

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 120

BY: TAYLOR and HANEY of the  
SENATE

and

HAMILTON (James) and  
STEIDLEY of the HOUSE

AS INTRODUCED

AN ACT RELATING TO THE OFFICE OF STATE FINANCE;

MAKING APPROPRIATIONS THERETO; STATING THE  
PURPOSES; AMENDING 40 O.S. 1981, SECTION 3-301, AS  
AMENDED BY SECTION 7, CHAPTER 333, O.S.L. 1990 (40  
O.S. SUPP. 1990, SECTION 3-301), 74 O.S. 1981,  
SECTION 500.9, AS LAST AMENDED BY SECTION 57,  
CHAPTER 264, O.S.L. 1990 (74 O.S. SUPP. 1990,  
SECTION 500.9), WHICH RELATE TO THE EMPLOYMENT  
SECURITY ACT OF 1980 AND OVERNIGHT LODGING,  
LIMITATIONS, EXCEPTIONS AND OUT-OF-STATE TRIPS;  
SPECIFYING THAT THE PROVISIONS OF SUBSECTION B OF  
SECTION 3-301 SHALL NOT APPLY TO THE STATE AND ANY  
OF ITS INSTRUMENTALITIES THAT PROCESS PAYROLL  
CLAIMS WITH THE OFFICE OF STATE FINANCE, MODIFYING  
OUT-OF-STATE REIMBURSEMENT RATE FOR DESIGNATED HIGH  
RATE GEOGRAPHICAL AREAS; AMENDING SECTION 54,  
CHAPTER 264, O.S.L. 1990 (62 O.S. SUPP. 1990,  
SECTION 41.43), WHICH RELATES TO THE SUPERCOMPUTER  
REVOLVING FUND; SPECIFYING ADDITIONAL USES OF  
MONIES IN THE SUPERCOMPUTER REVOLVING FUND;  
PROVIDING FOR THE DUTIES AND COMPENSATION OF

EMPLOYEES; LIMITING THE SALARY OF THE DIRECTOR OF  
STATE FINANCE; PROVIDING BUDGETARY LIMITATIONS;  
PROVIDING FOR PAYMENT OF CERTAIN EXPENSES OF THE  
BOARD ON LEGISLATIVE COMPENSATION; PROVIDING  
NONFISCAL LAPSE DATE; PROVIDING AN EFFECTIVE DATE;  
PROVIDING AN OPERATIVE DATE; AND DECLARING AN  
EMERGENCY.

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

SECTION 1. There is hereby appropriated to the Office of State Finance from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the amount of Ten Million Three Hundred Twenty-five Thousand Six Hundred Eighty-six Dollars (\$10,325,686.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of State Finance by law.

SECTION 2. There is hereby appropriated to the Office of State Finance from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the amount of Four Hundred Eighty-six Thousand One Hundred Forty-seven Dollars (\$486,147.00) or so much thereof as may be necessary to pay assessments for the following intergovernmental agencies:

Council of State Governments

Government Accounting Standards Board

National Governors' Association

National Conference of Commissioners of Uniform State Laws

National Conference of State Legislatures

Southern Growth Policies Board

National Association of State Budget Officers

Council of State Planning Agencies

Southern Governors' Association

Education Committee of the States

Southern Regional Education Board

State and Local Legal Center

Advisory Commission on Intergovernmental Relations

If funds appropriated in this section are insufficient to pay the total assessments for the organizations named herein, the payment to each organization, except the National Conference of State Legislatures, shall be reduced proportionally to bring the total payments within the limits of the funds appropriated herein.

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of State Finance by law shall be set by the Director of State Finance. The salary of the Director shall not exceed Seventy-five Thousand Dollars (\$75,000.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Deputy Director of State Finance shall be appointed by, and his or her compensation shall be established by, the Director of State Finance. The Office of State Finance for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	185.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments	
Authorized by State Statutes	\$5,663,947.00
Professional and Personal Services Contracts	\$101,184.00

Lease-Purchase Agreements	\$757,192.00
Purchase of Equipment	\$1,459,200.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$16,792,208.00
Passenger Vehicles, as defined by the Office of Public Affairs Fleet Management Division	0

SECTION 4. The Director of State Finance shall pay the necessary expenses of travel and subsistence of the Board on Legislative Compensation as authorized by Section 21 of Article V of the Oklahoma Constitution, from any funds available from the appropriation made by Section 1 of this act.

SECTION 5. AMENDATORY 40 O.S. 1981, Section 3-301, as amended by Section 7, Chapter 333, O.S.L. 1990 (40 O.S. Supp. 1990, Section 3-301), is amended to read as follows:

Section 3-301. A. If contributions are not paid on the date on which they are due and payable as prescribed by the Oklahoma Employment Security Commission, the whole or part thereafter remaining unpaid shall bear interest at the rate of one percent (1%) per month for each month or fraction thereof from and after such date until payment is received by the Commission. The date on which payment of contributions is deemed to have been received may be determined by such regulations as the Commission may prescribe.

B. If any employer fails or refuses to file contribution and wage reports required under the provisions of this act within fifteen (15) days after written notice has been mailed to the employer by the Commission or its representative regardless whether or not any wages or taxable wages were paid, there shall accrue a penalty of One Hundred Dollars (\$100.00) and in addition to such penalty, there shall be a penalty of ten percent (10%) added to the total contributions due, collected and paid. Such penalties shall be in addition to any interest due. The provisions of this subsection shall not apply to employers as provided in subsection B

of Section 3-806 of this title or the state and any of its instrumentalities that process payroll claims with the Office of State Finance.

SECTION 6. AMENDATORY 74 O.S. 1981, Section 500.9, as last amended by Section 57, Chapter 264, O.S.L. 1990 (74 O.S. Supp. 1990, Section 500.9), is amended to read as follows:

Section 500.9 A. Reimbursement for overnight lodging, while in official travel status, may be made at not to exceed Thirty-five Dollars (\$35.00) or the actual cost, if lower, per night within the State of Oklahoma and not to exceed Twenty-eight Dollars (\$28.00) or the actual cost, if lower, per night out of state except as provided in subsections B, C and D of this section and Section 500.9A of this title. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

B. State officers or employees attending meetings, workshops, conferences or other objectives of trips which are conducted at a designated hotel, motel or other public lodging place or where lodging has been arranged for by the blocking of rooms or by rate reductions for the participants by the sponsor as evidenced by the announcement or notice of the meeting, workshop, conference or other objective shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place, provided that said officials or employees are in official travel status approved by the agency head or his designee. Provided further, those state officers or employees attending meetings, workshops, conferences or other objectives of trips, which are conducted at a designated hotel, motel or other public lodging place as provided by this subsection, who choose to acquire less expensive lodging at another hotel, motel or other public lodging place shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place. Provided

further, those state officers or employees so choosing this option shall not be reimbursed for local transportation costs incurred traveling between such optional lodging and the designated hotel, motel or other public lodging place. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

C. The Legislature recognizes the existence of areas where the reimbursement is not sufficient to pay lodging costs, and wherein a higher lodging reimbursement should be allowed. It is hereby provided that any state officials or employees in official travel status out of the state in one of the designated high rate geographical areas shall be reimbursed their actual lodging expense up to a maximum of ~~Forty-five Dollars (\$45.00)~~ Seventy-five Dollars (\$75.00) per night, except as provided in Section 500.9A of this title. The high rate geographical areas are hereby designated as follows:

Anchorage, AK

Atlanta, GA

Baltimore, MD

Boston, MA including all locations within Middlesex, Norfolk and Suffolk Counties

Chicago, IL including all locations within Lake and Cook Counties

Dallas and Fort Worth, TX including all locations within Dallas and Tarrant Counties

Denver, CO including all locations within Denver, Adams, Arapahoe and Jefferson Counties

Detroit, MI

Honolulu, HI

Houston, TX including all locations within the corporate limits of Houston

Kansas City, MO and Kansas City, KS

Los Angeles, CA including all locations within Los Angeles,  
Orange and Ventura Counties

Miami, FL including all locations within Dade, Broward, Palm  
Beach and Monroe Counties

Minneapolis-St. Paul, MN including all locations within Anoka,  
Hennepin and Ramsey Counties

New Orleans, LA including all locations within Jefferson,  
Orleans, Plaquemines and St. Bernard Parishes

New York, NY including all locations within the boroughs of the  
Bronx, Brooklyn, Manhattan, Queens and Staten Island and the  
counties of Nassau and Suffolk

Newark, NJ including all locations within Bergen, Essex, Hudson,  
Passaic and Union Counties

Philadelphia, PA including all locations within Philadelphia and  
Bala Cynwyd, PA

Pittsburgh, PA

St. Louis, MO

San Diego, CA including all locations within San Diego County

San Francisco and Oakland, CA including all locations within San  
Francisco and Alameda Counties

San Jose, CA including all locations within Santa Clara County

Seattle, WA including all locations within King County

Washington, DC including all locations within the corporate  
limits of Washington, DC, the cities of Alexandria, Falls Church and  
Fairfax, and the counties of Arlington, Loudoun and Fairfax in  
Virginia, and the counties of Montgomery and Prince Georges in  
Maryland

D. Reimbursement for meals and lodging on out-of-state trips  
shall not begin more than twenty-four (24) hours before the meeting,  
workshop, conference or other objective of trip begins and shall not  
continue more than twenty-four (24) hours after said meeting,  
workshop, conference or other objective of trip ends.

E. Reimbursement for meals and lodging incurred in official travel in areas outside of the United States to implement the objectives of contracts, grants, agreements or gifts for which funds from these sources are furnished shall be reimbursed from said funds at actual cost not to exceed the amount authorized United States Government employees in its periodical publication entitled "Standard Regulations (Government Civilians, Foreign Areas), Department of State, Washington, DC".

F. Claims submitted to the Director of State Finance for payment under the provisions of this section shall be certified to by the principal fiscal officer or contract and grant administrator of each agency. Such officer shall certify that such claim complies with and is authorized under this section.

SECTION 7. AMENDATORY Section 54, Chapter 264, O.S.L. 1990 (62 O.S. Supp. 1990, Section 41.43), is amended to read as follows:

Section 41.43 There is hereby created in the State Treasury a revolving fund for the Office of State Finance to be designated the "Supercomputer Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of any income resulting from the participation by the State of Oklahoma in contractual agreements to purchase processing time on supercomputers and services incidental thereto and legislative appropriations. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Office of State Finance for the purchase of supercomputer processing time and incidental services thereto, as prescribed by rules and regulations promulgated by the Office of State Finance for this purpose. Provided further, monies in said fund may also be used to make hardware and software upgrades to computer equipment operated by the Office of State Finance. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims

filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 8. The appropriations made by this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the effective date of this act.

SECTION 9. Section 5 of this act shall have an effective date of July 1, 1990.

SECTION 10. This act excluding Section 5, shall become operative July 1, 1991.

SECTION 11. 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.

43-1-4021

BO