

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 64

By: Weaver

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5
6 AS INTRODUCED

7 An Act relating to legislative testimony; amending 62
8 O.S. 2011, Section 34.96, as last amended by Section
9 3, Chapter 168, O.S.L. 2015 (62 O.S. Supp. 2020,
10 Section 34.96), which relates to the Legislative
11 Oversight Committee on State Budget Performance;
12 requiring administration of oath to persons providing
13 testimony before certain legislative committees;
14 creating misdemeanor offense for certain acts; and
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.96, as
18 last amended by Section 3, Chapter 168, O.S.L. 2015 (62 O.S. Supp.
19 2020, Section 34.96), is amended to read as follows:

20 Section 34.96. A. There is hereby established the Legislative
21 Oversight Committee on State Budget Performance. The purposes of
22 this committee shall include oversight of the implementation of a
23 system of program performance-based budgeting for implementation by
24 state agencies.

B. The Committee's duties shall also include:

- 1 1. Development of agency budget request forms and instructions
2 in conjunction with the Office of Management and Enterprise
3 Services;
- 4 2. Directing studies to aid in the development of legislative
5 and procedural changes to further improve the budgetary, financial,
6 accounting, reporting, personnel, and purchasing processes and
7 systems of the state;
- 8 3. Direction of program evaluation and management studies;
- 9 4. Oversight and reporting on executive branch compliance with
10 the legislative intent of appropriation measures. Such oversight
11 and reporting duties may include:
 - 12 a. agency reorganization actions,
 - 13 b. executive orders calling for reduction of full-time-
14 equivalents or hiring freezes, and
 - 15 c. transfer of funds by the executive branch;
- 16 5. The development of revenue and expenditure estimates and
17 analyses;
- 18 6. Study of the management, operations, programs and fiscal
19 needs of the agencies and institutions of Oklahoma state government
20 pursuant to the Oklahoma Program Performance Budgeting and
21 Accountability Act;
- 22 7. Review of the executive budget, agency strategic plans and
23 the estimate of needs of each state agency and institution. Reports
24 may be issued by the Committee as it deems appropriate; and

1 8. Implementation of an ongoing evaluation review procedure of
2 existing programs based on performance-informed budgeting techniques
3 pursuant to the Oklahoma Program Performance Budgeting and
4 Accountability Act. The committee in cooperation with the Office of
5 Management and Enterprise Services shall establish a schedule to
6 review strategic plans and existing programs for each agency a
7 minimum of once every four (4) years. The committee shall issue an
8 evaluation report for each agency once every four (4) years which
9 will include but not be limited to the following information:

- 10 a. a review of the agency's programs, performance and
11 management,
- 12 b. whether the agency has demonstrated that there is a
13 need for the services and programs which justifies the
14 agency's continued existence, and
- 15 c. whether the agency is the most appropriate provider of
16 the programs and services furnished by the agency.

17 C. Any reference in the Oklahoma Statutes to the Joint
18 Legislative Committee on Budget and Program Oversight shall be a
19 reference to the Legislative Oversight Committee on State Budget
20 Performance.

21 D. The Committee shall be composed of three members appointed
22 by the President Pro Tempore of the Senate, three members appointed
23 by the Speaker of the House of Representatives, two members by the
24 minority leader of the Senate and two members appointed by the

1 minority leader of the House of Representatives. The Chair and Vice
2 Chair of the Committee shall rotate every two (2) years between the
3 Senate and the House of Representatives beginning with a Senate
4 member serving as Chair in 2003. The Committee shall meet at least
5 four (4) times per year and at other times as called by the Chair.
6 The Legislative Oversight Committee on State Budget Performance
7 shall function as a committee of the Legislature when the
8 Legislature is in session and is not in session. Each member of the
9 Committee shall serve until a successor is appointed. The duties of
10 the Committee may be performed by the Appropriations Committee of
11 the Senate and the Appropriations and Budget Committee of the House
12 of Representatives or subcommittees thereof.

13 E. The Committee shall be staffed jointly by the staff of the
14 fiscal divisions of the Senate and the House of Representatives.

15 F. The Committee may make use of all available teleconferencing
16 technology to facilitate meetings of the Committee when the
17 Legislature is not in session. The Committee shall take any
18 appropriate action to make such teleconferenced meetings comply with
19 the provisions of the Oklahoma Open Meeting Act, Section 301 et seq.
20 of Title 25 of the Oklahoma Statutes.

21 G. The Committee shall periodically meet in different
22 geographical regions of the state to enhance the Committee's
23 understanding of local conditions and to help educate the public as
24 to the fiscal condition of the state.

1 H. 1. Any person offering testimony before the Legislative
2 Oversight Committee on State Budget Performance, the Appropriations
3 Committee of the Senate or the Appropriations and Budget Committee
4 of the House of Representatives, or any subcommittee thereof, shall
5 have an oath administered that he or she will testify truly, or that
6 any written testimony provided is true or believed to be true.

7 2. A person shall be guilty of a misdemeanor if the person
8 violates the oath required in paragraph 1 of this subsection by
9 knowingly and willfully:

10 a. falsifying or concealing any material fact,

11 b. making any materially false, fictitious or fraudulent
12 statement or representation, or

13 c. presenting any false writing or document.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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