(1ST EXTRAORDINARY SESSION)
ENGROSSED SENATE
CONCURRENT
RESOLUTION NO. 3

By: Taylor of the Senate

and

Benson of the House

A Concurrent Resolution expressing legislative intent concerning the flexible benefit allowance amount for other school personnel; stating intent to limit the flexible benefit allowance to certain full-time school employees; stating intent concerning the use of certain funds; and directing distribution.

WHEREAS, during the 2nd Regular Session of the 46th Oklahoma Legislature, Enrolled Senate Bill No. 902 was passed which created the Education Flexible Benefits Allowance Act; and

WHEREAS, the Education Flexible Benefits Allowance Act established a system for furnishing to school district employees, including both classified personnel and other personnel, choices of employee benefits; and

WHEREAS, the Education Flexible Benefits Allowance Act defined other personnel to include nonclassified or support employees, but the language did not specify full-time status; and

WHEREAS, in the act, for the fiscal year ending June 30, 1999, the amount of the flexible benefit allowance for other personnel was set at Eighty-five Dollars ($85.00) per month; and

WHEREAS, in Enrolled Senate Bill No. 901 of the 2nd Regular Session of the 46th Oklahoma Legislature, Twenty-two Million Nine Hundred Seventy-six Thousand Two Hundred Forty-four Dollars ($22,976,244.00) was appropriated to the State Board of Education to

pay for the flexible benefit allowance of other personnel for the FY-99 fiscal year; and

WHEREAS, in Enrolled Senate Bill No. 903 of the 2nd Regular Session of the 46th Oklahoma Legislature, One Million Three Hundred Twenty-six Thousand Six Hundred Eighteen Dollars ($1,326,618.00) was appropriated to the State Board of Vocational and Technical Education to pay for the flexible benefit allowance of other personnel for the FY-99 fiscal year; and

WHEREAS, the amount appropriated in Enrolled Senate Bills No. 901 and 903 for the other personnel flexible benefit amount was calculated based on the total number of support personnel in the state who work six (6) or more hours per day multiplied by the eighty-five-dollar amount set in Enrolled Senate Bill No. 902; and

WHEREAS, while the language in the Education Flexible Benefits Allowance Act is not clear that the flexible benefit allowance is available only to support personnel who work six (6) or more hours per day it is clear based on the calculation of the amount appropriated in Enrolled Senate Bills No. 901 and 903 for the support personnel flexible benefit allowance that the Legislature intended the flexible benefit allowance be made available only to such full-time support personnel.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST EXTRAORDINARY SESSION OF THE 46TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Legislature hereby expresses its intent that the flexible benefit allowance amount of Eighty-five ($85.00) Dollars per month for other personnel as established in Enrolled Senate Bill No. 902 of the 2nd Regular Session of the 46th Oklahoma Legislature shall be credited only to other personnel, as defined in the act, who work six (6) or more hours per day for a school district and that the amount appropriated in Enrolled Senate Bills No. 901 and 903 of the 2nd Regular Session of the 46th Oklahoma Legislature

shall be used only to pay the flexible benefit allowance of other personnel who work six (6) or more hours per day for a school district.

THAT copies of this resolution be distributed to the State Superintendent of Public Instruction, the State Board of Education, and the State Board of Vocational and Technical Education.

Adopted by the Senate the 18th day of June, 1998.

President of the Senate

Adopted by the House of Representatives the ____ day of _____, 1998.

Speaker of the House of Representatives