their regular duties and who are reimbursed for travel
2 expenses by the agency shall not be required to utilize the Trip
3 Optimizer system with regard to the travel expenses of such
4 employees. As used in this section, "nonappropriated state agency"
5 means an entity within the executive branch of government that does
6 not receive any of its funding through the annual legislative
7 appropriations process.

8 D. The maximum authorized amount of travel reimbursement
9 related to vehicle usage shall be the lowest cost option as
10 determined by the Trip Optimizer. All travel claims submitted for
11 reimbursement shall include the results of the Trip Optimizer
12 indicating the lowest cost option for travel by the state employee.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 34.100 of Title 62, unless there
15 is created a duplication in numbering, reads as follows:

16 The Office of State Finance shall maintain a website providing
17 public access to the documentation of the disbursement by state
18 agencies of federal funds received pursuant to the federal American
19 Recovery and Reinvestment Act of 2009. The website shall provide a
20 list of all stimulus fund expenditures regardless of amount. The
21 entire list of stimulus fund expenditures shall be available for
22 export in standardized formats including but not limited to
23 eXtensible Markup Language (XML) and Comma Separated Value (CSV)

1 | formats. The list of expenditures shall include searchable
2 | functionality including but not limited to the ability to search the
3 | expenditures by the name of the entity receiving funding, name of
4 | entity processing funding and name of entity benefiting from
5 | funding. This site shall include the name and principal location of
6 | the entity and/or recipients of the funds regardless of amount, the
7 | amount of funds expended, the funding or expending agency, and a
8 | descriptive purpose of the funding action or expenditure. The State
9 | Auditor and Inspector shall not be responsible for maintaining the
10 | website described in this section.

11 | SECTION 5. AMENDATORY 62 O.S. 2001, Section 41.29, as
12 | renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last
13 | amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010,
14 | Section 34.36), is amended to read as follows:

15 | Section 34.36 A. On the first day of October preceding each
16 | regular session of the Legislature, each state agency, including
17 | those created or established pursuant to constitutional provisions,
18 | shall report to the Director of the Office of State Finance and the
19 | Chair and Vice Chair of the Legislative Oversight Committee on State
20 | Budget Performance an itemized request showing the amount needed for
21 | the ensuing fiscal year beginning with the first day of July.

22 |
23 |
24 |

1 B. The forms which must be used in making these reports shall
2 be approved by the Director of the Office of State Finance and the
3 Legislative Oversight Committee on State Budget Performance.

4 C. The forms shall be uniform, and shall clearly designate the
5 information to be given.

6 D. The information provided shall include, but not be limited
7 to:

8 1. A budget analysis of existing and proposed programs
9 utilizing zero-based budgeting techniques. Such analysis shall be
10 included as a part of the estimate of funds needed;

11 2. A statement listing any other state, federal or local
12 agencies which administer a similar or cooperating program and an
13 outline of the interaction among such agencies;

14 3. A statement of the statutory authority for the missions and
15 quantified objectives of each program;

16 4. A description of the groups of people served by each program
17 in the agency;

18 5. A quantification of the need for the program;

19 6. A description of the tactics which are intended to
20 accomplish each objective;

21 7. A list of quantifiable program outcomes which measure the
22 efficiency and effectiveness of each program;

23 8. A ranking of these programs by priority;

1 9. Actual program expenditures for the current fiscal year and
2 prior fiscal years and the number of personnel required to
3 accomplish each program; ~~and~~

4 10. Revenues expected to be generated by each program, if any;
5 and

6 11. With respect to appropriated state agencies, a detailed
7 listing of all employees and resources dedicated to the provision of
8 financial services including but not limited to procurement,
9 payroll, accounts receivable and accounts payable. The provisions
10 of this paragraph shall not be applicable to the Oklahoma State
11 Regents for Higher Education or to any institutions within The
12 Oklahoma State System of Higher Education.

13 E. These appropriated agencies shall make an itemized estimate
14 of needs and request for funds for the ensuing fiscal year and an
15 estimate of the revenues from all sources to be received by the
16 agency during the ensuing fiscal year.

17 F. The Director of the Office of State Finance shall submit to
18 the Governor and the Legislative Oversight Committee on State Budget
19 Performance no later than the fifth day of October a complete list
20 of all spending agencies which have failed to submit budgets by
21 October 1.

22 G. The reports required by this section shall include an
23 itemized listing of outstanding capital lease debt and estimated
24

1 capital lease needs for the ensuing fiscal year, and shall be
2 provided on forms prescribed by the Director of the Office of State
3 Finance.

4 H. For the purposes of this section, "capital lease" means a
5 lease-purchase agreement which provides an option for the State of
6 Oklahoma or its agencies to purchase property, including personal
7 and real property, which is the subject thereof and/or a lease
8 agreement that provides an option for the State of Oklahoma or its
9 agencies to lease such property, which is the subject thereof, at a
10 nominal annual amount, after a period in which leased property is
11 rented at fair market value.

12 I. The provisions of this section shall not apply to CompSource
13 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
14 program authorized by Sections 3316 and 3317 of Title 74 of the
15 Oklahoma Statutes.

16 J. Not later than January 1, the Director of the Office of
17 State Finance shall publish a financial services cost performance
18 assessment which shall document each appropriated state agency's
19 cost for providing financial services including but not limited to
20 procurement, payroll, accounts receivable and accounts payable.
21 Appropriated state agencies ranking in the bottom ten percent (10%)
22 of the cost performance assessment shall enter into a contract with
23 the Office of State Finance for the provision of shared financial

1 services provided that the Director of the Office of State Finance
2 determines and documents that the contractual agreement will result
3 in cost savings to the appropriated state agency. Contracts
4 required by this subsection shall be entered into at the start of
5 the next fiscal year. On a yearly basis the Director of the Office
6 of State Finance shall compile and publish a report documenting the
7 cost savings resulting from shared services contracts. The
8 provisions of this subsection shall not be applicable to the
9 Oklahoma State Regents for Higher Education or to any institutions
10 within The Oklahoma State System of Higher Education.

11 SECTION 6. RECODIFICATION Section 5, Chapter 322, O.S.L.
12 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2
13 of this act, shall be recodified as Section 34.24.1 of Title 62 of
14 the Oklahoma Statutes, unless there is created a duplication in
15 numbering.

16 SECTION 7. This act shall become effective November 1, 2011.
17

18 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
19 02-21-2011 - DO PASS, PLACED ON CONSENT CALENDAR.
20
21
22
23
24