HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1465 By: Murphey

COMMITTEE SUBSTITUTE

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; authorizing agency to form work groups for programs; providing for meetings and duties of the work group; defining terms; requiring reports be posted on certain website; providing for notice of posting to be sent to certain persons; providing for codification; providing for noncodification; and providing an effective date.

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:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

Section 45.8 A. The State Auditor and Inspector when in the conduct of a performance audit of a state agency shall consider in the evaluation of an agency the extent to which the agency conforms to the agency's strategic plan <u>and management and performance report</u>.

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

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

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 45.11 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. No later than January 15th of each year, each state agency shall submit a program management and performance report to the Speaker of the Oklahoma House of Representatives, the President Pro Tempore of the Oklahoma State Senate and the Director of the Office of Management and Enterprise Services. The report shall contain, at

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a minimum, detailed data for each agency program relating to each of the evaluation factors set out in Section 45.9 of this title. The report shall also list:

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

2. The agency's methodology for:

a. determining its fee structure,

b. calculating fees, and

c. measuring customer satisfaction;

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

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

B. The program management and performance report shall be developed by the agency in conjunction with a working group of program stakeholders who shall be representative of the various constituencies impacted by the program. The agency may form separate work groups for individual programs. The agency shall solicit applicants by giving public notice of the creation of the group and the process for a person to apply for appointment to the group. The work group shall meet at least twice and shall be authorized to review agency records and request information related to developing the program management and performance report. If the

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work group is unable to develop a consensus with the agency or among its members, the program management and performance report shall include a statement outlining the differing conclusions. Dissenting members may submit a separate report in the same manner as required for the agency. The time, date and location of work group meeting dates shall be posted on the agency website and shall be open to the public.

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

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

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

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SECTION 5. This act shall become effective November 1, 2013.

COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated 02/25/2013 - DO PASS, As Amended.

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