

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1561

BY: McCORKELL

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 62 O.S. 1981, SECTION 41.4, WHICH RELATES TO THE POWERS AND DUTIES OF THE DIRECTOR OF STATE FINANCE; PROVIDING FOR ADDITIONAL DUTIES; AMENDING SECTION 6, CHAPTER 319, O.S.L. 1985 (74 O.S. SUPP. 1990, SECTION 450.1), WHICH RELATES TO THE LEGISLATIVE SERVICE BUREAU; PROVIDING FOR ADDITIONAL RESPONSIBILITIES; CREATING THE PROGRAM REVIEW OFFICE; PROVIDING PURPOSES; PROVIDING FOR THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF A DIRECTOR; PROVIDING FOR POWERS AND DUTIES OF THE PROGRAM REVIEW OFFICE; AMENDING 74 O.S. 1981, SECTION 452.3, AS AMENDED BY SECTION 18, CHAPTER 319, O.S.L. 1985 (74 O.S. SUPP. 1990, SECTION 452.3), WHICH RELATES TO THE JOINT COMMITTEE ON FISCAL OPERATIONS; PROVIDING FOR ADDITIONAL DUTIES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 62 O.S. 1981, Section 41.4, is amended to read as follows:

Section 41.4 The Director of State Finance shall have the power, and it shall be his duty under the direction of the Governor:

(1) to prepare the budget document and assist in the drafting of legislation to make it effective, (2) to make field surveys and studies of governmental agencies, looking toward economy and greater efficiency, (3) to make allotments to control expenditures, (4) to authorize transfers of appropriation authorized by law, (5) to study accounting and other reports rendered by the Central Accounting Office and Departmental Services, ~~and~~ (6) to aid the Governor in the economical management of state affairs, and (7) to maintain a list of all agency programs and submit the list by January 1st of each year to the Program Review Office in the Legislative Service Bureau and the Joint Committee on Fiscal Operations. In addition to his other duties the Director of State Finance shall, upon request, advise and consult with members of the Legislature and legislative committees concerning income and expenditures of state agencies.

SECTION 2. AMENDATORY Section 6, Chapter 319, O.S.L. 1985 (74 O.S. Supp. 1990, Section 450.1), is amended to read as follows:

Section 450.1 A. The Legislative Fiscal Office and Joint Bill Processing Department are hereby abolished.

B. There is hereby created the Legislative Service Bureau which shall serve both the House of Representatives and the Senate. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall employ a Director of the Legislative Service Bureau, who shall employ such personnel as necessary to implement the responsibilities imposed upon the Bureau by law.

C. The Legislative Service Bureau shall be responsible for:

1. post audits;

2. other fiscal services as directed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate; and

3. any area of production of proposed legislation as directed by the Speaker of the House of Representatives and President Pro Tempore of the Senate; and

4. providing the Program Review Office with any support personnel, office space, equipment, supplies and information resources necessary for the Program Review Office to perform the duties required of the Office by law.

The Legislative Service Bureau shall be a clearinghouse for the Legislature for all budgetary forms, reports and information.

D. All powers, duties, responsibilities, property, assets and liabilities of the Legislative Fiscal Office and Joint Bill Processing Department shall be transferred to the Legislative Service Bureau.

E. Any reference in the Oklahoma Statutes to the Legislative Fiscal Office or the Joint Bill Processing Department shall be a reference to the Legislative Service Bureau.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 450.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created within the Legislative Service Bureau a Program Review Office for the purpose of reviewing state agency programs and determining whether the programs should be terminated, revised or transferred to another agency. The Program Review Office shall have a Director appointed by the Chairman and Vice-Chairman of the Joint Committee on Fiscal Operations.

B. The Director of the Program Review Office shall have the following minimum qualifications:

1. A master's degree and three (3) years of experience in budget administration, policy research and analysis, or performance review or evaluation of programs; and

2. Other requirements that may be established by the Joint Committee on Fiscal Operations.

The Director shall employ any professional personnel necessary to implement the responsibilities imposed upon the Program Review Office by law. The Director may use the support employees, office space, equipment, supplies and information resources of the Legislative Service Bureau necessary to implement the responsibilities imposed upon the Program Review Office by law.

C. The Program Review Office shall:

1. Prepare a multi-year list of programs to the Joint Committee on Fiscal Operations for review. The list shall be prepared in consultation with the fiscal staff directors of the House of Representatives and the Senate.

2. Examine the effectiveness of any agency program which the Joint Committee on Fiscal Operations directs the Office to examine;

3. Determine how effectively the program is administered;

4. Determine the benefits of each program in relation to the expenditures;

5. Determine the goals of each program;

6. Develop indicators by which the effectiveness of a program may be gauged;

7. Review conformity of programs with legislative intent;

8. Determine whether or not the program reviewed should be terminated, revised or transferred to another agency; and

9. Provide a report on each program reviewed with recommendations to the Joint Committee on Fiscal Operations. The Office shall provide copies to the appropriate standing committees of the House of Representatives and the Senate, to the appropriation committees of the House of Representatives and the Senate, to the

Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 4. AMENDATORY 74 O.S. 1981, Section 452.3, as amended by Section 18, Chapter 319, O.S.L. 1985 (74 O.S. Supp. 1990, Section 452.3), is amended to read as follows:

Section 452.3 There is hereby created as a joint committee of the State Legislature, the Joint Committee on Fiscal Operations, which Joint Committee shall consist of the Chairman of the Senate Committee on Appropriations and the Chairman of the House of Representatives Committee on Appropriations and Budget as members, four additional members of the Senate to be appointed by the President Pro Tempore thereof, and four additional members of the House of Representatives to be appointed by the Speaker thereof. The Chairman and Vice Chairman of the Joint Committee on Fiscal Operations shall be appointed from the membership thereof by the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively, one of whom shall be a member of the Senate and the other shall be a member of the House of Representatives. At the beginning of the first regular session of each Legislature, starting in 1979, the Chairman shall be from the Senate; thereafter the Chairmanship shall alternate every two (2) years between the Senate and the House of Representatives.

The Joint Committee on Fiscal Operations shall function as a committee of the State Legislature when the Legislature is in session and when the Legislature is not in session. Each appointive member of said committee shall serve until his successor is appointed.

The Joint Committee on Fiscal Operations shall have the following powers and it shall be its duty:

1. To study the management, operations, programs and fiscal needs of the agencies, departments, institutions, boards,

authorities, commissions and other entities of Oklahoma state government;

2. To hold hearings as required and to review the executive budget and the budget request of each state agency, department, institution, board, authority, commission and other entities of state government, including proposals for construction of capital improvements, and make appropriate recommendations to the Appropriations Committee of the Senate and to the Appropriations and Budget Committee of the House of Representatives regarding these budgets;

3. To make estimates of revenue from existing and proposed taxes and to make its staff facilities and personnel available, upon request, to the Appropriations Committee of the Senate and to the Appropriations and Budget Committee of the House of Representatives for the development and analysis of proposed revenue measures;

4. To study and, from time to time, review the state's fund structure, financial condition, fiscal organization and budgeting, accounting, reporting, personnel and purchasing procedures; ~~and~~

5. To compile fiscal and operational information and to make continuing audits, post audits, fiscal analyses and analyses of the state budget, revenues and expenditures of each state agency, department, institution, board, authority, commission and other entities of state government, including capital improvements; and

6. To provide each year to the Program Review Office created in Section 3 of this act a list of agency programs selected to be reviewed from the recommended list submitted by said Office.

The Joint Committee is hereby empowered to require the aid and assistance of all executives and officials, auditors, accountants and other employees of each and every department, board, bureau, institution, commission, agency and every other entity of the state at all times in the conduct of the audits and other functions. Such officials and employees and such entities are hereby directed to

aid, assist and cooperate with and submit such information as may be requested by such Joint Committee. Upon the request of either the Chairman or Vice Chairman of such Joint Committee, the Legislative Service Bureau shall perform the duties requested of it by the Joint Committee on Fiscal Operations and upon such request provide necessary staff services to said Joint Committee both during legislative sessions and in the interim between sessions. Members of such Joint Committee shall be authorized to receive reimbursement for authorized travel and expenses in the same amount and manner as for such members of the committees of each house of the State Legislature.

SECTION 5. This act shall become effective July 1, 1991.

SECTION 6. 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.

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