

SB 1507

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THE STATE SENATE
Monday, February 18, 2008

Senate Bill No. 1507

SENATE BILL NO. 1507 - By: GUMM of the Senate and DORMAN 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; 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

1 mechanism for such filings to be made, with a return receipt
2 provided to the person making the filing. If for any reason the
3 person required to file such document determines that it cannot be
4 filed electronically, the person shall file a printed copy in lieu
5 of such electronic filing and shall include an explanation of the
6 reason that the document could not be filed electronically.

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

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

1 and shall clearly designate the kind of information to be given on
2 the reports. Information provided shall include, but not be limited
3 to:

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

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

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

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

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

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

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

19 8. A ranking of these programs by priority;

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

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

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

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

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

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

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

3 ~~(1) a~~

4 1. A budget message:

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

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

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

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

1 SECTION 5. This act shall become effective November 1, 2008.
2 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-11-08
3 - DO PASS, As Coauthored.