

05/23/2013 04:03:36 PM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1465**

By: Murphey of the House and Holt of the Senate

Title: State government; creating the Quantification of State Government Performance Budgeting and Accountability Act of 2013; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. Conferees are unable to agree.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

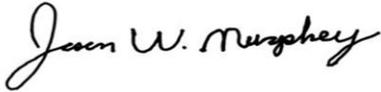
HB1465 CCR (B)  
**HOUSE CONFEREES**

Brumbaugh, David  Derby, David

Dorman, Joe \_\_\_\_\_ Fisher, Dan



Hall, Elise  Morrissette, Richard

Murphey, Jason  Scott, Seneca

Smalley, Jason  Turner, Mike

Walker, Ken  Wood, Justin F.



HB1465 CCR B

**SENATE CONFEREES**

Holt

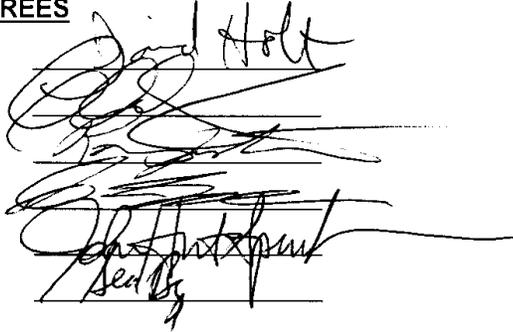
Jolley

Justice

Brinkley

Sparks

Burrage

A large, dense block of handwritten signatures and scribbles is positioned over the list of names. The signatures are written in black ink and are mostly illegible due to their cursive and overlapping nature. The word "Holt" is clearly visible at the top of the scribbles, corresponding to the first name in the list. Below it, there are several other names that are partially obscured or written over. The scribbles extend across the names Jolley, Justice, Brinkley, Sparks, and Burrage.

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**AUTHOR(s)/COAUTHOR(s)CURRENTLY IN THE QUEUE for HB1465**

**As of 5/23/2013 4:06:53 PM**

Remove as author Senator Holt and substitute with Senator Brecheen

Add as coauthor Senator Holt

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
3 BILL NO. 1465

By: Murphey of the House

4 and

Holt of the Senate

5  
6  
7 An Act relating to state government; creating the  
8 Quantification of State Government Performance Act of  
9 2013; amending 62 O.S. 2011, Section 45.8, which  
10 relates to the Oklahoma Program Performance Budgeting  
11 and Accountability Act; modifying considerations in  
12 the evaluation of an agency; requiring state agencies  
13 to submit a program management and performance report  
14 to certain persons by a certain date; providing for  
15 contents of report; requiring report to be developed  
16 by certain entities; authorizing agency to form work  
17 groups for programs; providing for meetings and  
18 duties of the work group; defining terms; requiring  
19 reports be posted on certain website; providing for  
20 notice of posting to be sent to certain persons;  
21 providing for codification; providing for  
22 noncodification; and providing an effective date.

23 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
24 entire bill and insert

An Act relating to state government; creating the  
Quantification of State Government Performance Act of  
2013; amending 62 O.S. 2011, Section 45.8, which  
relates to the Oklahoma Program Performance Budgeting  
and Accountability Act; modifying considerations in  
the evaluation of an agency; requiring state agencies  
to submit a program management and performance report  
to certain persons by a certain date; providing for  
contents of report; requiring report to be developed  
by certain entities; defining terms; requiring  
reports be posted on certain website; providing for  
notice of posting to be sent to certain persons;

1 providing for codification; providing for  
2 noncodification; and providing an effective date.

3  
4  
5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

8 This act shall be known and may be cited as the "Quantification  
9 of State Government Performance Act of 2013".

10 SECTION 2. AMENDATORY 62 O.S. 2011, Section 45.8, is  
11 amended to read as follows:

12 Section 45.8. A. The State Auditor and Inspector when in the  
13 conduct of a performance audit of a state agency shall consider in  
14 the evaluation of an agency the extent to which the agency conforms  
15 to the agency's strategic plan and management and performance  
16 report.

17 B. The Joint Committee on Accountability in Government pursuant  
18 to its procedures may conduct a performance investigation of a state  
19 agency to consider to what extent an agency has improved  
20 performance.

21 C. The activities of the Joint Committee shall not preclude  
22 other oversight activities by other legislative entities.  
23  
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1           SECTION 3.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 45.11 of Title 62, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. No later than October 1 of each year, each state agency  
5 shall submit a program management and performance report to the  
6 Speaker of the House of Representatives, the President Pro Tempore  
7 of the Senate and the Director of the Office of Management and  
8 Enterprise Services. The report shall contain, at a minimum,  
9 detailed data for each agency program relating to each of the  
10 evaluation factors set out in Section 45.9 of Title 62 of the  
11 Oklahoma Statutes. The report shall also list:

12           1. Specific cost avoidance and cost containment measures  
13 implemented during the previous fiscal year;

14           2. The agency's methodology for:

15               a. determining its fee structure,

16               b. calculating fees, and

17               c. measuring customer satisfaction;

18           3. Programs or operations not required for core function of the  
19 agency; and

20           4. Details showing the actual cost of any programs or  
21 operations listed pursuant to paragraph 3 of this subsection.

22           B. For purposes of this section:  
23  
24

1 1. "State agency" means a governmental agency as defined in  
2 Section 34.29 of Title 62 of the Oklahoma Statutes that receives an  
3 appropriation and is authorized to adopt a fee; and

4 2. "Program" means a service, contract, operation or procedure  
5 of an agency.

6 SECTION 4. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 63.5 of Title 74, unless there  
8 is created a duplication in numbering, reads as follows:

9 Upon receipt of reports required by Section 3 of this act, the  
10 Office of Management and Enterprise Services shall cause the reports  
11 to be posted on the documents.ok.gov website. The Office shall also  
12 send a notice of such posting to the Governor, the President Pro  
13 Tempore of the Senate and the Speaker of the House of  
14 Representatives.

15 SECTION 5. This act shall become effective November 1, 2013."  
16 Passed the Senate the 15th day of April, 2013.

17  
18 \_\_\_\_\_  
19 Presiding Officer of the Senate

20 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
21 2013.

22  
23 \_\_\_\_\_  
24 Presiding Officer of the House  
of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 1465

By: Murphey of the House

3 and

4 Holt of the Senate  
5  
6

7 An Act relating to state government; creating the  
8 Quantification of State Government Performance Act of  
9 2013; amending 62 O.S. 2011, Section 45.8, which  
10 relates to the Oklahoma Program Performance Budgeting  
11 and Accountability Act; modifying considerations in  
12 the evaluation of an agency; requiring state agencies  
13 to submit a program management and performance report  
14 to certain persons by a certain date; providing for  
15 contents of report; requiring report to be developed  
16 by certain entities; authorizing agency to form work  
17 groups for programs; providing for meetings and  
18 duties of the work group; defining terms; requiring  
19 reports be posted on certain website; providing for  
20 notice of posting to be sent to certain persons;  
21 providing for codification; providing for  
22 noncodification; and providing an effective date.

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

24 SECTION 6. 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 "Quantification  
of State Government Performance Act of 2013".

SECTION 7. AMENDATORY 62 O.S. 2011, Section 45.8, is  
amended to read as follows:

1 Section 45.8 A. The State Auditor and Inspector when in the  
2 conduct of a performance audit of a state agency shall consider in  
3 the evaluation of an agency the extent to which the agency conforms  
4 to the agency's strategic plan and management and performance  
5 report.

6 B. The Joint Committee on Accountability in Government pursuant  
7 to its procedures may conduct a performance investigation of a state  
8 agency to consider to what extent an agency has improved  
9 performance.

10 C. The activities of the Joint Committee shall not preclude  
11 other oversight activities by other legislative entities.

12 SECTION 8. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 45.11 of Title 62, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. No later than January 15 of each year, each state agency  
16 shall submit a program management and performance report to the  
17 Speaker of the Oklahoma House of Representatives, the President Pro  
18 Tempore of the Oklahoma State Senate and the Director of the Office  
19 of Management and Enterprise Services. The report shall contain, at  
20 a minimum, detailed data for each agency program relating to each of  
21 the evaluation factors set out in Section 45.9 of this title. The  
22 report shall also list:

23 1. Specific cost avoidance and cost containment measures  
24 implemented during the previous twelve-month period;

1        2. The agency's methodology for:

- 2            a. determining its fee structure,  
3            b. calculating fees, and  
4            c. measuring customer satisfaction;

5        3. Programs or operations not required for core function of the  
6 agency; and

7        4. Details showing the actual cost of any programs or  
8 operations listed in paragraph 3 of subsection A of this section.

9        B. The program management and performance report shall be  
10 developed by the agency in conjunction with a working group of  
11 program stakeholders who shall be representative of the various  
12 constituencies impacted by the program. The agency may form  
13 separate work groups for individual programs. The agency shall  
14 solicit applicants by giving public notice of the creation of the  
15 group and the process for a person to apply for appointment to the  
16 group. The work group shall meet at least twice and shall be  
17 authorized to review agency records and request information related  
18 to developing the program management and performance report. If the  
19 work group is unable to develop a consensus with the agency or among  
20 its members, the program management and performance report shall  
21 include a statement outlining the differing conclusions. Dissenting  
22 members may submit a separate report in the same manner as required  
23 for the agency. The time, date and location of work group meeting  
24

1 dates shall be posted on the agency website and shall be open to the  
2 public.

3 C. For purposes of this section, "state agency" means a  
4 governmental agency as defined in Section 34.29 of Title 62 of the  
5 Oklahoma Statutes that receives an appropriation and is authorized  
6 to adopt a fee. "Program" means a service, contract, operation or  
7 procedure of an agency.

8 SECTION 9. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 63.5 of Title 74, unless there  
10 is created a duplication in numbering, reads as follows:

11 Upon receipt of reports required by Section 45.11 of Title 62 of  
12 the Oklahoma Statutes, the Office of Management and Enterprise  
13 Services shall cause the reports to be posted on the  
14 *documents.ok.gov* website. The Office shall also send a notice of  
15 such posting to the Governor, the President Pro Tempore of the  
16 Oklahoma State Senate and the Speaker of the Oklahoma House of  
17 Representatives.

18 SECTION 10. This act shall become effective November 1, 2013.  
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1 Passed the House of Representatives the 5th day of March, 2013.

2  
3 Presiding Officer of the House  
4 of Representatives

5 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2013.

6  
7 Presiding Officer of the Senate