

By: Dickerson of the Senate
and
Eddins of the House

An Act relating to public buildings and public works; creating Advisory Task Force on Public Construction and Renovation Laws; providing for membership, appointments, term of service, vacancies, organization, quorum, staffing, and travel reimbursement; requiring compliance with Oklahoma Open Meeting Act and Oklahoma Open Records Act; providing purpose; providing for scope of responsibility; setting reporting requirements; providing for transfer and disposition of records; requiring report; requiring Task Force be available to Legislature; providing for noncodification; and declaring an emergency.

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

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

There is hereby created the Advisory Task Force on Public Construction and Renovation Laws, which shall consist of fifteen (15) voting members who shall be appointed as follows:

1. Three members of the Senate shall be appointed by the President Pro Tempore of the Senate;
2. Three members of the House of Representatives shall be appointed by the Speaker of the House of Representatives;
3. Four persons who are contractors or subcontractors experienced in public bidding shall be appointed as follows: two by the Governor, one by the President Pro Tempore of the Senate, and one by the Speaker of the House of Representatives;
4. One person currently or previously employed by an agency of this state to perform or supervise construction or renovation for one or more agencies of this state shall be appointed by the President Pro Tempore of the Senate;

5. One person who is an officer of an organization representing state employees shall be appointed by the Speaker of the House of Representatives;

6. A Licensed Architect shall be appointed by the Governor;

7. A Registered Professional Engineer shall be appointed by the Governor; and

8. An employee of the Department of Central Services shall be appointed by the Director of the Department of Central Services.

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

A. Members appointed to the Advisory Task Force on Public Construction and Renovation Laws shall serve at the pleasure of the respective appointing authority in terms expiring with the termination of the Task Force, which shall occur on June 1, 2000. Vacancies shall be filled by the respective appointing authority.

B. The President Pro Tempore of the Senate shall designate a member of the Task Force to serve as Chair, and the Speaker of the House of Representatives shall designate a member of the Task Force to serve as Vice Chair. The Chair and Vice Chair shall serve at the pleasure of the respective appointing authority.

C. Nine (9) members shall constitute a quorum. The Task Force shall conduct its business in compliance with the Oklahoma Open Meeting Act and with the Oklahoma Open Records Act. Upon termination of the Task Force, staff shall transfer all Task Force records to the Legislative Service Bureau for disposition as required by law.

D. Staff services for the Task Force shall be provided by the Senate and the House of Representatives. The Department of Central Services shall provide additional staff assistance upon request of the Chair.

E. Members of the Task Force shall receive no compensation for serving on the Task Force but shall receive travel reimbursement as follows:

1. Legislative members shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes;

2. Nonlegislative members shall be reimbursed by their respective agencies for their necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act; and

3. Members who are not otherwise officers or employees of the state shall be reimbursed by the Department of Central Services in accordance with the State Travel Reimbursement Act.

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

A. The purpose of the Advisory Task Force on Public Construction and Renovation Laws shall be to make specific recommendations to the Legislature for giving greater clarity and coherence to laws relating to the construction and renovation of public buildings. However, the purview of the Task Force shall not extend to roads and highways except insofar as the Task Force may wish to recommend that certain provisions in Title 61 of the Oklahoma Statutes relating to roads and highways be deleted or be moved to Title 69 or elsewhere.

B. The scope of Task Force responsibility shall include, but not be limited to, examining and possibly making recommendations concerning:

1. Bonds required on public works contracts;
2. Purchasing preferences;
3. Consultant contracts;
4. The Oklahoma Lighting Energy Conservation Act;
5. Provisions of Senate Bill No. 1070 of 1996;

6. The Public Competitive Bidding Act of 1974;
7. The Public Building Construction and Planning Act; and
8. Miscellaneous provisions found in Title 61 of the Oklahoma Statutes.

C. In performing its duties pursuant to this section, the Task Force shall invite comment regarding, and give consideration to, a variety of approaches, strategies, or methods for the efficient accomplishment of public construction projects, such as "design/build" and construction management. The Task Force shall also consider the usefulness of lease-purchase procedures to the foregoing.

D. On or before November 30, 1999, the Task Force shall report its specific recommendations, in the form of proposed statutory revisions, together with such explanation and comment as the Task Force may deem appropriate, to the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

E. For further consideration and discussion of its recommendations, the Task Force shall continue to make itself available to the Legislature throughout the 2nd Session of the 47th Legislature (2000).

SECTION 4. 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.

Passed the Senate the 9th day of March, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____ ,
1999.

Speaker of the House of
Representatives