

THE HOUSE OF REPRESENTATIVES  
Tuesday, April 15, 2008

Committee Substitute for  
ENGROSSED  
Senate Bill No. 1869

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1869 - By:  
JOHNSON (MIKE) of the Senate and MILLER of the House.

( Public finance – Legislative Oversight Committee on State Budget  
Performance – sunset – effective date – emergency )

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

1 SECTION 1. AMENDATORY 62 O.S. 2001, Section 41.47, as amended by  
2 Section 3, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2007, Section 41.47), is amended to  
3 read as follows:

4 Section 41.47 A. ~~There is hereby established the~~ The Legislative Oversight  
5 Committee on State Budget Performance is created, to continue until July 1, 2012, in  
6 accordance with the provisions of the Oklahoma Sunset Law. The purposes of this  
7 committee shall include oversight of the implementation of a system of program  
8 performance-based budgeting for implementation by state agencies.

9 B. The Committee's duties shall also include:

10 1. Development of agency budget request forms and instructions in conjunction  
11 with the Office of State Finance;

- 1           2. Directing studies to aid in the development of legislative and procedural changes  
2 to further improve the budgetary, financial, accounting, reporting, personnel, and  
3 purchasing processes and systems of the state;
- 4           3. Direction of program evaluation and management studies;
- 5           4. Oversight and reporting on executive branch compliance with the legislative  
6 intent of appropriation measures. Such oversight and reporting duties may include:
- 7               a.     agency reorganization actions,  
8               b.     executive orders calling for reduction of full-time-equivalents or hiring  
9               freezes, and  
10              c.     transfer of funds by the executive branch;
- 11          5. The development of revenue and expenditure estimates and analyses;
- 12          6. Study of the management, operations, programs and fiscal needs of the agencies  
13 and institutions of Oklahoma state government pursuant to the Oklahoma Program  
14 Performance Budgeting and Accountability Act;
- 15          7. Review of the executive budget, agency strategic plans and the estimate of needs  
16 of each state agency and institution. Reports may be issued by the Committee as it  
17 deems appropriate; and
- 18          8. Implementation of an ongoing evaluation review procedure of existing programs  
19 based on zero-base budgeting techniques pursuant to the Oklahoma Program  
20 Performance Budgeting and Accountability Act. The committee in cooperation with the  
21 Office of State Finance shall establish a schedule to review strategic plans and existing  
22 programs for each agency a minimum of once every four (4) years. The committee shall

1 issue an evaluation report for each agency once every four (4) years which will include  
2 but not be limited to the following information:

- 3 a. a review of the agency's programs, performance and management,
- 4 b. whether the agency has demonstrated that there is a need for the  
5 services and programs which justifies the agency's continued existence,
- 6 c. whether the agency is the most appropriate provider of the programs  
7 and services furnished by the agency.

8 C. Any reference in the Oklahoma Statutes to the Joint Legislative Committee on  
9 Budget and Program Oversight shall be a reference to the Legislative Oversight  
10 Committee on State Budget Performance.

11 D. The Committee shall be composed of three members appointed by the President  
12 Pro Tempore of the Senate, three members appointed by the Speaker of the House of  
13 Representatives, two members by the minority leader of the Senate and two members  
14 appointed by the minority leader of the House of Representatives. The Chair and Vice  
15 Chair of the Committee shall rotate every two (2) years between the Senate and the  
16 House of Representatives beginning with a Senate member serving as Chair in 2003.  
17 The Committee shall meet at least four (4) times per year and at other times as called by  
18 the Chair. The Legislative Oversight Committee on State Budget Performance shall  
19 function as a committee of the Legislature when the Legislature is in session and is not  
20 in session. Each member of the Committee shall serve until a successor is appointed.

21 E. The Committee shall be staffed jointly by the staff of the fiscal divisions of the  
22 Senate and the House of Representatives.

1 F. The Committee may make use of all available teleconferencing technology to  
2 facilitate meetings of the Committee when the Legislature is not in session. The  
3 Committee shall take any appropriate action to make such teleconferenced meetings  
4 comply with the provisions of the Oklahoma Open Meeting Act, Section 301 et seq. of  
5 Title 25 of the Oklahoma Statutes.

6 G. The Committee shall periodically meet in different geographical regions of the  
7 state to enhance the Committee's understanding of local conditions and to help educate  
8 the public as to the fiscal condition of the state.

9 SECTION 2. AMENDATORY 74 O.S. 2001, Section 3907, as last amended by  
10 Section 2, Chapter 208, O.S.L. 2006 (74 O.S. Supp. 2007, Section 3907), is amended to  
11 read as follows:

12 Section 3907. The following statutory entities and their successors shall be  
13 terminated on July 1, 2012, and all powers, duties and functions shall be abolished one  
14 (1) year thereafter:

15 1. Board of Examiners for Speech-Language Pathology and Audiology as created by  
16 Section 1607 of Title 59 of the Oklahoma Statutes;

17 2. State Board of Veterinary Medical Examiners as created by Section 698.3 of Title  
18 59 of the Oklahoma Statutes;

19 3. Board of Tests for Alcohol and Drug Influence as created by Section 759 of Title  
20 47 of the Oklahoma Statutes;

21 4. State Anatomical Board as created by Section 91 of Title 63 of the Oklahoma  
22 Statutes;

- 1           5. Oklahoma Peanut Commission as created by Section 18-52 of Title 2 of the  
2 Oklahoma Statutes;
- 3           6. Oklahoma Wheat Utilization, Research and Market Development Commission as  
4 created by Section 18-301 of Title 2 of the Oklahoma Statutes;
- 5           7. Board of Examiners in Optometry as created by Section 582 of Title 59 of the  
6 Oklahoma Statutes;
- 7           8. State Capitol Preservation Commission as created by Section 4102 of this title;
- 8           9. Commission on County Government Personnel Education and Training as  
9 created by Section 130.1 of Title 19 of the Oklahoma Statutes;
- 10          10. Oklahoma Climatological Survey as created by Section 245 of this title;
- 11          11. The State Board of Licensed Social Workers as created by Section 1253 of Title  
12 59 of the Oklahoma Statutes;
- 13          12. Child Death Review Board as created by Section 1150.2 of Title 10 of the  
14 Oklahoma Statutes;
- 15          13. Oversight Committee for State Employee Charitable Contributions as created  
16 by Section 7005 of this title;
- 17          14. The Wellness Council as created by Section 1382 of this title;
- 18          15. Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety  
19 Commission as created by Section 420.22 of Title 52 of the Oklahoma Statutes;
- 20          16. Board of Chiropractic Examiners as created by Section 161.4 of Title 59 of the  
21 Oklahoma Statutes;

1           17. Oklahoma Music Hall of Fame Board as created by Section 231 of Title 53 of the  
2 Oklahoma Statutes; ~~and~~

3           18. State Board of Registration for Foresters as created by Section 1203 of Title 59  
4 of the Oklahoma Statutes; and

5           19. Legislative Oversight Committee on State Budget Performance as created by  
6 Section 41.47 of Title 62 of the Oklahoma Statutes.

7           SECTION 3. This act shall become effective July 1, 2008.

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

11           COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
12 dated 04-14-08 - DO PASS, As Amended.