

ENROLLED SENATE
BILL NO. 201

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

An Act relating to supervision of the state personnel process; making an appropriation to the Merit Protection Commission; stating purpose; amending Section 50 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, which relates to an appropriation to the Merit Protection Commission; modifying purpose of appropriation; providing legislative intent; providing for the duties and compensation of employees of the Merit Protection Commission; limiting the salary of the Director; providing budgetary limitations; making an appropriation to the Office of Personnel Management; stating purpose; providing for the duties and compensation of the employees; limiting the salary of the Director; providing budgetary limitations; exempting certain expenditures from budgetary limitations; authorizing certain budgeting of appropriations; providing for lapse of funds; and providing an effective date.

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

MERIT PROTECTION COMMISSION

SECTION 1. 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, 1996, the sum of Thirty-four Thousand Five Hundred Seventy-seven Dollars (\$34,577.00) or so much thereof as may be necessary to pay salaries of employees of the Oklahoma Merit Protection Commission.

SECTION 2. AMENDATORY Section 50 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature is amended to read as follows:

Section 50. 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, 1996, the sum of Fifteen Thousand Dollars (\$15,000.00) or so much thereof as may be necessary ~~for legal services when the Attorney General is disqualified from legal counsel or representation of the Oklahoma Merit Protection Commission due to conflict of interest. These funds shall be expended exclusively for this purpose and shall not be transferable to perform the duties imposed upon the Oklahoma Merit Protection Commission by law.~~

SECTION 3. It is the intent of the Legislature that for the fiscal year ending June 30, 1996, 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 Fifty Thousand One Hundred Eighteen Dollars (\$50,118.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Merit Protection Commission for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations and expenditures, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budget Category</u>	<u>Amount</u>
Full-time-equivalent Employees	11.0
Lease-Purchase Payments	\$0.00

OFFICE OF PERSONNEL MANAGEMENT

SECTION 5. 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, 1996, the sum of One Hundred Eighteen Thousand Three Hundred Fifty-seven Dollars (\$118,357.00) or so much thereof as may be necessary to pay data processing charges assessed by the Office of State Finance.

SECTION 6. 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, 1996. The Office of Personnel Management for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of Oklahoma Statutes:

<u>Budget Category</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 act.

SECTION 7. Appropriations made by Sections 1 and 5 of this act to state agencies for the operations of state government, not including appropriations made for capital outlay purposes, may be

budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96) or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 15, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 8. This act shall become effective September 1, 1995.