

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2520

 By: Murphey

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8 COMMITTEE SUBSTITUTE

9
10 An Act relating to state government; enacting the
11 Government Reorganization Act; prescribing
12 requirements related to full-time-equivalent
13 positions; requiring span of control policy;
14 prescribing certain ratio; allowing exception by
15 Director of the Office of State Finance; requiring
16 annual report; defining term; providing for removal
17 of certain authorizations; prohibiting hiring during
18 certain period; providing for annual report;
19 requiring Director of the Office of State Finance to
20 publish certain performance metrics and standards;
21 requiring state agencies to provide information;
22 providing for information accessibility; requiring
23 annual review and approval; requiring publication of
24 report with respect to certain agency performance;
 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.

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

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

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

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

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

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

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

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1 the exemptions are granted. For the purposes of this section,
2 "supervisory employee" means a public employee who has authority, in
3 the interest of the state, to hire, transfer, suspend, lay off,
4 recall, promote, discharge, assign, reward, or discipline other
5 public employees, to direct such public employees, or to adjust the
6 grievances of such public employees, or to effectively recommend any
7 such action.

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

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

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

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1 A. Pursuant to this act, the Director of the Office of State
2 Finance shall cause to be published performance reporting metrics
3 and standards for each state agency and agency-specific initiatives.
4 These metrics shall account for input, output and outcome measures
5 and shall include not less than three consistent scales
6 demonstrating that a performance standard has been achieved,
7 partially achieved or not achieved. At least one metric shall
8 demonstrate the cost per person served by the agency.

9 B. State agencies shall provide information as required by the
10 Director to assist in the development of performance reporting
11 metrics and standards.

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

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

19 E. Performance metrics and standards shall be reviewed and
20 approved annually.

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

6 G. Agencies whose performance ranks in the bottom ten percent
7 (10%) of performance in relation to the performance metrics shall be
8 considered eligible for entering into a shared services contract for
9 administrative services with the Office of State Finance.

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

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

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

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

3 Implementation of this act shall be designed to better
4 prioritize state funding needs, reduce program duplication, enhance
5 budgeting information necessary to improve the efficiency of state
6 operations and improve state services to the public.

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8 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
9 02/23/2012 - DO PASS, As Amended.

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