ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 840 BY: DICKERSON of the SENATE

and

STEIDLEY of the HOUSE

(STATE GOVERNMENT - AMENDING 74 O.S., SECTION 85.3 - PUBLIC AFFAIRS - EFFECTIVE DATE - EMERGENCY)

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 74 O.S. 1991, SECTION 85.3, WHICH RELATES TO THE OFFICE OF PUBLIC AFFAIRS AND THE PURCHASING DIRECTOR; ADDING TO EMPLOYEE MAKE-UP OF STATE PURCHASING DIVISION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 85.3, is amended to read as follows:

Section 85.3 A. There is hereby created and established in the Office of Public Affairs a Purchasing Division, the administrative head of which shall be the Purchasing Director. Said Director shall be hired by the Director of Public Affairs. The Director shall be at least twenty-eight (28) years of age, have a thorough knowledge

of office practices and buying procedures in volume purchasing, and be a graduate of an accredited college or university with at least five (5) years' experience in commercial or governmental purchasing, or, in lieu of such educational requirement, have at least ten (10) years' experience in commercial or governmental purchasing. Said State Purchasing Division shall include the following employees, and employment of such employees is hereby authorized: one assistant director; one qualified specifications engineer; eighteen or less qualified buyers who shall be experienced for three (3) years, respectively, in the following commodities: food, hardware, textiles, petroleum, office supplies, building materials, pharmaceutical supplies, automotive equipment, parts and accessories, and any other commodity group found by the Office of Public Affairs to justify special purchasing attention; one dietitian, who shall have the qualifications required by the State Department of Health; one person employed full-time as a qualified buyer and designated as a "buyer of products and services of the severely handicapped"; and such other technical and clerical personnel as shall be employed by the Office of Public Affairs, or hereafter provided by law. All activities of any state agency, department, or institution relating to purchasing shall be under the direction of the Purchasing Division, except such acquisitions as are excluded by the Oklahoma Central Purchasing Act, Section 85.1 et seq. of this title. The provisions of the Oklahoma Central Purchasing Act shall not apply to county government nor to institutions of higher learning. The Purchasing Division shall provide qualified personnel to supervise the purchasing activities of the various agencies, departments, and institutions of the state. Each agency, department, and institution shall designate personnel to coordinate its purchasing functions with the Purchasing Division. The Purchasing Division may, if the needs of an agency, department, or institution are such as to so require, employ, and establish a

buyer within such agency, department, or institution. No agency, department, or institution of this state shall have or maintain a purchasing section without the prior approval in writing of the Purchasing Division except those agencies whose acquisitions are exempted in Section 85.12 of this title.

B. The Purchasing Division is encouraged to make purchases from industries operated by the State Department of Corrections of items manufactured or offered for sale by said Department of Corrections, and to make all purchases from industries operated and items manufactured and sold in this state, whenever practicable.

C. None of the personnel authorized by this section shall furnish any of the services, materials, supplies, or equipment covered by the Oklahoma Central Purchasing Act, nor shall such personnel be employees, partners, associates, officers, or stockholders in or with any business entity which does, nor shall anyone be employed in any of the positions authorized by this section whose spouse or child owns any stock in any business entity which furnishes any supplies, materials, services, or equipment covered by the Oklahoma Central Purchasing Act, nor shall anyone be employed in any of the positions authorized by this section whose brother, sister, father, mother, aunt, uncle, or other relative within the third degree, whether related by consanguinity or affinity, is engaged in furnishing such supplies, materials, services, or equipment or is interested in any business entity which does, except that such relative, excluding a spouse or child, may own Five Thousand Dollars ($5,000.00) worth or less, or one percent (1%) or less, whichever amount is the lesser amount, of the stock of a corporation or any business entity which furnishes such materials, supplies, equipment, and services.

SECTION 2. This act shall become effective July 1, 1992.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 15th day of April, 1992.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate