

**EHB 2021**

**THE STATE SENATE**

**March 1, 2000**

**ENGROSSED**

**House Bill No. 2021**

**As Amended**

ENGROSSED HOUSE BILL NO. 2021 - By: BENSON, ADAIR, ASKINS, BEUTLER, BRADDOCK, CALVEY, COLLINS, CORN, COVEY, COX, DUNEGAN, ERVIN, ERWIN, GILBERT, GLOVER, HEFNER, HILLIARD, HUTCHISON, INGMIRE, KIRBY, LEIST, MATLOCK, McCARTER, MILLER, MITCHELL, NANCE, PAULK, PIATT, POPE (Tim), ROBERTS, ROGGOW, SEIKEL, TOURE, TURNER, WELLS, WINCHESTER and EASLEY of the House and TAYLOR, MICKLE, HANEY, HOBSON, DICKERSON, FISHER, HORNER, CRUTCHFIELD, HARRISON, HERBERT, LEFTWICH, MONSON and WEEDN of the Senate.

**[ compensation - pay increase for certain employees - noncodification - effective date - emergency ]**

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

SECTION 1. NEW LAW A new section of law not to be

codified in the Oklahoma Statutes reads as follows:

A. Effective September 1, 2000, all full-time and part-time officers and employees, including temporary and other limited-term employees, of the state who were employed by the state on the last working day of August 1999 shall be awarded an annualized salary increase equal to Two Thousand Dollars (\$2,000.00).

B. As used in this section, "temporary employees" are those persons who:

- 1. Are not full-time or permanent employees;

1           2. Are not otherwise excluded by subsection G of this section;  
2 and

3           3. Are compensated by an agency, board, commission or  
4 department or other employing entity for a limited duration and  
5 without any subjective expectation by either the employer or the  
6 employee that the employment will become permanent.

7           C. Except for those personnel specifically excluded from  
8 eligibility for any increase or advancement in salary pursuant to  
9 this section, the salary increase provided by this section shall be  
10 applicable to:

- 11           1. County election board secretaries;
- 12           2. Employees of county health departments; and
- 13           3. Employees of a soil conservation district.

14           D. Part-time employees shall receive a prorated annualized  
15 increase provided for in this section.

16           E. Employees eligible for the increase provided for in this  
17 section who are on leave without pay on September 1, 2000, shall  
18 receive an annualized increase, effective upon their return to work,  
19 but shall not receive any increase for a period of time prior to the  
20 return to work.

21           F. Employees who leave the state service before September 1,  
22 2000, and who are reinstated or reemployed in the state service  
23 during September 2000 without a break in service, who are otherwise

1 eligible for the pay increase provided for in this section, shall be  
2 granted such raise effective immediately upon such reinstatement or  
3 reemployment. As used in this subsection, "break in service" is  
4 defined as a period of time in excess of thirty (30) calendar days  
5 between two periods of state employment.

6 G. The following officers and employees shall be ineligible for  
7 a pay increase pursuant to this section and nothing, except as  
8 otherwise provided by Section 840-2.17 of Title 74 of the Oklahoma  
9 Statutes, shall be construed to authorize any increase or  
10 advancement of the salaries of:

11 1. Any elected official prohibited from receiving a salary  
12 increase pursuant to Section 10 of Article XXIII of the Oklahoma  
13 Constitution;

14 2. Any cabinet secretary whose salary is governed by Section  
15 10.5 of Title 74 of the Oklahoma Statutes;

16 3. Any agency director who is also a cabinet secretary pursuant  
17 to Section 10.3 of Title 74 of the Oklahoma Statutes;

18 4. Any justice or judge whose salary is governed by Section  
19 3.1, 30.2A, 31.2 or 92.1A of Title 20 of the Oklahoma Statutes or by  
20 Section 1.2 or 1.2A of Title 85 of the Oklahoma Statutes;

21 5. Any district attorney whose salary is governed by Section  
22 215.30 of Title 19 of the Oklahoma Statutes;

1           6. Officers and employees of institutions under the  
2 administrative authority of the Oklahoma State Regents for Higher  
3 Education;

4           7. Persons employed pursuant to Section 1806.1 of Title 74 of  
5 the Oklahoma Statutes;

6           8. Persons employed pursuant to Section 1.6a of Title 53 of the  
7 Oklahoma Statutes; and

8           9. Persons who are employed or under contract pursuant to  
9 subsection B of Section 1419 of Title 10 of the Oklahoma Statutes.

10          H. The annualized salary increase provided pursuant to this  
11 section shall be in addition to any other salary increase granted in  
12 the 1st Session of the 47th Oklahoma Legislature.

13          SECTION 2.        NEW LAW        A new section of law not to be  
14 codified in the Oklahoma Statutes reads as follows:

15          No funds appropriated for the purpose of implementing the pay  
16 increase provided in Section 1 of this act shall be expended by any  
17 employing public agency, board, commission or other public employing  
18 entity in order to increase compensation for persons employed by a  
19 private business entity that has entered into a contract with the  
20 public employing entity to provide personnel services or temporary  
21 services to the public employing entity in order for the public  
22 employing entity to perform duties imposed upon it by law or  
23 functions which the public employing entity is authorized to perform

1 by law. The provisions of this section shall not be construed to  
2 prohibit increases in compensation to a vendor performing other  
3 types of services pursuant to a sole source contract or contract  
4 awarded pursuant to the Oklahoma Central Purchasing Act.

5 SECTION 3. This act shall become effective September 1, 2000.

6 SECTION 4. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

10 Passed the House of Representatives the 17th day of February,  
11 2000.

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-1-00 - DO  
13 PASS, As Amended and Coauthored.