

ENROLLED SENATE
BILL NO. 1507

By: Gumm and Jolley of the
Senate

and

Dorman, Jett, Derby and
Schwartz of the House

An Act relating to state documents and reports;
requiring certain documents be filed with Governor,
President Pro Tempore of the Senate and Speaker of
the House of Representatives in electronic format;
specifying certain duties of such officers;
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
references; amending Section 1, Chapter 386, O.S.L.
2003 (74 O.S. Supp. 2007, Section 2121), which
relates to international trade; modifying
definition; providing for codification; and
providing an effective date.

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 464 of Title 74, unless there is
created a duplication in numbering, reads as follows:

Whenever any provision of law directs that a report,
administrative rule, budget work program, budget request, or any

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

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

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

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

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

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

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

5. A quantification of the need for the program;

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

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

8. A ranking of these programs by priority;

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

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

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

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

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

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

Section 41.33 The budget shall be submitted to the Legislature ~~in printed form~~ electronically. Such budget shall be in two parts:
(1) ~~a~~

1. A budget message:

- a. outlining the fiscal policy of the state for the biennium and describing the important features of the budget plan~~,~~,
- b. giving a summary of the budget setting forth aggregate figures of proposed revenues and expenditures and the balanced relations between the proposed revenues and expenditures and the total expected income and other means of financing the budget compared with the corresponding figures for the preceding biennium~~,~~,
- c. including explanatory schedules classifying proposed expenditures by organization units, objects and funds~~,~~,
- d. giving estimated statements of assets and liabilities as of the close of the preceding biennium and of the budget biennium~~,~~,
- e. explaining any proposed major increases in revenue from any existing source or any new source of revenue proposed and giving any further information or making any suggestions; ~~(2) the~~ and

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

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

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

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

Section 2121. As used in this act:

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

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

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

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

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

Passed the Senate the 28th day of April, 2008.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2008.

Presiding Officer of the House
of Representatives