

State of Oklahoma
Office of Personnel Management
Office of Communications
2004 Legislative Enactments



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Introduction

The OPM Office of Communications is pleased to submit its annual report of HR-related legislative enactments for the 2004 legislative session. During the session, the Office of Communications reviewed 908 House Bills (plus multiple versions of various bills), 38 House Joint Resolutions, 51 House Concurrent Resolutions, and 28 House Resolutions; and 788 Senate Bills (plus multiple versions of various bills), 27 Senate Joint Resolutions, 47 Senate Concurrent Resolutions, and 50 Senate Resolutions, to determine their impact on the state government personnel system. The Office of Communications tracked approximately 46 pieces of legislation having a direct impact on the state personnel system, completed written analyses on all 46 of these bills for Governor Henry and his staff, and prepared 25 pieces of correspondence to members of the Legislature regarding the provisions of these measures. In addition, the Office of Communications monitored approximately 308 House and Senate bills on such topics as benefits, other state agencies, appropriations, retirement, technology, purchasing, sunset, and workers' compensation.

This report describes 36 bills that were of interest to OPM during the 2004 legislative session:

- Part 1 includes bills, listed by topic, that 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, that do not amend the Oklahoma Personnel Act, but are of interest to OPM;
- Part 3 includes bills of interest to OPM, listed by topic, that 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 2004 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 1823	Longevity	Vetoed	N/A
HB 2004	Agencies	Signed	7/1/04
HB 2005	Compensation	Signed	7/1/04
HB 2006	Compensation	Signed	7/1/04 & 1/1/05
HB 2007	Appropriations	Signed	7/1/04
HB 2026	Appropriations	Signed	7/1/04
HB 2058	Agencies	Signed	8/27/04
HB 2070	Compensation	Signed	7/1/04
HB 2197	Technology	Signed	7/1/04
HB 2265	Agencies	Signed	7/1/04
HB 2280	Agencies	Signed	4/26/04
HB 2464	Agencies	Signed	5/19/04
HB 2542	Agencies	Signed	6/3/04
HB 2620	Agencies	Signed	11/1/04
HB 2706	Agencies	Signed	11/1/04
HB 2725	Duplicate Sections	Signed	3/1/04

Senate Bills

Bill #	Topic	Status	Effective
SB 141	Agencies	Signed	7/1/04
SB 601	Employment Application	Signed	11/1/04
SB 868	Political Office	Vetoed	N/A
SB 889	Administrative Procedures Act	Signed	5/3/04
SB 964	Appropriations	Signed	8/27/04
SB 965	Leave	Signed	7/1/04
SB 1074	Agencies	Signed	6/8/04
SB 1100	Biennial Compensation Review Board	Signed	11/1/04
SB 1105	<i>State Employee Advocacy Rights Act</i>	Signed	11/1/04
SB 1136	Veterans Preference	Signed	11/1/04
SB 1137	Compensation	Signed	1/1/05
SB 1153	Agencies	Signed	4/20/04
SB 1155	Compensation	Signed	7/1/04
SB 1211	Agencies	Signed	4/26/04
SB 1227	Veterans Preference	Signed	11/1/04
SB 1232	Agencies	Signed	6/9/04
SB 1299	Agencies	Signed	7/1/04
SB 1385	Charitable Contribution Campaign, Compensation Report, Leave, Longevity, OPA Corrections/Clarifications, Performance Management Process, Quality Management	Signed	7/1/04
SB 1552	Agencies	Signed	7/1/04
SB 1580	Direct Deposit	Signed	8/27/04

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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, or require action by the Administrator and/or OPM.

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² Bills, listed by topic, that (usually) do not amend the Oklahoma Personnel Act, but are of interest to OPM.

³ Bills of interest to OPM, listed by topic, that were 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 2004 session.

Part 1*

**Bills, listed by topic, that 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 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(9) provides the Department of Public Safety (DPS) unclassified authorizations for a chaplain and helicopter mechanic. *[Note: HB 2004 repeals HB 2444, which also provided unclassified authorizations for a DPS chaplain and helicopter mechanic.]*

Rulemaking Required: None.

Effective Date: July 1, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(17) provides the Department of Mental Health and Substance Abuse Services unclassified authorizations for Facility Director, Deputy Director for Administration, Clinical Services Director, Executive Secretary to Director, and Directors or Heads of Departments or Services.

Rulemaking Required: None.

Effective Date: July 1, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(18) provides the Office of State Finance unclassified authorizations for Administrative Officer, Alternator Claims Auditor, employees hired to fulfill state compliance agency requirements under Model Tribal Gaming Compacts, and the Information Services Division (Information Services Division Manager, Network Manager, Network Technician, Security Manager, Contracts/Purchasing Manager, Operating and Applications Manager, Project Manager, Help Desk Manager, Help Desk Technician, Quality Assurance Manager, ISD Analysts, CORE Manager, Enterprise System/Database Software Manager, Data Center Operations and Production Manager, Voice Communications Manager, Applications Development Manager, Projects Manager, PCs Manager, Servers Manager, and Portal Manager).

Rulemaking Required: None.

Effective Date: July 1, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(33) provides the Commissioners of the Land Office unclassified authorizations for one Audit Tech position, one Auditor I position, two Accounting Tech I positions, two Administrative Assistant I positions, two Imaging Specialist positions, and one Information Systems Specialist position.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(37) provides the Department of Central Services an unclassified authorization for a Property Distribution Administrator.

Rulemaking Required: None.

Effective Date: July 1, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

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

Status: Signed by Governor Henry June 7, 2004.

Description: Section 1 (A)(31) provides the Department of Agriculture, Food, and Forestry unclassified authorizations for two Scale Technicians and two Plant Protection Specialists.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

House Bill 2004

<u>Topic:</u>	Agencies
<u>Authors:</u>	Mitchell & Bonny of the House/Morgan & Robinson of the Senate
<u>Affected Statute(s):</u>	Amends 74:840-5.5.
<u>Status:</u>	Signed by Governor Henry June 7, 2004.
<u>Description:</u>	Section 1 (A)(52) provides the State Department of Health unclassified authorizations for one surveillance supervisor, one surveillance project monitor, two bilingual interviewers, eight senior interviewers, and six interviewers.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

House Bill 2007

Topic: Appropriations

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

Affected Statute(s): Noncodified.

Status: Signed by Governor Henry March 22, 2004.

Description: General Appropriations bill that provides, in Section 54, \$4,518,503.00 to OPM for FY 05.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

Senate Bill 964

<u>Topic:</u>	Appropriations
<u>Authors:</u>	Morgan & Robinson of the Senate/Mitchell & Bonny of the House
<u>Affected Statute(s):</u>	Noncodified.
<u>Status:</u>	Signed by Governor Henry May 24, 2004.
<u>Description:</u>	OPM “reconciliation” appropriations bill that reduces the HB 2007 (General Appropriations bill) total for OPM from \$4,518,503.00 to \$4,497,011.00—the amount (\$21,492.00) in excess of the funding necessary to pay for the FY 05 portion of the state employee pay raise—\$1,400 on January 1, 2005.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	August 27, 2004.

Senate Bill 1385

Topic: Charitable Contribution Campaign

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s): Sections 13 – 19 amend 74:7002 – 7010.

Status: Signed by Governor Henry May 18, 2004.

Description:

- Sections 13 – 19 change *Oklahoma State Employee Charitable Contribution Campaign* to *State Charitable Campaign*.
- Section 19 permits the Armed Forces Veterans Homes Foundation to participate in the *State Charitable Campaign*.

Rulemaking Required: Requires amendments to OAC 695:10.

Effective Date: July 1, 2004.

Senate Bill 1385

Topic: Compensation Report

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s): Section 1 amends 74:840-1.6A.

Status: Signed by Governor Henry May 18, 2004.

Description: Section 1 requires that information, including but not limited to salaries, benefits, and compensation policies and procedures, solicited by OPM from public and private sector employers for OPM's analysis of prevailing pay in the state, be confidential and not subject to disclosure under the Oklahoma Open Records Act.

Rulemaking Required: None.

Effective Date: July 1, 2004.

Senate Bill 1580

Topic: Direct Deposit

Authors: Fisher of the Senate/Askins of the House

Affected Statute(s):

- Section 1 amends 62:71.
- Section 2 amends 74:292.11.
- Section 3 amends 74:292.12.

Status: Signed by Governor Henry May 17, 2004.

Description:

- Section 1 amends the definition of “financial institution” to accommodate the changes mandated in the bill.
- Section 3 requires all state employees to participate in the direct deposit payroll system:
 - Employees hired after December 31, 2004, must identify a financial institution that will serve as a personal depository agency for the employee at the time he or she enters on duty with the state.
 - Employees hired before December 31, 2004, who are not participating in the system, have until June 30, 2007, to identify a financial institution.
- Section 3 requires the OPM Administrator to adopt rules regarding direct deposit for state employees that include limited exceptions to the required participation of state employees.

Rulemaking Required: Requires amendments to OAC 530:20.

Effective Date: August 27, 2004.

House Bill 2725

Topic: Duplicate Sections

Authors: Touré of the House/Smith of the Senate

Affected Statute(s):

- Amends 74:840-2.27B.
- Amends 74:840-2.27D.
- Amends 74:840-4.15.
- Amends 74:840-5.5.

Status: Signed by Governor Henry March 1, 2004.

Description: Sections 92 – 100 reconcile changes to 74:840-2.27B, 840-2.27D, 840-4.15, and 840-5.5 made during the 2003 legislative session.

Rulemaking Required: None.

Effective Date: March 1, 2004.

Senate Bill 965

Topic: Leave

Authors: Capps of the Senate/Braddock, et al. of the House

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

Status: Signed by Governor Henry June 3, 2004.

Description: Makes 74:840-2.20 consistent with OAC 530:10-15-11, which prohibits the accumulation of annual leave in excess of the limits in 74:840-2.20, but which permits employees to accumulate annual leave in excess of the maximum—so long as the excess is used during the same year (calendar or “rolling”) in which it accrues. *[Note: Section 7 of SB 1385 also added this provision, but it was drafted incorrectly; SB 965 amends 74:840-2.20 as last amended by SB 1385.]*

Rulemaking Required: None.

Effective Date: July 1, 2004.

Senate Bill 1385

<u>Topic:</u>	Leave
<u>Authors:</u>	Capps of the Senate/Braddock of the House
<u>Affected Statute(s):</u>	Section 7 amends 74:840-2.20.
<u>Status:</u>	Signed by Governor Henry May 18, 2004.
<u>Description:</u>	Section 7 provides that leave earned during a month shall not be available for use until the beginning of the following month.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

Senate Bill 1385

Topic: Leave

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s): Section 9 amends 74:840-2.22.

Status: Signed by Governor Henry May 18, 2004.

Description: Section 9 adds “compensatory time” to the list of options employees have to account for absences under the Family and Medical Leave Act.

Rulemaking Required: Requires amendments to OAC 530:10-15-45.

Effective Date: July 1, 2004.

Senate Bill 1385

<u>Topic:</u>	Longevity
<u>Authors:</u>	Capps of the Senate/Braddock of the House
<u>Affected Statute(s):</u>	Section 6 amends 74:840-2.18.
<u>Status:</u>	Signed by Governor Henry May 18, 2004.
<u>Description:</u>	Section 6 provides that upon implementation of the <i>CORE Oklahoma</i> /PeopleSoft Human Resource Management System, a state employee's annual longevity payment may be paid during his or her anniversary month, rather than the month following the anniversary month.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

Senate Bill 1385

Topic: Oklahoma Personnel Act Corrections/Clarifications

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s):

- Section 2 amends 74:840-1.18.
- Section 3 amends 74:840-2.3.
- Section 4 amends 74:840-2.14.
- Section 5 amends 74:840-2.17.
- Section 6 amends 74:840-2.18.
- Section 7 amends 74:840-2.20.
- Section 8 amends 74:840-2.21.
- Section 9 amends 74:840-2.22.
- Section 11 amends 74:840-2.27C.

Status: Signed by Governor Henry May 18, 2004.

Description:

- Section 2 corrects and clarifies language related to the payment of administrative costs and expenses by Merit System agencies to OPM.
- Section 3 corrects language related to assistants to state agency affirmative action officers.
- Sections 4 – 8 and 11 strike obsolete and unnecessary language related to the University Hospitals Authority.
- Section 5 moves language related to skill-based adjustments to a more logical location within the section.
- Section 9 strikes obsolete language related to the Family and Medical Leave Act.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

Senate Bill 1385

Topic: Performance Management Process

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s): Section 12 amends 74:840-4.17.

Status: Signed by Governor Henry May 18, 2004.

Description: Section 12:

- Clarifies that the Performance Management Process (PMP) is the only performance appraisal system that may be used by state agencies.
- Provide flexibility to agencies to rate a probationary employee at least 30 days before the end of the probationary period rather than exactly 30 days before the end of the period.
- Clarifies that agencies are to report (rather than confirm) their compliance with the statutory provisions regarding PMP.

Rulemaking Required: Requires amendments to OAC 530:10-17-31.

Effective Date: July 1, 2004.

Senate Bill 1385

Topic: Quality Management

Authors: Capps of the Senate/Braddock of the House

Affected Statute(s): Section 1 amends 74:840-1.6A.

Status: Signed by Governor Henry May 18, 2004.

Description: Section 1 requires the OPM Administrator to establish a quality management function within OPM to assist state agencies in fully integrating quality management concepts and models into their business practices for the purpose of improving the overall efficiency and effectiveness of state government.

Rulemaking Required: None.

Effective Date: July 1, 2004.

Senate Bill 1105

- Topic:** *State Employee Advocacy Rights Act*
- Authors:** Gumm of the Senate/Carey & Adkins of the House
- Affected Statute(s):** Creates 74:843, et seq.
- Status:** Signed by Governor Henry May 25, 2004.
- Description:**
- Section 3 requires state agencies to allow employee organizations with payroll deduction privileges pursuant to 62:7.10 (Section 2) to hold meetings on state property before or after working hours or during lunch, and provide information to state agencies to be included in new employee packets.
 - Section 3 requires the OPM Administrator to promulgate rules governing the annual distribution of employee organization materials by state agencies.
- Rulemaking Required:** Requires amendments to OAC 530:15.
- Effective Date:** November 1, 2004.

Senate Bill 1136

Topic: Veterans Preference

Authors: Corn of the Senate/Smithson, et al. of the House

Affected Statute(s): Amends 74:840-2.27C.

Status: Signed by Governor Henry May 10, 2004.

Description: Requires an agency conducting a reduction-in-force to give preference to veteran affected employees over non-veteran affected employees who have equal retention points.

Rulemaking Required: Requires amendments to OAC 530:10-13-32.

Effective Date: November 1, 2004.

Senate Bill 1227

<u>Topic:</u>	Veterans Preference
<u>Authors:</u>	Milacek of the Senate/Roggow & Covey of the House
<u>Affected Statute(s):</u>	Amends 74:840-4.14.
<u>Status:</u>	Signed by Governor Henry April 12, 2004.
<u>Description:</u>	Requires that ten points be added to the final grade of <i>any</i> veteran who has passed an exam and submitted proof of having a service-connected disability.
<u>Rulemaking Required:</u>	Requires amendments to OAC 530:10-9-130.
<u>Effective Date:</u>	November 1, 2004.

Part 2*

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

Senate Bill 889

<u>Topic:</u>	Administrative Procedures Act
<u>Authors:</u>	Crutchfield of the Senate/Walker of the House
<u>Affected Statute(s):</u>	Amends 75:250.8.
<u>Status:</u>	Signed by Governor Henry May 3, 2004.
<u>Description:</u>	Provides that permanent rules become effective on the tenth day after publication in the <i>Oklahoma Register</i> regardless of the day of the week.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	May 3, 2004.

House Bill 2004

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

Affected Statute(s): Section 2 amends 72:63.18A.

Status: Signed by Governor Henry June 7, 2004.

Description: Section 2 provides the Oklahoma Department of Veterans Affairs unclassified authorizations for Programs Administrators, Veterans Center Administrators, and Assistant Veterans Center Administrators.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

House Bill 2058

Topic: Agencies

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

Affected Statute(s): Section 11 amends 17:32.

Status: Signed by Governor Henry May 6, 2004.

Description: Section 11 strikes provisions relating to the Oklahoma Corporation Commission (OCC) General Administrator position, and requires OCC to appoint a Director of Administration.

Rulemaking Required: None.

Effective Date: August 27, 2004.

House Bill 2265

Topic: Agencies

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

Affected Statute(s):

- Section 3 amends 47:2-105.
- Section 4 amends 47:2-105A.
- Section 7 amends 47:2-310.1.
- Section 28 amends 74:840-5.5.

Status: Signed by Governor Henry June 4, 2004.

Description:

- Section 3:
 - o Permits the appointment of individuals to Oklahoma Highway Patrol (OHP) positions who have at least two years experience as a law enforcement officer certified by the Council on Law Enforcement Education and Training, by the equivalent state agency in another state, or by any federal law enforcement agency;
 - o Permits the appointment of individuals to OHP positions who have at least two years of honorable military service in an active or reserve component of the US Armed Forces; and
 - o Changes the 20 years of service age for reinstated OHP officers from 57 to 62.
- Section 4 provides for the reclassification of a Training Specialist III at the Department of Public Safety (DPS) as a Capitol Patrol officer.
- Section 7 require agencies employing individuals eligible for membership in the Oklahoma Law Enforcement Retirement System to adopt a mutually agreed upon rule establishing guidelines for what should be considered an “illness or injury” subject to review by the Injury Review Board.
- Section 28 permits unclassified authorizations for an unspecified number of administrative aides to the DPS Commissioner and a DPS Director of Safety Compliance.

Rulemaking Required: None.

Effective Date: July 1, 2004.

House Bill 2280

Topic: Agencies

Authors: Paulk & Nance of the House/Wilkerson & Fair of the Senate

Affected Statute(s): Section 2 amends 74:10.6.
Section 7 amends 74:840-5.5.
Section 8 recodifies 74:10.6 as 74:51.1.

Status: Signed by Governor Henry April 26, 2004.

Description:

- Section 2
 - Creates the Oklahoma Office of Homeland Security;
 - Requires the Governor to appoint a Homeland Security Director;
 - Requires the Governor to designate the agency where the Office will be located; and
 - Provides that the positions and personnel of the Office will be exempt from the FTE limit of the agency where the Office is located.
- Section 7 unclassifies the Director of the Office of Homeland Security and all other positions assigned the responsibilities of working in the Office.

Rulemaking Required: None.

Effective Date: April 26, 2004.

House Bill 2464

Topic: Agencies

Authors: Gilbert & Lindley of the House/Robinson of the Senate

Affected Statute(s): Creates 59:1870, et seq.

Status: Signed by Governor Henry May 19, 2004.

Description:

- Creates, until July 1, 2010, the Oklahoma Board of Licensed Alcohol and Drug Counselors, consisting of seven members to be appointed by the Governor, to administer the provisions of the Licensed Alcohol and Drug Counselors Act, including conducting examinations of persons who apply for certification or licensure as an alcohol and drug counselor; determining eligibility for certification and licensure; issuing certifications and licenses; denying, suspending, revoking, or refusing to renew a certificate or license, etc.
- Authorizes the Board to employ, direct, discharge and define the duties and set the salaries of office personnel as deemed necessary by the Board.

Rulemaking Required: None.

Effective Date: May 19, 2004.

House Bill 2542

Topic: Agencies

Authors: Carey & Dorman of the House/Gumm of the Senate

Affected Statute(s): Creates 64:51.1.

Status: Signed by Governor Henry June 3, 2004.

Description: Provides that in the event of the sale of Texoma State Park or Lake Texoma Lodge by the Oklahoma Tourism and Recreation Department (OTRD):

- Employees at Texoma State Park and/or Lake Texoma Lodge who have a minimum of two years' continuous service with OTRD at Texoma State Park and/or Lake Texoma Lodge on the date of the facilities' closure shall have the opportunity to obtain employment with any successor operator of a resort or park facility located on the lands held by OTRD, if the employees are qualified and eligible.
- OTRD shall develop a severance package for all employees affected by the closure of the abovementioned facilities.

Rulemaking Required: None.

Effective Date: June 3, 2004.

House Bill 2620

Topic: Agencies

Authors: Covey, et al. of the House/Price & Gumm of the Senate

Affected Statute(s): Creates 2:18-30, et seq.

Status: Signed by Governor Henry March 30, 2004.

Description:

- Creates, until July 1, 2010, the Oklahoma Beef Council to, *inter alia*, promote the sale and use of beef and beef products, support national beef promotion, research, education, and other consumer marketing activities related to beef and cattle production, and otherwise support consumer market development and promotion efforts on a national and international scale.
- Authorizes the Council to employ an Executive Director and employees of the Council and prescribe their duties and fix their compensation and terms of employment.

**Rulemaking
Required:** None.

Effective Date: November 1, 2004.

House Bill 2706

Topic: Agencies

Authors: McClain of the House/Price & Gumm of the Senate

Affected Statute(s): Creates 2:3-35.

Status: Signed by Governor Henry April 1, 2004.

Description:

- Creates the Pest Control Compact and the Pest Control Insurance Fund for the purpose of financing extraordinary pest control operations which states may be called upon to engage in pursuant to the Compact.
- Provides for the administration of the Insurance Fund by a Governing Board and Executive Committee.
- Authorizes the Governing Board to appoint an executive director to serve at the pleasure of the Governing Board and to fix the executive director's duties and compensation.
- Requires the executive director to appoint, remove, or discharge personnel and to fix their duties and compensation, regardless of the civil service, personnel, or other merit system laws of any of the Compact states.

Rulemaking Required: None.

Effective Date: November 1, 2004.

Senate Bill 141

Topic: Agencies

Authors: Smith, et al. of the Senate/Mitchell, et al. of the House

Affected Statute(s): Creates 47:1160, et seq.

Status: Signed by Governor Henry June 9, 2004.

Description:

- Section 1 creates the “Trucking One-Stop Shop Act” for the purpose of consolidating operations of state agencies relating to the trucking industry.
- Section 2 transfers the Motor Vehicle Enforcement Section, the International Registration Plan Section, and the International Fuel Tax Agreement Section, as well as the employees of these sections, from the Oklahoma Tax Commission (OTC) to the Corporation Commission (OCC).
- Section 2 requires that personnel transferred to OCC be placed within the classification level for which they meet qualifications without an entrance exam, that they not be required to accept a lesser salary, and that they retain their seniority, leave, retirement benefits, etc., accrued during their time with OTC.

Rulemaking Required: None.

Effective Date: July 1, 2004.

Senate Bill 1074

<u>Topic:</u>	Agencies
<u>Authors:</u>	Morgan & Robinson of the Senate/Mitchell & Bonny of the House
<u>Affected Statute(s):</u>	Amends 74:4257.
<u>Status:</u>	Signed by Governor Henry June 8, 2004.
<u>Description:</u>	Permits a state board or commission to employ a former member of the board or commission if at least one year has passed since the former member's term expired or since the date the former member resigned from the board or commission.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	June 8, 2004.

Senate Bill 1153

Topic: Agencies

Authors: Wilkerson of the Senate/Plunk of the House

Affected Statute(s): Creates 74:840-7.1.

Status: Signed by Governor Henry April 20, 2004.

Description:

- Permits state agencies to lease employees to Indian Tribes or Nations via contract if the:
 - o Indian Tribe or Nation has purchased real property from the state, and
 - o Employee worked for the agency at the site of the purchased property.
- Requires the Indian Tribe or Nation to pay to the agency an amount equal to the salary, employer retirement contribution, and flexible benefit allowance of each leased employee.
- Provides that leased employees will not lose any rights or benefits of being a state employee and shall retain their classification status.

Rulemaking Required: None.

Effective Date: April 20, 2004.

Senate Bill 1211

Topic: Agencies

Authors: Snyder of the Senate/Paulk of the House

Affected Statute(s): Section 1 amends 59:1000.4.

Status: Signed by Governor Henry April 26, 2004.

Description: Section 1 changes the ending date for the requirement that the State Department of Health provide administrative support for the Construction Industries Board from January 1, 2005, to July 1, 2004.

**Rulemaking
Required:** None.

Effective Date: April 26, 2004.

Senate Bill 1232

Topic: Agencies

Authors: Corn of the Senate/Winchester of the House

Affected Statute(s): Amends 56:26.17.

Status: Signed by Governor Henry June 9, 2004.

Description: Permits the Department of Human Services (DHS) to unclassify four percent of its total FTE selected at the discretion of the DHS Director.

**Rulemaking
Required:** None.

Effective Date: June 9, 2004.

Senate Bill 1299

<u>Topic:</u>	Agencies
<u>Authors:</u>	Shurden of the Senate/Leist of the House
<u>Affected Statute(s):</u>	Section 1 amends 47:2-105.7.
<u>Status:</u>	Signed by Governor Henry May 26, 2004.
<u>Description:</u>	Section 1 permits the reclassification of a Capitol Patrol officer as a Highway Patrol officer if the officer completes, by January 1, 2005, a course of training prescribed by the Commissioner that is comparable to the Department of Public Safety Patrol Academy.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

Senate Bill 1552

Topic: Agencies

Authors: Cain of the Senate/Ingmire of the House

Affected Statute(s): Creates 10:7309-1.1, et seq.

Status: Signed by Governor Henry April 21, 2004.

Description:

- Provides for the creation of the Interstate Commission for Juveniles to oversee, supervise, and coordinate the interstate movement of juveniles.
- Authorizes the Commission to elect or appoint officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties, and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

House Bill 2026

<u>Topic:</u>	Appropriations
<u>Authors:</u>	Mitchell & Bonny of the House/Morgan & Robinson of the Senate
<u>Affected Statute(s):</u>	Noncodified.
<u>Status:</u>	Signed by Governor Henry June 7, 2004.
<u>Description:</u>	Section 9 appropriates \$3.7 million to the Office of State Finance for the CORE/PeopleSoft Project.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

Senate Bill 1100

Topic: Biennial Compensation Review Board

Authors: Gumm of the Senate/Carey of the House

Affected Statute(s): Amends 74:841.30.

Status: Signed by Governor Henry April 15, 2004.

Description:

- Requires the Biennial Compensation Review Board to:
 - o Review OPM's Annual Compensation Report, and
 - o Make recommendations, including compensation adjustments, pay band adjustments, targeted salary increases, and other recommendations related to turnover, fringe benefits, and other state employee compensation issues, but excluding retirement issues, to the President Pro Tempore of the Senate, Speaker of the House of Representatives, and Governor on or before February 1 of the year following each biennial meeting.
- Requires the Board to meet every other December.

**Rulemaking
Required:** None.

Effective Date: November 1, 2004.

House Bill 2005

<u>Topic:</u>	Compensation
<u>Authors:</u>	Mitchell, et al. of the House/Morgan & Robinson of the Senate
<u>Affected Statute(s):</u>	Noncodified.
<u>Status:</u>	Signed by Governor Henry April 14, 2004.
<u>Description:</u>	Provides an annualized salary increase of \$1,400.00 on January 1, 2005, to all full-time and part-time officers and employees (with certain exceptions), including temporary and other limited-term employees, who are employed by the state on the last working day of December 2004, and an annualized salary increase of \$700.00 on July 1, 2005, to all full-time and part-time state officers and employees (with certain exceptions), including temporary and other limited-term employees, who are employed by the state on the last working day of June 2005.
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

House Bill 2006

Topic: Compensation

Authors: Mitchell & Bonny of the House/Morgan & Robinson of the Senate

Affected Statute(s):

- Section 1 amends 74:3601.1.
- Section 2 creates 74:3601.2.
- Section 3 is noncodified.

Status: Signed by Governor Henry June 7, 2004.

Description:

- Section 1 repeals salary caps for directors of nonappropriated agencies.
- Section 2 establishes salary ranges for directors of nonappropriated agencies.
- Section 3 increases the salary caps for the directors of appropriated agencies by \$1,400.

**Rulemaking
Required:** None.

Effective Date: Sections 1 and 3: July 1, 2004. Section 2: January 1, 2005.

House Bill 2070

<u>Topic:</u>	Compensation
<u>Authors:</u>	Mitchell & Bonny of the House/Morgan & Robinson of the Senate
<u>Affected Statute(s):</u>	Noncodified.
<u>Status:</u>	Signed by Governor Henry June 7, 2004.
<u>Description:</u>	Section 2 appropriates \$100,000 to the Oklahoma Tourism and Recreation Department to provide a \$2,000 pay raise (which is in addition to the HB 2005 state employee pay raise) to individuals employed in the Park Ranger job family (Park Ranger, Levels I – III, and Chief Ranger).
<u>Rulemaking Required:</u>	None.
<u>Effective Date:</u>	July 1, 2004.

Senate Bill 1137

Topic: Compensation

Authors: Corn, et al. of the Senate/Askins, et al. of the House

Affected Statute(s): Amends 47:2-105.4, 2-105.6, 2-105.7, & 2-105.8.

Status: Signed by Governor Henry April 26, 2004.

Description: Provides salary increases for Highway Patrol Officers and others by collapsing the 14-step pay structure into a 7-step pay structure and advancing employees into higher pay rates.

**Rulemaking
Required:** None.

Effective Date: January 1, 2005.

Senate Bill 1155

Topic: Compensation

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

Affected Statute(s): Amends 74:150.6a.

Status: Signed by Governor Henry May 25, 2004.

Description:

- Establishes salary ranges for Oklahoma State Bureau of Investigation positions with statutory salaries.
- Provides that effective July 1, 2004, positions allocated to the agent and criminalist job families may receive additional compensation through the use of pay movement mechanisms provided for in the Oklahoma Personnel Act and the Merit Rules.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

Senate Bill 601

Topic: Employment Application

Authors: Smith of the Senate/Peters of the House

Affected Statute(s): Amends 21:358 & 359.

Status: Signed by Governor Henry June 9, 2004.

Description: Makes it a misdemeanor, punishable by a fine of not more than \$1,000, or imprisonment for not more than one year, to knowingly make a materially false, fictitious, or fraudulent statement or representation on an application for state employment.

**Rulemaking
Required:** None.

Effective Date: November 1, 2004.

House Bill 2197

Topic: Technology

Authors: Deutschendorf of the House/Capps of the Senate

Affected Statute(s):

- Section 1 amends 62:41.5e.
- Section 2 creates 62:41.5t.

Status: Signed by Governor Henry April 20, 2004.

Description:

- Section 1 requires agencies to amend the long-range plan submitted to the Information Services Division of the Office of State Finance (OSF/ISD) assuring compliance with state standards regarding accessibility of information technology (IT) for individuals with disabilities.
- Section 2 requires OSF/ISD and the Department of Central Services to adopt accessibility standards addressing all technical standard categories of Section 508 of the Workforce Investment Act of 1998 to be used by each state agency in the procurement of IT, and in the development and implementation of custom-designed IT systems, Websites, and other emerging IT systems.

**Rulemaking
Required:** None.

Effective Date: July 1, 2004.

Part 3*

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

House Bill 1823

Topic: Longevity

Authors: Erwin & Roan of the House/Shurden of the Senate

Affected Statute(s): Section 1 amends 74:840-2.18.

Status: Vetoed by Governor Henry June 10, 2004.

Description: Section 1 requires that years of service with a local conservation district be included in years of service for longevity pay and leave accrual for state employees with local conservation district service.

Veto Message: Vetoed for a reason unrelated to this provision.

Senate Bill 868

Topic: Political Office

Authors: Corn of the Senate/Paulk, et al. of the House

Affected Statute(s): Amends Section 257:10-1-4 of the Rules of the Ethics Commission.

Status: Vetoed by Governor Henry June 10, 2004.

Description: Provides that a classified or unclassified employee may run for a partisan elective office and solicit campaign contributions without violating Ethics Commission rules.

Veto Message: *This legislation violates the federal Hatch Act and could jeopardize millions of dollars in federal funding.*

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OPA Section	Action	Bill Number
840-1.6A	Amended	SB 1385
840-1.18	Amended	SB 1385
840-2.3	Amended	SB 1385
840-2.14	Amended	SB 1385
840-2.17	Amended	SB 1385
840-2.18	Amended	SB 1385
840-2.20	Amended	SB 965 ⁵ SB 1385
840-2.21	Amended	SB 1385
840-2.22	Amended	SB 1385
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840-2.27B	Amended	HB 2725
840-2.27C	Amended	SB 1136 SB 1385
840-2.27D	Amended	HB 2725
840-4.14	Amended	SB 1227
840-4.15	Amended	HB 2725
840-4.17	Amended	SB 1385
840-5.5	Amended	HB 2004 ⁶ HB 2265 ⁷ HB 2280 ⁸ HB 2725 HB 2444 ⁹

⁵ As last amended by SB 1385.

⁶ As last amended by HB 2280.

⁷ As last amended by HB 2280.

⁸ As last amended by HB 2725.

⁹ Repealed by HB 2004.