

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1625

By: Johnson (Constance)

AS INTRODUCED

An Act relating to state government; stating public policy; creating the Task Force for the Study of Equity in State Purchasing Procedures; stating purpose; providing for membership, vacancies, convening of the first meeting, quorum, designation of cochairs, and determination of meeting schedules; subjecting proceedings to the Oklahoma Open Meeting Act; providing for operations, staffing, travel reimbursement, and duties and responsibilities; requiring and providing for frequency of report submission until completion of plan; providing for codification; and declaring an 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 report on the procedures of state purchasing and the effects of these policies on minority-owned businesses in the State of

Oklahoma, and to make recommendations to improve such policies as necessary.

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

1. a. The Governor shall appoint:

- (1) a representative from the Minority Business Development Center at Langston University, Oklahoma City, OK,
- (2) a representative of the Greater Oklahoma City Hispanic Chamber of Commerce,
- (3) a representative of the Oklahoma Chinese Times Newspaper, Oklahoma, OK,
- (4) a representative of the Small Business Development Center, Langston University, Oklahoma City, OK, and
- (5) a representative of the Capital Chamber of Commerce, Oklahoma City, OK.

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

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

- c. The Speaker of the House of Representatives shall appoint:
  - (1) a representative of the Northside Chamber of Commerce, Lawton, OK,
  - (2) a representative of the Gatewood Chamber of Commerce, Tulsa, OK,
  - (3) a representative of the Asia Society of Oklahoma, Edmond, OK,
  - (4) a representative of the Oklahoma Minority Supplier Development Council, Oklahoma City, OK,
  - (5) the chair of the House Business and Economic Development Committee, or designee of the chair.

2. The ex officio nonvoting members shall be:

- a. the Attorney General, or designee,
- b. the State Auditor and Inspector, or designee,
- c. the Director of the Department of Central Services, or designee,
- d. the Executive Director of the Oklahoma Department of Commerce, or designee,
- e. the Director of the State Department of Corrections, or designee,
- f. the Director of the Office of State Finance, or designee,
- g. Commissioner of Health, or designee,
- h. the Administrator of the Oklahoma Health Care Authority, or designee,
- i. the Director of the Department of Human Services, or designee,
- j. the Commissioner of Labor, or designee,
- k. the Commissioner of the Department of Mental Health and Substance Abuse Services, or designee,

- l. the State Superintendent of Public Instruction, or designee,
- m. the Chancellor of the Oklahoma State Regents for Higher Education, or designee,
- n. the Director of the State Department of Rehabilitation Services, or designee,
- o. the Director of the Department of Tourism, or designee,
- p. the Director of the Department of Transportation, or designee, and
- q. the Director of the Oklahoma Transportation Authority, or designee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- c. identifying and reviewing the number of minority-owned businesses in Oklahoma and in each metropolitan area and their participation in awarding of state contracts,
- d. identifying changes to contracting practices to promote entrepreneurship and economic development by supporting minority-owned businesses, and
- e. taking all other actions necessary to develop the comprehensive strategic plan.

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

SECTION 2. 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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