SHORT TITLE: Modifying membership of the Employee Benefits Council; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 324 By: Weedn

AS INTRODUCED

An Act relating to the Oklahoma State Employee Benefits Act; amending Section 4, Chapter 400, O.S.L. 1992, as amended by Section 23, Chapter 332, O.S.L. 1993 (74 O.S. Supp. 1994, Section 1364), which relates to the Oklahoma State Employee Benefits Council; increasing membership; deleting obsolete language; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 400, O.S.L. 1992, as amended by Section 23, Chapter 332, O.S.L. 1993 (74 O.S. Supp. 1994, Section 1364), is amended to read as follows:

Section 1364. A. There is hereby created within the Office of Personnel Management, until July 1, 1994, the Oklahoma State Employees Benefits Council. On and after July 1, 1994, the Employees Benefits Council shall be transferred to the Oklahoma Health Care Authority. The powers, duties and responsibilities of the Council that relate to the purchase of health care benefits shall be made under the direction and with the approval of the Oklahoma Health Care Authority in accordance with the plan adopted pursuant to Section ~~4 of the Oklahoma Health Care Authority Act~~ 5006 of Title 63 of the Oklahoma Statutes.

B. The Oklahoma State Employees Benefits Council shall be composed of the ~~five (5)~~ seven (7) following individuals:

1. The Administrator of the Office of Personnel Management;

2. The Administrator of the Oklahoma Health Care Authority or designee;

3. The Executive Director of the Oklahoma Public Employees Association or designee;

4. Two members appointed by the Governor;

~~3.~~ 5. One member appointed by the President Pro Tempore of the Senate; and

~~4.~~ 6. One member appointed by the Speaker of the House of Representatives.

C. The initial term of office of the members appointed by the Governor shall expire on January 9, 1995. The members thereafter appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of office of the office of the appointing authority. ~~The initial term of office of the member appointed by the Speaker of the House of Representatives shall expire on January 11, 1994.~~ The initial term of office of the member appointed by the President Pro Tempore of the State Senate shall expire on January 9, 1996. The members thereafter appointed by the Speaker of the House of Representatives and the President Pro Tempore of the State Senate shall serve a term of office of four (4) years.

D. No member of the Council shall be a lobbyist registered in this state as provided by law, or be employed, directly or indirectly, by any firm or health care provider under contract to the Council or Board, or any benefit program under its jurisdiction, for any goods or services whatsoever.

E. Any vacancy that occurs on the Council shall be filled for the unexpired term in the same manner as the office was previously filled.

F. The general administration and responsibility for the proper design, selection or operation of the benefits offered under the plan and for making effective the provisions of this act are hereby vested in the Council, which shall be organized immediately after a majority of the Council members provided for in this section shall have been qualified and taken the oath of office.

G. The Council shall at its first meeting elect one of its members as ~~chairman~~ chair. The ~~chairman~~ chair shall preside over meetings of the Council and perform such other duties as may be required by the Council. The Council shall elect one of its members to serve as ~~vice-chairman~~ vice-chair who shall perform the duties of the ~~chairman~~ chair in the absence of the latter or upon ~~his~~ inability or refusal to act. The Council shall elect one of its members to serve as secretary.

H. The Council shall hold regular meetings at least once each month in Oklahoma City, the date, time, and place thereof to be fixed by the Council. The Council shall, in July of each year, hold a regular meeting which shall be the annual meeting, at which meeting it shall elect officers.

I. Special meetings may be called upon written notice by the ~~chairman~~ chair or by agreement of any three (3) members of the Council. Notice of a special meeting shall be delivered to all members in person or by registered or certified United States mail not less than seven (7) days prior to the date fixed for the meeting; provided, however, that notice of such meeting may be waived by any member either before or after such meeting and attendance at such meeting shall constitute a waiver of notice of such meeting, unless a member participates therein solely to object to the transaction of any business because the meeting has not been legally called or convened.

J. The majority of the members of the Council shall constitute a quorum for the transaction of business. Each Council member shall

be entitled to one vote on the Council. Any official action of the Council must have three (3) votes of the members of the Council present.

K. All resolutions, proceedings, acts and determinations of the Council shall be recorded and all such records, together with such documents and instruments as may be necessary for the administration of the plan, shall be preserved in the custody of the executive director.

L. Each member of the Council shall serve without compensation except that each of the Council members shall receive travel expenses in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

M. The Council shall not be subject to the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of this title.

SECTION 2. 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.

45-1-0168 RH