

ENROLLED HOUSE
BILL NO. 2512

By: Bryant of the House

and

Wright of the Senate

An Act relating to state government; amending Sections 2, 3, 6, 7 and 8, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Sections 8002, 8003, 8006, 8007 and 8008), which relate to the Oklahoma Office of Volunteerism; transferring the Oklahoma Office of Volunteerism from the Office of the Secretary of State to the Department of Civil Emergency Management; transferring all powers and duties related thereto; modifying purpose; requiring the Director of State Finance to coordinate such transfer; requiring certain agreement relating to the transfer; providing for the transfer of certain classified employee; requiring such employee to remain subject to the Merit System of Personnel Administration without certain changes and with certain benefits; requiring such transfer be coordinated with the Office of Personnel Management; stating legislative intent; modifying certain powers of the Oklahoma Office of Volunteerism; creating an Oklahoma Commission on Volunteerism; providing for membership, terms, vacancies, officers, meetings, reimbursement, staff support and powers and duties of such Commission; limiting terms; repealing Sections 4 and 5, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Sections 8004 and 8005), which relate to the Oklahoma Volunteerism Advisory Council; providing for codification; providing for recodification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8002), is amended to read as follows:

Section 8002. Within the ~~Office of the Secretary of State~~ Department of Civil Emergency Management there is hereby created the Oklahoma Office of Volunteerism for the purpose of developing, promoting and supporting emergency management volunteerism in the State of Oklahoma. The Oklahoma Office of Volunteerism shall support voluntary involvement in public and private emergency management programs to meet the needs of the citizens of the State of Oklahoma, to stimulate new voluntary emergency management initiatives and partnerships, and to serve as a resource and

advocate within the State of Oklahoma for volunteer agencies, volunteers and programs which utilize volunteers to support emergency response and disaster recovery operations.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.27 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 1996, the Oklahoma Office of Volunteerism and all of the powers, duties and responsibilities of the Secretary of State relating to the Oklahoma Office of Volunteerism are hereby transferred to the Department of Civil Emergency Management, together with all unexpended funds, property, records, personnel and any outstanding financial obligations or encumbrances, exclusively or principally pertaining to such office.

B. The Director of State Finance is hereby directed to coordinate the transfer of funds, allotments, purchase orders, outstanding financial obligations or encumbrances provided for in this section.

C. Upon the transfer of the Office of Volunteerism, the Director of the Department of Civil Emergency Management shall provide for the adequate staffing of the Office to ensure the transfer may be effectuated with minimum interruption of its work heretofore carried on and within the mission of the agency. The transfer or division of resources provided herein, to be effected by an agreement between the Secretary of State and the Director of the Department of Civil Emergency Management, shall not operate to prevent completion of any unconsummated legal contracts with corporations, individual parties, and other government units and other legal contracts previously entered into by the Office of Volunteerism.

D. Any classified employee occupying the position of Director, Office of Volunteerism, on June 30, 1996, shall be transferred from the Office of Secretary of State to the Department of Civil Emergency Management effective July 1, 1996. Such employee shall remain subject to the provisions of the Merit System of Personnel Administration as provided for in the Oklahoma Personnel Act, and shall be transferred pursuant to OAC 530:10-11-74 without change in status, and without the need to pass further examination or meet additional qualifications. The employee shall retain any retirement and longevity benefits and seniority which have accrued prior to the transfer. The transfer shall be coordinated with the Office of Personnel Management.

SECTION 3. AMENDATORY Section 3, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8003), is amended to read as follows:

Section 8003. A. The Oklahoma Office of Volunteerism shall be subject to the authority and direction of the ~~Secretary of State~~ Director of the Department of Civil Emergency Management.

B. The Oklahoma Office of Volunteerism, in cooperation with governmental entities, individual volunteers and volunteer organizations throughout the State of Oklahoma, shall:

1. Assist all state agencies in the development of emergency management volunteer programs;

2. Operate as a statewide information center for volunteer programs and needed services that could be delivered by volunteer programs;

3. Provide or aid in the provision of technical assistance and training ~~in all aspects of volunteerism~~ for directors and coordinators of volunteers, for staff, and for individual volunteers for state, local or private entities;

4. Assess and recognize the needs of communities throughout the State of Oklahoma and ~~initiate~~ assist volunteer programs to meet ~~these needs~~ emergency preparedness and disaster recovery programs;

5. Promote and coordinate efforts to expand and improve the statewide voluntary network;

~~6. Foster and promote the recognition of the accomplishments of volunteers and volunteerism within the State of Oklahoma;~~

~~7.~~ Develop, implement and maintain a volunteer clearinghouse to disseminate information to support emergency management volunteer programs and to broaden voluntary involvement throughout the State of Oklahoma;

~~8.~~ 7. Promote communication and collaboration between public and private volunteer programs in the State of Oklahoma and between the public and private sector's initiatives in meeting emergency human needs;

~~9.~~ 8. Establish methods for supporting and promoting private sector leadership and responsibility for meeting emergency public needs;

~~10.~~ 9. Cooperate with federal, state, and local volunteer groups in collecting information on federal, state and private resources which may encourage and improve emergency management volunteer projects within the State of Oklahoma; ~~and~~

~~11.~~ 10. Develop a program to inform the public of the opportunities to volunteer and of the services emergency management volunteers provide within the State of Oklahoma; ~~and~~

11. Cooperate with federal, state and local governments and voluntary groups in developing a plan and operational procedures for the receiving and disbursement of donated goods during times of disaster or emergency.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.29 of Title 63, unless there is created a duplication in numbering, reads as follows:

In furtherance of its obligation to advance the general welfare of the state, the Legislature is cognizant of its duty to assist all citizens in their efforts to address the problems in our communities on a local level. Therefore, the Legislature declares its intent that any inhibiting conditions caused by any factors which impede the volunteers and volunteer actions to reach their full potential are matters of public concern.

A. There is hereby created an Oklahoma Commission on Volunteerism. The Commission shall be comprised of fifteen (15) members representing the many areas of voluntary involvement of the citizens of the State of Oklahoma. Five members each shall be appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively. In making such appointments, the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall give due consideration to the following:

1. Persons over sixty (60) years of age who actively volunteer in any organization;

2. A professional director of volunteer services in the public sector;

3. A representative of a statewide service club;

4. A professional offering technical assistance to a not-for-profit organization;

5. A representative of a state chapter of a national charitable organization;

6. A representative of an active volunteer organization;

7. A representative of business executives active in corporate volunteerism;

8. A representative of a statewide civic association;
9. A representative of a college or university active in volunteerism;
10. A representative of a self-help organization;
11. A professional director of a volunteer service in private industry;
12. A representative of a labor organization active in volunteerism;
13. A public relations or marketing professional;
14. A representative of Oklahoma volunteer centers; and
15. An active volunteer in a youth volunteer organization.

B. Members of the Oklahoma Commission on Volunteerism shall serve three-year terms and shall not be eligible to serve more than two consecutive three-year terms. No later than September 1, 1996, the Commission members shall be appointed as follows:

1. Members appointed by the Governor for a term ending July 1, 1999;
2. Members appointed by the President Pro Tempore of the Senate for a term ending July 1, 1998; and
3. Members appointed by the Speaker of the House of Representatives for a term ending July 1, 1997.

C. Each member shall hold office until the successor of the member is appointed and has qualified. A member of the Commission may be removed by the appropriate appointing authority for cause. A member appointed to fill a vacancy occurring before the expiration of a term of a member separated from the Commission for any cause shall be appointed for the remainder of the term of the member whose office has been so vacated.

D. Members of the Commission shall elect from their number a chairperson to serve for a one-year term. In addition to a chair, members shall elect a vice-chairperson and any other officers deemed necessary to conduct the business of the Commission. Such election shall be held at the first meeting of the Commission and at the first meeting of each calendar year thereafter.

E. The Commission shall meet at least once every three (3) months, in addition to any meeting called by the chairperson when necessary.

F. Members of the Commission shall not receive any compensation except that provided by the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes, from funds available to the appropriate appointing authority.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.30 of Title 63, unless there is created a duplication in numbering, reads as follows:

The Office of the Secretary of State shall provide staff support to support the work of the Oklahoma Commission on Volunteerism, as well as make arrangements for a suitable meeting space for the Commission as needed.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.31 of Title 63, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Commission on Volunteerism shall have the power and duty to:

1. Act as an advisory entity on issues relating to volunteers and volunteerism in public agencies, private agencies, communities, organizations and businesses of this state which desire the services of the Commission;
2. Encourage working relationships between the public and private sectors in the field of volunteerism;

3. Act as a monitor on legislation which may impact volunteers or organizations utilizing volunteers;
4. Promote increased visibility and support for volunteers and volunteerism in meeting the needs of the citizens of the State of Oklahoma;
5. Act as a resource and a clearinghouse for research on issues relating to volunteers and volunteerism;
6. Conduct meetings and seminars within the state as appropriate to support the goals and duties of the Commission;
7. Foster and promote the recognition of the accomplishments of volunteers and volunteerism within the State of Oklahoma;
8. Make an annual report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives of its activities under this act. Such report may include recommendations concerning needed legislation or regulatory changes relating to volunteers; and
9. Represent the Commission and the State of Oklahoma on such occasions and in such manner as may be appropriate to carry out the provisions of the Oklahoma Volunteerism Act.

SECTION 7. AMENDATORY Section 6, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8006), is amended to read as follows:

Section 8006. ~~The Secretary of State~~ Director of the Department of Civil Emergency Management may receive and expend funds, grants, and services from the United States Government and agencies and instrumentalities thereof and any other source for reasonable purposes necessary to carry out a coordinated plan of voluntary action throughout the State of Oklahoma. The monies remitted to the ~~Secretary of State~~ Director of the Department of Civil Emergency Management pursuant to this section shall be credited to a separate account in the Revolving Fund for the ~~Office of the Secretary of State~~ Department of Civil Emergency Management.

SECTION 8. AMENDATORY Section 7, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8007), is amended to read as follows:

Section 8007. ~~The Secretary of State~~ Director of the Department of Civil Emergency Management may make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the provisions of ~~this act~~ the Oklahoma Volunteerism Act.

SECTION 9. AMENDATORY Section 8, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8008), is amended to read as follows:

Section 8008. ~~The Secretary of State~~ Director of the Department of Civil Emergency Management shall promulgate rules necessary for the implementation of the provisions of ~~this act~~ the Oklahoma Volunteerism Act in accordance with Article 1 of the Administrative Procedures Act, Sections 250.3 through 308.2 and Article II, Sections 309 through 323 of Title 75 of the Oklahoma Statutes.

SECTION 10. REPEALER Sections 4 and 5, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Sections 8004 and 8005), are hereby repealed.

SECTION 11. RECODIFICATION Section 1, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Section 8001), Sections 2, 3, 6, 7 and 8, Chapter 340, O.S.L. 1992 (74 O.S. Supp. 1995, Sections 8002, 8003, 8006, 8007 and 8008), as amended by Sections 1, 3, 7, 8 and 9 of this act, shall be recodified as Sections 683.25, 683.26, 683.28, 683.32, 683.33 and 683.34 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 12. This act shall become effective July 1, 1996.

SECTION 13. 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 22nd day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 22nd day of May, 1996.

President of the Senate