

THE STATE SENATE
Thursday, March 2, 2006

Committee Substitute for
Senate Bill No. 1625

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1625 - By: JOHNSON
(Constance) of the Senate and BILLY of the House.

[state government - Task Force for the Study of Equity in
State Purchasing Procedures - membership - codification -
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 85.59 of Title 74, unless there
is created a duplication in numbering, reads as follows:

A. It is the public policy of the State of Oklahoma to:

1. Recognize and support ethnic and racial minority-owned
businesses;

2. Acknowledge the contributions of minority-owned business as
productive citizens and employers in the state and the useful
functions served in the local communities; and

3. Support procedures for state contracting which ensure equity
in the awarding of state contracts and which do not unfairly burden
ethnic or racial minority-owned businesses.

B. There is hereby created the Task Force for the Study of
Equity in State Purchasing Procedures to continue until June 30,
2008. The purpose of the Task Force is to develop a comprehensive

1 report on the procedures of state purchasing and the effects of
2 these policies on minority-owned businesses in the State of
3 Oklahoma, and to make recommendations to improve such policies as
4 necessary.

5 C. The Task Force for the Study of Equity in State Contracting
6 Procedures shall be composed of fifteen (15) appointed members and
7 seventeen (17) ex officio, nonvoting members, as follows:

8 1. a. The Governor shall appoint:

- 9 (1) a representative from the Minority Business
10 Development Center at Langston University,
11 Oklahoma City, OK,
12 (2) a representative of the Greater Oklahoma City
13 Hispanic Chamber of Commerce,
14 (3) a representative of the Oklahoma Chinese Times
15 Newspaper, Oklahoma City, OK,
16 (4) a representative of the Small Business
17 Development Center, Langston University, Oklahoma
18 City, OK, and
19 (5) a representative of the Capital Chamber of
20 Commerce, Oklahoma City, OK.

21 b. The President Pro Tempore of the Senate shall appoint:

- 22 (1) a representative of the Oklahoma Native American
23 Enterprise Center, Tulsa, OK,

- 1 (2) a representative of the American Indian Chamber
2 of Commerce of Oklahoma, Tulsa, OK,
- 3 (3) a representative of the Oklahoma Minority
4 Business Development Consortium, Oklahoma City,
5 OK,
- 6 (4) a representative of the Greater Tulsa Hispanic
7 Chamber of Commerce, and
- 8 (5) the chair of the Senate Business and Labor
9 Committee, or designee of the chair.

10 c. The Speaker of the House of Representatives shall
11 appoint:

- 12 (1) a representative of the Northside Chamber of
13 Commerce, Lawton, OK,
- 14 (2) a representative of the Greenwood Chamber of
15 Commerce, Tulsa, OK,
- 16 (3) a representative of the Asia Society of Oklahoma,
17 Edmond, OK,
- 18 (4) a representative of the Oklahoma Minority
19 Supplier Development Council, Oklahoma City, OK,
- 20 (5) the chair of the House Business and Economic
21 Development Committee, or designee of the chair.

22 2. The ex officio nonvoting members shall be:

- 1 a. the Attorney General, or designee,
- 2 b. the State Auditor and Inspector, or designee,
- 3 c. the Director of the Department of Central Services, or
- 4 designee,
- 5 d. the Executive Director of the Oklahoma Department of
- 6 Commerce, or designee,
- 7 e. the Director of the State Department of Corrections,
- 8 or designee,
- 9 f. the Director of the Office of State Finance, or
- 10 designee,
- 11 g. Commissioner of Health, or designee,
- 12 h. the Administrator of the Oklahoma Health Care
- 13 Authority, or designee,
- 14 i. the Director of the Department of Human Services, or
- 15 designee,
- 16 j. the Commissioner of Labor, or designee,
- 17 k. the Commissioner of the Department of Mental Health
- 18 and Substance Abuse Services, or designee,
- 19 l. the State Superintendent of Public Instruction, or
- 20 designee,
- 21 m. the Chancellor of the Oklahoma State Regents for
- 22 Higher Education, or designee,

- 1 n. the Director of the State Department of Rehabilitation
2 Services, or designee,
3 o. the Director of the Department of Tourism, or
4 designee,
5 p. the Director of the Department of Transportation, or
6 designee, and
7 q. the Director of the Oklahoma Transportation Authority,
8 or designee.

9 D. 1. Members shall serve at the pleasure of their appointing
10 authorities. A vacancy on the task force shall be filled by the
11 original appointing authority.

12 2. Appointments to the task force shall be made by July 15,
13 2006.

14 3. A majority of the members of the task force present at a
15 meeting of the task force shall constitute a quorum and may act for
16 the task force.

17 4. The President Pro Tempore and the Speaker shall each
18 designate a cochair from among the members of the task force.

19 5. The cochairs of the task force shall convene the first
20 meeting of the task force on or before September 1, 2006, at which
21 time a schedule of the first year's meetings shall be determined.
22 The task force shall meet at least four times annually.

1 6. Proceedings of all meetings of the task force shall comply
2 with the provisions of the Oklahoma Open Meeting Act.

3 7. The task force may divide into subcommittees in furtherance
4 of its purpose.

5 E. 1. The Department of Commerce and the Department of Central
6 Services shall serve as lead agencies and as such shall provide
7 primary staffing for the task force.

8 2. The task force may use the expertise and services of the
9 staffs of the State Senate and the House of Representatives and may,
10 as necessary, employ and contract for the advice and services of
11 experts in the field as well as other necessary professional and
12 clerical staff.

13 F. All departments, officers, agencies, and employees of this
14 state shall cooperate with the task force in fulfilling its duties
15 and responsibilities including, but not limited to, providing any
16 information, records, or reports requested by the task force.

17 G. Members of the task force shall receive no compensation for
18 their service, but shall receive travel reimbursement as follows:

19 1. Legislative members of the task force shall be reimbursed
20 for necessary travel expenses incurred in the performance of their
21 duties in accordance with the provisions of Section 456 of Title 74
22 of the Oklahoma Statutes; and

1 2. Nonlegislative members of the task force shall be reimbursed
2 by their appointing authorities or respective agencies for necessary
3 travel expenses incurred in the performance of their duties in
4 accordance with the State Travel Reimbursement Act.

5 H. The duties and responsibilities of the task force shall
6 include, but need not be limited to:

7 a. reviewing Oklahoma's state governmental contracting
8 practices and the way in which minority-owned
9 businesses currently participate in the services,

10 b. reviewing existing statutes, policies, programs,
11 services and funding sources that affect the ability
12 of minority-owned businesses to compete in awarding of
13 such contracts,

14 c. identifying and reviewing the number of minority-owned
15 businesses in Oklahoma and in each metropolitan area
16 and their participation in awarding of state
17 contracts,

18 d. identifying changes to contracting practices to
19 promote entrepreneurship and economic development by
20 supporting minority-owned businesses, and

21 e. taking all other actions necessary to develop the
22 comprehensive strategic plan.

1 I. The task force shall prepare and submit a report of its
2 findings and recommendations to the Legislature and Governor by July
3 15, 2008.

4 SECTION 2. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-22-06 - DO
9 PASS, As Amended and Coauthored.