

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 3RD CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2310

By: Murphey and Miller of the
House

7 and

8 Sykes of the Senate

9
10 3RD CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to state government; enacting the
12 Oklahoma Innovation, Efficiency and Accountability
13 Act of 2010; amending Section 5, Chapter 322, O.S.L.
14 2009 (62 O.S. Supp. 2009, Section 41.5p-1), which
15 relates to certain licenses and permits; authorizing
16 electronic signatures under certain circumstances;
17 amending Section 1, Chapter 152, O.S.L. 2009 (74 O.S.
18 Supp. 2009, Section 85.45 1), which relates to a Trip
19 Optimizer system; modifying provisions related to
20 mandatory use of system; defining term; imposing
21 requirement related to lowest cost option; imposing
22 requirement on Office of State Finance with respect
23 to federal funds disbursed pursuant to the American
24 Recovery and Reinvestment Act of 2009; prescribing
formats for information; prescribing list of
expenditures and search functionality; prescribing
required information; amending 62 O.S. 2001, Section
41.29, as renumbered by Section 64, Chapter 441,
O.S.L. 2009 (62 O.S. Supp. 2009, Section 34.36), and
as last amended by Section 44 of Enrolled Senate Bill
No. 2113 of the 2nd Session of the 52nd Oklahoma
Legislature, which relates to certain itemized
requests; modifying required content with respect to
employee engaged in financial services; requiring
publication of report; specifying content of report;
providing for codification; providing for

1 noncodification; providing for recodification; and
2 providing an effective date.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. NEW LAW A new section of law not to be
6 codified in the Oklahoma Statutes reads as follows:

7 This act shall be known and may be cited as the "Oklahoma
8 Innovation, Efficiency and Accountability Act of 2010".

9 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.
10 2009 (62 O.S. Supp. 2009, Section 41.5p-1), is amended to read as
11 follows:

12 Section 41.5p-1 A. Except as otherwise provided by this
13 section, as of July 1, 2010, each state agency, board, commission or
14 other entity organized within the executive department of state
15 government responsible for licensing or permitting shall utilize the
16 portal system to allow for ~~the~~ a link to a web-based application and
17 renewal application for any license or permit issued by that agency.
18 Access to the online renewal systems shall be featured prominently
19 on the portal system.

20 B. Each entity responsible for licensing or permitting shall
21 make available to the Office of State Finance on a yearly basis a
22 report describing the number of licenses issued, license renewals
23 and permits issued as well as an estimate of the amount of savings
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1 incurred by the entity as a result of the online licensing and
2 permitting process.

3 C. The Office of State Finance shall make available to the
4 public a copy of each report submitted in accordance with the
5 requirements of subsection B of this section by placing the report
6 on the website defined in Section 46 of ~~Title 62 of the Oklahoma~~
7 ~~Statutes~~ this title.

8 D. The Director of the Office of State Finance may exempt a
9 specific license or permit from the requirements of this section
10 should he find compelling evidence that the issuance of the license
11 or permit requires the provision of information that cannot be
12 provided through an online licensing or permitting process and when
13 the failure of the applicant to provide the information would create
14 a significant risk to the integrity of the license or permit. The
15 Director of the Office of State Finance shall document any
16 exemptions issued pursuant to the provisions of this subsection and
17 describe the compelling evidence justifying the need for the
18 exemptions in a report to be provided to the Governor, Speaker of
19 the Oklahoma House of Representatives and Speaker Pro Tempore of the
20 State Senate. The exception provided for in this subsection shall
21 not apply to license renewals pursuant to the Oklahoma Vehicle
22 License and Registration Act of Title 47 of the Oklahoma Statutes.

23 E. The state agencies may accept an electronic signature in the
24 application process for any license or permit, provided the use of

1 an electronic signature shall not create a significant risk to the
2 integrity of the license or permit.

3 SECTION 3. AMENDATORY Section 1, Chapter 152, O.S.L.
4 2009 (74 O.S. Supp. 2009, Section 85.45 1), is amended to read as
5 follows:

6 Section 85.45 1 A. ~~Except as otherwise provided by this~~
7 ~~section, each~~ Each state agency, board, commission or other entity
8 organized within the executive department of state government shall
9 use the Trip Optimizer system of the Department of Central Services
10 in computing the optimum method and cost for travel by state
11 employees using a motor vehicle where the travel will exceed one
12 hundred (100) miles per day and the employee is not driving a state-
13 owned or -leased dedicated vehicle. For purposes of this section,
14 "dedicated vehicle" means a vehicle that has been assigned to the
15 employee.

16 B. The provisions of this section shall be used to determine
17 the most cost-effective method of travel by motor vehicles, whether
18 such vehicles are owned by the agency, leased by the agency or by
19 the employee, and shall be applicable for purposes of determining
20 the maximum authorized amount of any travel reimbursement for
21 employees of such agencies related to vehicle usage.

22 C. ~~An~~ A nonappropriated state agency, ~~as defined in subsection~~
23 ~~A of this section,~~ that employs persons who use personal vehicles as
24 part of their regular duties and who are reimbursed for travel

1 expenses by the agency shall not be required to utilize the Trip
2 Optimizer system with regard to the travel expenses of such
3 employees. As used in this section, "nonappropriated state agency"
4 means an entity within the executive branch of government that does
5 not receive any of its funding through the annual legislative
6 appropriations process.

7 D. The maximum authorized amount of travel reimbursement
8 related to vehicle usage shall be the lowest cost option as
9 determined by the Trip Optimizer. All travel claims submitted for
10 reimbursement shall include the results of the Trip Optimizer
11 indicating the lowest cost option for travel by the state employee.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 34.100 of Title 62, unless there
14 is created a duplication in numbering, reads as follows:

15 The Office of State Finance shall maintain a website providing
16 public access to the documentation of the disbursement by state
17 agencies of federal funds received pursuant to the federal American
18 Recovery and Reinvestment Act of 2009. The website shall provide a
19 list of all stimulus fund expenditures regardless of amount. The
20 entire list of stimulus fund expenditures shall be available for
21 export in standardized formats including but not limited to
22 eXtensible Markup Language (XML) and Comma Separated Value (CSV)
23 formats. The list of expenditures shall include searchable
24 functionality including but not limited to the ability to search the

1 expenditures by the name of the entity receiving funding, name of
2 entity processing funding and name of entity benefiting from
3 funding. This site shall include the name and principal location of
4 the entity and/or recipients of the funds regardless of amount, the
5 amount of funds expended, the funding or expending agency, and a
6 descriptive purpose of the funding action or expenditure. The State
7 Auditor and Inspector shall not be responsible for maintaining the
8 website described in this section.

9 SECTION 5. AMENDATORY 62 O.S. 2001, Section 41.29, as
10 renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.
11 2009, Section 34.36), and as last amended by Section 44 of Enrolled
12 Senate Bill No. 2113 of the 2nd Session of the 52nd Oklahoma
13 Legislature, is amended to read as follows:

14 Section 34.36 A. On the first day of October preceding each
15 regular session of the Legislature, each state agency, including
16 those created or established pursuant to constitutional provisions,
17 shall report to the Director of the Office of State Finance and the
18 Chair and Vice Chair of the Legislative Oversight Committee on State
19 Budget Performance an itemized request showing the amount needed for
20 the ensuing fiscal year beginning with the first day of July.

21 B. The forms which must be used in making these reports shall
22 be approved by the Director of the Office of State Finance and the
23 Legislative Oversight Committee on State Budget Performance.

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1 C. The forms shall be uniform, and shall clearly designate the
2 information to be given.

3 D. The information provided shall include, but not be limited
4 to:

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

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

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

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

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

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

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

20 8. A ranking of these programs by priority;

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

24

1 10. Revenues expected to be generated by each program, if any;
2 and

3 11. With respect to appropriated state agencies, a detailed
4 listing of all employees and resources dedicated to the provision of
5 financial services including but not limited to procurement,
6 payroll, accounts receivable and accounts payable.

7 E. These appropriated agencies shall make an itemized estimate
8 of needs and request for funds for the ensuing fiscal year and an
9 estimate of the revenues from all sources to be received by the
10 agency during the ensuing fiscal year.

11 F. The Director of the Office of State Finance shall submit to
12 the Governor and the Legislative Oversight Committee on State Budget
13 Performance no later than the fifth day of October a complete list
14 of all spending agencies which have failed to submit budgets by
15 October 1.

16 G. The reports required by this section shall include an
17 itemized listing of outstanding capital lease debt and estimated
18 capital lease needs for the ensuing fiscal year, and shall be
19 provided on forms prescribed by the Director of the Office of State
20 Finance.

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

1 agreement that provides an option for the State of Oklahoma or its
2 agencies to lease such property, which is the subject thereof, at a
3 nominal annual amount, after a period in which leased property is
4 rented at fair market value.

5 I. The provisions of this section shall not apply to CompSource
6 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
7 program authorized by Sections 3316 and 3317 of Title 74 of the
8 Oklahoma Statutes.

9 J. Not later than January 1, the Director of the Office of
10 State Finance shall publish a financial services cost performance
11 assessment which shall document each appropriated state agency's
12 cost for providing financial services including but not limited to
13 procurement, payroll, accounts receivable and accounts payable.
14 Appropriated state agencies ranking in the bottom ten percent (10%)
15 of the cost performance assessment shall enter into a contract with
16 the Office of State Finance for the provision of shared financial
17 services provided that the Director of the Office of State Finance
18 determines and documents that the contractual agreement will result
19 in cost savings to the appropriated state agency. Contracts
20 required by this subsection shall be entered into at the start of
21 the next fiscal year. On a yearly basis the Director of the Office
22 of State Finance shall compile and publish a report documenting the
23 cost savings resulting from shared services contracts.

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1 SECTION 6. RECODIFICATION Section 5, Chapter 322, O.S.L.
2 2009 (62 O.S. Supp. 2009, Section 41.5p-1), as amended by Section 2
3 of this act, shall be recodified as Section 34.24.1 of Title 62 of
4 the Oklahoma Statutes, unless there is created a duplication in
5 numbering.

6 SECTION 7. This act shall become effective November 1, 2010.

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