

1 .STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 897

By: Johnson (Constance)

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7 AS INTRODUCED

8 An Act relating to state government; stating public
9 policy; creating the Task Force to Study Trends in
10 State Purchasing Procedures; stating purpose;
11 providing for membership, vacancies, convening of the
12 first meeting, quorum, designation of cochairs, and
13 determination of meeting schedules; making
14 proceedings subject to the Oklahoma Open Meeting Act;
15 providing for operations, staffing, travel
16 reimbursement, and duties and responsibilities;
17 providing for codification; and declaring an
18 emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 85.59 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 A. It is the public policy of the State of Oklahoma to:

24 1. Recognize and support small disadvantaged businesses;

1 2. Acknowledge the contributions of small disadvantaged
2 businesses as productive employers in the state and the useful
3 functions served in the local communities; and

4 3. Support procedures for state contracting which ensure full
5 participation by eligible businesses in the awarding of state
6 contracts and which do not unfairly burden small disadvantaged
7 businesses.

8 B. There is hereby created the Task Force to Study Trends in
9 State Purchasing Procedures to continue until June 30, 2010. The
10 purpose of the task force is to make recommendations to adjust
11 policies and procedures or to implement new initiatives and
12 strategies, as necessary, related to the ability of small
13 disadvantaged businesses to contract with the state.

14 C. The task force to shall be composed of nineteen (19)
15 appointed members, as follows:

16 1. The Governor shall appoint:

17 a. a representative from the Minority Business

18 Development Center at Langston University, Oklahoma
19 City,

20 b. a representative of the Greater Oklahoma City Hispanic
21 Chamber of Commerce,

22 c. a representative of the Oklahoma Chinese American
23 Business Council, Oklahoma City,

- d. a representative of the Urban League of Greater Oklahoma City, and
- e. a representative of the Capitol Chamber of Commerce, Oklahoma City;

2. The President Pro Tempore of the Senate shall appoint:

- a. a representative of the Oklahoma Native American Enterprise Center, Tulsa,
- b. a representative of the American Indian Chamber of Commerce of Oklahoma, Tulsa,
- c. a representative of the Oklahoma Minority Business Development Consortium, Oklahoma City,
- d. a representative of the Greater Tulsa Hispanic Chamber of Commerce, and
- e. the chair of the Senate Business and Labor Committee, or designee of the chair;

3. The Speaker of the House of Representatives shall appoint:

- a. a representative of the Northside Chamber of Commerce, Lawton,
- b. a representative of the Greenwood Chamber of Commerce, Tulsa,
- c. a representative of the Asia Society of Oklahoma, Edmond,
- d. a representative of the Oklahoma Minority Supplier Development Council, Oklahoma City, and

1 e. the chair of the House Business and Economic
2 Development Committee, or designee of the chair;

3 4. The Executive Director of the Oklahoma Department of
4 Commerce shall appoint:

5 a. an owner of a small business located in the northeast
6 quadrant of the state, and

7 b. an owner of a small business located in the southeast
8 quadrant of the state; and

9 5. The Director of the Department of Central Services shall
10 appoint:

11 a. an owner of a small business located in the northwest
12 quadrant of the state, and

13 b. an owner of a small business located in the southwest
14 quadrant of the state.

15 For purposes of this section, "small business" means a business with
16 twenty-five (25) or fewer employees.

17 D. 1. Members shall serve at the pleasure of their appointing
18 authorities. A vacancy on the task force shall be filled by the
19 original appointing authority.

20 2. Appointments to the task force shall be made by July 15,
21 2009.

22 3. A majority of the members of the task force shall constitute
23 a quorum.

1 4. The President Pro Tempore and the Speaker shall each
2 designate a cochair from among the members of the task force.

3 5. The cochairs of the task force shall convene the first
4 meeting of the task force on or before September 1, 2009, at which
5 time a schedule of meetings shall be determined. The task force
6 shall meet at least four times.

7 6. Proceedings of all meetings of the task force shall comply
8 with the provisions of the Oklahoma Open Meeting Act.

9 7. The task force may divide into subcommittees in furtherance
10 of its purpose.

11 E. 1. The Oklahoma Department of Commerce and the Department
12 of Central Services shall serve as lead agencies and as such shall
13 provide primary staffing for the task force.

14 2. The task force may use the expertise and services of the
15 staffs of the State Senate and the Oklahoma House of
16 Representatives.

17 F. All departments, officers, agencies, and employees of this
18 state shall cooperate with the task force in fulfilling its duties
19 and responsibilities including, but not limited to, providing any
20 information, records, or reports requested by the task force.

21 G. Members of the task force shall receive no compensation for
22 their service, but shall receive travel reimbursement as follows:

23 1. Legislative members of the task force shall be reimbursed
24 for necessary travel expenses incurred in the performance of their

1 duties in accordance with the provisions of Section 456 of Title 74
2 of the Oklahoma Statutes; and

3 2. Nonlegislative members of the task force shall be reimbursed
4 by their appointing authorities or respective agencies for necessary
5 travel expenses incurred in the performance of their duties in
6 accordance with the State Travel Reimbursement Act.

7 H. The duties and responsibilities of the task force shall
8 include, but need not be limited to:

9 1. Reviewing trends in state governmental contracting practices
10 and the way in which small disadvantaged businesses currently
11 participate in the process;

12 2. Reviewing existing statutes, policies, programs, procedures,
13 services and funding sources that affect the ability of small
14 disadvantaged businesses to compete in the awarding of such
15 contracts;

16 3. Identifying and reviewing the number of small disadvantaged
17 businesses in rural and metropolitan areas of the state and their
18 rates of participation in the awarding of state contracts;

19 4. Identifying changes to contracting practices to promote
20 entrepreneurship and economic development by supporting small
21 disadvantaged businesses;

22 5. Developing proposals to increase SDB procurement
23 opportunities in Oklahoma;

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1 6. Determining the economic impact of state procurement awards
2 to local communities and the state at large;

3 7. Proposing policy and procedural solutions to improve SDB
4 data collection, synthesis and reporting;

5 8. Establishing or enhancing existing business coaching
6 networks to support small disadvantaged business success in state
7 contracting efforts and in business development; and

8 9. Taking all actions necessary to develop a comprehensive
9 report and recommendations pursuant thereto.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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