

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE BILL NO. 2520

By: Murphey

6  
7 COMMITTEE SUBSTITUTE

8  
9 An Act relating to state government; enacting the  
10 Government Reorganization Act; prescribing  
11 requirements related to full-time-equivalent  
12 positions; requiring span of control policy;  
13 prescribing certain ratio; allowing exception by  
14 Director of the Office of State Finance; requiring  
15 annual report; defining term; providing for removal  
16 of certain authorizations; prohibiting hiring during  
17 certain period; providing for annual report;  
18 requiring Director of the Office of State Finance to  
19 publish certain performance metrics and standards;  
20 requiring state agencies to provide information;  
21 providing for information accessibility; requiring  
22 annual review and approval; requiring publication of  
23 report with respect to certain agency performance;  
24 providing for shared services contracts; providing  
for appeal of determination to the State Governmental  
Technology Applications Review Board; defining term;  
amending 62 O.S. 2011, Section 45.1, which relates to  
the Oklahoma Program Performance Budgeting and  
Accountability Act; modifying citation; providing for  
codification; and providing for noncodification.

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

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

3 This act shall be known and may be cited as the "Government  
4 Reorganization Act".

5 SECTION 2. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 840-3.17 of Title 74, unless  
7 there is created a duplication in numbering, reads as follows:

8 Employees who share position identification numbers for a time  
9 period of thirty (30) days or more shall count in the cumulative  
10 total against the statutory limitation on full-time-equivalent  
11 employee positions for any agency.

12 SECTION 3. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 840-3.18 of Title 74, unless  
14 there is created a duplication in numbering, reads as follows:

15 Each agency shall enforce a span of control policy. The span of  
16 control policy shall dictate the aggregate ratio of the number of  
17 employees per supervisory employee is maintained at not less than  
18 one per fifteen full-time-equivalent state employee positions. The  
19 Director of the Office of State Finance may grant an exception from  
20 the provisions of this section for cause provided that the Director  
21 of the Office of State Finance shall publish an annual report  
22 detailing the number of exemptions granted and the cause for which  
23 the exemptions are granted. For the purposes of this section,  
24 "supervisory employee" means a public employee who has authority, in

1 the interest of the state, to hire, transfer, suspend, lay off,  
2 recall, promote, discharge, assign, reward, or discipline other  
3 public employees, to direct such public employees, or to adjust the  
4 grievances of such public employees, or to effectively recommend any  
5 such action.

6 SECTION 4. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 840-3.19 of Title 74, unless  
8 there is created a duplication in numbering, reads as follows:

9 When a full-time-equivalent employee position remains vacant for  
10 a period of at least six (6) months the authorization for that  
11 position shall be removed from the agency. The Office of State  
12 Finance shall not authorize the hiring of any position that remains  
13 vacant for at least six (6) months from the effective date of this  
14 act. The Director of the Office of State Finance may grant an  
15 exception from the provisions of this section for cause provided  
16 that the Director of the Office of State Finance shall publish an  
17 annual report detailing the number of exemptions granted and the  
18 cause for which the exemptions are granted.

19 SECTION 5. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 45.11 of Title 62, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. Pursuant to this act, the Director of the Office of State  
23 Finance shall cause to be published performance reporting metrics  
24 and standards for each state agency and agency-specific initiatives.

1 These metrics shall account for input, output and outcome measures  
2 and shall include not less than three consistent scales  
3 demonstrating that a performance standard has been achieved,  
4 partially achieved or not achieved. At least one metric shall  
5 demonstrate the cost per person served by the agency.

6 B. State agencies shall provide information as required by the  
7 Director to assist in the development of performance reporting  
8 metrics and standards.

9 C. State agencies shall report information as required by the  
10 Director to assist in the determination of the agencies success or  
11 failure to meet established performance reporting metrics.

12 D. Performance metrics showing agency and agency department-  
13 level performance shall be published and prominently featured on the  
14 state Internet portal and through the direct domain  
15 performance.ok.gov. This data shall be updated on a regular basis.

16 E. Performance metrics and standards shall be reviewed and  
17 approved annually.

18 F. Each year the Director of the Office of State Finance shall  
19 publish a report identifying the lowest performing state agencies.  
20 The report shall be provided to the Governor, Speaker of the House,  
21 President Pro Tempore of the Senate, and shall be electronically  
22 transmitted to all members of the House of Representatives and  
23 Senate and shall be prominently featured on the state Internet  
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1 portal. The report shall also describe and rank the agencies having  
2 the highest ratio of cost per person served.

3 G. Agencies whose performance ranks in the bottom ten percent  
4 (10%) of performance in relation to the performance metrics shall be  
5 considered eligible for entering into a shared services contract for  
6 administrative services with the Office of State Finance.

7 H. An agency whose performance ranks in the bottom ten percent  
8 (10%) of performance in relation to the performance metrics may  
9 appeal this finding to the State Governmental Technology  
10 Applications Review Board and may request the State Auditor and  
11 Inspector to verify the veracity of the findings.

12 I. For the purposes of this section, "performance reporting  
13 metrics" shall mean a set of criteria which demonstrates the  
14 quantity and quality of work.

15 SECTION 6. AMENDATORY 62 O.S. 2011, Section 45.1, is  
16 amended to read as follows:

17 Section 45.1 Sections 45.1 through ~~45.10~~ 45.11 of this title  
18 shall be known and may be cited as the "Oklahoma Program Performance  
19 Budgeting and Accountability Act". All state agencies are to  
20 prepare and submit their budgetary systems in a program format. In  
21 addition, all state agencies are to collect and identify data to  
22 measure performance of their programs.

23 Implementation of this act shall be designed to better  
24 prioritize state funding needs, reduce program duplication, enhance

1 budgeting information necessary to improve the efficiency of state  
2 operations and improve state services to the public.

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