

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 1507

By: Gumm of the Senate

and

Dorman of the House

6  
7  
8  
9 COMMITTEE SUBSTITUTE

10 ( State documents and reports - electronic format -  
11 duties of officers - clarifying references -  
12 codification -

effective date )

13  
14  
15  
16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

20 Whenever any provision of law directs that a report,  
21 administrative rule, budget work program, budget request, or any  
22 other document be filed with the Governor, President Pro Tempore of  
23 the Senate or the Speaker of the House of Representatives, such  
24 documents shall be filed electronically, except as otherwise

1 provided in this section. The Governor, President Pro Tempore of  
2 the Senate and Speaker of the House of Representatives shall each  
3 create or cause to be created on the official web sites for the  
4 Governor, Senate and House of Representatives, respectively, a  
5 mechanism for such filings to be made, with an electronic return  
6 receipt provided to the person making the filing. If for any reason  
7 the person required to file such document determines that it cannot  
8 be filed electronically, the person shall file a printed copy in  
9 lieu of such electronic filing and shall include an explanation of  
10 the reason that the document could not be filed electronically.

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

14 Section 41.29 A. Except as provided for in subsection B of  
15 this section, on the first day of October preceding each regular  
16 session of the Legislature, each of the several state departments,  
17 bureaus, divisions, officers, commissions, and institutions,  
18 including those created or established pursuant to constitutional  
19 provisions, and other spending agencies shall report to the Director  
20 of State Finance and the Chair and Vice Chair of the Legislative  
21 Oversight Committee on State Budget Performance, ~~on official forms~~  
22 furnished in an electronic format for such purpose, an itemized  
23 request showing the amount needed for the ensuing fiscal year  
24 beginning with the first day of July. The ~~official forms~~ electronic

1 format which must be used in making these reports shall be approved  
2 ~~and furnished~~ by the Director of State Finance and the Legislative  
3 Oversight Committee on State Budget Performance, shall be uniform,  
4 and shall clearly designate the kind of information to be given on  
5 the reports. Information provided shall include, but not be limited  
6 to:

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

10 2. A statement listing any other state, federal or local  
11 agencies which administer a similar or cooperating program and an  
12 outline of the interaction among such agencies;

13 3. A statement of the statutory authority for the missions and  
14 quantified objectives of each program;

15 4. A description of the groups of people served by each program  
16 in the agency;

17 5. A quantification of the need for the program;

18 6. A description of the tactics which are intended to  
19 accomplish each objective;

20 7. A list of quantifiable program outcomes which measure the  
21 efficiency and effectiveness of each program;

22 8. A ranking of these programs by priority;

23

24

1 9. Actual program expenditures for the current fiscal year and  
2 prior fiscal years and the number of personnel required to  
3 accomplish each program; and

4 10. Revenues expected to be generated by each program, if any.

5 Spending agencies shall make an itemized estimate of needs and  
6 request for funds for the ensuing fiscal year and an estimate of the  
7 revenues from all sources to be received by the agency during the  
8 ensuing fiscal year. The Director of State Finance shall submit to  
9 the Governor and the Legislative Oversight Committee on State Budget  
10 Performance no later than the fifth day of October a complete list  
11 of all spending agencies which fail to submit budgets by October 1,  
12 pursuant to the provisions of this section.

13 B. 1. The reports required by this section shall include an  
14 itemized listing of outstanding capital lease debt and estimated  
15 capital lease needs for the ensuing fiscal year, and shall be  
16 provided on official forms furnished by the Director of State  
17 Finance for this purpose.

18 2. For the purposes of this section "capital lease" means a  
19 lease-purchase agreement which provides an option for the State of  
20 Oklahoma or its agencies to purchase property, including personal  
21 and real property, which is the subject thereof and/or a lease  
22 agreement that provides an option for the State of Oklahoma or its  
23 agencies to lease such property, which is the subject thereof, at a  
24

1 nominal annual amount, after a period in which leased property is  
2 rented at fair market value.

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

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

7 ~~(1) a~~

8 1. A budget message:

9 a. outlining the fiscal policy of the state for the  
10 biennium and describing the important features of the  
11 budget plan~~,~~

12 b. giving a summary of the budget setting forth aggregate  
13 figures of proposed revenues and expenditures and the  
14 balanced relations between the proposed revenues and  
15 expenditures and the total expected income and other  
16 means of financing the budget compared with the  
17 corresponding figures for the preceding biennium~~,~~

18 c. including explanatory schedules classifying proposed  
19 expenditures by organization units, objects and  
20 funds~~,~~

21 d. giving estimated statements of assets and liabilities  
22 as of the close of the preceding biennium and of the  
23 budget biennium~~,~~

24

1           e.     explaining any proposed major increases in revenue  
2                     from any existing source or any new source of revenue  
3                     proposed and giving any further information or making  
4                     any suggestions; ~~(2) the~~ and

5           2.     The detailed budget estimates of revenues and expenditures  
6     for each fund as provided for in ~~this act~~ Section 41.1 et seq. of  
7     this title showing the recommendations of the Governor on each,  
8     compared with the figures for each of the fiscal years of the  
9     preceding biennium and giving an explanation of each major change in  
10    the recommendations from the revenues and expenditures in the  
11    previous biennium.

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

14           Section 41.34   Immediately after the beginning of each regular  
15     session of the Legislature, the Governor shall submit to the  
16     presiding officer of each house, ~~printed~~ electronic copies of the  
17     budget based upon the investigations and conclusions of the ~~Division~~  
18     ~~of the Budget~~ Office of State Finance. Such budget document shall  
19     contain a complete and itemized plan of all proposed expenditures  
20     for each agency or undertaking classified according to the various  
21     cabinet areas designated by the Governor or otherwise created by  
22     law. Such expenditures shall be further classified by function,  
23     character and object, and in the event such proposed expenditures  
24     exceed the estimate made by the State Board of Equalization, the

1 Governor shall accompany the budget document with a proposal of new  
2 revenue raising measures sufficient to effect a balanced budget for  
3 each year in the ensuing fiscal year.

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

7 Section 2121. As used in this act:

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

12 2. "International trade processing center" means a facility  
13 constructed and operated for the purpose of facilitating the export  
14 of goods or services produced in the United States and the import of  
15 goods or services to the United States that are produced in other  
16 countries;

17 3. "Other governmental entities" means the State of Oklahoma,  
18 its agencies and political subdivisions, public trusts other than an  
19 international trade processing authority, other states and their  
20 agencies and political subdivisions, and the federal government and  
21 agencies thereof; and

22 4. "Project" or "projects" means any facility constructed or  
23 improvements made under the provisions of this act by an  
24 international trade processing authority for the purpose of

1 acquiring, constructing, equipping and operating an international  
2 trade processing center, including rail, water, air, highway  
3 intermodal facilities, and commercial support facilities, and shall  
4 include all buildings, structures, landscaping, infrastructure,  
5 utilities, roadways, railways, parking structures, parking lots,  
6 sidewalks, personal property and fixtures, equipment and machinery,  
7 and other improvements which an international trade processing  
8 authority may deem necessary for the operation of such project,  
9 together with all property, rights, easements and interests which  
10 may be acquired by an international trade processing authority for  
11 the construction or operation of such.

12 SECTION 6. This act shall become effective November 1, 2008.

13

14 51-2-11100 MAT 04/11/08

15

16

17

18

19

20

21

22

23

24