

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1507 By: Gumm of the Senate
3 and
4 Dorman of the House
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8 An Act relating to state documents and reports;
9 requiring certain documents be filed with Governor,
10 President Pro Tempore of the Senate and Speaker of
11 the House of Representatives in electronic format;
12 * * * amending 62 O.S. 2001, Sections 41.29, as
amended by Section 1, Chapter 301, O.S.L. 2003, 41.33
and 41.34 (62 O.S. Supp. 2007, Section 41.29), which
relate to public finance; * * * providing for
codification; and providing an effective date.

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15 AUTHORS: Add the following House Coauthors: Jett, Derby and
Schwartz
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17 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert
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19 "An Act relating to state documents and reports;
20 requiring certain documents be filed with Governor,
21 President Pro Tempore of the Senate and Speaker of
22 the House of Representatives in electronic format;
23 specifying certain duties of such officers;
24 providing exception and providing procedures;
amending 62 O.S. 2001, Sections 41.29, as amended by
Section 1, Chapter 301, O.S.L. 2003, 41.33 and 41.34
(62 O.S. Supp. 2007, Section 41.29), which relate to
public finance; requiring certain financial
documents be filed in electronic format; clarifying

1 references; amending Section 1, Chapter 386, O.S.L.
2 2003 (74 O.S. Supp. 2007, Section 2121), which
3 relates to international trade; modifying
4 definition; providing for codification; and
5 providing an effective date.

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

7 SECTION 1. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 464 of Title 74, unless there is
9 created a duplication in numbering, reads as follows:

10 Whenever any provision of law directs that a report,
11 administrative rule, budget work program, budget request, or any
12 other document be filed with the Governor, President Pro Tempore of
13 the Senate or the Speaker of the House of Representatives, such
14 documents shall be filed electronically, except as otherwise
15 provided in this section. The Governor, President Pro Tempore of
16 the Senate and Speaker of the House of Representatives shall each
17 create or cause to be created on the official web sites for the
18 Governor, Senate and House of Representatives, respectively, a
19 mechanism for such filings to be made, with an electronic return
20 receipt provided to the person making the filing. If for any reason
21 the person required to file such document determines that it cannot
22 be filed electronically, the person shall file a printed copy in
23 lieu of such electronic filing and shall include an explanation of
24 the reason that the document could not be filed electronically.

1 SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.29, as
2 amended by Section 1, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2007,
3 Section 41.29), is amended to read as follows:

4 Section 41.29 A. Except as provided for in subsection B of
5 this section, on the first day of October preceding each regular
6 session of the Legislature, each of the several state departments,
7 bureaus, divisions, officers, commissions, and institutions,
8 including those created or established pursuant to constitutional
9 provisions, and other spending agencies shall report to the Director
10 of State Finance and the Chair and Vice Chair of the Legislative
11 Oversight Committee on State Budget Performance, ~~on official forms~~
12 furnished in an electronic format for such purpose, an itemized
13 request showing the amount needed for the ensuing fiscal year
14 beginning with the first day of July. The ~~official forms~~ electronic
15 format which must be used in making these reports shall be approved
16 ~~and furnished~~ by the Director of State Finance and the Legislative
17 Oversight Committee on State Budget Performance, shall be uniform,
18 and shall clearly designate the kind of information to be given on
19 the reports. Information provided shall include, but not be limited
20 to:

21 1. A budget analysis of existing and proposed programs
22 utilizing zero-based budgeting techniques. Such analysis shall be
23 included as a part of the estimate of funds needed;

24

- 1 2. A statement listing any other state, federal or local
- 2 agencies which administer a similar or cooperating program and an
- 3 outline of the interaction among such agencies;
- 4 3. A statement of the statutory authority for the missions and
- 5 quantified objectives of each program;
- 6 4. A description of the groups of people served by each program
- 7 in the agency;
- 8 5. A quantification of the need for the program;
- 9 6. A description of the tactics which are intended to
- 10 accomplish each objective;
- 11 7. A list of quantifiable program outcomes which measure the
- 12 efficiency and effectiveness of each program;
- 13 8. A ranking of these programs by priority;
- 14 9. Actual program expenditures for the current fiscal year and
- 15 prior fiscal years and the number of personnel required to
- 16 accomplish each program; and
- 17 10. Revenues expected to be generated by each program, if any.
- 18 Spending agencies shall make an itemized estimate of needs and
- 19 request for funds for the ensuing fiscal year and an estimate of the
- 20 revenues from all sources to be received by the agency during the
- 21 ensuing fiscal year. The Director of State Finance shall submit to
- 22 the Governor and the Legislative Oversight Committee on State Budget
- 23 Performance no later than the fifth day of October a complete list
- 24

1 of all spending agencies which fail to submit budgets by October 1,
2 pursuant to the provisions of this section.

3 B. 1. The reports required by this section shall include an
4 itemized listing of outstanding capital lease debt and estimated
5 capital lease needs for the ensuing fiscal year, and shall be
6 provided on official forms furnished by the Director of State
7 Finance for this purpose.

8 2. For the purposes of this section "capital lease" means a
9 lease-purchase agreement which provides an option for the State of
10 Oklahoma or its agencies to purchase property, including personal
11 and real property, which is the subject thereof and/or a lease
12 agreement that provides an option for the State of Oklahoma or its
13 agencies to lease such property, which is the subject thereof, at a
14 nominal annual amount, after a period in which leased property is
15 rented at fair market value.

16 SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.33, is
17 amended to read as follows:

18 Section 41.33 The budget shall be submitted to the Legislature
19 ~~in printed form~~ electronically. Such budget shall be in two parts:

20 ~~(1) a~~

21 1. A budget message:

22 a. outlining the fiscal policy of the state for the
23 biennium and describing the important features of the
24 budget plan₇,

- 1 b. giving a summary of the budget setting forth aggregate
2 figures of proposed revenues and expenditures and the
3 balanced relations between the proposed revenues and
4 expenditures and the total expected income and other
5 means of financing the budget compared with the
6 corresponding figures for the preceding biennium^{7, 1}
- 7 c. including explanatory schedules classifying proposed
8 expenditures by organization units, objects and
9 funds^{7, 1}
- 10 d. giving estimated statements of assets and liabilities
11 as of the close of the preceding biennium and of the
12 budget biennium^{7, 1}
- 13 e. explaining any proposed major increases in revenue
14 from any existing source or any new source of revenue
15 proposed and giving any further information or making
16 any suggestions; ~~(2) the~~ and

17 2. The detailed budget estimates of revenues and expenditures
18 for each fund as provided for in ~~this act~~ Section 41.1 et seq. of
19 this title showing the recommendations of the Governor on each,
20 compared with the figures for each of the fiscal years of the
21 preceding biennium and giving an explanation of each major change in
22 the recommendations from the revenues and expenditures in the
23 previous biennium.

1 SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.34, is
2 amended to read as follows:

3 Section 41.34 Immediately after the beginning of each regular
4 session of the Legislature, the Governor shall submit to the
5 presiding officer of each house, ~~printed~~ electronic copies of the
6 budget based upon the investigations and conclusions of the ~~Division~~
7 ~~of the Budget~~ Office of State Finance. Such budget document shall
8 contain a complete and itemized plan of all proposed expenditures
9 for each agency or undertaking classified according to the various
10 cabinet areas designated by the Governor or otherwise created by
11 law. Such expenditures shall be further classified by function,
12 character and object, and in the event such proposed expenditures
13 exceed the estimate made by the State Board of Equalization, the
14 Governor shall accompany the budget document with a proposal of new
15 revenue raising measures sufficient to effect a balanced budget for
16 each year in the ensuing fiscal year.

17 SECTION 5. AMENDATORY Section 1, Chapter 386, O.S.L.
18 2003 (74 O.S. Supp. 2007, Section 2121), is amended to read as
19 follows:

20 Section 2121. As used in this act:

21 1. "International trade processing authority" means a public
22 trust ~~heretofore~~ created pursuant to Section 176 of Title 60 of the
23 Oklahoma Statutes with powers to construct, acquire, equip and
24 operate an international trade processing center;

1 2. "International trade processing center" means a facility
2 constructed and operated for the purpose of facilitating the export
3 of goods or services produced in the United States and the import of
4 goods or services to the United States that are produced in other
5 countries;

6 3. "Other governmental entities" means the State of Oklahoma,
7 its agencies and political subdivisions, public trusts other than an
8 international trade processing authority, other states and their
9 agencies and political subdivisions, and the federal government and
10 agencies thereof; and

11 4. "Project" or "projects" means any facility constructed or
12 improvements made under the provisions of this act by an
13 international trade processing authority for the purpose of
14 acquiring, constructing, equipping and operating an international
15 trade processing center, including rail, water, air, highway
16 intermodal facilities, and commercial support facilities, and shall
17 include all buildings, structures, landscaping, infrastructure,
18 utilities, roadways, railways, parking structures, parking lots,
19 sidewalks, personal property and fixtures, equipment and machinery,
20 and other improvements which an international trade processing
21 authority may deem necessary for the operation of such project,
22 together with all property, rights, easements and interests which
23 may be acquired by an international trade processing authority for
24 the construction or operation of such.

