

ENROLLED HOUSE
BILL NO. 1270

By: Hilliard of the House

and

Weedn of the Senate

An Act relating to state government; authorizing the Merit Protection Commission to develop training program for certain type of investigations; defining term; providing for recovery of costs associated with training; requiring report be made to certain committee; amending Section 1, House Joint Resolution No. 1087, p. 1874, O.S.L. 1996, which relates to the State Government Internal Affairs Investigation Review Committee; modifying name of Committee; modifying term; modifying duties of Committee; modifying certain dates; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 840-3.16 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Merit Protection Commission shall develop and implement a training program for state employees for the conducting of administrative investigations of state agencies. The Executive Director of the Merit Protection Commission shall coordinate with other state agencies to develop and implement the administrative investigations training. For purposes of this section, "administrative investigations" means nonadjudicatory investigations of a general fact-finding nature and which do not have legally binding determinations.

B. The Executive Director shall be authorized to bill agencies and other entities whose employees participate to recover reasonable costs associated with the training of employees to conduct administrative investigations. Monies received for the training shall be deposited in the Oklahoma Merit Protection Commission Revolving Fund. Expenditure of the funds collected for the training shall be exempt from any expenditure limit on the Oklahoma Merit Protection Commission established by law.

C. The Merit Protection Commission shall provide to the State Government Administrative Investigations Review Committee established by Section 2 of this act, a progress report on implementation of the administrative investigations training program and develop recommendations for implementation by July 1, 2000, a mandatory investigator certification for state employees who conduct administrative investigations by state agencies.

SECTION 2. AMENDATORY Section 1, House Joint Resolution No. 1087, p. 1874, O.S.L. 1996, is amended to read as follows:

Section 1. A. There is hereby created the State Government ~~Internal Affairs Investigation~~ Administrative Investigations Review Committee.

B. The Committee shall consist of eight (8) members; four each to be selected by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. A Chair and Vice Chair shall be elected from among the members at the first meeting of the Committee. A majority of the members serving on the Committee shall constitute a quorum.

C. The Committee shall meet at such times and places as deemed necessary to perform its duties as specified in this section. Meetings shall be held at the call of the Chair.

D. Members of the Committee shall be reimbursed by their appointing authorities for necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act. Legislative members shall receive reimbursement from the house in which they serve pursuant to the provisions of Section 456 of Title 74 of the Oklahoma Statutes.

E. The House of Representatives and Senate shall provide such staff support as required by the Committee.

F. The duties of the Committee shall be:

1. To determine the number of ~~internal affairs~~ administrative investigation units in state government separately identified for each state agency and the number of employees performing ~~internal administrative~~ investigations in state government;

2. To review and ascertain the quality and effectiveness of the ~~internal affairs~~ administrative investigative units in state government for providing the highest capabilities of effective service;

3. To compile information from interested parties concerning the activities and processes utilized by ~~internal~~ administrative investigative units to conduct their investigations;

4. To consider ~~the consolidation of all internal investigation units to be placed under the authority of the Oklahoma State Bureau of Investigation~~ other recommendations to enhance the effective conduct of administrative investigations; and

5. To evaluate the needs and appropriateness of changes to existing laws concerning the activities of ~~internal affairs~~ administrative investigations in state government.

G. The Committee shall develop a report including recommendations for changes in the state's ~~internal affairs~~ administrative investigative operations to be submitted to the Governor and the Legislature by December 31, ~~1996~~ 1997. The Committee shall be terminated as of June 1, ~~1997~~ 1998.

SECTION 3. 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 30th day of May, 1997.

Speaker
of the House of
Representatives

Passed the Senate the 30th day of May, 1997.

President of the Senate