

State of Oklahoma
Office of Personnel Management
Office of Communications
2006 Legislative Enactments



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Introduction

The OPM Office of Legislative Affairs is pleased to submit its annual report of HR-related legislative enactments for the 2006 legislative session. During the session, the Office reviewed 1,234 House Bills (plus multiple versions of various bills), 46 House Joint Resolutions, 41 House Concurrent Resolutions, and 82 House Resolutions; and 1,155 Senate Bills (plus multiple versions of various bills), 36 Senate Joint Resolutions, 27 Senate Concurrent Resolutions, and 77 Senate Resolutions, to determine their impact on the state government personnel system and general agency management. The Office of Legislative Affairs tracked approximately 37 pieces of legislation having a direct impact on the state personnel system, completed written analyses on 16 of these bills for Governor Henry and his staff, and prepared six pieces of correspondence to members of the Legislature regarding the provisions of these measures. In addition, the Office of Communications monitored approximately 274 House and Senate bills on such topics as benefits, other state agencies, appropriations, retirement, technology, purchasing, and sunset.

This report describes -- bills that were of interest to OPM during the 2006 legislative session:

- Section 1 includes bills, listed by topic, that amend the Oklahoma Personnel Act, relate to OPM in general or to an OPM program area, require action by the Administrator and/or OPM, or are of interest to OPM;
- Section 2 includes bills, listed by topic, that relate to the management and general operations of state agencies;
- Section 3 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 2006 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 1757	Agencies	Signed	7/1/06
HB 2125	State Employee Charitable Contribution Act	Signed	11/1/06
HB 2288	Compensation	Signed	3/3/06
HB 2357	Security	Signed	6/8/06
HB 2366	Agencies	Signed	11/1/06
HB 2379	Agencies	Signed	7/1/06
HB 2431	Agencies	Signed	4/20/06
HB 2487	Agencies	Signed	11/1/06
HB 2518	Agencies	Signed	4/21/06
HB 2554	State Properties	Signed	7/1/06
HB 2655	Agencies	Signed	11/1/06
HB 2664	Classification	Signed	4/21/06
HB 2699	Technology	Signed	11/1/06
HB 2766	Agencies	Signed	7/1/06
HB 2840	Agencies	Signed	11/1/06
HB 2867	Agencies	Signed	7/1/06

House Bills (cont.)

Bill #	Topic	Status	Effective
HB 2935	Security	Signed	7/1/06
HB 2999	Agencies	Signed	6/9/06
HB 1057XX	Appropriations	Signed	9/22/06
HB 1150XX	Compensation	Signed	9/22/06
HB 1179XX	Retirement	Signed	7/1/06
HB 1181XX	Agency Directors; Agency FTE Limits	Signed	7/1/06

Senate Bills

Bill #	Topic	Status	Effective
SB 489	Agencies	Signed	3/7/06
SB 558	Fleet Management	Signed	7/1/06
SB 752	Employee Benefits	Vetoed	N/A
SB 756	Agencies	Signed	11/1/06
SB 1040	Employment Application	Signed	11/1/06
SB 1088	Leave	Signed	5/23/06
SB 1357	Agencies	Signed	6/6/06
SB 1359	State Flag	Signed	11/1/06
SB 1361	Leave	Signed	10/1/06
SB 1479	Agencies	Signed	5/22/06
SB 1581	Leave	Signed	7/1/06
SB 1601	Employee Benefits/Vendor Access	Signed	7/1/06
SB 1686	Compensation	Signed	7/1/06
SB 1771	Agencies	Signed	6/7/06
SB 1800	Agencies	Signed	7/1/06
SB 1831	Compensation	Signed	11/1/06
SB 1964	Agencies	Signed	7/1/06
SB 1894	Retirement	Signed	7/1/06
SB 1934	Miscellaneous	Signed	11/1/06
SB 42XX	Agencies	Signed	9/22/06
SB 44XX	Compensation	Signed	9/22/06
SB 71XX	Agencies	Signed	9/22/06
SB 75XX	Agencies	Signed	9/22/06
SB 82XX	Compensation, Agencies	Signed	9/22/06

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

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

² Bills, listed by topic, that relate to the management and general operations of state agencies.

³ Bills of interest to OPM vetoed by the Governor.

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⁴ Indices of bills, by number and topic, and a table listing the sections of the Oklahoma Personnel Act that were amended during the 2006 session.

Section 1*

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

House Bill 1757

Topic: Agencies

Authors: D. Miller of the House/Justice of the Senate

Affected Statute(s): Amends 74:840-5.5 (A)(8); 74:2241.

Status: Signed by Governor Henry May 26, 2006.

Description: Creates within the Department of Tourism and Recreation a category of seasonal employees employed only at lodges and golf courses that may work more than 1200 hours, but less than 1600 hours in any twelve-month period.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

House Bill 2366

Topic: Agencies

Authors: Jett of the House/Riley of the Senate

Affected Statute(s): Section 2 amends 10:7302-3.1.

Status: Signed by Governor Henry May 9, 2006.

Description: Section 2 permits the Office of Juvenile Affairs (OJA) to enter into a contract for professional services for any contract in effect at the time of a reduction-in-force (RIF) with a person who has been separated from service with OJA as a result of a RIF.

Rulemaking Required: None.

Effective Date: November 1, 2006.

House Bill 2379

Topic: Agencies

Authors: Wilt of the House/Myers of the Senate

Affected Statute(s): Section 4 amends 59:46.7.

Status: Signed by Governor Henry May 26, 2006.

Description: Section 4 authorizes the Board of Governors of the Licensed Architects, Landscape Architects and Interior Designers of Oklahoma to set the salaries of its unclassified and exempt office personnel.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

House Bill 2431

Topic: Agencies

Authors: Piatt, Hyman and Hilliard of the House/Crutchfield of the Senate

Affected Statute(s): Section 1 creates 74:2242.1.

Status: Signed by Governor April 20, 2006.

Description: Section 1 provides that in the event of the sale of Murray State Park or Lake Murray Lodge by the Oklahoma Tourism and Recreation Department (OTRD):

- Each employee at Murray State Park or Lake Murray Lodge with a minimum of two years' continuous service on the date of closure of the facility shall have the opportunity to obtain employment with any successor operator of a resort or park facility located on lands held by OTRD, provided the employee is qualified and eligible.
- OTRD shall develop a severance package for all employees affected by the closure of any state lodge or park facility.

Rulemaking Required: None.

Effective Date: April 20, 2006.

House Bill 2487

Topic: Agencies

Authors: Nance of the House/Barrington of the Senate

Affected Statute(s): Section 3 amends 74:150.27.

Status: Signed by Governor Henry June 8, 2006.

Description: Section 3 permits Oklahoma State Bureau of Investigation (OSBI) to contract for the services of a Forensic DNA Technical Manager.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

House Bill 2518

<u>Topic:</u>	Agencies
<u>Authors:</u>	Cox and Nance of the House/Paddock of the Senate
<u>Affected Statute(s):</u>	Section 1 amends 57:623.
<u>Status:</u>	Signed by Governor Henry April 21, 2006.
<u>Description:</u>	Section 1 authorizes the Department of Corrections or its contractor to employ certified medication aides within a correctional facility.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	April 21, 2006.

House Bill 2655

Topic: Agencies

Authors: Winchester, et al. of the House/Lawler of the Senate

Affected Statute(s): Creates 2:5-60.1, et seq., the “Oklahoma Farm to School Program Act.”

Status: Signed by Governor Henry June 7, 2006.

Description: Section 3 authorizes the Department of Agriculture, Food, and Forestry to employ a director for the Oklahoma Farm to School Program.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

House Bill 2766

Topic: Agencies

Authors: Roggow of the House/Rabon of the Senate

Affected Statute(s): Creates 74:840-5.13A.

Status: Signed by Governor Henry June 7, 2006.

Description: Prohibits temporary employees hired by the Department of Environmental Quality (DEQ) from applying against any full-time equivalent (FTE) employee limitation on the Department. Limits these unclassified non-FTE temporary employees and students to a maximum of 8% of DEQ's FTE limit.

Rulemaking Required: None.

Effective Date: July 1, 2006.

House Bill 2867

Topic: Agencies

Authors: Worthen of the House/Gumm of the Senate

Affected Statute(s): Section 1 amends 74:840-5.10.

Status: Signed by Governor Henry June 9, 2006.

Description: Section 1 provides authorization for CompSource to:

- move its Information Systems Personnel from classified to unclassified;
- make permanent CompSource's pilot program for incentive-based compensation, and places the program under the review and approval of the Insurance Commissioner.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

House Bill 2999

Topic: Agencies

Authors: Winchester, et al. of the House/Johnson, M. of the Senate

Affected Statute(s): Section 3 amends 10:7302-2.1.

Status: Signed by Governor Henry June 9, 2006.

Description: Authorizes Executive Director of the Office of Juvenile Affairs with Board approval to appoint the following positions:

- Director of the Division of Institutional Services;
- Director of the Division of Community-based Youth Services;
- Director of the Division of Juvenile Services; and,
- Director of the Division of Residential and Treatment Programs.

Each shall have at least 6 years of experience in the same or similar programs or facilities as they are to supervise and a baccalaureate degree or higher level of education.

Rulemaking Required: None.

Effective Date: June 9, 2006.

House Bill 1181XX

Topic: Agencies

Authors: Bengé and Newport of the House/Crutchfield and Rabon of the Senate

Affected Statute(s): Section 1 amends 74:3601.1.
Section 3 amends 74:840-5.5.

Status: Signed by Governor Henry June 27, 2006.

Description:

- Section 1 increases the FTE limit for the following entities: Oklahoma Accountancy Board, State Board of Registration for Professional Engineers and Land Surveyors, Oklahoma Motor Vehicle Commission, Oklahoma Board of Nursing, and Oklahoma Police Pension and Retirement System.
- Section 3 removes from 74:840-5.5(A)(40) the date restriction for employment of temporary fire suppression personnel by the Department of Agriculture, Food and Forestry.
- *[Note: Section 4 repeals SB 1357 that contained the same language as Section 3.]*

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

Senate Bill 489

<u>Topic:</u>	Agencies
<u>Authors:</u>	Riley and Gumm of the Senate/Miller, et al. of the House
<u>Affected Statute(s):</u>	Amends 74:840-4.13.
<u>Status:</u>	Signed by Governor Henry March 7, 2006.
<u>Description:</u>	Permits cadets who were disqualified from attending the Highway Patrol Academy to attend the next immediate academy.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	March 7, 2006.

Senate Bill 756

Topic: Agencies

Authors: Leftwich, et al. of the Senate/Wilt of the House

Affected Statute(s): Creates the “Elevator Safety Act”, 59:3020 et seq.

Status: Signed by Governor Henry May 26, 2006.

Description: Section 4 establishes an Elevator Inspection Bureau within the Department of Labor to be furnished with sufficient personnel, deputy inspectors, and clerical aides to perform the assigned duties within the limits prescribed by the Commissioner of Labor.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

Senate Bill 1357

<u>Topic:</u>	Agencies
<u>Authors:</u>	Wilson of the Senate/Roggow, et al. of the House
<u>Affected Statute(s):</u>	Amends 74:840-5.5.
<u>Status:</u>	Signed by Governor Henry June 6, 2006.
<u>Description:</u>	<p>Provides for the removal in (A)(40) of the date restriction for employment of temporary fire suppression personnel by the Department of Agriculture, Food and Forestry.</p> <p><i>[Note: This provision is included in HB 1181XX. SB 1357 was repealed by HB 1182XX.]</i></p>
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	June 6, 2006.

Senate Bill 1479

Topic: Agencies

Authors: Wilson, et al. of the Senate/Walker, et al. of the House

Affected Statute(s): Section 3 creates 74:151.1.

Status: Signed by Governor Henry May 22, 2006.

Description: Section 3 authorizes the Oklahoma State Bureau of Investigation to establish an Internet Crimes Against Children (ICAC) unit and employ sufficient employees to implement the unit.

**Rulemaking
Required:** None.

Effective Date: May 22, 2006.

Senate Bill 1771

<u>Topic:</u>	Agencies
<u>Authors:</u>	Morgan, et al. of the Senate/Benge, et al. of the House
<u>Affected Statute(s):</u>	Creates the “Oklahoma State University Medical Authority Act,” 63:3271 et seq.
<u>Status:</u>	Signed by Governor Henry June 7, 2006.
<u>Description:</u>	Section 6 authorizes the Oklahoma State University Medical Authority to appoint officers, agents, and employees and to fix their compensation.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	June 7, 2006.

Senate Bill 1800

Topic: Agencies

Authors: Nichols, et al. of the Senate/Morgan, (F) et al. of the House

Affected Statute(s): Section 2 creates 74:150.38.

Status: Signed by Governor Henry June 9, 2006.

Description: Section 2 establishes within the Oklahoma State Bureau of Investigation (OSBI) the Child Abuse Response Team (CART) to investigate cases of physical and sexual abuse of a child. Authorizes OSBI to employ at least one full-time equivalent CART investigator and one full-time equivalent CART forensic interviewer to be compensated at the same rate of pay as a senior level investigator agent.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

Senate Bill 1964

<u>Topic:</u>	Agencies
<u>Authors:</u>	Corn of the Senate/Blackwell, et al. of the House
<u>Affected Statute(s):</u>	Section 5 amends 57:510.
<u>Status:</u>	Signed by Governor Henry June 7, 2006.
<u>Description:</u>	Section 5 deletes the requirement that correctional officers and guards employed by the Department of Corrections be a resident of Oklahoma.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2006.

Senate Bill 42XX

Topic: Agencies

Authors: Crutchfield and Rabon of the Senate/Benge and Newport of the House

Affected Statute(s): Non-codified.

Status: Signed by Governor Henry June 27, 2006.

Description: Section 6 appropriates funds for the hiring of 100 Child Welfare Specialists.

**Rulemaking
Required:** None.

Effective Date: September 22, 2006.

Senate Bill 71XX

<u>Topic:</u>	Agencies
<u>Authors:</u>	Crutchfield and Rabon of the Senate/Benge and Newport of the House
<u>Affected Statute(s):</u>	Non-codified.
<u>Status:</u>	Signed by Governor Henry June 27, 2006.
<u>Description:</u>	Appropriates funding for the Oklahoma State Bureau of Investigation and specifies that eleven (11) full-time equivalent (FTE) employees belong to the Criminal Intelligence Unit and nine (9) FTE's belong to the Criminal Records Audit Unit.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	September 22, 2006.

Senate Bill 75XX

Topic: Agencies

Authors: Crutchfield and Rabon of the Senate/Benge and Newport of the House

Affected Statute(s): Section 5 amends 63:2-103.

Status: Signed by Governor Henry June 27, 2006.

Description: Provides for the Oklahoma Board of Narcotics and Dangerous Drugs Control to make the following positions unclassified:

- Training Officer,
- Program Administrator,
- Grants Administrator,
- Criminal Analysts,
- Typist Clerk/Spanish Transcriptionists, and
- Special Agents.

Special Agents are not required to meet age and educational requirements for agents.

**Rulemaking
Required:** None.

Effective Date: September 22, 2006.

House Bill 82XX

<u>Topic:</u>	Agencies
<u>Authors:</u>	Crutchfield and Rabon of the Senate/Benge and Newport of the House
<u>Affected Statute(s):</u>	<ul style="list-style-type: none">• Section 2 amends 47:2-105.4.• Section 3 amends 47:2-105.6.• Section 4 amends 47:2-105.7.• Section 5 amends 47:2-105.8.• Section 6 amends 47:2-106.• Section 8 creates 63:2-103a.• Section 9 amends 63:935.• Section 10 amends 74:150.6a.
<u>Status:</u>	Signed by Governor Henry June 27, 2006.
<u>Description:</u>	<ul style="list-style-type: none">• Section 2 sets the annual salaries and salary schedule for the Commissioner of Public Safety, Assistant Commissioner, and commissioned officers within the Highway Patrol Division of the Oklahoma Department of Public Safety (DPS).• Section 3 sets the annual salaries for commissioned officers within the Lake Patrol Section of the Highway Patrol Division of DPS.• Section 4 sets the annual salaries for commissioned officers within the Capitol Patrol Section of the Highway Patrol Division of DPS.• Section 5 sets the annual salaries and salary schedule for the positions within the Communications Section of the Highway Patrol Division of DPS.• Section 6 sets the annual salaries for positions within the Driver License Examining Division of the Department of Public Safety of DPS.• Section 8 establishes the annual salaries and salary schedule for positions within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control.• Section 9 sets the salary schedule for positions within the Office of the Chief Medical Examiner.• Section 10 sets the annual salaries and salary schedule for the Deputy Director and positions within the Oklahoma State Bureau of Investigation.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	October 1, 2006.

House Bill 1181XX

Topic: Agency Directors

Authors: Benge and Newport of the House/Crutchfield and Rabon of the Senate

Affected Statute(s): Section 2 amends 74:3601.2.

Status: Signed by Governor Henry June 27, 2006.

Description: Section 2 increases by 5% the minimum, midpoint and maximum of the salary range for directors of non-appropriated agencies. The directors of the Board of Dentistry and the State Board of Osteopathic Examiners receive separate specific increases to their salary range.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

House Bill 1057XX

<u>Topic:</u>	Appropriations
<u>Authors:</u>	Benge and Newport of the House/Crutchfield and Rabon of the Senate
<u>Affected Statute(s):</u>	Non-codified.
<u>Status:</u>	Signed by Governor Henry June 27, 2006.
<u>Description:</u>	Appropriates \$4,848,371.00 to the Office of Personnel Management for FY 07 with the Director's salary not to exceed \$80,955. Sets the full-time equivalent employee limit at 105.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	September 22, 2006.

House Bill 2125

<u>Topic:</u>	Charitable Contributions
<u>Authors:</u>	Wright of the House/Easley of the Senate
<u>Affected Statute(s):</u>	Amends 74:7003, 7005, 7007-7009.
<u>Status:</u>	Signed by Governor Henry May 9, 2006.
<u>Description:</u>	Changes the name of the State Agency Review Committee to the Oversight Committee for State Employee Charitable Contributions and recreates the Committee until July 1, 2012.
<u>Rulemaking Required:</u>	Requires amendments to OAC 695.
<u>Effective Date:</u>	November 1, 2006.

House Bill 2288

<u>Topic:</u>	Compensation
<u>Authors:</u>	Benge and Newport of the House/Crutchfield and Rabon of the Senate
<u>Affected Statute(s):</u>	Non-codified.
<u>Status:</u>	Signed by Governor Henry March 3, 2006.
<u>Description:</u>	Provides supplemental FY 06 funding for the Department of Corrections and authorizes a \$2800 pay raise to annual salaries for all employees whose primary work duties are related to a state-operated prison, community corrections, or community work centers (excluding Correctional Teachers and Vocational Training Instructors).
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	March 3, 2006.

House Bill 2664

Topic: Classification

Authors: Roan of the House/Corn of the Senate

Affected Statute(s): Section 1 amends 47:2-105.
Section 2 amends 47:2-105.4.
Section 3 amends 47:2-105.6.
Section 4 amends 47:2-105.7.

Status: Signed by Governor Henry April 21, 2006.

Description:

- Section 1 reclassifies law enforcement positions within the Highway Patrol Division of the Department of Public Safety.
- Section 2 amends the salary schedule of the Highway Patrol Division to reflect the reclassification.
- Section 3 amends the salary schedule of the Lake Patrol Division of the Highway Patrol Division to reflect the reclassification.
- Section 4 amends the salary schedule of the Capitol Patrol Division of the Highway Patrol Division to reflect the reclassification.

Rulemaking Required: None.

Effective Date: April 21, 2006.

House Bill 2840

Topic: Compensation

Authors: Steele, et al. of the House/Coates, et al. of the Senate

Affected Statute(s): Section 7 creates 10:7004-1.8.

Status: Signed by Governor Henry May 26, 2006.

Description: Section 7 requires the Department of Human Services to establish a performance-based incentive compensation program for employees exclusively working as child welfare specialists. Eligibility determination includes receiving above-average employee evaluations as defined by the Office of Personnel Management.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

House Bill 1150XX

<u>Topic:</u>	Compensation
<u>Authors:</u>	Benge and Newport of the House/Crutchfield and Rabon of the Senate
<u>Affected Statute(s):</u>	Amends 20:106.9.
<u>Status:</u>	Signed by Governor Henry June 27, 2006.
<u>Description:</u>	Increases the salaries of certified shorthand court reporters for the district court, Workers' Compensation Court and Corporation Commission to \$35,600 per year until October 1, 2006. After October 1, 2006, the salaries increase to \$39,160 per year.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	September 22, 2006.

Senate Bill 1686

<u>Topic:</u>	Compensation
<u>Authors:</u>	Lerblance of the Senate/Liotta, et al. of the House
<u>Affected Statute(s):</u>	Amends 74:840-2.15.
<u>Status:</u>	Signed by Governor Henry May 26, 2006.
<u>Description:</u>	Provides for a clarification of current policy on holiday pay that appointing authorities have the discretion in regards to holidays to pay double time to employees at the regular rate of pay or reschedule the holiday. Requires the Department of Agriculture, Food and Forestry to pay state employees on a holiday at a rate of two times the state employee's regular hourly rate when engaged in the performance of fire suppression duties.
<u>Rulemaking Required:</u>	Requires amendments to OAC 530:10-15-43.
<u>Effective Date:</u>	July 1, 2006.

Senate Bill 1831

Topic: Compensation

Authors: Johnston, C. of the Senate/Peters of the House

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

Status: Signed by Governor Henry June 6, 2006.

Description: Provides that skill-based pay adjustments implemented on or after November 1, 2006 are not added to a state employee's base pay and only apply when the employee remains in the position requiring said skill.

**Rulemaking
Required:** Amend OAC 530:10-7-24.

Effective Date: November 1, 2006.

Senate Bill 44XX

Topic: Compensation

Authors: Crutchfield and Rabon of the Senate/Benge and Newport of the House

Affected Statute(s): Non-codified.

Status: Signed by Governor Henry June 27, 2006.

Description: Section 8 appropriates funds to provide for a \$1,000 pay raise for direct care and security positions at the Office of Juvenile Affairs, specifically listing the following positions:

- Police Officer;
- Fire Prevention and Security Officer;
- Juvenile Justice Specialist;
- Institutional Safety and Security Coordinator;
- Food Service Specialist
- Food Service Manager;
- Volunteer Services Specialist
- Juvenile Specialist;
- Chaplain;
- Alcohol and Drug Counselor;
- Psychological Clinician; and,
- Recreation Therapist.

Rulemaking Required: None.

Effective Date: September 22, 2006.

Senate Bill 82XX

Topic: Compensation

Authors: Crutchfield and Rabon of the Senate/Benge and Newport of the House

Affected Statute(s): Non-codified.

Status: Signed by Governor Henry June 27,2006.

Description: Section 11 authorizes an annualized 5% pay raise effective October 1, 2006 for all full-time and part-time officers and employees, including temporary and other limited-term employees of the state employed on the last working day of September 2006.

**Rulemaking
Required:** None.

Effective Date: October 1, 2006.

Senate Bill 1040

<u>Topic:</u>	Employment Applications
<u>Authors:</u>	Riley of the Senate/Peters of the House
<u>Affected Statute(s):</u>	Amends 56:230.70.
<u>Status:</u>	Signed by Governor Henry June 6, 2006.
<u>Description:</u>	Requires state agencies participating in One-Stop/Employment Centers to make application forms available on their agency Internet website until the collaborative and intergovernmental partnerships are in place and fully implemented.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	November 1, 2006.

Senate Bill 1088

Topic: Leave

Authors: Bass, et al. of the Senate/Coody, et al. of the House

Affected Statute(s): Amends 72:48.

Status: Signed by Governor Henry May 23, 2006.

Description: Allows state employees who are members of the National Guard, all branches of the US Military or its reserve components to retain their full pay for up to 30 days after being called into active duty.

**Rulemaking
Required:** None.

Effective Date: May 23, 2006.

Senate Bill 1361

Topic: Leave

Authors: Leftwich, et al. of the Senate/Terrill, et al. of the House

Affected Statute(s): Amends 44:209.

Status: Signed by Governor Henry May 15, 2006.

Description: Amends the policy that requires state employees who are members of the National Guard be entitled to a leave of absence from civil employment for the period of active service, without loss of status or efficiency rating to include the reserve component of any branch of the US Military.

**Rulemaking
Required:** None.

Effective Date: October 1, 2006.

Senate Bill 1581

Topic: Leave

Authors: Leftwich of the Senate/Terrill, et al. of the House

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

Status: Signed by Governor Henry June 6, 2006.

Description: Section 2 provides that, if a state employee whose job duties include providing fire protection services, law enforcement services or services with the Department of Corrections is unable to use excess leave because the employee's request for leave is denied by the appointing authority because of extraordinary circumstances such that taking leave could pose a threat to public safety, health or welfare, the employee would receive compensation at the regular rate of pay for the amount of excess leave the employee is unable to use. The compensation would be paid at the end of the time period during which the excess leave was required to have been used.

**Rulemaking
Required:**

Effective Date: July 1, 2006.

Senate Bill 1934

Topic: Miscellaneous

Authors: Corn of the Senate/Blackwell of the House

Affected Statute(s): Creates 19:547.2.

Status: Signed by Governor Henry June 6, 2006.

Description: Creates the Sheriffs' Personnel Task Force to develop a comprehensive report on employment and retention of deputy sheriffs and detention officers, the costs of recruiting, training and replacing deputy sheriffs and detention officers and the effects of turnover among such personnel on public safety and to make recommendations to reduces turnover in such positions. Staffing for the Task Force shall include the Office of Personnel Management.

Rulemaking Required: None.

Effective Date: November 1, 2006.

Senate Bill 1601

Topic: Vendor Access

Authors: Eason McIntyre and Hobson of the Senate/Liotta, et al. of the House

Affected Statute(s): Section 6 amends 74:1344.
Section 7 amends 74:1344.1.

Status: Signed by Governor Henry June 6, 2006.

Description:

- Requires state agencies to provide that the one-day employee benefit informational meeting occurs no less than 30 days before the annual benefits enrollment deadline. Previously, the timeframe was 15 days before the annual deadline.
- Increases from 30 to 60 minutes the amount of time during the work-day that state agencies must allow each active state employee to attend the informational meetings.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

Section 2*

* Bills, listed by topic, that relate to the management and general operations of state agencies.

Senate Bill 1601

Topic: Employee Benefits

Authors: Eason McIntyre and Hobson of the Senate/Liotta, et al. of the House

Affected Statute(s):

- Section 1 amends 74:1303.
- Section 2 amends 74:1304.
- Section 3 amends 74:1306.
- Section 4 creates 74:1309.1.
- Section 5 amends 74:1321.
- Section 8 amends 74:1371.
- Section 9 amends 74:1374.

Status: Signed by Governor Henry June 6, 2006.

Description:

- Section 1: Changes the definition of “dependent” as it relates to eligibility requirements on the HealthChoice plan(s). The change removes the “student status” requirement for a dependent under the age of twenty-five (25) and replaces it to mirror the federal definition of any employees’ spouse or unmarried child under the age of twenty-three (23).
- Section 2: Allows the Governor to appoint one or more qualified individuals as an alternate to serve on the OSEEBIB grievance panel in the event the Governor’s primary appointee becomes unable to serve.
- Section 3: Blends the health insurance rates for active and pre-Medicare retirees as well as changes the reference to HMO licensure from the Department of Health to the Insurance Commissioner.
- Section 4: Provides for a “Grandfather” provision for those dependents currently covered by HealthChoice that are over the age of twenty-two (22) years and under the age of twenty-five (25) years; and continue on “student status”.
- Section 5: Changes the word “current” to the word “active” in referencing employees.
- Section 8: Specifies the beginning dates for and sets the blending of the rates of active and pre-Medicare retirees.
- Section 9: Removes the requirement for the OSEEGIB population to submit an annual election for a vision plan. This will allow for default enrollment.

Rulemaking Required: None.

Effective Date: July 1, 2006.

Senate Bill 558

Topic: Fleet Management

Authors: Shurden and Coates of the Senate/Liotta of the House

Affected Statute(s): Section 13 amends 74:78.

Status: Signed by Governor Henry June 7, 2006.

Description: Requires Department of Central Services to promulgate rules to:

- Establish mandatory maintenance contracts throughout the state for all agencies for vehicle repairs and services at discounted rates and parts;
- Require agencies with in-house repair and service facilities to assign dollar value to preventative services, to track those services and report costs to Fleet Manager;
- Require all state-owned motor vehicles to be uniformly marked and identified as such, except for certain law enforcement vehicles; and,
- Require agencies to produce and maintain written justification for any vehicle that travels fewer than 12,000 miles annually and report to the Fleet Manager each year.

Rulemaking Required: None.

Effective Date: July 1, 2006.

Senate Bill 1359

Topic: Miscellaneous

Authors: Myers and Coffee of the Senate/Kern, et al. of the House

Affected Statute(s): Amends 25:91.

Status: Signed by Governor Henry May 23, 2006.

Description: Sets out the standard design and colors in the state flag and requires all state agencies and boards of education to display the standardized state flag.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

House Bill 1179XX

Topic: Retirement

Authors: Bengé, et al. of the House/Crutchfield and Rabon of the Senate

Affected Statute(s): Section 33 amends 74:918.
Section 34 amends 74:919.1.
Section 10 created 74:930.9.

Status: Signed by Governor Henry June 27, 2006.

Description:

- Changes Option C of the Oklahoma Public Employees Retirement System (OPERS) where the benefit paid to a member is only slightly reduced from the maximum benefit. If the member dies before the passage of ten years, a beneficiary is guaranteed to receive the same payment for the remaining part of the 10-year certain period. Under current law, if the member dies before the passage of the ten-year period, and the beneficiary isn't alive or doesn't survive for the ten-year period, previously, the estate of the member or the beneficiary would receive the payment. The amendment permits OPERS to pay the present value of the payments in a lump sum for immediate distribution.
- Makes OPERS employee contributions a flat 3.5%, instead of the old 3% on the first \$25,000 of salary and 3.5% on the remainder.
- Provides that any person receiving benefits from OPERS as of 6/5/05, who is still receiving the benefit on 7/1/06, will get a 4% increase in that benefit.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

Senate Bill 1894

Topic: Retirement

Authors: Mazzei, et al. of the Senate/Benge, et al. of the House

Affected Statute(s): Creates 62:3101 et al., “Oklahoma Pension Legislation Actuarial Analysis Act”

Status: Signed by Governor Henry June 7, 2006.

Description: Requires that all retirement bills with fiscal impact must be introduced in odd years and voted on in even-numbered years. This can be bypassed for an “emergency” bill by a $\frac{3}{4}$ vote of each house. Each such bill must be analyzed for actuarial fiscal impact by a “Legislative Actuary” hired by the Legislative Services Bureau. Any retirement bill with fiscal impact must contain adequate funding either through a lump-sum appropriation or an increase in contributions sufficient to pay the cost of the change. Applies to OPERS, the Judicial Retirement System and the Teachers Retirement System.

Rulemaking Required: None.

Effective Date: July 1, 2006.

House Bill 2357

Topic: Security

Authors: DePue, et al. of the House/Nichols of the House

Affected Statute(s): Creates 74:3113.1

Status: Signed by Governor Henry June 8, 2006.

Description: Requires state governmental agencies to expediently notify persons of a breach of computer systems that results in an unauthorized release of personal information. The measure also requires notification when the agency maintains the computerized data but does not own the information.

**Rulemaking
Required:** None.

Effective Date: June 8, 2006.

House Bill 2935

Topic: Security

Authors: Liotta, et al. of the House/Mazzei and Johnson, C. of the Senate

Affected Statute(s): Amends 62:41.5a et al.
Repeals 62:41.5o.

Status: Signed by Governor Henry June 7, 2006.

Description: Requires Information Systems Division of the Office of State Finance (OSF), in conjunction with the Office of Homeland Security (OHS), to enforce minimum information security and internal control standards. Specifies that OSF is to create a standard security risk assessment for state agency information technology systems and each agency shall annually conduct a risk assessment to identify vulnerabilities associated with the information system.

Rulemaking Required: None.

Effective Date: July 1, 2006.

House Bill 2554

Topic: State Property

Authors: DePue of the House/Coates of the Senate

Affected Statute(s): Creates 74:129.4f

Status: Signed by Governor Henry May 26, 2006.

Description: Permits Department of Central Services (DCS) to create a database to identify state-owned real property and to manage long-range deferred maintenance funding requirements of such real property.

**Rulemaking
Required:** None.

Effective Date: July 1, 2006.

House Bill 2699

Topic: Technology

Authors: Johnson of the House/Coffee of the Senate

Affected Statute(s): Amends 62:41.5u

Status: Signed by Governor Henry June 8, 2006.

Description: Requires companies developing customized software for state agencies to deposit in a third-party escrow account the source code for the software.

**Rulemaking
Required:** None.

Effective Date: November 1, 2006.

Section 3*

***Bills of interest to OPM vetoed by the Governor**

Senate Bill 752

Topic: Employee Benefits

Authors: Easley McIntyre of the Senate/Wright, et al. of the House

Affected Statute(s): Amended 74:1303 et al.

Status: Vetoed by Governor Henry June 6, 2006.

Description: Multiple changes to Oklahoma State Education Employees Group Insurance Board statutes regarding definition of a dependent, blending health premium rates for active employees and retirees under the age of 65, and vendor access during annual enrollment. (*Specifics listed in Sections 1 and 2 under Senate Bill 1601.*)

Veto Message: Duplicate Bill. All of the language in SB 752 was contained in SB 1601 that was signed by the Governor.

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**Sections of the Oklahoma Personnel Act
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840-2.17	Amended	SB 1831
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840-4.13	Amended	SB 489
840-5.5	Amended	HB 1757 SB 1357 HB 1181XX
840-5.10	Amended	HB2867
840-5.13A	Added	HB 2766