

ENGROSSED HOUSE AMENDMENTS

TO

ENGROSSED SENATE BILL NO. 546

By: Dickerson of the Senate

and

Dunegan of the House

(state government - merit system of personnel
administration - clarifying statutory
reference - effective date)

AMENDMENT NO. 1. Page 1, line 12, strike the enacting clause

AMENDMENT NO. 2. Page 3, line 8 1/2, insert new Sections 2 through
5 to read

"SECTION 2. AMENDATORY Section 13, Chapter 242, O.S.L.
1994 (74 O.S. Supp. 1994, Section 840-5.11), is amended to read as
follows:

Section 840-5.11 A. The Department of Corrections shall be
under the Merit System. Except as otherwise provided in subsection
B of this section, all offices, positions and personnel shall be
classified and subject to the provisions of the Merit System of
Personnel Administration and rules promulgated hereunder. This
section shall supersede and repeal any and all executive orders
issued pursuant to ~~this act~~ the Oklahoma Personnel Act to place the
agency or its predecessors under the Merit System.

B. In addition to offices, positions and personnel that are
unclassified pursuant to Section § 840-5.5 of this ~~act~~ title, the
following offices, positions and personnel shall be in the
unclassified service:

1. a. Associate Director,
- b. Executive Secretary,
- c. General Counsel,
- d. Assistant General Counsel,
- e. Deputy Director,
- f. Public Information Officer,
- g. Personnel Manager,
- h. Administrator of Planning and Research,
- i. Administrator of Finance and Accounting,
- j. Executive Assistant,
- k. Administrator of Information Services,
- l. Affirmative Action Officer,
- m. System Development Manager,
- n. Computer Operations Manager,
- o. Training Director,
- p. Assistant Training Director,
- q. Administrator of Construction and Maintenance,
- r. Administrative Assistant,
- s. Secretary,
- t. Administrator of Classification and Programs,
- u. Coordinator of Facility Classification,
- v. Mediation Coordinator,
- w. Inspector General,
- x. Medical Director,
- y. Psychiatrist,
- z. Physician,
- aa. Optometrist,
- ab. Dental Services Supervisor,
- ac. Dentist,
- ad. Psychologist,
- ae. Administrator of Dietary Services,
- af. Warden I,

- ag. Warden II,
- ah. Warden III,
- ai. Deputy Warden I,
- aj. Deputy Warden II,
- ak. Deputy Warden III,
- al. Community Treatment Center Superintendent,
- am. Community Treatment Center Assistant Superintendent,
- an. Probation and Parole District Supervisor,
- ao. Probation and Parole Assistant District Supervisor,
- ap. Administrator of Human Resources,
- aq. Facility Staffing Pattern Analyst,
- ar. Correctional School Superintendent,
- as. Regional Director,
- at. Assistant Regional Director,
- au. Chief of Operations,
- av. Chief Psychologist,
- aw. Physician Assistant, and
- ax. Pharmacist; and

2. Department of Corrections personnel occupying the following offices and positions as representatives of the Oklahoma State Industries:

- a. Administrator of Industrial Production,
- b. Administrator of Agriculture Production,
- c. ~~Oklahoma State Industries Sales Representative,~~
- ~~d.~~ Oklahoma State Industries Sales Manager, and
- ~~e.~~ d. Marketing Manager.

The positions listed in subparagraphs a through d of this paragraph shall be funded from the Department of Corrections Industries' Revolving Fund only. ~~In addition to the regular salary, any unclassified service sales representative of the Oklahoma State Industries of the Department of Corrections who is responsible for obtaining a contract for products manufactured or services provided~~

~~by prison industries may, at the discretion of the Director of the Department of Corrections, be awarded additional compensation of not more than five percent (5%) of the total amount of said contracts but not more than Five Thousand Dollars (\$5,000.00) per year. This compensation may be in addition to the salary of the employee and may be paid in one lump sum from any funds available to the Department of Corrections. No such compensation shall be made unless funds are available. Funds for payment of any compensation awards shall be encumbered to the extent of the awards.~~

Incumbents in positions listed in paragraph 1 of this section and in subparagraphs a through e d of this paragraph who were classified under the Merit System of Personnel Administration on the effective date the position they occupy became part of the unclassified service shall have the option of remaining in their classified service status. Incumbents who choose to accept unclassified service appointments shall so signify in writing. All future appointees to these positions shall be in the unclassified service. Incumbents who choose to remain in the classified service shall be subject to all rules and procedures of the Merit System. By the end of the first full workweek of each month, the Director of the Department of Corrections shall submit to the Director of State Finance a report listing the total number of part-time employees employed during the preceding month, the positions for which they were employed, and the number of hours worked for each part-time position.

SECTION 3. Effective July 1, 1995, all employees of the Department of Corrections who hold positions as Oklahoma State Industries Sales Representatives who have been exempt from the provisions of the Merit System of Personnel Administration pursuant to Section 840-5.11 of Title 74 of the Oklahoma Statutes shall become classified and subject to the Merit System of Personnel Administration, except those employees with less than six (6) months

of service from their enter-on-duty date shall remain in probationary status until obtaining permanent status in accordance with applicable rules of the Administrator of the Office of Personnel Management. Such persons shall be given permanent status in the classifications to which their positions are allocated by the Office of Personnel Management in the classified service pursuant to the provisions of the Merit System of Personnel Administration.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 541.1 of Title 57, unless there is created a duplication in numbering, reads as follows:

The salary of any Oklahoma State Industries Sales Representative shall be paid from the Industries Revolving Fund for the Department of Corrections. In addition to the regular salary, any Oklahoma State Industries Sales Representative of the Department of Corrections who is responsible for obtaining a contract for products manufactured or services provided by prison industries may, at the discretion of the Director of the Department of Corrections, be awarded additional compensation of not more than five percent (5%) of the total amount of said contracts but not more than Five Thousand Dollars (\$5,000.00) per year. This compensation may be in addition to the salary of the employee and may be paid in one lump sum from any funds available to the Department of Corrections. No such compensation award shall be made unless funds are available. Funds for payment of any compensation awards shall be encumbered to the extent of the awards.

SECTION 5. Section 3 of this act shall not be codified in the Oklahoma Statutes."

and renumber subsequent section

and when title is restored, amend accordingly

Passed the House of Representatives the 12th day of April, 1995.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate