

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)
2ND CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 742

By: Dickerson of the Senate

and

Dunegan of the House

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the militia and state government; amending 44 O.S. 1991, Section 209, as amended by Section 2, Chapter 94, O.S.L. 1994 (44 O.S. Supp. 1995, Section 209), which relates to the militia; modifying leave of absence to public officers and employees; amending 74 O.S. 1991, Sections 500.2, as last amended by Section 1 of Enrolled House Bill No. 2293 of the 2nd Session of the 45th Oklahoma Legislature, 500.9, as last amended by Section 4, Chapter 335, O.S.L. 1995, 500.11 and 500.18, as last amended by Section 20 of Enrolled House Bill No. 2428 of the 2nd Session of the 45th Oklahoma Legislature (74 O.S. Supp. 1995, Section 500.9), which relate to the State Travel Reimbursement Act; authorizing the Alcoholic Beverage Laws Enforcement Commission to arrange for and charge meals and lodging of state personnel under certain circumstances; defining terms; allowing state agencies to enter into certain contracts and agreements; allowing state agencies to contract for food for employees that are not in travel status; modifying amount of out-of-state travel reimbursement for portion of day; authorizing utilization of appropriate forms of transportation; limiting amount of reimbursement; providing for actual and necessary travel reimbursement for state retirement systems, the Department of Securities and certain state officials; repealing 74 O.S. 1991, Section 500.2, as last amended by Section 1, Chapter 335, O.S.L. 1995 (74 O.S. 1995, Section 500.2), which is a duplicate section relating to the State Travel Reimbursement Act; and declaring an emergency.

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

SECTION 1. AMENDATORY 44 O.S. 1991, Section 209, as amended by Section 2, Chapter 94, O.S.L. 1994 (44 O.S. Supp. 1995, Section 209), is amended to read as follows:

Section 209. All officers and employees of the state, or a subdivision thereof, or a municipality therein, who are members of

the National Guard, shall, when ordered by proper authority to active service, be entitled to a leave of absence from such civil employment for the period of such active service, without loss of status or efficiency rating. During the first twenty (20) calendar days of such leave of absence in any federal fiscal year, the officer or employee shall receive his full regular pay from the state, subdivision or municipality; provided, however, the Adjutant General shall be entitled to ninety (90) days of such leave. During the remainder of such leave of absence in any federal fiscal year, the state, subdivision, or municipality may elect to pay the officer or employee an amount equal to the difference between his full regular pay from the state, subdivision or municipality and his National Guard pay. The durational limit of protected military service as provided for in this section shall not be less than that provided by federal law. If it is necessary in the public interest to provide for the performance of the duties of his position during such absence, the authority having power to fill a vacancy in the position may appoint a substitute, to be known as acting incumbent, who shall qualify as required for the regular incumbent and shall receive the same salary as fixed by law, if any, or otherwise such salary as may be fixed by proper authority.

The Office of Personnel Management shall promulgate rules as necessary to implement the provisions of this section that relate to state employees.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 500.2, as last amended by Section 1 of Enrolled House Bill No. 2293 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 500.2 A. Officials and employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of this act and existing statutes relating to state travel. Persons who are not state employees, but who are performing substantial and necessary services to the state which have been directed or approved by the appropriate department official shall

enjoy the protection of the sovereign immunity of the state to the same extent as a paid employee. Such persons may be reimbursed for expenses incurred during authorized official travel under these same statutory provisions, provided it is indicated on the claim the person is not a state employee, a description of services performed is entered, and the agency head by ~~his~~ approval of the claim certifies such services were substantial and necessary, and germane to the duties and functions of the reimbursing agency. Travel expenses incurred by a person during the course of seeking employment with a state agency, unless such travel is performed at the request of the employing agency, shall not be considered expenses incurred in performing substantial and necessary services to the state and shall not be reimbursed under the provisions of this act.

B. The chief administrative officer of the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Military Department, the Department of Corrections, the Department of Central Services ~~and~~, the Alcoholic Beverage Laws Enforcement Commission, the State Department of Agriculture, the Department of Civil Emergency Management and the State Fire Marshal may arrange for and charge meals and lodging for a contingent of state personnel moved into an area for the purpose of preserving the public health, safety or welfare or for the protection of life or property. The cost for meals or lodging so charged shall not exceed the amount authorized in this act.

The chief administrative officer of each agency involved in an operation as provided for above shall require the vendor furnishing meals, lodging or both meals and lodging to submit an itemized statement for payment.

When a claim for lodging is made for a contingent of state personnel, individual members of the contingent may not submit a claim for lodging. When a claim for meals is made for a contingent of state personnel, individual members of the contingent may not submit a claim for meals.

~~C. The Department of Public Safety is hereby authorized to enter into contracts and agreements for the payment of classroom space, food and lodging expenses as may be necessary for law enforcement officers attending any official course of instruction sponsored or conducted by the Department of Public Safety. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each law enforcement officer shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~D. The Oklahoma Tourism and Recreation Department is hereby authorized to enter into contracts and agreements for the payment of food and lodging expenses as may be necessary for employees attending an official course of instruction or training conducted or sponsored by the Oklahoma Tourism and Recreation Department. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~E. The Oklahoma Department of Commerce is hereby authorized to enter into contracts and agreements for the payment of food, lodging, meeting facility and beverage expenses as may be necessary for sponsoring seminars and receptions relating to economic development and science and technology issues. Such expenses may be paid directly to the contracting agency or business establishment. The Director of the Oklahoma Department of Commerce shall provide a quarterly report of such expenditures to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.~~

~~F. The Oklahoma Center for the Advancement of Science and Technology is hereby authorized to enter into contracts and agreements for the payment of food, lodging, meeting facility and beverage expenses necessary for sponsoring meetings and conferences relating to economic development and science and technology issues. Such contracts or agreements shall be awarded on a competitive basis and expenses may be paid directly to the contracting agency or business establishment. The President of~~

~~the Oklahoma Center for the Advancement of Science and Technology shall provide a quarterly report of such expenditures to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.~~

~~G. The State Fire Marshal is hereby authorized to enter into contracts and agreements for the payment of classroom space, food and lodging expenses as may be necessary for law enforcement officers attending any official course of instruction sponsored or conducted by the State Fire Marshal. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each law enforcement officer shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~H. The Department of Civil Emergency Management is hereby authorized to enter into contracts and agreements for the payment of classroom space, food and lodging expenses as may be necessary for official courses of instruction and conferences sponsored by the Department of Civil Emergency Management. Such expenses may be paid directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each student or attendee shall not exceed the total daily rate as provided for in the State Travel Reimbursement Act.~~

~~I. D. For purposes of this section:~~

~~1. "State agency" means any constitutionally or statutorily created state board, commission or department, including the Legislature and the Courts;~~

~~2. a. State agencies are authorized to enter into contracts and agreements for the payment of food and lodging expenses as may be necessary for employees attending official conferences, meetings or training sessions or in the performance of their duties. Such expenses may be paid directly to the contracting agency or business establishment, provided the meeting qualifies for overnight travel for the employees and the cost for food and lodging for each employee shall not exceed the total daily~~

rate as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

- b. Agencies conducting or sponsoring group training sessions not requiring overnight travel, but longer than six (6) hours in duration held at locations away from the home office or duty location, may contract for the cost of food for participating employees at a rate not to exceed one-fourth of the daily meals expense allowance as provided in Section 3 of this act for ordinary travel; and

E. State agencies are authorized to make direct purchases of commercial airline tickets for use by employees in approved out-of-state travel. Each claim or invoice submitted to the Director of State Finance for the payment of such purchase shall bear the airline identifying ticket number, the name of the airline, total cost of each ticket purchased, class of accommodation, social security number and name of the employee for whom the ticket was purchased, and shall be filed on claim forms as prescribed by the Director of State Finance. An affidavit shall state that said employee did use any direct purchase commercial airline ticket received for his or her approved out-of-state travel.

~~J. State agencies are authorized to make direct purchases of lodging at facilities operated by the Oklahoma Tourism and Recreation Department. Such lodging shall be at the rate authorized by Section 500.9 of this title. Claims for payment shall be filed on claim forms as prescribed by the Office of State Finance.~~

~~K. State agencies are authorized to enter into contracts and agreements with the Oklahoma Tourism and Recreation Department for the payment of food, lodging and other authorized expenses as may be necessary for employees attending conferences, meetings or training sessions conducted or sponsored by the contracting agencies. Provided the cost for food and lodging for each employee shall not exceed the total daily rate as provided in the~~

~~State Travel Reimbursement Act, Section 500.1 et seq. of this title.~~

~~L. The Oklahoma Department of Human Services is hereby authorized to enter into contracts and agreements for the payment of food and lodging expenses as may be necessary for employees attending an official course of instruction or training conducted or sponsored by the Oklahoma Department of Human Services. Such expenses may be paid directly to the contracting agency or business establishment. The cost for food and lodging for each employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~M. 1. The Oklahoma Water Resources Board is hereby authorized to enter into contracts and agreements for the payment of food, lodging and other authorized expenses as may be necessary to host, conduct, sponsor or participate in conferences, meetings or training sessions. The Board may establish accounts as necessary for the collection and distribution of funds, including funds of sponsors and registration fees, related to such conferences, meetings and training sessions.~~

~~2. The cost for food and lodging for employees attending any conferences, meetings and training sessions shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~N. 1. The Department of Environmental Quality is hereby authorized to enter into contracts and agreements for the payment of food, lodging and other authorized expenses as may be necessary to host, conduct, sponsor or participate in conferences, meetings or training sessions. The Department may establish accounts as necessary for the collection and distribution of funds, including funds of sponsors and registration fees, related to such conferences, meetings and training sessions.~~

~~2. The cost for food and lodging for employees attending any conferences, meetings and training sessions shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~O. The Oklahoma State Banking Department is hereby authorized to enter into contracts and agreements for the payment of lodging expenses as may be necessary for employees engaged in their official duties for the Department. The expenses may be billed directly by the business establishment which provided the lodging to the Department, and the Department may pay the business directly for the lodging. However, the cost for lodging for each Department employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

~~P. 1. The Department of Wildlife Conservation is hereby authorized to enter into contracts and agreements for the payment of food, lodging and other authorized expenses as may be necessary to host, conduct, sponsor or participate in conferences, meetings or training sessions. The Department may establish accounts as necessary for the collection and distribution of funds, including funds of sponsors and registration fees, related to such conferences, meetings and training sessions. Any expenses incurred may be paid directly to the contracting agency or business establishment.~~

~~2. The cost for food or lodging for employees attending any conferences, meetings and training sessions shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.~~

SECTION 3. AMENDATORY 74 O.S. 1991, Section 500.9, as last amended by Section 4, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1995, Section 500.9), is amended to read as follows:

Section 500.9 A. Reimbursement for overnight lodging, while in official travel status, may be made at not to exceed Forty Dollars (\$40.00) or the actual cost, if lower, per night except as provided in subsections C, D and F of this section and Section 500.9A of this title. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

B. A per diem allowance in lieu of subsistence may be authorized by a travel claim issued in accordance with Section 500.3 of this title, which shall include all charges for meals and

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lodging. Not to exceed Thirty-five Dollars (\$35.00) per diem may be authorized on the travel claim for the performance of travel within the State of Oklahoma and not to exceed Thirty-six Dollars (\$36.00) per diem may be authorized for the performance of travel outside the State of Oklahoma. In computing the per diem allowance, a day shall be a period of twenty-four (24) hours. Reimbursement for each one-fourth (1/4) day consisting of six (6) hours or major fraction thereof, more than three (3) hours, may be made at the rate of ~~Eight Dollars and twenty-five cents (\$8.25)~~ Eight Dollars and seventy-five cents (\$8.75) in state and Nine Dollars (\$9.00) out of state. Provided, however, that no per diem shall be allowed pursuant to this section for periods of less than overnight in travel status. Reimbursement for expenses other than meals and lodging may also be made in accordance with the provisions of ~~this act~~ the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

C. State officers or employees attending meetings, workshops, conferences or other objectives of trips which are conducted at a designated hotel, motel or other public lodging place or where lodging has been arranged for by the blocking of rooms or by rate reductions for the participants by the sponsor as evidenced by the announcement or notice of the meeting, workshop, conference or other objective shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place, provided that the officials or employees are in official travel status approved by the agency head or designee. Provided further, those state officers or employees attending meetings, workshops, conferences or other objectives of trips, which are conducted at a designated hotel, motel or other public lodging place as provided by this subsection, who choose to acquire less expensive lodging at another hotel, motel or other public lodging place shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place. Provided further, those state officers or employees so choosing this option shall not be

reimbursed for local transportation costs incurred traveling between such optional lodging and the designated hotel, motel or other public lodging place. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

D. The Legislature recognizes the existence of areas where the reimbursement is not sufficient to pay lodging costs, and wherein a higher lodging reimbursement should be allowed. It is hereby provided that any state officials or employees in official travel status out of the state in one of the designated high rate geographical areas shall be reimbursed their actual lodging expense up to a maximum of Sixty-five (\$65.00) Dollars per night, except as provided in Section 500.9A of this title. The high rate geographical areas are hereby designated as follows:

Anchorage, AK

Atlanta, GA

Baltimore, MD

Boston, MA including all locations within Middlesex, Norfolk and Suffolk Counties

Chicago, IL including all locations within Lake and Cook Counties

Dallas and Fort Worth, TX including all locations within Dallas and Tarrant Counties

Denver, CO including all locations within Denver, Adams, Arapahoe and Jefferson Counties

Detroit, MI

Honolulu, HI

Houston, TX including all locations within the corporate limits of Houston

Kansas City, MO and Kansas City, KS

Los Angeles, CA including all locations within Los Angeles, Orange and Ventura Counties

Miami, FL including all locations within Dade, Broward, Palm Beach and Monroe Counties

Minneapolis-St. Paul, MN including all locations within Anoka, Hennepin and Ramsey Counties

New Orleans, LA including all locations within Jefferson, Orleans, Plaquemines and St. Bernard Parishes

New York, NY including all locations within the boroughs of the Bronx, Brooklyn, Manhattan, Queens and Staten Island and the counties of Nassau and Suffolk

Newark, NJ including all locations within Bergen, Essex, Hudson, Passaic and Union Counties

Philadelphia, PA including all locations within Philadelphia and Bala Cynwyd, PA

Pittsburgh, PA

St. Louis, MO

San Diego, CA including all locations within San Diego County
San Francisco and Oakland, CA including all locations within San Francisco and Alameda Counties

San Jose, CA including all locations within Santa Clara County

Seattle, WA including all locations within King County

Washington, DC including all locations within the corporate limits of Washington, DC, the cities of Alexandria, Falls Church and Fairfax, and the counties of Arlington, Loudoun and Fairfax in Virginia, and the counties of Montgomery and Prince Georges in Maryland.

E. State officers and employees who have been required to attend hearings or meetings of any congressional committee or subcommittee or any federal agency, board or commission shall be reimbursed for their actual and necessary travel and lodging expenses; however, the agency head must approve any claims in connection with such expenses.

F. Reimbursement for meals and lodging on out-of-state trips shall not begin more than twenty-four (24) hours before the meeting, workshop, conference or other objective of trip begins and shall not continue more than twenty-four (24) hours after ~~said~~ the meeting, workshop, conference or other objective of trip ends.

G. Reimbursement for meals and lodging incurred in official travel in areas outside of the United States to implement the objectives of contracts, grants, agreements or gifts for which funds from these sources are furnished shall be reimbursed from

~~said~~ such funds at actual cost not to exceed the amount authorized United States Government employees in its periodical publication entitled "Standard Regulations (Government Civilians, Foreign Areas), Department of State, Washington, DC". Provided, however, travel to points outside of the United States, whether performed under authority of contract, grant, agreement or otherwise, shall not begin more than forty-eight (48) hours before or end more than forty-eight (48) hours after the objective of the trip.

H. Claims submitted to the Director of State Finance for payment under the provisions of this section shall be certified to by the principal fiscal officer or contract and grant administrator of each agency. Such officer shall certify that such claim complies with and is authorized under this section.

SECTION 4. AMENDATORY 74 O.S. 1991, Section 500.11, is amended to read as follows:

Section 500.11 ~~Reimbursement~~ A. Authorized persons traveling on official state business outside of the State of Oklahoma may utilize appropriate forms of transportation including, but not limited to, common carriers, transit system carriers, state-owned or privately owned motor vehicles or airplanes, contract rental motor vehicles or commuter airplanes to reach their destinations.

B. 1. Except as otherwise provided by this section, reimbursement for out of state transportation costs as authorized by this section shall not exceed the normal charge for the type of transportation used, but in no instance shall reimbursement for transportation used in lieu of commercial airline exceed the cost of coach airplane class air fare. ~~Reimbursement for transportation by privately owned motor vehicles utilized on out of state travel shall not exceed this amount.~~

2. Reimbursement for travel by commercial airplane on a first-class basis may be made if coach class space is not available within a reasonable time and is justified by attachment to claim for reimbursement.

3. Claims for reimbursement for transportation by commercial airline shall be accompanied by the passenger's duplicate of airline ticket, or other airline receipt which includes

information as to class of accommodation for which reimbursement is claimed.

4. If commuter airlines are the only airlines available to reach a destination, reimbursement for transportation used in lieu of commuter air fare shall not exceed the cost of the commuter air fare.

C. Reimbursement for authorized use of privately owned motor vehicles used for out-of-state travel shall be limited to mileage reimbursement authorized by Section 500.4 of this title.
Reimbursement for authorized use of vehicles from motor vehicle rental agencies used for out-of-state travel shall be limited to the actual cost for such vehicle. However, in no instance shall reimbursement for such vehicle exceed the cost for commercial class air fare or commuter air fare, whichever is appropriate.
Distances for which reimbursement for use of privately owned motor vehicles or vehicles from vehicle rental agencies is claimed shall not exceed distances set forth in a recognized published national atlas or road map. Vicinity travel on official business shall be entered on travel claims as a separate item.

SECTION 5. AMENDATORY 74 O.S. 1991, Section 500.18, as last amended by Section 20 of Enrolled House Bill No. 2428 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 500.18 A. Except for members of the Legislature, the Governor and the Lieutenant Governor, provisions of Sections 500.1 through 500.18 of this title shall be mandatory as to all officials and employees of all departments, boards, commissions and institutions of the state, regardless of the provisions of any other act of the Legislature, except as provided by this section. The enactment of any measure in the future providing for travel reimbursement of state officers and employees on the basis of "actual and necessary" expenses or in any other manner inconsistent with Sections 500.1 through 500.18 of this title shall be deemed to provide for reimbursement in accordance with Sections 500.1 through 500.18 of this title unless a contrary intent is explicitly expressed in this section. Sections 500.1

through 500.18 of this title shall not apply, however, to travel reimbursements made by political subdivisions of this state, except as otherwise provided by law.

B. The agencies listed below are authorized certain exceptions and/or exemptions to the provisions of Sections 500.1 through 500.18 of this title to the extent specified:

1. State Department of Agriculture:

The actual and reasonable expenses of travel and subsistence in pursuing and developing markets for Oklahoma agricultural products incurred by the Commissioner, Deputy Commissioner and such employees designated by the State Board of Agriculture within the marketing development programs of the Department of Agriculture shall be reimbursed to the employee incurring such expenses. Reimbursement of such expenses shall be in accordance with rules and regulations adopted by the Board. Such expenses claimed shall, prior to reimbursement, be reviewed by the Board at each regular meeting and individually approved or disapproved.

2. Wheat Utilization, Research and Market Development Commission:

The actual and reasonable expenses of travel, lodging and subsistence in pursuing and developing markets for Oklahoma wheat and wheat products incurred by the Commission, staff and such persons authorized by the Commission shall be reimbursed to the person incurring such expenses. Expenses of wheat trade officials on wheat trade missions from foreign countries and from other states can be reimbursed to the person previously authorized by the Commission to incur the expense. No actual and reasonable expenses shall be paid except for time spent working with wheat trade officials on wheat trade missions. Reimbursement of such expenses shall be made in accordance with rules and regulations adopted by the Commission. Such expenses claimed shall, prior to reimbursement, be reviewed by the Commission at each regular meeting and individually approved or disapproved.

3. Department of Public Safety:

Not more than seven personnel assigned by the Commissioner for executive security shall be allowed their actual and necessary

traveling expenses, upon claims approved by the Commissioner, when traveling with the Governor or at his request.

4. Department of Corrections:

The Department of Corrections shall be exempt from limitations of reimbursement for rented automobiles, as set forth in Section 500.5 of ~~Title 74 of the Oklahoma Statutes~~ this title, when such rental is by a Correctional Officer or Transportation Officer for the limited purpose of transporting inmates. Reimbursement for such expense shall be on the basis of actual cost.

5. Oklahoma Tourism and Recreation Department:

Authorization is provided the Oklahoma Tourism and Recreation Commission and Department staff who promote in-state and out-of-state business to Oklahoma's state-operated parks and lodges and the tourism and recreation industry, the actual and necessary expense of travel, subsistence and entertainment for this purpose. Authorization is also provided the Director of the Oklahoma Tourism and Recreation Department to reimburse the Publisher of Oklahoma Today magazine and its staff for expenses for meals and other entertainment in order to gain advertising and promotion for Oklahoma Today magazine. Reimbursement of all actual and necessary expenses shall be in accordance with rules and regulations adopted by the Commission on Tourism and Recreation.

6. Oklahoma Department of Commerce:

- a. The actual and necessary expenses incurred by the Director and other employees of the Department authorized by the Director for the purpose of business recruitment shall be reimbursed to such employee. Reimbursement of such expenses shall be in accordance with rules and regulations adopted by the Director of the Oklahoma Department of Commerce. Such expenses claimed shall prior to reimbursement be reviewed by the Director and individually approved or disapproved.
- b. The Department, at the discretion of the Director, may charter aircraft for the purposes of carrying out its duties and responsibilities related to

business recruitment and to implement the duties of the Director. The cost of such charter shall be exempt from the provisions of Section 500.6 of this title. Claims filed with the Office of State Finance shall bear the following certification:

The best interests of the citizens of Oklahoma were better served in that conventional ground transportation was not practical or feasible for this trip, aircraft from the Department of Public Safety was not available for this trip, and no other claim has been or will be filed as a payment for the cost of transportation in connection with this trip herein claimed.

7. ~~Office of Public Affairs~~ State Retirement Systems:

The actual expenses of travel and subsistence incurred outside the state in recruiting and evaluating professional money managers for the state's pension funds by the Director, ~~Assistant Director and any employee~~ authorized employees and any board members of the state retirement systems which are approved by the state retirement system Director ~~of the Office of Public Affairs outside the state in recruiting and evaluating professional money managers for the state's pension funds~~ shall be reimbursed to the employee incurring such expenses. Reimbursement for lodging expenses shall be supported by three telephone bids from hotels within a reasonable distance of the activity for which the travel was approved.

8. Oklahoma Futures:

The actual and necessary expenses incurred by the members of Oklahoma Futures in the performance of their duties shall be reimbursed to the members incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with rules and regulations adopted by Oklahoma Futures.

9. Oklahoma Development Finance Authority:

The actual and necessary expenses incurred by the members and employees of the Oklahoma Development Finance Authority in the performance of their duties shall be reimbursed to the person

incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with the bylaws of the Authority.

10. Oklahoma Center for the Advancement of Science and Technology:

The actual and necessary expenses incurred by the members and employees of the Oklahoma Center for the Advancement of Science and Technology in the performance of their duties shall be reimbursed to the person incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with the bylaws of the Center.

11. Center for International Trade Development:

The actual and necessary expenses of travel, lodging and subsistence incurred by the Director and authorized employees of the Center for International Trade Development for performance of their duties for the purpose of business recruitment and assistance shall be reimbursed to the person incurring such expenses. Reimbursement of such expenses shall be in accordance with the rules and regulations adopted by the Director of the Center for International Trade Development. Such expenses claimed shall be reviewed and individually approved or disapproved, prior to reimbursement, first by the Director, and finally by either the Vice President, Business and Finance of Oklahoma State University or the President of Oklahoma State University.

12. Oklahoma State Bureau of Investigation:

The actual and necessary expenses incurred by the Director and other employees of the Bureau authorized by the Director as a result of conducting investigations shall be reimbursed to each such employee incurring the expenses. Reimbursement of the expenses shall be in accordance with rules and regulations adopted by the Director of the Oklahoma State Bureau of Investigation. Prior to reimbursement, expenses claimed shall be reviewed by the Director and individually approved or disapproved.

13. Department of Human Services:

- a. The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Legal

Division in the performance of their duties for the purpose of representing the Department of Human Services or any of its officials, employees, institutions or hospitals at any proceeding, including depositions, held before any court, administrative body or representative thereof, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the General Counsel and the Director of Human Services prior to reimbursement.

- b. The Department, at the discretion of the Director, may charter aircraft when determined by the Director such charter would be more practical or less expensive than normal modes of transportation and when aircraft of the Department of Public Safety are unavailable. The costs of such charter shall be exempt from the provisions of Section 500.6 of this title.

14. Oklahoma Health Care Authority:

The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Legal Division in the performance of their duties for the purpose of representing the Authority or any of its officials or employees, at any proceeding, including depositions, held before any court, administrative body or representative thereof, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the Administrator prior to reimbursement.

15. Oklahoma State Bureau of Narcotics and Dangerous Drugs Control:

The actual and necessary expenses incurred by the Director and other employees of the Bureau authorized by the Director as a result of conducting investigations shall be reimbursed to each such employee incurring the expenses. Reimbursement of the expenses shall be in accordance with rules and regulations adopted by the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. Prior to reimbursement, expenses claimed

shall be reviewed by the Director and individually approved or disapproved.

16. University Hospitals:

The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Legal Office in the performance of their duties for the purpose of representing the University Hospitals or any of its officials, employees, institutions or hospitals at any proceeding, including depositions, held before any court, administrative body or representative thereof, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the Chief Executive Officer of the University Hospitals or by the University Hospitals Authority.

17. Oklahoma Historical Society:

The actual and necessary expenses of travel, subsistence and entertainment incurred by the Executive Director, Deputy Director and any employees designated by the Executive Committee of the Oklahoma Historical Society Board of Directors in pursuing and developing programs and projects for the preservation and marketing of Oklahoma history shall be reimbursed to the person incurring the expenses. Reimbursement of expenses shall be in accordance with rules adopted by the Oklahoma Historical Society Board of Directors. Prior to reimbursement, expenses claimed shall be reviewed by the Executive Committee at a regularly scheduled meeting and each claim shall be individually approved or disapproved.

18. The Oklahoma Department of Mines:

The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Department in the performance of their duties for the purpose of representing the Department or any of its officials or employees, at any proceeding, hearing or meeting with federal agencies, boards, commissions, congressional representatives, congressional committees or staff, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the executive Director prior to reimbursement.

19. The Office of Attorney General:

The actual and necessary expenses of travel, lodging and subsistence incurred by its employees in the performance of their duties for the purpose of representing the state, the Legislature, any state board, agency or commission, or any employee or official of the state entitled to representation, at any proceeding, including depositions, held before any court, administrative body or any representative thereof, shall be reimbursed to the employee incurring the expenses. The expenses shall be approved by the Attorney General prior to reimbursement.

20. District Attorneys Council:

The actual and necessary expenses incurred by each district attorney and other employees of the district attorney authorized by the district attorney as a result of conducting investigations shall be reimbursed to each employee incurring the expenses. Reimbursement of the expenses shall be in accordance with rules adopted by the District Attorneys Council. Prior to reimbursement, expenses claimed shall be reviewed by the Council and individually approved or disapproved.

21. Bond Oversight and Briefings for Official State Bond Ratings:

The actual and necessary expenses incurred by state officials and their designated representatives for attending bond rating presentations, briefings or other official bond or debt evaluation business shall be reimbursed to the person incurring the expense. Reimbursement shall be in accordance with rules adopted by the body or agency represented by such official.

22. Oklahoma Department of Securities:

The actual and necessary expenses of travel, lodging and subsistence incurred by the Administrator and other employees of the Oklahoma Department of Securities in the performance of their duties for the purpose of representing the Oklahoma Department of Securities at any proceeding, including depositions, held before any court, administrative body or any representative thereof, conducting on-site examinations, or conducting investigations, shall be reimbursed to each employee incurring the expenses. The

expenses shall be approved by the Administrator of the Oklahoma Department of Securities prior to reimbursement.

C. The agencies listed in subsection B of this section shall be required to report annually the actual expenses excepted or exempted from Sections 500.1 through 500.18 of this title to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The report shall be submitted no later than the first day of September following the end of each fiscal year.

SECTION 6. REPEALER 74 O.S. 1991, Section 500.2, as last amended by Section 1, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1995, Section 500.2), is hereby repealed.

SECTION 7. 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.

45-2-2943

RH