

**Office of Personnel Management
Special Projects Department**

2001 Legislative Enactments

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Introduction

The Special Projects staff is pleased to submit its annual report of HR-related legislative enactments for the 2001 Legislative Session. During the session, Special Projects staff members reviewed 964 House Bills (plus multiple versions of various bills), 47 House Concurrent Resolutions, 35 House Joint Resolutions, and 24 House Resolutions, and 814 Senate Bills (plus multiple versions of various bills), 45 Senate Concurrent Resolutions, 28 Senate Joint Resolutions, and 24 Senate Resolutions, to determine their impact on the Merit System of Personnel Administration. The Special Projects Department tracked or monitored approximately 112 pieces of legislation during the session. Special Projects staff members completed 76 analyses of these bills; other OPM Departments/Divisions contributed information to 27 of these analyses.

This report describes 38 bills that were of interest to OPM during the 2001 Legislative Session:

- ?? Part 1 includes bills, listed by topic, which amend the Oklahoma Personnel Act, relate to OPM in general or to an OPM program area, or require action by the Administrator and/or OPM;
- ?? Part 2 includes bills, listed by topic, which do not amend the Oklahoma Personnel Act, but are of interest to OPM;
- ?? Part 3 includes bills of interest to OPM, listed by topic, which were vetoed by the Governor; and
- ?? Part 4 includes the indices, which list bills by both number and topic, and a table listing the sections of the Oklahoma Personnel Act that were amended during the 2001 session.

The table below contains “at a glance” information concerning the legislation that is the subject of this report.

House Bills

Bill #	Topic	Status	Effective
HB 1003	Agencies	Signed	5/31/01
HB 1070	State Travel Reimbursement Act	Signed	7/1/01
HB 1103	Unclassified Service	Signed	5/31/01
HB 1119	Leave	Signed	2/20/01
HB 1156	Agencies	Signed	7/1/01
HB 1194	Agencies	Signed	11/1/01
HB 1231	Unclassified Service	Signed	5/2/01
HB 1276	Open Meeting Act	Signed	11/1/01
HB 1332	Employee Recognition	Signed	11/1/01
HB 1394	Compensation	Signed	11/1/01
HB 1450	Benefits	Signed	6/1/01
HB 1454	Unclassified Service	Signed	7/1/01
HB 1546	Compensation	Signed	7/1/01
HB 1548	Compensation	Signed	7/1/01
HB 1570	Unclassified Service	Signed	7/1/01
HB 1662	Technology	Signed	6/4/01

House Bills, continued

Bill #	Topic	Status	Effective
HB 1692	Agencies	Signed	7/1/01
HB 1718	Agencies	Signed	7/1/01
HB 1768	OPM Request Bill	Signed	7/1/01
HB 1831	Unclassified Service	Signed	7/1/01

Senate Bills

Bill #	Topic	Status	Effective
SB 222	Appropriations	Signed	7/1/01
SB 224	Compensation Study	Signed	6/1/01
SB 240	Agencies	Signed	7/1/01
SB 318	Unclassified Service	Signed	5/31/01
SB 354	Agencies	Signed	7/1/01
SB 497	Unclassified Service	Signed	5/7/01
SB 558	Agencies	Signed	11/1/01
SB 567	Agencies	Signed	6/1/01
SB 571	Compensation, Employee Recognition, Leave	Signed	11/1/01
SB 611	Leave	Signed	6/1/01
SB 615	Security of State Government Buildings	Vetoed	N/A
SB 663	Agencies	Signed	5/7/01
SB 680	State Employee Advocacy Rights Act	Vetoed	N/A
SB 694	Agencies	Signed	7/1/01
SB 702	Benefits, Compensation	Signed	7/1/01
SB 724	Agencies	Signed	7/1/01
SB 748	Agencies, Compensation, Privatization, Unclassified Service	Signed	6/1/01
SB 796	Agencies	Signed	7/1/01

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¹ Bills, listed by topic, which amend the Oklahoma Personnel Act, relate to OPM in general or to an OPM program area, or require action by the Administrator and/or OPM.

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³ Bills of interest to OPM, listed by topic, which were vetoed by the Governor.

⁴ Indices of bills by both number and topic, and a table listing the sections of the Oklahoma Personnel Act which were amended during the 2001 session.

Part 1*

- * **Bills, listed by topic, which amend the Oklahoma Personnel Act, relate to OPM in general or to an OPM program area, or require action by the Administrator and/or OPM.**

House Bill 1768

Topic: Agencies

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Adds 74:840-5.23.

Status: Signed by the Governor June 4, 2001.

Description: Section 16:
?? places the State Election Board under the Merit System, and
?? makes all positions and employees classified except the Secretary.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 222

Topic: Appropriations

Authors: Haney & Hobson of the Senate/Mass & Bonny of the House

Affected Statute(s): Noncodified.

Status: Signed by the Governor May 22, 2001.

Description:

- ?? Section 4 appropriates \$5,689,734.00 to OPM for FY 02.
- ?? Section 5 provides for budget categories and amounts.
- ?? Section 6 provides for the salary of the Administrator.
- ?? Section 7 transfers \$400,000 from OPM to the General Revenue Fund.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1768

- Topic:** Benefits
- Authors:** Dunegan of the House/Dickerson of the Senate
- Affected Statute(s):** Amends 74:4190 - 4192.
- Status:** Signed by the Governor June 4, 2001.
- Description:**
- ?? Section 21 requires that licensed spaces in state-run child care centers be open to all eligible children, with first priority given to minor dependents of state employees and second priority given to children financially eligible for Department of Human Services child care assistance.
 - ?? Section 22 changes the term “child day care” to “child care”.
 - ?? Section 23 changes the term “child day care” to “child care”.
- Rulemaking Required:** Requires amendments to OAC 530:25-1.
- Effective Date:** July 1, 2001.

House Bill 1768

Topic: Compensation

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-2.17.

Status: Signed by the Governor June 4, 2001.

Description: Section 3:
?? clarifies that all raises are prohibited (not just across-the-board raises) except those expressly authorized,
?? authorizes up to a five percent salary adjustment for lateral transfers within the same job family or to another job family and level assigned the same salary band,
?? authorizes performance-based adjustments for employees who received at least a “meets standards” rating on their most current performance rating, and
?? authorizes up to a five percent salary adjustment following a trial period after promotion to a different job family level.

Rulemaking Required: Requires amendments to OAC 530:10-7.

Effective Date: July 1, 2001.

House Bill 1768

Topic: Compensation

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-5.11.

Status: Signed by the Governor June 4, 2001.

Description: Section 14 raises the limit on commissions for unclassified employees of the Department of Corrections Oklahoma State Industries from \$5,000 to \$10,000 per year.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 571

Topic: Compensation

Authors: Helton of the Senate/Nations, et al. of the House

Affected Statute(s): Amends 74:840-1.6A; adds 74:840-2.29.

Status: Signed by the Governor June 1, 2001.

Description:

- ?? Section 2 authorizes the OPM Administrator to establish pay differentials, etc. consistent with the Oklahoma Personnel Act.
- ?? Section 4 requires that a classified employee in an institutional setting who is on-call receive a minimum of two hours of work if the employee reports to work while on-call.

Rulemaking Required: Requires amendments to OAC 530:10-7.

Effective Date: November 1, 2001.

House Bill 1768

Topic: Compensation Study

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-1.6A [as last amended by SB 702 (2001)].

Status: Signed by the Governor June 4, 2001.

Description: Section 2 requires the OPM Administrator to conduct a study every two years of selected job family levels with:
?? turnover in excess of ten percent,
?? salaries ten percent or more below market, and
?? recruitment and retention problems.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 224

Topic: Compensation Study

Authors: Haney & Hobson of the Senate/Mass & Bonny of the House

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 1, 2001.

Description: Requires the OPM Administrator to conduct a study of all agency director salaries for the purpose of determining the market rate of pay for the services being performed by these directors, and to report his findings to the Governor and legislative leadership by January 1, 2002.

Rulemaking Required: None.

Effective Date: June 1, 2001.

House Bill 1768

Topic: Definitions

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-1.3 and 840-3.1.

Status: Signed by the Governor June 4, 2001.

Description: ?? Section 1 defines “supervisor” as a classified or unclassified officer or employee who has been assigned authority and responsibility for evaluating the performance of subordinates.
?? Section 9 strikes the definition of “supervisor” in 74:840-3.1.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1332

Topic: Employee Recognition

Authors: Nations of the House/Coffee of the Senate

Affected Statute(s): Adds 74:4121.

Status: Signed by the Governor June 4, 2001.

Description: Authorizes state agencies to establish employee productivity programs designed to enhance their quality improvement efforts and employee productivity.

Rulemaking Required: None.

Effective Date: November 1, 2001.

House Bill 1768

Topic: Employee Recognition

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:4117.

Status: Signed by the Governor June 4, 2001.

Description: Section 20 raises the \$5,000 cap on Productivity Enhancement Program awards to \$10,000.

Rulemaking Required: Requires amendments to OAC 345:10-1.

Effective Date: July 1, 2001.

Senate Bill 571

Topic: Employee Recognition

Authors: Helton of the Senate/Nations, et al. of the House

Affected Statute(s): Amends 56:162.6; recodifies 56:162.6 as 74:4121.

Status: Signed by the Governor June 4, 2001.

Description: Section 1 directs the OPM Administrator to establish an on-the-job employee performance recognition program that encourages outstanding job performance and productivity.

Rulemaking Required: Requires amendments to OAC 530:1-1.

Effective Date: November 1, 2001.

House Bill 1768

- Topic:** Employment Application
- Authors:** Dunegan of the House/Dickerson of the Senate
- Affected Statute(s):** Amends 63:1-1950.4.
- Status:** Signed by the Governor June 4, 2001.
- Description:** Section 25 clarifies that the uniform employment application for nurse aides required by 63:1-1950.4 does not prohibit the State Department of Health or any other state agency from requiring applicants for any classified position to be certified by the state using the State of Oklahoma Employment Application.
- Rulemaking Required:** None.
- Effective Date:** July 1, 2001.

House Bill 1119

Topic: Leave

Authors: Adair, et al. of the House/Taylor of the Senate

Affected Statute(s): Amends 74:840-2.23.

Status: Signed by the Governor February 20, 2001.

Description: Provides that an employee may receive and use up to a maximum of 365 days of donated leave during total state employment, if the employee is suffering from an illness which has been certified in writing by a licensed physician or health care practitioner as being terminal (likely to result in death within two calendar years).

Rulemaking Required: None.

Effective Date: February 20, 2001.

House Bill 1768

Topic: Leave

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-2.23.

Status: Signed by the Governor June 4, 2001.

Description: Section 5 permits the donation of leave to a state employee for absences related to the death of that employee's relative or household member, but limits the use of donated leave for this purpose to five days in any calendar year.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 571

Topic: Leave

Authors: Helton of the Senate/Nations, et al. of the House

Affected Statute(s): Amends 74:840-2.20.

Status: Signed by the Governor June 1, 2001.

Description: Section 3 combines the two state leave schedules, making the annual leave accrual rate the same for all state employees by increasing the accrual rate for employees hired since July 1, 1996.

Rulemaking Required: Requires amendments to OAC 530:10-15.

Effective Date: November 1, 2001.

Senate Bill 611

Topic: Leave

Authors: Wilkerson of the Senate/Turner & Cox of the House

Affected Statute(s): Amends 74:840-2.23.

Status: Signed by the Governor June 1, 2001.

Description: Authorizes an agency chief administrative officer to approve the use of donated leave above the maximum amount provided for in 74:840-2.23 upon the written request of an employee who either has reached or will reach the maximum in the near future. The maximum for an employee suffering from a terminal illness is 365 days during total state employment; for all other employees, the maximum is 261 days during total state employment.

Rulemaking Required: None.

Effective Date: June 1, 2001.

House Bill 1768

Topic: Legal Issues

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-1.6A.

Status: Signed by the Governor June 4, 2001.

Description: Section 2 directs the OPM Administrator to:
?? order compliance with the Oklahoma Personnel Act, Merit Rules, and all memoranda or other written communications explaining the Act, the Rules, and any other matter relating to the Merit System or under OPM jurisdiction, and
?? take action pursuant to 74:840-6.9 for failure to implement those orders. Section 840-6.9 authorizes the OPM Administrator to levy an administrative fine of up to \$5,000 against any person who fails or refuses to implement a written order of the Administrator.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1768

<u>Topic:</u>	Legal Issues
<u>Authors:</u>	Dunegan of the House/Dickerson of the Senate
<u>Affected Statute(s):</u>	Amends 74:840-2.22.
<u>Status:</u>	Signed by the Governor June 4, 2001.
<u>Description:</u>	Section 4: ?? clarifies that the state of Oklahoma reserves absolute constitutional immunity regarding the application of the federal Family and Medical Leave Act (FMLA) to state employees, and ?? requires the OPM Administrator to promulgate emergency rules to provide for a family leave program for state employees in the event the federal FMLA is repealed or its application to state employees is terminated.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2001.

House Bill 1768

<u>Topic:</u>	Legal Issues
<u>Authors:</u>	Dunegan of the House/Dickerson of the Senate
<u>Affected Statute(s):</u>	Amends 74:840-4.12.
<u>Status:</u>	Signed by the Governor June 4, 2001.
<u>Description:</u>	Section 10 authorizes the OPM Administrator to keep test materials confidential, but requires him to disclose such materials pursuant to a court order and establishment of a protective order.
<u>Rulemaking Required:</u>	Requires amendments to OAC 530:10-1.
<u>Effective Date:</u>	July 1, 2001.

House Bill 1768

<u>Topic:</u>	Performance Appraisal
<u>Authors:</u>	Dunegan of the House/Dickerson of the Senate
<u>Affected Statute(s):</u>	Amends 74:840-4.17.
<u>Status:</u>	Signed by the Governor June 4, 2001.
<u>Description:</u>	Section 11: ?? strikes the requirement that agencies send copies of performance appraisals to OPM, ?? adds the requirement that agencies confirm in writing that they have complied with Section 840-4.17, and ?? directs the OPM Administrator to conduct an annual random audit regarding state agencies' compliance with Section 840-4.17.
<u>Rulemaking Required:</u>	Requires amendments for OAC 530:10-17.
<u>Effective Date:</u>	July 1, 2001.

House Bill 1768

Topic: Probationary Period

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 72:403.

Status: Signed by the Governor June 4, 2001.

Description: Section 26 makes the probationary period for special disabled veterans consistent with the probationary period for other state employees— one year, with agency authorization to waive the remainder in writing after the employee has served six months.

**Rulemaking
Required:** None.

Effective Date: July 1, 2001.

House Bill 1768

- Topic:** Unclassified Service
- Authors:** Dunegan of the House/Dickerson of the Senate
- Affected Statute(s):** Amends 74:840-2.23, 840-2.27C, 840-2.27D, 840-2.28.
- Status:** Signed by the Governor June 4, 2001.
- Description:** Sections 5 - 8 require regular unclassified employees to have one year or more of continuous service with the state before being eligible to participate in certain programs authorized by the Oklahoma Personnel Act, e.g., donated leave and severance benefits.
- Rulemaking Required:** Requires amendments to OAC 530:10-13 and 530:10-17.
- Effective Date:** July 1, 2001.

House Bill 1231

Topic: Unclassified Service

Authors: Plunk, et al. of the House/Wilkerson of the Senate

Affected Statute(s): Amends 74:840-5.5

Status: Signed by the Governor May 2, 2001.

Description: Section 13 adds seven positions to the Department of Public Safety's unclassified authorizations to administer the Oklahoma Police Corps Program, which is created in Section 3 of this bill. These positions will be funded with federal dollars that are continuing or indefinitely renewable; authorization will terminate if the federal funding is discontinued.

Rulemaking Required: None.

Effective Date: May 2, 2001.

House Bill 1454

Topic: Unclassified Service

Authors: Plunk of the House/Wilkerson of the Senate

Affected Statute(s): Amends 74:840-5.5

Status: Signed by the Governor June 1, 2001.

Description: Section 1 increases the number of unclassified assistant director positions at the Oklahoma Department of Transportation from four to five.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1768

<u>Topic:</u>	Unclassified Service
<u>Authors:</u>	Dunegan of the House/Dickerson of the Senate
<u>Affected Statute(s):</u>	Amends 74:840-5.3.
<u>Status:</u>	Signed by the Governor June 4, 2001.
<u>Description:</u>	Section 12 clarifies that OPM may categorize Department of Rehabilitation Services School for the Blind and School for the Deaf employees as unclassified solely for the purpose of entering and maintaining employment data in the state Personnel Management Information System [74:840-2.13].
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2001.

House Bill 1768

Topic: Unclassified Service

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Amends 74:840-5.5

Status: Signed by the Governor June 4, 2001.

Description: Section 13:
?? provides unclassified authorizations for six agents and three typist clerk/Spanish transcriptionists for the Bureau of Narcotics and Dangerous Drugs Control, and
?? unclassifies the officers and employees of the Oklahoma Motor Vehicle Commission.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1768

- Topic:** Unclassified Service
- Authors:** Dunegan of the House/Dickerson of the Senate
- Affected Statute(s):** Amends 74:840-5.12.
- Status:** Signed by the Governor June 4, 2001.
- Description:** Section 15:
?? provides that the limit on unclassified positions in Section 840-5.12 does not apply to the instructional and administrative personnel of the Department of Rehabilitation Services (DRS) School for the Blind and School for the Deaf or to the employees of the DRS Disability Determination Division (DDD),
?? authorizes the DRS Director to establish up to ten DDD unclassified positions, and
?? clarifies that the instructional and administrative personnel at the DRS Schools shall be considered unclassified solely for the purpose of entering and maintaining employment data in the state Personnel Management Information System [74:840-2.13].
- Rulemaking Required:** None.
- Effective Date:** July 1, 2001.

Senate Bill 318

Topic: Unclassified Service

Authors: Haney & Hobson of the Senate/Mass & Bonny of the House

Affected Statute(s): Amends 74:840-5.5

Status: Signed by the Governor May 31, 2001.

Description: Section 1:
?? increases the number of unclassified authorizations for Oklahoma
Department of Transportation Assistant Directors from four to five,
?? unclassifies the Oklahoma Motor Vehicle Commission, and
?? unclassifies the following positions at the Department of Agriculture:
? ? Chief of Communications,
? ? Public Information Manager,
? ? Inventory/Supply Officer,
? ? Agriculture Field Inspectors,
? ? Rural Fire Coordinator,
? ? Poultry Coordinator, and
? ? Food Safety Division Coordinator.

**Rulemaking
Required:** None.

Effective Date: May 31, 2001.

Senate Bill 497

Topic: Unclassified Service

Authors: Harrison of the Senate/Kirby of the House

Affected Statute(s): Amends 74:840-5.20.

Status: Signed by the Governor May 7, 2001.

Description: Adds unclassified authorizations for three professional-level data processing positions to those established by statute for the Oklahoma State and Education Employees Group Insurance Board (OSEEGIB).

Rulemaking Required: None.

Effective Date: May 7, 2001.

Part 2*

*** Bills, listed by topic, which do not amend the Oklahoma Personnel Act, but are of interest to OPM.**

House Bill 1003

<u>Topic:</u>	Agencies
<u>Authors:</u>	Askins & Vaughn of the House/Taylor & Shurden of the Senate
<u>Affected Statute(s):</u>	Adds 62:2309.
<u>Status:</u>	Signed by the Governor May 31, 2001.
<u>Description:</u>	?? Section 9 empowers the Board of Directors of the Tobacco Settlement Endowment Trust Fund to appoint an executive director and other staff. (Section 40 of Article X of the Oklahoma Constitution created the Board as a state agency.) ?? Section 11 (noncodified) requires the Office of State Finance to provide staff support to the Board until the Board has its own staff.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	May 31, 2001.

House Bill 1156

Topic: Agencies

Authors: McCarter & Nance of the House/Wilkerson of the Senate

Affected Statute(s): Amends 74:150.8.

Status: Signed by the Governor May 23, 2001.

Description: Requires a 12-month:
?? trial period for any employee of the Oklahoma State Bureau of Investigation (OSBI) promoted, voluntarily demoted, or transferred into an agent or criminalist position, and
?? probationary period for any classified state employee who transfers interagency into an OSBI agent or criminalist position.

Rulemaking Required: Requires amendments to OAC 530:10-11.

Effective Date: July 1, 2001.

House Bill 1194

Topic: Agencies

Authors: Pope (Clay) of the House/Price of the Senate

Affected Statute(s): Amends 63:1-2702.

Status: Signed by the Governor June 1, 2001.

Description: Section 4 requires the State Department of Health to establish a separate office for the Oklahoma Center for Telemedicine and to hire a director and other personnel for the Center.

Rulemaking Required: None.

Effective Date: November 1, 2001.

House Bill 1692

Topic: Agencies

Authors: Dunegan of the House/Wilkerson of the Senate

Affected Statute(s): Amends 47:2-105, 2-105.4, 2-105.6, & 2-105.7.

Status: Signed by the Governor June 8, 2001.

Description: “Clean up” related to the Lake Patrol and the Capitol Patrol becoming part of the Highway Patrol Division of the Department of Public Safety several years ago.

- ?? Section 1:
 - ? ? raises the maximum entry age for Department of Public Safety (DPS) Highway Patrol commissioned officers from 35 to 37,
 - ? ? clarifies that Highway Patrolmen must serve a 12-month initial probationary period,
 - ? ? clarifies that any former DPS commissioned officer, except those who retired from the Department, may apply for reinstatement, and
 - ? ? increases the 20-year retirement age for reinstated officers from 55 to 57.
- ?? Section 2:
 - ? ? provides for a \$2,000 salary increase for the DPS Commissioner,
 - ? ? adds “Highway Patrol Sergeant” to the October 1, 2000, salary schedule for DPS commissioned officers,
 - ? ? gives service credit for time spent in the former Capitol Patrol Division, and
 - ? ? prescribes the salary for Highway Patrol Sergeants.
- ?? Section 3:
 - ? ? provides that Lake Patrol officers may request reclassification to the equivalent lateral position, rank, and salary within the Highway Patrol,
 - ? ? adds “Patrol Sergeant” to the July 1, 2001, salary schedule for DPS commissioned officers,
 - ? ? clarifies step increases for Patrolmen, and
 - ? ? prescribes the salary for Patrol Sergeants.
- ?? Section 4:
 - ? ? provides that on July 1, 2001, each officer classified as a Patrol

Sergeant on June 30, 2001, shall be reclassified as a Capitol Patrol Sergeant,

? ? adds "Patrol Sergeant" to the July 1, 2001, salary schedule for commissioned Capitol Patrol officers, and renames the existing "Patrol Sergeant" – "Capitol Patrol Sergeant",

? ? removes "Patrol Trainee" from the salary schedule,

? ? provides that Patrolmen may not be promoted to Capitol Patrol Sergeant after July 1, 2001, but may be promoted to Patrol Sergeant.

?? Section 6 provides back pay for Highway Patrolmen with Capitol Patrol service credit.

**Rulemaking
Required:**

None.

Effective Date:

July 1, 2001.

House Bill 1718

Topic: Agencies

Authors: Askins of the House/Henry of the Senate

Affected Statute(s): Amends 85:131.

Status: Signed by the Governor June 4, 2001.

Description: Changes the name of the State Insurance Fund to *CompSource Oklahoma*.

**Rulemaking
Required:** None.

Effective Date: July 1, 2001.

Senate Bill 240

Topic: Agencies

Authors: Haney & Hobson of the Senate/Mass & Bonny of the House

Affected Statute(s): Adds 74:7068.

Status: Signed by the Governor May 31, 2001.

Description: Section 2 abolishes the Medical Technology and Research Authority of Oklahoma, an unclassified state agency, and transfers all employees to the University of Oklahoma.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 354

Topic: Agencies

Authors: Snyder of the Senate/Fields & Roach of the House

Affected Statute(s): Adds 59:1000.2 & 1000.4.

Status: Signed by the Governor June 4, 2001.

Description: ?? Section 2 creates the Construction Industries Board within the State Department of Health (SDOH) to regulate the plumbing, electrical, and mechanical trades, and building and construction inspectors.
?? Section 4:
? ? places, effective January 1, 2002, SDOH employees “relating exclusively” to the regulation of plumbing, electrical, and mechanical trades, and building and construction inspectors under the authority of the Construction Industries Board and the general direction of the Construction Industries Administrator. These employees will remain SDOH employees “in all other respects”.
? ? authorizes the Construction Industries Board and the State Board of Health to enter into an agreement for the transfer of personnel into the unclassified service under the direction of the Construction Industries Board.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 558

Topic: Agencies

Authors: Kerr of the Senate/Mitchell of the House

Affected Statute(s): Adds 74:166.8.

Status: Signed by the Governor April 17, 2001.

Description: Authorizes the Commission for Rehabilitation Services to establish an employee performance recognition program that recognizes outstanding job performance and productivity within the State Department of Rehabilitation Services.

**Rulemaking
Required:** None.

Effective Date: November 1, 2001.

Senate Bill 567

Topic: Agencies

Authors: Herbert & Kerr of the Senate/Corn, et al. of the House

Affected Statute(s): Adds 70:4451 & 4452.

Status: Signed by the Governor June 1, 2001.

Description:

- ?? Section 2:
 - ? ? creates the Board of Trustees as the administrative agency of the Quartz Mountain Arts and Conference Center and Nature Park (Center), and
 - ? ? provides that the Center shall be “an integral part of The Oklahoma State System of Higher Education.”
- ?? Section 3:
 - ? ? transfers, effective January 1, 2002, Quartz Mountain and all its classified and unclassified employees from the Oklahoma Tourism and Recreation Department (OTRD) to the Board of Trustees of the Quartz Mountain Arts and Conference Center, and
 - ? ? provides that it is the Legislature’s intent that classified and unclassified Quartz Mountain employees have the right on January 1, 2002, “and not thereafter” to fill:
 - o a classified vacancy in OTRD’s Parks Division or
 - o an unclassified vacancy in OTRD’s Golf or Resorts Divisions,if they are qualified and according to seniority with the state of Oklahoma.

Rulemaking Required: None.

Effective Date: June 1, 2001.

Senate Bill 567

Topic: Agencies

Authors: Herbert & Kerr of the Senate/Corn, et al. of the House

Affected Statute(s): Amends 74:1811.4.

Status: Signed by the Governor June 1, 2001.

Description:

- ?? Section 4 transfers responsibility for the maintenance and operation of the State Capitol Park from the Oklahoma Tourism and Recreation Department (OTRD) to the Department of Central Services (DCS).
- ?? Section 5 (noncodified) transfers the classified employees who perform the landscaping maintenance for the Governor's mansion from OTRD to DCS without change or loss of pay, seniority, rights, privileges or benefits.

Rulemaking Required: None.

Effective Date: June 1, 2001.

Senate Bill 663

Topic: Agencies

Authors: Taylor & Ford of the Senate/Jones of the House

Affected Statute(s): Adds 53:46.1.

Status: Signed by the Governor May 7, 2001.

Description: Section 1 repeals the merger of the Will Rogers Memorial Commission and the J.M. Davis Memorial Commission that was to occur on August 1, 2001.

Rulemaking Required: None.

Effective Date: May 7, 2001.

Senate Bill 694

Topic: Agencies

Authors: Fisher, et al. of the Senate/Rice of the House

Affected Statute(s): Adds 74:5060.41.

Status: Signed by the Governor June 8, 2001.

Description: Creates the Oklahoma Institute of Technology as a non-Merit System agency and requires the Board of Trustees to hire a chief executive officer and other appropriate research and support staff.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 724

Topic: Agencies

Authors: Wilkerson of the Senate/Webb of the House

Affected Statute(s): Adds 57:528.6.

Status: Signed by the Governor April 3, 2001.

Description: Authorizes the Director of the Department of Corrections (DOC) to place a DOC employee on up to three days of paid administrative leave in a year if he or she has been exposed to, but not injured by, a critical work-related incident such as the death, injury or hostage-taking of another employee.

**Rulemaking
Required:** None.

Effective Date: July 1, 2001.

Senate Bill 748

Topic: Agencies

Authors: Herbert of the Senate/Corn of the House

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 1, 2001.

Description: Section 18:
?? transfers to the Scenic Rivers Commission, a non-Merit System agency, Oklahoma Tourism and Recreation Department (OTRD) park rangers who have been assigned to the Commission for less than three months, as well as other OTRD employees assigned to the Commission, and
?? permits transferred employees to choose unclassified status within 30 days of the transfer.

Rulemaking Required: None.

Effective Date: June 1, 2001.

Senate Bill 796

Topic: Agencies

Authors: Wilkerson of the Senate/Corn & Nance of the House

Affected Statute(s): Amends 57:510.

Status: Signed by the Governor June 4, 2001.

Description: Section 1:
?? removes the statutory maximum entry age for correctional officers and guards, and
?? establishes an employee tuition assistance program and an employee recruitment and referral incentive program for Department of Corrections employees.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1450

<u>Topic:</u>	Benefits
<u>Authors:</u>	Miller, et al. of the House/Nichols & Reynolds of the Senate
<u>Affected Statute(s):</u>	Amends 62:139.47.
<u>Status:</u>	Signed by the Governor June 1, 2001.
<u>Description:</u>	Provides funding for funeral expenses for state employees who are killed in the line of duty and for six months of insurance coverage for dependents of those employees who are eligible for survivor coverage.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	June 1, 2001.

Senate Bill 702

Topic: Benefits

Authors: Taylor of the Senate/Mass, et al. of the House

Affected Statute(s): Amends 74:1370.

Status: Signed by the Governor May 15, 2001.

Description: Section 2 increases the state employee flexible benefit allowance and the state employee dependent allowance.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1394

Topic: Compensation

Authors: Nance & Paulk of the House/Herbert of the Senate

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 1, 2001.

Description: Section 3:
?? Provides for an annualized increase for Department of Corrections (DOC) fugitive apprehension officers (FAOs) equal to the amount of the increase awarded to other commissioned DOC officers on October 1, 1994, exclusive of longevity or shift differential pay.
?? Requires that FAOs employed by DOC on October 1, 1994, receive back pay for the period October 1994 to November 1, 2001.

Rulemaking Required: None.

Effective Date: November 1, 2001.

House Bill 1546

Topic: Compensation

Authors: Mass & Bonny, et al. of the House/Haney & Hobson of the Senate

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 1, 2001.

Description:

- ?? Section 1 appropriates \$1.6 million for the salary increases provided for in Section 2.
- ?? Section 2 provides a \$4,000 salary increase to Office of Juvenile Affairs Police Officers, Juvenile Specialists I - IV, and Institutional Program Coordinators I – III.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1548

Topic: Compensation

Authors: Mass & Bonny of the House/Haney & Hobson of the Senate

Affected Statute(s): Amends 20:106.9.

Status: Signed by the Governor June 5, 2001.

Description: Section 3 increases the salary for court reporters of the District Courts, Workers Compensation Court, and the Corporation Commission from \$29,758 to \$33,500, effective January 1, 2002.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1768

Topic: Compensation

Authors: Dunegan of the House/Dickerson of the Senate

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 4, 2001.

Description: Section 27 provides a:
?? \$2,100 pay raise to Department of Human Services, Oklahoma Department of Veterans Affairs, and State Department of Health nurse managers, and
?? \$1,300 pay raise to Oklahoma Transportation Authority transportation equipment operators.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 702

Topic: Compensation

Authors: Taylor of the Senate/Mass, et al. of the House

Affected Statute(s): Noncodified.

Status: Signed by the Governor May 15, 2001.

Description: Section 3 requires a salary increase for selected corrections, nursing, patient care, and transportation positions identified by the Oklahoma Public Employees Association as having recruitment and retention problems:

- ?? Department of Corrections
 - ? ? \$4,000 for Correctional Security Officers, Probation and Parole Officers, Correctional Security Managers, Internal Affairs Special Investigators, Fugitive Apprehension Agents, Correctional Chiefs of Security, Correctional Counselors, Correctional Case Managers, Unit Managers, Food Service Specialists, and Food Service Managers, and
 - ? ? \$2,000 for other classified employees not otherwise listed in this section, except those whose salary is based upon a statutory minimum salary schedule;
- ?? Department of Human Services
 - ? ? \$2,100 for Licensed Practical Nurses (LPNs) and Registered Nurses (RNs), and
 - ? ? \$1,550 for Direct Care Specialists;
- ?? Department of Mental Health and Substance Abuse Services
 - ? ? \$2,100 for LPNs, RNs, and Nurse Managers, and
 - ? ? \$1,550 for Patient Care Assistants;
- ?? Department of Transportation
 - ? ? \$1,300 for Transportation Equipment Operators and Transportation Technicians;
- ?? J.D. McCarty Center for Children with Developmental Disabilities
 - ? ? \$2,100 for LPNs, RNs, and Nurse Managers, and
 - ? ? \$1,550 for Patient Care Assistants;
- ?? Office of Juvenile Affairs
 - ? ? \$2,100 for LPNs, RNs, and Nurse Managers;

- ?? Department of Veterans Affairs
 - ? ? \$2,100 for LPNs and RNs, and
 - ? ? \$1,550 for Patient Care Assistants;
- ?? Pardon and Parole Board
 - ? ? \$2,000 for Pardon and Parole Investigators;
- ?? Department of Health
 - ? ? \$2,100 for LPNs and RNs, and
 - ? ? \$1,550 for Patient Care Assistants;
- ?? Department of Rehabilitation Services
 - ? ? \$1,550 for Patient Care Assistants.

**Rulemaking
Required:**

None.

Effective Date:

July 1, 2001.

Senate Bill 748

Topic: Compensation

Authors: Herbert of the Senate/Corn of the House

Affected Statute(s): Amends 74:1810, 1811, & 1813.

Status: Signed by the Governor June 1, 2001.

Description:

- ?? Section 5 provides that employees of the Oklahoma Tourism and Recreation Department (OTRD) Division of Lodges may be awarded additional compensation not to exceed 25 percent of the revenues collected for obtaining advertising for any of the Department's Internet websites, or obtaining advertising for any other of the Department's promotional publications or products.
- ?? Section 6 provides that employees of OTRD's Division of Parks may be awarded additional compensation not to exceed 25 percent of the revenues collected for obtaining advertising for any of the Department's Internet websites, or obtaining advertising for any other of the Department's promotional publications or products.
- ?? Section 10 provides that employees of OTRD's Travel and Tourism Division may be awarded additional compensation not to exceed 25 percent of the revenues collected for obtaining advertising for any of the Department's Internet websites, or obtaining advertising for any other of the Department's promotional publications or products.

Rulemaking Required: None.

Effective Date: June 1, 2001.

House Bill 1276

Topic: Open Meeting Act

Authors: Friskup, et al. of the House/Haney of the Senate

Affected Statute(s): Adds 74:3106.2.

Status: Signed by the Governor April 24, 2001.

Description: Requires public bodies (state agencies, et al.) to post all meeting notices on their own or a general Website.

Rulemaking Required: None.

Effective Date: November 1, 2001.

Senate Bill 748

Topic: Privatization

Authors: Herbert of the Senate/Corn of the House

Affected Statute(s): Adds 74:1803.3.

Status: Signed by the Governor June 1, 2001.

Description: Section 17 authorizes the Oklahoma Tourism and Recreation Department to study the feasibility of leasing, selling, or privately managing Lake Murray Resort.

Rulemaking Required: None.

Effective Date: June 1, 2001.

House Bill 1070

Topic: State Travel Reimbursement Act

Authors: Mitchell, et al. of the House/Littlefield & Herbert of the Senate

Affected Statute(s): Amends 74:500.8 & 500.9.

Status: Signed by the Governor May 23, 2001.

Description: Raises the per diem rate for state employees to the IRS allowable.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1662

Topic: Technology

Authors: Perry of the House/Coffee of the Senate

Affected Statute(s): Adds 62:41.5p – 41.5r.

Status: Signed by the Governor June 4, 2001.

Description: Creates a state electronic portal system connecting state agency Websites and information systems.

Rulemaking Required: None.

Effective Date: June 4, 2001.

House Bill 1103

Topic: Unclassified Service

Authors: Mitchell of the House/Kerr of the Senate

Affected Statute(s): Amends 56:26.17.

Status: Signed by the Governor May 31, 2001.

Description: Section 1 increases the number of Department of Human Services unclassified authorizations from two percent to four percent.

Rulemaking Required: None.

Effective Date: May 31, 2001.

House Bill 1570

Topic: Unclassified Service

Authors: Bonny & Mass of the House/Haney & Hobson of the Senate

Affected Statute(s): Noncodified.

Status: Signed by the Governor June 8, 2001.

Description: Section 82 authorizes an unclassified Fire Protection Engineer position for the Office of the State Fire Marshal.

Rulemaking Required: None.

Effective Date: July 1, 2001.

House Bill 1831

Topic: Unclassified Service

Authors: Askins & McCarter of the House/Helton & Martin of the Senate

Affected Statute(s): Amends 71:16.

Status: Signed by the Governor April 16, 2001.

Description: Provides for unclassified paralegal and legal secretary positions for the Oklahoma Department of Securities.

Rulemaking Required: None.

Effective Date: July 1, 2001.

Senate Bill 748

Topic: Unclassified Service

Authors: Herbert of the Senate/Corn of the House

Affected Statute(s): Amends 74:1816.

Status: Signed by the Governor June 1, 2001.

Description: Section 11 unclassifies all professional or managerial positions in the Oklahoma Tourism and Recreation Department's Travel and Tourism Division except those in welcome centers.

Rulemaking Required: None.

Effective Date: June 1, 2001.

Part 3*

* **Bills of interest to OPM, listed by topic,
which were vetoed by the Governor.**

Senate Bill 615

Topic: Security of State Government Buildings

Authors: Crutchfield of the Senate/Roan of the House

Affected Statute(s): Adds 21:280.

Status: Vetoed by the Governor April 10, 2001.

Description: Section 2 makes it a misdemeanor for anyone to refuse, upon a lawful order of any law enforcement officer or security officer, to leave any part of any building that is owned or leased by the state, occupied by officers, employees, or agents or representatives of any state agency, or any such building in which any agency business or operation is being conducted.

Veto Message: *This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED SB615 because the language in Section 2 of this bill is overbroad in that it could operate to criminalize constitutionally protected activities including the right to assemble and the right to free speech. There is no requirement that a person refusing to leave a state building be causing a disturbance or interfering with or disrupting state business in order to be guilty of a misdemeanor.*

Senate Bill 680

Topic: State Employee Advocacy Rights Act

Authors: Leftwich of the Senate/Askins of the House

Affected Statute(s): Adds 74:842, et seq.

Status: Vetoed by the Governor May 24, 2001.

Description: Section 3:

- ?? requires state agencies to allow certain employee organizations (those with payroll deduction privileges pursuant to 62:7.10) to:
 - ? ? hold meetings on state property during non-working hours,
 - ? ? communicate with state employees via e-mail,
 - ? ? provide information to state agencies to be included in new employee packets,
 - ? ? make presentations at new employee orientation and training meetings,
- ?? requires the OPM Administrator to promulgate rules governing the annual distribution of employee organization materials by state agencies, and
- ?? provides that nothing in the bill shall be construed to conflict with Ethics Commission rules regarding the use of public facilities for political purposes.

Veto Message: *This bill violates Article V, Section 51 which prohibits the granting of exclusive rights or privileges to associations, corporations, or individuals. It also violates Article X, Sections 14 and 15 which prohibits the expenditure of public funds for non public purposes.*

Part 4

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