

1 **SENATE FLOOR VERSION**

2 February 28, 2011

3 As Amended

4 SENATE BILL NO. 541

By: Sykes of the Senate

5 and

Murphey of the House

6
7
8 [Oklahoma Innovation, Efficiency and Accountability
9 Act of 2011 - licenses and permits - electronic
10 signatures - Trip Optimizer system - modifying
11 provisions - defining term - lowest cost option -
12 exemptions - noncodification - recodification -
13 effective date]

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

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

17 This act shall be known and may be cited as the "Oklahoma
18 Innovation, Efficiency and Accountability Act of 2011".

19 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.
20 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as
21 follows:

22 Section 41.5p-1 A. Except as otherwise provided by this
23 section, as of July 1, 2010, each state agency, board, commission or
24 other entity organized within the executive department of state
government responsible for licensing or permitting shall utilize the

1 portal system to allow for ~~the~~ a link to a web-based application and
2 renewal application for any license or permit issued by that agency.
3 Access to the online renewal systems shall be featured prominently
4 on the portal system.

5 B. Each entity responsible for licensing or permitting shall
6 make available to the Office of State Finance on a yearly basis a
7 report describing the number of licenses issued, license renewals
8 and permits issued as well as an estimate of the amount of savings
9 incurred by the entity as a result of the online licensing and
10 permitting process.

11 C. The Office of State Finance shall make available to the
12 public a copy of each report submitted in accordance with the
13 requirements of subsection B of this section by placing the report
14 on the website defined in Section 46 of ~~Title 62 of the Oklahoma~~
15 ~~Statutes~~ this title.

16 D. The Director of the Office of State Finance may exempt a
17 specific license or permit from the requirements of this section
18 should ~~he~~ the Director find compelling evidence that the issuance of
19 the license or permit requires the provision of information that
20 cannot be provided through an online licensing or permitting process
21 and when the failure of the applicant to provide the information
22 would create a significant risk to the integrity of the license or
23 permit. The Director of the Office of State Finance shall document
24 any exemptions issued pursuant to the provisions of this subsection

1 and describe the compelling evidence justifying the need for the
2 exemptions in a report to be provided to the Governor, Speaker of
3 the Oklahoma House of Representatives and Speaker Pro Tempore of the
4 State Senate. The exception provided for in this subsection shall
5 not apply to license renewals pursuant to the Oklahoma Vehicle
6 License and Registration Act of Title 47 of the Oklahoma Statutes.

7 E. The state agencies may accept an electronic signature in the
8 application process for any license or permit, provided the use of
9 an electronic signature shall not create a significant risk to the
10 integrity of the license or permit.

11 SECTION 3. AMENDATORY Section 1, Chapter 152, O.S.L.
12 2009 (74 O.S. Supp. 2010, Section 85.45 1), is amended to read as
13 follows:

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

24

1 B. The provisions of this section shall be used to determine
2 the most cost-effective method of travel by motor vehicles, whether
3 such vehicles are owned by the agency, leased by the agency or by
4 the employee, and shall be applicable for purposes of determining
5 the maximum authorized amount of any travel reimbursement for
6 employees of such agencies related to vehicle usage.

7 C. ~~An~~ A nonappropriated state agency, as defined in subsection
8 ~~A of this section,~~ that employs persons who use personal vehicles as
9 part of their regular duties and who are reimbursed for travel
10 expenses by the agency shall not be required to utilize the Trip
11 Optimizer system with regard to the travel expenses of such
12 employees. As used in this section, "nonappropriated state agency"
13 means an entity within the executive branch of government that does
14 not receive any of its funding through the annual legislative
15 appropriations process.

16 D. The maximum authorized amount of travel reimbursement
17 related to vehicle usage shall be the lowest cost option as
18 determined by the Trip Optimizer. All travel claims submitted for
19 reimbursement shall include the results of the Trip Optimizer
20 indicating the lowest cost option for travel by the state employee.

21 SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.29, as
22 renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last
23 amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010,
24 Section 34.36), is amended to read as follows:

1 Section 34.36 A. On the first day of October preceding each
2 regular session of the Legislature, each state agency, including
3 those created or established pursuant to constitutional provisions,
4 shall report to the Director of the Office of State Finance and the
5 Chair and Vice Chair of the Legislative Oversight Committee on State
6 Budget Performance an itemized request showing the amount needed for
7 the ensuing fiscal year beginning with the first day of July.

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

11 C. The forms shall be uniform, and shall clearly designate the
12 information to be given.

13 D. The information provided shall include, but not be limited
14 to:

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

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

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

23 4. A description of the groups of people served by each program
24 in the agency;

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

2 6. A description of the tactics which are intended to
3 accomplish each objective;

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

6 8. A ranking of these programs by priority;

7 9. Actual program expenditures for the current fiscal year and
8 prior fiscal years and the number of personnel required to
9 accomplish each program; ~~and~~

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

12 11. With respect to appropriated state agencies, a detailed
13 listing of all employees and resources dedicated to the provision of
14 financial services including but not limited to procurement,
15 payroll, accounts receivable and accounts payable. The provisions
16 of this paragraph shall not be applicable to the Oklahoma State
17 Regents for Higher Education or to any institutions within The
18 Oklahoma State System of Higher Education.

19 E. These appropriated agencies shall make an itemized estimate
20 of needs and request for funds for the ensuing fiscal year and an
21 estimate of the revenues from all sources to be received by the
22 agency during the ensuing fiscal year.

23 F. The Director of the Office of State Finance shall submit to
24 the Governor and the Legislative Oversight Committee on State Budget

1 Performance no later than the fifth day of October a complete list
2 of all spending agencies which have failed to submit budgets by
3 October 1.

4 G. The reports required by this section shall include an
5 itemized listing of outstanding capital lease debt and estimated
6 capital lease needs for the ensuing fiscal year, and shall be
7 provided on forms prescribed by the Director of the Office of State
8 Finance.

9 H. For the purposes of this section, "capital lease" means a
10 lease-purchase agreement which provides an option for the State of
11 Oklahoma or its agencies to purchase property, including personal
12 and real property, which is the subject thereof and/or a lease
13 agreement that provides an option for the State of Oklahoma or its
14 agencies to lease such property, which is the subject thereof, at a
15 nominal annual amount, after a period in which leased property is
16 rented at fair market value.

17 I. The provisions of this section shall not apply to CompSource
18 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
19 program authorized by Sections 3316 and 3317 of Title 74 of the
20 Oklahoma Statutes.

21 J. Not later than January 1, the Director of the Office of
22 State Finance shall publish a financial services cost performance
23 assessment which shall document each appropriated state agency's
24 cost for providing financial services including but not limited to

1 procurement, payroll, accounts receivable and accounts payable.
2 Appropriated state agencies ranking in the bottom ten percent (10%)
3 of the cost performance assessment shall enter into a contract with
4 the Office of State Finance for the provision of shared financial
5 services provided that the Director of the Office of State Finance
6 determines and documents that the contractual agreement will result
7 in cost savings to the appropriated state agency. Contracts
8 required by this subsection shall be entered into at the start of
9 the next fiscal year. On a yearly basis the Director of the Office
10 of State Finance shall compile and publish a report documenting the
11 cost savings resulting from shared services contracts. The
12 provisions of this subsection shall not be applicable to the
13 Oklahoma State Regents for Higher Education or to any institutions
14 within The Oklahoma State System of Higher Education.

15 SECTION 5. RECODIFICATION Section 5, Chapter 322, O.S.L.
16 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2
17 of this act, shall be recodified as Section 34.24.1 of Title 62 of
18 the Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 SECTION 6. This act shall become effective November 1, 2011.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-23-11 - DO
22 PASS, As Amended and Coauthored.

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