

SHORT TITLE: State employees; Department of Corrections. Effective date. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1136

By: Hobson

AS INTRODUCED

An Act relating to state employees; amending Section 13, Chapter 242, O.S.L. 1994, as last amended by Section 2, Chapter 327, O.S.L. 1996 (74 O.S. Supp. 1997, Section 840-5.11), which relates to the Department of Corrections; granting Director ability to establish unclassified positions; deleting specific classes of unclassified positions; correcting language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 13, Chapter 242, O.S.L. 1994, as last amended by Section 2, Chapter 327, O.S.L. 1996 (74 O.S. Supp. 1997, Section 840-5.11), is amended to read as follows:

Section. 840-5.11 A. The Department of Corrections shall be under the Merit System. Except as otherwise provided in subsection B of this section, all offices, positions and personnel shall be classified and subject to the provisions of the Merit System of Personnel Administration and rules promulgated hereunder. This section shall supersede and repeal any and all executive orders issued pursuant to this act to place the agency or its predecessors under the Merit System.

B. In addition to offices, positions and personnel that are unclassified pursuant to Section 840-5.5 of this title, the Director of the Department of Corrections may establish positions in the unclassified service and place employees in those positions provided the number of employees does not exceed the number authorized by the Legislature. ~~the following offices, positions and personnel shall be in the unclassified service:~~

- ~~1. a. Associate Director,~~
- ~~b. Executive Secretary,~~
- ~~c. General Counsel,~~
- ~~d. Assistant General Counsel,~~
- ~~e. Deputy Director,~~
- ~~f. Public Information Officer,~~
- ~~g. Personnel Manager,~~
- ~~h. Administrator of Research and Evaluation,~~
- ~~i. Administrator of Finance and Accounting,~~
- ~~j. Executive Assistant,~~
- ~~k. Administrator of Information Services,~~
- ~~l. Affirmative Action Officer,~~
- ~~m. System Development Manager,~~
- ~~n. Computer Operations Manager,~~
- ~~o. Training Director,~~
- ~~p. Assistant Training Director,~~
- ~~q. Administrator of Construction and Maintenance,~~
- ~~r. Administrative Assistant,~~
- ~~s. Secretary,~~
- ~~t. Administrator of Classification and Programs,~~
- ~~u. Coordinator of Facility Classification,~~
- ~~v. Mediation Coordinator,~~
- ~~w. Inspector General,~~
- ~~x. Medical Director,~~
- ~~y. Psychiatrist,~~

- ~~z. Physician,~~
- ~~aa. Optometrist,~~
- ~~ab. Dental Services Supervisor,~~
- ~~ac. Dentist,~~
- ~~ad. Psychologist,~~
- ~~ae. Administrator of Dietary Services,~~
- ~~af. Warden I,~~
- ~~ag. Warden II,~~
- ~~ah. Warden III,~~
- ~~ai. Deputy Warden I,~~
- ~~aj. Deputy Warden II,~~
- ~~ak. Deputy Warden III,~~
- ~~al. Community Treatment Center Superintendent,~~
- ~~am. Community Treatment Center Assistant Superintendent,~~
- ~~an. Probation and Parole District Supervisor,~~
- ~~ao. Probation and Parole Assistant District Supervisor,~~
- ~~ap. Administrator of Human Resources,~~
- ~~aq. Facility Staffing Pattern Analyst,~~
- ~~ar. Correctional School Superintendent,~~
- ~~as. Regional Director,~~
- ~~at. Assistant Regional Director,~~
- ~~au. Chief of Operations,~~
- ~~av. Chief Psychologist,~~
- ~~aw. Physician Assistant,~~
- ~~ax. Pharmacist,~~
- ~~ay. Nurse Practitioner,~~
- ~~az. Computer Aided Drafting Manager,~~
- ~~ba. Crime Data Reporting Analyst, and~~
- ~~bb. Community Corrections System Administrator; and~~

~~2. Department of Corrections personnel occupying the following offices and positions as representatives of the Oklahoma State Industries:~~

- a. ~~Administrator of Industrial Production,~~
- b. ~~Administrator of Agriculture Production,~~
- c. ~~Oklahoma State Industries Sales Representative,~~
- d. ~~Oklahoma State Industries Sales Manager,~~
- e. ~~Marketing Manager, and~~
- f. ~~Operations Manager.~~

C. The Director of the Department of Corrections shall establish a maximum number of unclassified employees with the Oklahoma State Industries which may not exceed the number authorized by the Legislature.

~~The D. Unclassified positions listed in subparagraphs a through f of this paragraph~~ of the Oklahoma State Industries shall be funded from the Department of Corrections Industries' Revolving Fund only. In addition to the regular salary, any unclassified service sales representative or marketing manager of the Oklahoma State Industries of the Department of Corrections who is responsible for obtaining a contract for products manufactured or services provided by prison industries may, at the discretion of the Director of the Department of Corrections, be awarded additional compensation of not more than five percent (5%) of the total amount of said contracts but not more than Five Thousand Dollars (\$5,000.00) per year. This compensation may be in addition to the salary of the employee and may be paid in one lump sum from any funds available to the Department of Corrections. No such compensation shall be made unless funds are available. Funds for payment of any compensation awards shall be encumbered to the extent of the awards.

Incumbents in unclassified positions ~~listed in paragraph 1 of this section and in subparagraphs a through f of this paragraph~~ who that were deemed classified positions under the Merit System of Personnel Administration on the effective date the position they occupy became part of the unclassified service shall have the option of remaining in their classified service status. Incumbents who

choose to accept unclassified service appointments shall so signify in writing. All future appointees to these positions shall be in the unclassified service. Incumbents who choose to remain in the classified service shall be subject to all rules and procedures of the Merit System. By the end of the first full workweek of each month, the Director of the Department of Corrections shall submit to the Director of State Finance a report listing the total number of part-time employees employed during the preceding month, the positions for which they were employed, and the number of hours worked for each part-time position.

SECTION 2. This act shall become effective July 1, 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.

46-2-2437

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