

ENROLLED HOUSE
BILL NO. 2728

By: Hamilton (James) and
Steidley of the House

and

Taylor and Haney of the
Senate

An Act relating to supervision of the state personnel process; amending Section 46 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to an appropriation to the Merit Protection Commission; modifying appropriation; stating purpose; redesignating certain appropriation; providing legislative intent; providing for the duties and compensation of employees of the Merit Protection Commission; limiting the salary of the Director of the Merit Protection Commission; providing budgetary limitations; amending Section 48 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to an appropriation to the Office of Personnel Management; modifying appropriation; providing budgetary limitations; providing for the duties and compensation of the employees of the Office of Personnel Management; exempting certain expenditures from budgetary limitations; limiting the salary of the Director of the Office of Personnel Management; and providing lapse date.

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

MERIT PROTECTION COMMISSION

SECTION 1. AMENDATORY Section 46 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 46. There is hereby appropriated to the Oklahoma Merit Protection Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of ~~Five Hundred Ten Thousand Six Hundred Thirty-four Dollars (\$510,634.00)~~ Five Hundred Seventeen Thousand Two Hundred Eleven Dollars (\$517,211.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Merit Protection Commission by law.

SECTION 2. REDESIGNATION The amount of Fifteen Thousand Dollars (\$15,000.00) appropriated by Section 21, Chapter 259, O.S.L. 1993, to the Oklahoma Merit Protection Commission from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1994, for legal services when the Attorney General disqualifies herself from legal counsel or representation of the Oklahoma Merit Protection Commission due to conflict of interest, is

hereby redesignated to be used for the duties imposed upon the Oklahoma Merit Protection Commission by law. If on the date this act is approved any of the amount originally appropriated as adjusted by expenditures, encumbrances and transfers, results in an unencumbered balance less than the redesignation amount, then that redesignated amount is reduced to the unencumbered balance.

SECTION 3. It is the intent of the Legislature that for the fiscal year ending June 30, 1995, the Merit Protection Commission shall utilize retired Justices or Judges for the services of Administrative Law Judges for hearings and prehearings.

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Merit Protection Commission by law shall be set by the Executive Director of the Merit Protection Commission. The salary of the Executive Director of the Merit Protection Commission shall not exceed Forty-nine Thousand Three Hundred Nineteen Dollars (\$49,319.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Merit Protection Commission for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	11.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$352,259.00	
Professional and Personal Services Contracts	\$90,000.00
Lease-Purchase Payments	\$10,000.00
Purchase of Equipment	\$15,000.00
Expenditure of Revolving Funds	\$12,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$614,211.00

OFFICE OF PERSONNEL MANAGEMENT

SECTION 5. AMENDATORY Section 48 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature is amended to read as follows:

Section 48. There is hereby appropriated to the Office of Personnel Management from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of ~~Four Million Two Hundred Twenty-five Thousand One Hundred Seventy-five Dollars (\$4,225,175.00)~~ Four Million Three Hundred Seven Thousand Eight Hundred Seventy-eight Dollars (\$4,307,878.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Personnel Management by law.

SECTION 6. For the fiscal year ending June 30, 1995, the Office of Personnel Management shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>
1. Administration	\$1,220,013.00
2. Recruitment and Selection	753,192.00
3. Human Resource Development	330,045.00
4. Management Support Services	1,077,396.00

5. Personnel/Payroll	
Information Services	<u>927,232.00</u>
TOTAL	\$4,307,878.00

SECTION 7. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of Personnel Management by law shall be set by the Director of the Office of Personnel Management. The salary of the Director of the Office of Personnel Management shall not exceed Fifty-nine Thousand Six Hundred Sixty-one Dollars (\$59,661.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Office of Personnel Management for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	114.5

Expenditures from the Benefits Council Administration Revolving Fund shall not be subject to the budgetary limitations established for the Office of Personnel Management in this section.

SECTION 8. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1995. Any unexpended funds remaining after November 15, 1995, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of
Representatives

Passed the Senate the 19th day of May, 1994.

President of the Senate