

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2197

6 By: Murphey

7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; creating the
9 Cost Reduction and Saving Act; amending 62 O.S. 2011,
10 Section 34.11.1, which relates to the Chief
11 Information Officer; modifying duties; amending 74
12 O.S. 2011, Sections 85.3A and 85.45k, which relate to
13 the Department of Central Services; authorizing
14 certain advisory committee; authorizing invitation to
15 certain entities; modifying duties of State Travel
16 Office; amending 74 O.S. 2011, Section 500.2, which
17 relates to the State Travel Reimbursement Act;
18 modifying use of purchase card; defining terms;
19 requiring certain consideration prior to expenditure;
20 prohibiting acquisition of certain products;
21 authorizing agency to consider certain contracts;
22 defining term; providing for codification; and
23 providing for noncodification.
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

This act shall be known and may be cited as the "Cost Reduction
and Saving Act".

1 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.11.1, is
2 amended to read as follows:

3 Section 34.11.1 A. There is hereby created the position of
4 Chief Information Officer who shall be appointed by the Governor.
5 The Chief Information Officer, in addition to having authority over
6 the Information Services Division of the Office of State Finance,
7 shall also serve as Secretary of Information Technology and
8 Telecommunications or successor cabinet position and shall have
9 jurisdictional areas of responsibility related to information
10 technology and telecommunications systems of all state agencies as
11 provided for in the Oklahoma Information Services Act. The salary
12 of the Chief Information Officer shall not be less than One Hundred
13 Thirty Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
14 Thousand Dollars (\$160,000.00). The first Chief Information Officer
15 shall be appointed no later than January 1, 2010.

16 B. Any person appointed to the position of Chief Information
17 Officer shall meet the following eligibility requirements:

18 1. A baccalaureate degree in Computer Information Systems,
19 Information Systems or Technology Management, Business
20 Administration, Finance, or other similar degree;

21 2. A minimum of ten (10) years of professional experience with
22 responsibilities for management and support of information systems
23 and information technology, including seven (7) years of direct
24 management of a major information technology operation;

- 1 3. Familiarity with local and wide-area network design,
2 implementation, and operation;
- 3 4. Experience with data and voice convergence service
4 offerings;
- 5 5. Experience in developing technology budgets;
- 6 6. Experience in developing requests for proposal and
7 administering the bid process;
- 8 7. Experience managing professional staff, teams, and
9 consultants;
- 10 8. Knowledge of telecommunications operations;
- 11 9. Ability to develop and set strategic direction for
12 information technology and telecommunications and to manage daily
13 development and operations functions;
- 14 10. An effective communicator who is able to build consensus;
- 15 11. Ability to analyze and resolve complex issues, both logical
16 and interpersonal;
- 17 12. Effective verbal and written communications skills and
18 effective presentation skills, geared toward coordination and
19 education;
- 20 13. Ability to negotiate and defuse conflict; and
- 21 14. A self-motivator, independent, cooperative, flexible and
22 creative.
- 23 C. The salary and any other expenses for the Chief Information
24 Officer shall be budgeted as a separate line item through the Office

1 of State Finance. The operating expenses of the Information
2 Services Division shall be set by the Chief Information Officer and
3 shall be budgeted as a separate line item through the Office of
4 State Finance. The Office of State Finance shall provide adequate
5 office space, equipment and support necessary to enable the Chief
6 Information Officer to carry out the information technology and
7 telecommunications duties and responsibilities of the Officer and
8 the Information Services Division.

9 D. 1. Within twelve (12) months of appointment, the first
10 Chief Information Officer shall complete an assessment of the
11 implementation of the transfer, coordination, and modernization of
12 all information technology and telecommunication systems of all
13 state agencies in the state as provided for in the Oklahoma
14 Information Services Act. The assessment shall include the
15 information technology and telecommunications systems of all
16 institutions within The Oklahoma State System of Higher Education,
17 the Oklahoma State Regents for Higher Education and the
18 telecommunications network known as OneNet.

19 2. Within twelve (12) months of appointment, the first Chief
20 Information Officer shall issue a report setting out a plan of
21 action which will include the following:

22 a. define the shared service model organization structure
23 and the reporting relationship of the recommended
24 organization,

- 1 b. the implementation of an information technology and
2 telecommunications shared services model that defines
3 the statewide infrastructure environment needed by
4 most state agencies that is not specific to individual
5 agencies and the shared applications that are utilized
6 across multiple agencies,
- 7 c. define the services that shall be in the shared
8 services model under the control of the Information
9 Services Division of the Office of State Finance,
- 10 d. define the roadmap to implement the proposed shared
11 services model. The roadmap shall include
12 recommendations on the transfer, coordination, and
13 modernization of all information technology and
14 telecommunication systems of all the state agencies in
15 the state,
- 16 e. recommendations on the reallocation of information
17 technology and telecommunication resources and
18 personnel,
- 19 f. recommendations on maximizing the benefits to the
20 state by the alignment and operation of the
21 communications and data transfer network assets known
22 as OneNet,
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- 1 g. a cost benefit analysis to support the recommendations
2 on the reallocation of information technology and
3 telecommunication resources and personnel,
4 h. a calculation of the net savings realized through the
5 reallocation and consolidation of information
6 technology and telecommunication resources and
7 personnel after compensating for the cost of
8 contracting with a private consultant as authorized in
9 paragraph 4 of this subsection, implementing the plan
10 of action, and ongoing costs of the Information
11 Services Division of the Office of State Finance, and
12 i. the information required in subsection B of Section ~~5~~
13 35.5 of this ~~act~~ title.

14 3. The plan of action report shall be presented to the
15 Governor, Speaker of the House of Representatives, and the President
16 Pro Tempore of the State Senate.

17 4. The Chief Information Officer may contract with a private
18 consultant or consultants to assist in the assessment and
19 development of the plan of action report as required in this
20 subsection.

21 E. Beginning on the effective date of appointment, the Chief
22 Information Officer shall be authorized to employ personnel, fix the
23 duties and compensation of the personnel, not otherwise prescribed
24 by law, and otherwise direct the work of the personnel in performing

1 the function and accomplishing the purposes of the Information
2 Services Division of the Office of State Finance.

3 F. Beginning on the effective date of the appointment of the
4 first Chief Information Officer, the Information Services Division
5 of the Office of State Finance shall be responsible for the
6 following duties:

7 1. Formulate and implement the information technology strategy
8 for all state agencies;

9 2. Define, design, and implement a shared services statewide
10 infrastructure and application environment for information
11 technology and telecommunications for all state agencies;

12 3. Direct the development and operation of a scalable
13 telecommunications infrastructure that supports data and voice
14 communications reliability, integrity, and security;

15 4. Supervise the applications development process for those
16 applications that are utilized across multiple agencies;

17 5. Provide direction for the professional development of
18 information technology staff of state agencies and oversee the
19 professional development of the staff of the Information Services
20 Division of the Office of State Finance;

21 6. Evaluate all technology and telecommunication investment
22 choices for all state agencies;

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1 7. Create a plan to ensure alignment of current systems, tools,
2 and processes with the strategic information technology plan for all
3 state agencies;

4 8. Set direction and provide oversight for the support and
5 continuous upgrading of the current information technology and
6 telecommunication infrastructure in the state in support of enhanced
7 reliability, user service levels, and security;

8 9. Direct the development, implementation, and management of
9 appropriate standards, policies and procedures to ensure the success
10 of state information technology and telecommunication initiatives;

11 10. Recruit, hire and transfer the required technical staff in
12 the Information Services Division of the Office of State Finance to
13 support the services provided by the Division and the execution of
14 the strategic information technology plan;

15 11. Establish, maintain, and enforce information technology and
16 telecommunication standards;

17 12. Delegate, coordinate, and review all work to ensure quality
18 and efficient operation of the Information Services Division of the
19 Office of State Finance;

20 13. Create and implement a communication plan that disseminates
21 pertinent information to state agencies on standards, policies,
22 procedures, service levels, project status, and other important
23 information to customers of the Information Services Division of the
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1 Office of State Finance and provide for agency feedback and
2 performance evaluation by customers of the Division;

3 14. Develop and implement training programs for state agencies
4 using the shared services of the Information Services Division of
5 the Office of State Finance and recommend training programs to state
6 agencies on information technology and telecommunication systems,
7 products and procedures;

8 15. Provide counseling, performance evaluation, training,
9 motivation, discipline, and assign duties for employees of the
10 Information Services Division of the Office of State Finance;

11 16. Approve the purchasing of all information technology and
12 telecommunication products and services for all state agencies;

13 17. Develop and enforce an overall infrastructure architecture
14 strategy and associated roadmaps for desktop, network, server,
15 storage, and statewide management systems for state agencies;

16 18. Effectively manage the design, implementation and support
17 of complex, highly available infrastructure to ensure optimal
18 performance, on-time delivery of features, and new products, and
19 scalable growth;

20 19. Define and implement a governance model for requesting
21 services and monitoring service level metrics for all shared
22 services; and

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1 20. Create the budget for the Information Services Division of
2 the Office of State Finance to be submitted to the Legislature each
3 year.

4 G. Upon receiving approval of the State Governmental Technology
5 Applications Review Board, the Chief Information Officer shall
6 implement the plan of action as set forth in subsection D of this
7 section; provided, the plan of action for the Department of Human
8 Services shall not be implemented until July 1, 2011. The State
9 Governmental Technology Applications Review Board shall provide
10 ongoing oversight of the implementation of the plan of action. Any
11 proposed amendments to the plan of action shall be approved by the
12 Board prior to adoption. The net savings realized through the
13 reallocation and consolidation of information technology and
14 telecommunication resources and personnel after compensating for the
15 up-front costs and ongoing costs of the Information Services
16 Division of the Office of State Finance which are identified and
17 reported in the plan of action shall be realized no later than July
18 1, 2012, and shall at a minimum be not less than fifteen percent
19 (15%) of the overall statewide information technology and
20 telecommunications expenditures made by all state agencies during
21 the fiscal year ending June 30, 2009.

22 H. Beginning on the effective date of appointment, the Chief
23 Information Officer shall act as the Information Technology and
24 Telecommunications Purchasing Director for all state agencies and

1 shall be responsible for the procurement of all information
2 technology and telecommunication software, hardware, equipment,
3 peripheral devices, maintenance, consulting services, high
4 technology systems, and other related information technology, data
5 processing, telecommunication and related peripherals and services
6 for all state agencies. The Chief Information Officer shall
7 establish, implement, and enforce policies and procedures for the
8 procurement of information technology and telecommunication
9 software, hardware, equipment, peripheral devices, maintenance,
10 consulting services, high technology systems, and other related
11 information technology, data processing, telecommunication and
12 related peripherals and services by purchase, lease-purchase, lease
13 with option to purchase, lease and rental for all state agencies.
14 The procurement policies and procedures established by the Chief
15 Information Officer shall be consistent with The Oklahoma Central
16 Purchasing Act and Section 6 of this act.

17 I. The Information Services Division of the Office of State
18 Finance and the Chief Information Officer shall be subject to The
19 Oklahoma Central Purchasing Act for the approval and purchase of
20 equipment and products not related to information and
21 telecommunications technology, equipment, software, products and
22 related peripherals and services and shall also be subject to the
23 requirements of the Public Competitive Bidding Act of 1974, the
24 Oklahoma Lighting Energy Conservation Act and the Public Building

1 Construction and Planning Act when procuring data processing,
2 information technology, telecommunication, and related peripherals
3 and services and when constructing information technology and
4 telecommunication facilities, telecommunication networks and
5 supporting infrastructure. The Chief Information Officer shall be
6 authorized to delegate all or some of the procurement of information
7 technology and telecommunication products and services and
8 construction of facilities and telecommunication networks to another
9 state entity if the Chief Information Officer determines it to be
10 cost-effective and in the best interest of the state. The Chief
11 Information Officer shall have authority to designate information
12 technology and telecommunication contracts as statewide contracts
13 and mandatory statewide contracts pursuant to Section 85.5 of Title
14 74 of the Oklahoma Statutes. Any contract entered into by a state
15 agency for which the Chief Information Officer has not acted as the
16 Information Technology and Telecommunications Purchasing Director as
17 required in this subsection or subsection H of this section, shall
18 be deemed to be unenforceable and the Office of State Finance shall
19 not process any claim associated with the provisions thereof.

20 J. The Chief Information Officer shall establish and implement
21 charges and a system to assess the charges to state agencies for
22 their use of shared information technology and telecommunication
23 services subject to the approval of the State Governmental
24 Technology Applications Review Board.

1 K. The Chief Information Officer shall establish, implement,
2 and enforce policies and procedure for the development and
3 procurement of an interoperable radio communications system for
4 state agencies. The Chief Information Officer shall work with local
5 governmental entities in developing the interoperable radio
6 communications system.

7 L. The Chief Information Officer shall develop and implement a
8 plan to utilize open source technology and products for the
9 information technology and telecommunication systems of all state
10 agencies.

11 M. All state agencies and authorities of this state and all
12 officers and employees of those entities shall work and cooperate
13 with and lend assistance to the Chief Information Officer and the
14 Information Services Division of the Office of State Finance and
15 provide any and all information requested by the Chief Information
16 Officer.

17 N. The Chief Information Officer shall prepare an annual report
18 detailing the ongoing net saving attributable to the reallocation
19 and consolidation of information technology and telecommunication
20 resources and personnel and shall submit the report to the Governor,
21 the Speaker of the House of Representatives, and the President Pro
22 Tempore of the Senate.

23 O. For purposes of the Oklahoma Information Services Act,
24 unless otherwise provided for, "state agencies" shall include any

1 office, officer, bureau, board, commission, counsel, unit, division,
2 body, authority or institution of the executive branch of state
3 government, whether elected or appointed; provided, except with
4 respect to the provisions of subsection D of this section, the term
5 "state agencies" shall not include institutions within The Oklahoma
6 State System of Higher Education, the Oklahoma State Regents for
7 Higher Education and the telecommunications network known as OneNet.

8 SECTION 3. AMENDATORY 74 O.S. 2011, Section 85.3A, is
9 amended to read as follows:

10 Section 85.3A A. Compliance with the provisions of The
11 Oklahoma Central Purchasing Act shall not be required of:

- 12 1. County government;
- 13 2. The Oklahoma State Regents for Higher Education, the
14 institutions, centers, or other constituent agencies of The Oklahoma
15 State System of Higher Education;
- 16 3. The telecommunications network known as OneNet;
- 17 4. The Department of Public Safety gun range;
- 18 5. The State Treasurer for the following purchases:
 - 19 a. services, including, but not limited to, legal
20 services to assist in the administration of the
21 Uniform Unclaimed Property Act, as provided in Section
22 668 of Title 60 of the Oklahoma Statutes, and
 - 23 b. software, hardware and associated services to assist
24 in the administration of funds and securities held by

1 the state, as provided in Section 71.2 of Title 62 of
2 the Oklahoma Statutes;

3 6. CompSource Oklahoma if CompSource Oklahoma is operating
4 pursuant to a pilot program authorized by Sections 3316 and 3317 of
5 this title; or

6 7. The Oklahoma Wheat Utilization, Research and Market
7 Development Commission.

8 B. The State Purchasing Director may form an advisory committee
9 consisting of representatives from entities exempted from the
10 provisions of The Oklahoma Central Purchasing Act. The purpose of
11 the committee shall be to allow committee members to provide input
12 into the development of shared state purchasing contracts,
13 collaboratively participate in the integration of their purchasing
14 platforms or electronic purchasing catalogs, analyze solutions that
15 may be used by state government to meet the purchasing needs of the
16 entities, explore joint purchases of general use items that result
17 in mutual procurement of quality goods and services at the lowest
18 reasonable cost and explore flexibility, administrative relief, and
19 transformation changes through utilization of procurement
20 technology.

21 C. At the invitation of the State Purchasing Director entities
22 exempted from the provisions of The Oklahoma Central Purchasing Act
23 shall participate in the advisory committee referenced in subsection
24 B of this section.

1 D. The State Purchasing Director may invite representatives of
2 local government and local common education entities to participate
3 as members of the advisory committee.

4 SECTION 4. AMENDATORY 74 O.S. 2011, Section 85.45k, is
5 amended to read as follows:

6 Section 85.45k A. There is hereby created the State Travel
7 Office within the Purchasing Division of the Department of Central
8 Services.

9 B. All state agencies and departments of this state shall make
10 arrangements for all air travel on scheduled commercial airlines for
11 state employees required to travel in the course of their official
12 duties and for all other persons traveling at state expense through
13 the State Travel Office, except when the state agency determines
14 that:

15 1. The air travel services can be secured at a cost less than
16 that which can be secured by the State Travel Office; or

17 2. The air travel originates from a location outside the state
18 and it would be impractical to arrange for the air travel through
19 the State Travel Office; or

20 3. The air travel is necessitated by an emergency and time does
21 not permit utilization of the State Travel Office's services; or

22 4. The air travel is part of a package arrangement made by the
23 organization scheduling the meeting or conference.
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1 C. All claims made for reimbursement shall contain a statement
2 showing the reason for the exemption.

3 ~~D. The State Travel Office shall divide the state into high
4 travel areas and low travel areas. A high travel area shall consist
5 of no more than one county. Oklahoma, Tulsa, Payne and Cleveland
6 Counties and any other county that accounts for a substantial
7 portion of air travel at state expense shall be designated as high
8 travel areas. The remaining counties of the state shall be
9 designated as low travel areas. Low travel areas may consist of
10 more than one county, as determined by the State Travel Office. The
11 State Travel Office shall contract with no less than six private
12 travel agencies in a high travel area and one or more private travel
13 agencies in a low travel area to provide the scheduling and related
14 travel services required to comply with this section. In order to
15 take advantage of local competitive situations, institutions of The
16 Oklahoma State System of Higher Education in high travel areas are
17 authorized to solicit competitive bids for air travel services by
18 travel agencies. If the bids result in greater savings than the
19 state contract, then these institutions may issue individual
20 contracts to not less than two travel agencies. Further,
21 institutions of The Oklahoma State System of Higher Education in
22 high travel areas are also authorized to solicit competitive bids
23 for applicable city pair destination rates to airline companies. If
24 the bids result in a greater savings than the state contract rates,~~

1 ~~these institutions may issue individual contracts to the airline~~
2 ~~companies with the lowest bids.~~

3 ~~E.~~ D. The State Travel Office shall promulgate rules and
4 contract specifications to which the contract travel agencies shall
5 be subject. The rules and specifications shall be drawn with the
6 intent of obtaining the lowest available fares for scheduled
7 commercial air travel.

8 ~~F.~~ E. At the end of each month the contract travel agencies
9 shall furnish a statement, in a form approved by the State Travel
10 Office, showing certain details of all travel arrangements handled
11 to each state agency for which the contract travel agencies have
12 furnished their services and shall also furnish copies of said
13 statements to the State Travel Office.

14 SECTION 5. AMENDATORY 74 O.S. 2011, Section 500.2, is
15 amended to read as follows:

16 Section 500.2 A. Officials and employees of the state,
17 traveling on authorized state business, may be reimbursed for
18 expenses incurred in such travel in accordance with the provisions
19 of the State Travel Reimbursement Act and existing statutes relating
20 to state travel. Persons who are not state employees, but who are
21 performing substantial and necessary services to the state which
22 have been directed or approved by the appropriate department
23 official shall enjoy the protection of the sovereign immunity of the
24 state to the same extent as a paid employee. Such persons may be

1 reimbursed for expenses incurred during authorized official travel
2 under these same statutory provisions, provided it is indicated on
3 the claim the person is not a state employee, a description of
4 services performed is entered, and the agency head by approval of
5 the claim certifies such services were substantial and necessary,
6 and germane to the duties and functions of the reimbursing agency.
7 Travel expenses incurred by a person during the course of seeking
8 employment with a state agency, unless such travel is performed at
9 the request of the employing agency, shall not be considered
10 expenses incurred in performing substantial and necessary services
11 to the state and shall not be reimbursed under the provisions of the
12 State Travel Reimbursement Act.

13 B. The chief administrative officer of the Department of Public
14 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
15 State Bureau of Narcotics and Dangerous Drugs Control, the Military
16 Department of the State of Oklahoma, the Department of Corrections,
17 the Department of Central Services, the Alcoholic Beverage Laws
18 Enforcement Commission, the Oklahoma Department of Agriculture,
19 Food, and Forestry, the Oklahoma Department of Emergency Management,
20 the State Fire Marshal, and the State Department of Health may
21 arrange for and charge meals and lodging for a contingent of state
22 personnel moved into an area for the purpose of preserving the
23 public health, safety, or welfare or for the protection of life or
24 property. The cost for meals or lodging so charged shall not exceed

1 the amount authorized in the State Travel Reimbursement Act. The
2 chief administrative officer of each agency involved in such an
3 operation shall require the vendor furnishing meals, lodging, or
4 both meals and lodging to submit an itemized statement for payment.
5 When a claim for lodging is made for a contingent of state
6 personnel, individual members of the contingent may not submit a
7 claim for lodging. When a claim for meals is made for a contingent
8 of state personnel, individual members of the contingent may not
9 submit a claim for meals.

10 C. The Oklahoma Department of Commerce, the Oklahoma Center for
11 the Advancement of Science and Technology, and the Oklahoma
12 Department of Agriculture, Food, and Forestry are hereby authorized
13 to enter into contracts and agreements for the payment of food,
14 lodging, meeting facility and beverage expenses as may be necessary
15 for sponsoring seminars and receptions relating to economic
16 development and science and technology issues. Such expenses may be
17 paid directly to the contracting agency or business establishment.
18 The Director of the Oklahoma Department of Commerce, the President
19 of the Oklahoma Center for the Advancement of Science and
20 Technology, and the Commissioner of Agriculture shall each provide a
21 quarterly report of such expenditures to the Governor, the Speaker
22 of the House of Representatives and the President Pro Tempore of the
23 Senate.

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1 D. The Native American Cultural and Educational Authority is
2 hereby authorized to enter into contracts and agreements for the
3 payment of food, lodging, and meeting facility as may be necessary
4 to pursue the promotion of fund-raising, marketing, and development
5 of Native American educational programs and cultural projects, or to
6 sponsor luncheons, seminars, and receptions relating to Native
7 American educational, cultural, museum, and economic development
8 issues. Such expenses may be paid directly to the contracting
9 agency or business establishment. The Executive Director shall
10 provide a monthly report of expenditures to the Board.

11 E. For purposes of this section:

12 1. "State agency" means any constitutionally or statutorily
13 created state board, commission, or department, including the
14 Legislature and the Courts;

15 2. State agencies are authorized to enter into contracts and
16 agreements for the payment of food and lodging expenses as may be
17 necessary for employees or other persons who are performing
18 substantial and necessary services to the state by attending
19 official conferences, meetings, seminars, workshops, or training
20 sessions or in the performance of their duties. Such expenses may
21 be paid directly to the contracting agency or business
22 establishment, provided the meeting qualifies for overnight travel
23 for the employees and the cost for food and lodging for each
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1 employee shall not exceed the total daily rate as provided in the
2 State Travel Reimbursement Act;

3 3. State agencies are authorized to enter into contracts and
4 agreements for the payment of conference registration expenses as
5 may be necessary for employees or other persons who are performing
6 substantial and necessary services to the state by attending
7 official conferences, meetings, seminars, workshops, or training
8 sessions. Such expenses may be paid directly to the contracting
9 agency or business establishment; and

10 4. State agencies are authorized to enter into contracts and
11 agreements for the payment of food and lodging expenses as may be
12 necessary for employees attending an official course of instruction
13 or training conducted or sponsored by any state agency. Expenses
14 may be paid directly to the contracting agency or business
15 establishment. The cost for food and lodging for each employee
16 shall not exceed the total daily rate as provided in the State
17 Travel Reimbursement Act.

18 F. State agencies are authorized to make direct purchases of
19 commercial airline tickets for use by employees in approved out-of-
20 state travel. Each claim or invoice submitted to the Director of
21 State Finance for the payment of the purchase shall bear the airline
22 identifying ticket number, the name of the airline, total cost of
23 each ticket purchased, class of accommodation, social security
24 number, and name of the employee for whom the ticket was purchased,

1 and shall be filed on claim forms as prescribed by the Director of
2 State Finance. The employee shall sign an affidavit stating that
3 the employee did use any direct purchase commercial airline ticket
4 received for his or her approved out-of-state travel.

5 G. 1. The Administrator of the Office of Personnel Management
6 is hereby authorized to enter into contracts and agreements for the
7 payment of food, lodging, and other authorized expenses as may be
8 necessary to host, conduct, sponsor, or participate in conferences,
9 meetings, or training sessions. The Administrator may establish
10 accounts as necessary for the collection and distribution of funds,
11 including funds of sponsors and registration fees, related to such
12 conferences, meetings, and training sessions. Expenses incurred may
13 be paid directly to the contracting agency or business
14 establishment.

15 2. The cost of food for persons attending any conferences,
16 meetings, and training sessions that do not require overnight travel
17 shall not exceed the total daily rate as provided in the State
18 Travel Reimbursement Act.

19 H. 1. The Commissioner of the Department of Mental Health and
20 Substance Abuse Services is hereby authorized to enter into
21 contracts and agreements for the payment of food, lodging, and other
22 authorized expenses as may be necessary to host, conduct, sponsor,
23 or participate in conferences, meetings, or training sessions. The
24 Commissioner may establish accounts as necessary for the collection

1 and distribution of funds, including funds of sponsors and
2 registration fees, related to such conferences, meetings, and
3 training sessions. Any expenses incurred may be paid directly to
4 the contracting agency or business establishment.

5 2. The cost of food for persons attending any conferences,
6 meetings, and training sessions that do not require overnight travel
7 shall not exceed the total daily rate as provided in the State
8 Travel Reimbursement Act.

9 I. The Oklahoma Indigent Defense System is hereby authorized to
10 enter into contracts and agreements for the payment of lodging as
11 necessary for employees to carry out their duties in representing
12 any client whom the System has been properly appointed to represent.
13 Such expenses may be paid directly to the contracting agency or
14 business establishment. The cost for lodging for each employee
15 shall not exceed the daily rate as provided in the State Travel
16 Reimbursement Act.

17 J. The Oklahoma Tourism and Recreation Department is hereby
18 authorized to enter into contracts and agreements for the payment of
19 food, lodging, and meeting facility and beverage expenses as may be
20 necessary for seminars and receptions relating to familiarization
21 tours and tourism development. The expenses may be paid directly to
22 the contracting agency or business establishment. The Executive
23 Director of Oklahoma Tourism and Recreation Department shall provide
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1 a monthly report of any such expenditures to the Oklahoma Tourism
2 and Recreation Commission.

3 K. The Oklahoma Tourism and Recreation Department is hereby
4 authorized to enter into contracts and agreements for the payment of
5 exhibitor fees and display space charges at expositions to promote
6 the Department's recreational facilities and the tourism and
7 recreation industry. The expenses may be paid directly to the
8 contracting agency or business establishment; provided that no
9 payment shall be made prior to the event unless it conveys a
10 property right to the state for future availability and use.

11 L. 1. The Oklahoma Highway Safety Office of the Department of
12 Public Safety is hereby authorized to enter into contracts and
13 agreements for the payment of food, lodging, and other authorized
14 expenses as may be necessary, to host, conduct, sponsor, or
15 participate in highway-safety-related conferences, workshops,
16 seminars, meetings, or training sessions. The payments shall be for
17 all persons in attendance, including, but not limited to, employees
18 of political subdivisions or employees of the state or federal
19 government. For purposes specified in this paragraph, only federal
20 highway safety funds may be used in accordance with federal
21 guidelines and regulations, and no appropriated state funds shall be
22 used.

23 2. The cost of food for persons attending any highway safety
24 conferences, workshops, seminars, meetings, and training sessions

1 that do not require overnight travel shall not exceed the total
2 daily rate as provided in the State Travel Reimbursement Act.

3 M. 1. The Director of the Oklahoma State Bureau of
4 Investigation is hereby authorized to enter into contracts and
5 agreements for the payment of food, lodging and other authorized
6 expenses as may be necessary to host, conduct, sponsor or
7 participate in any conference, meeting, training session or
8 initiative to promote the mission and purposes of the Bureau. The
9 payments may be for all persons in attendance, including, but not
10 limited to, employees of political subdivisions or employees of the
11 state or federal government.

12 2. The cost of food for persons that do not require overnight
13 travel shall not exceed the total daily rate as provided in the
14 State Travel Reimbursement Act.

15 N. The Oklahoma Homeland Security Director is hereby authorized
16 to enter into contracts and agreements for the payment of food,
17 lodging and other authorized expenses as may be necessary to host,
18 conduct, sponsor, or participate in homeland security related
19 conferences, meetings, workshops, seminars, exercises or training
20 sessions. The expenses may be paid directly to the contracting
21 agency or business establishment.

22 O. 1. The Insurance Commissioner of the Insurance Department
23 of the State of Oklahoma is hereby authorized to enter into
24 contracts and agreements for the payment of food, lodging, and other

1 authorized expenses as may be necessary to host, conduct, sponsor,
2 or participate in conferences, meetings, or training sessions. The
3 Commissioner may establish accounts as necessary for the collection
4 and distribution of funds, including funds of sponsors and
5 registration fees, related to such conferences, meetings, and
6 training sessions. Any expenses incurred may be paid directly to
7 the contracting agency or business establishment.

8 2. The cost of food for persons attending any conferences,
9 meetings, and training sessions that do not require overnight travel
10 shall not exceed the total daily rate as provided in the State
11 Travel Reimbursement Act.

12 P. 1. The State Regents for Higher Education is hereby
13 authorized to enter into contracts and agreements for the payment of
14 food, lodging, and other authorized expenses as may be necessary to
15 host, conduct, sponsor, or participate in conferences, meetings, or
16 training sessions. The State Regents for Higher Education may
17 establish accounts as necessary for the collection and distribution
18 of funds, including funds of sponsors and registration fees, related
19 to such conferences, meetings, and training sessions. Any expenses
20 incurred may be paid directly to the contracting agency or business
21 establishment.

22 2. The cost of food for persons attending any conferences,
23 meetings, and training sessions that do not require overnight travel
24

1 shall not exceed the total daily rate as provided in the State
2 Travel Reimbursement Act.

3 Q. Whenever possible it shall be the policy of each state
4 agency to prepay airline fares and lodging expenses using a purchase
5 card issued to the agency. This policy shall apply to instances
6 where employees of the agency are traveling on behalf of state
7 government.

8 SECTION 6. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 85.7h of Title 74, unless there
10 is created a duplication in numbering, reads as follows:

11 A. For the purposes of this section, "open source software"
12 means software that guarantees the user of the software use of the
13 software for any purpose, allows unrestricted access to the
14 respective source code, enables the use of the internal mechanisms
15 and arbitrary portions of the software with the ability to adapt
16 them to the needs of the user, provides the freedom to make and
17 distribute copies of the software, and guarantees the right to
18 modify the software with the freedom to distribute modifications of
19 the new resulting software under the same license as the original
20 software. "Open standards" means specifications for the encoding
21 and transfer of computer data that is free for all to implement and
22 use in perpetuity, with no royalty or fee, has restrictions on the
23 use of data stored in the format, has no restrictions on the
24 creation of software that stores, transmits, receives, or accesses

1 data codified in such way, has a specification available for all to
2 read, in a human-readable format, written in commonly accepted
3 technical language, is documented, so that anyone can write software
4 that can read and interpret the complete semantics of any data file
5 stored in the data format, allows any file written in that format to
6 be identified as adhering or not adhering to the format, and
7 provides that any encryption or obfuscation algorithms are usable in
8 a royalty-free, nondiscriminatory manner in perpetuity, and are
9 documented so that anyone in possession of the appropriate
10 encryption key or keys or other data necessary to recover the
11 original data is able to write software to access the data.

12 "Proprietary software" means software that does not fulfill all of
13 the guarantees provided by open source software.

14 B. Prior to approving software acquisition requests, the Chief
15 Information Officer shall require that the purchasing entity has
16 considered whether proprietary or open source software offers the
17 most cost-effective software solution for the agency, based on
18 consideration of all associated acquisition, support, maintenance,
19 and training costs.

20 C. Whenever possible the Chief Information Officer shall avoid
21 approving requests for the acquisition of products that do not
22 comply with open standards for interoperability or data storage.

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1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 85.7I of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 Notwithstanding any other section of law, the Chief Information
5 Officer may allow a public agency to utilize state technology
6 contracts duly awarded by this state under The Oklahoma Central
7 Purchasing Act. For the purposes of this section the term "public
8 agency" means a government agency recognized as a state or local
9 government agency in its state of origin.

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