

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 341

BY: HENDRICK

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; CREATING THE PROGRAM REVIEW ACT; PROVIDING SHORT TITLE; DEFINING TERMS; CREATING JOINT COMMITTEE ON PROGRAM REVIEW; PROVIDING FOR MEMBERSHIP, CHAIRMANSHIP, HEARINGS AND STAFF THEREOF; PROVIDING PROCEDURES FOR SCHEDULING PROGRAMS OF STATE GOVERNMENT FOR REVIEW; REQUIRING HEARINGS BE OPEN TO PUBLIC; SPECIFYING REQUIREMENTS FOR PROGRAMS UNDER REVIEW AND REQUIRING CERTAIN INFORMATION; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3921 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act may be known and shall be cited as the "Program Review Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3922 of Title 74, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Statutory entity" means any department, agency, commission, board or other regulatory instrumentality of state government enumerated in this act or any joint resolution adopted pursuant to this act and all programs conducted by any department, commission and agency of state government whether said program was created by the Legislature or not;

2. "Termination date" means the date provided for termination of legislative authority for the existence of a particular program as provided for in this act or any joint resolution adopted pursuant to this act;

3. "Committee" means the Joint Committee on Program Review;

4. "Program Review Hearings" means those hearings conducted by the review committee; and

5. "Program" means a grouping of state governmental activities and agencies which constitute a single function as determined pursuant to this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3923 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created as a joint committee of the State Legislature, the Joint Committee on Program Review, which shall consist of ten (10) members, five of whom shall be members of the Senate and five of whom shall be members of the House of Representatives appointed by the President Pro Tempore of the Senate and Speaker of the House of Representatives respectively. The chairman and vice-chairman of the Committee 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. Beginning July 1, 1991, the chairman shall be from the Senate until July 1, 1993, at which time the chairmanship shall be assumed by the House of Representatives;

thereafter, the chairmanship shall alternate every two (2) years between the Senate and the House of Representatives, beginning the first day of July. Each member of the Committee shall serve until his successor is appointed.

B. The Committee shall conduct program review hearings of those statutory entities scheduled for program review according to this act and any other matters assigned to the Committee by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

C. The Senate and the House of Representatives shall supply necessary staff services for the Committee.

D. The programs of state government shall be scheduled for legislative review pursuant to this act by the Committee on a five-year cycle, beginning in the fiscal year commencing July 1, 1991. From time to time as may be required, the Legislature shall by concurrent resolution establish a schedule for the review of programs. In the absence of such a resolution, the Committee shall select programs for review on an annual basis.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3924 of Title 74, unless there is created a duplication in numbering, reads as follows:

When any program is under review by the Joint Committee on Program Review, all Committee hearings shall be open to the public. Such program shall bear the burden of establishing that a sufficient public need is present which justifies its continued existence and all such programs shall provide the committee with the following information:

1. A zero-based operating budget review and analysis, including a summary of all income and expenditures;
2. The identity of all units and subunits under the direct or advisory control of the program under review;

3. All powers, duties and functions currently performed by the program under review;

4. All statutory or other authority under which said powers, duties and functions of the program are carried out;

5. Any powers, duties or functions which, are being performed and duplicated by another statutory entity or program within the state, including the manner in which and the extent to which this duplication of efforts is occurring and any recommendations as to eliminating such a situation;

6. Any powers, duties or functions which are inconsistent with current and projected public demands and a statement indicating which powers, duties or functions should be terminated or altered; and

7. Any other information which the Committee, in its discretion, feels is necessary and proper in carrying out its review and evaluative duties.

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.

43-1-518

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