

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1222

By: Haney of the Senate

and

Mass of the House

COMMITTEE SUBSTITUTE

(state government - State Chief Executive Officer

Salary Act -

emergency)

SECTION 1. AMENDATORY Section 1 of Enrolled Senate Bill No. 1501 of the 2nd Session of the 48th Oklahoma Legislature, is amended to read as follows:

Section 1. A. For purposes of Sections 3601.1 through 3603 of Title 74 of the Oklahoma Statutes, the term "employee" means a full-time employee or any number of part-time employees whose combined weekly hours of employment equal those of a full-time employee, but shall not include temporary employees working on a seasonal basis between May 1 and October 31.

B. Beginning July 1, 2001, the maximum number of full-time-equivalent employees for each of the following agencies, boards, commissions, departments, or programs shall not exceed the numbers specified in this section, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

MAXIMUM NUMBER OF
FULL-TIME-EQUIVALENT
EMPLOYEES

Board of Managers of the State Insurance Fund

591

Oklahoma Employment Security Commission	1150
Oklahoma Accountancy Board	8
The Board of Governors of the Licensed Architects and Landscape Architects of Oklahoma	4
Board of Chiropractic Examiners	3
State Board of Cosmetology	16
Board of Dentistry	5
Oklahoma State Board of Embalmers and Funeral Directors	5
State Board of Registration for Professional Engineers and Land Surveyors	7
State Board of Medical Licensure and Supervision/ Board of Podiatric Medical Examiners/State Board of Examiners of Perfusionists	29
Commission on Marginally Producing Oil and Gas Wells	4
Oklahoma Motor Vehicle Commission	4
Oklahoma Board of Nursing	21
Oklahoma State Board of Examiners for Nursing Home Administrators	4
Board of Examiners in Optometry	2
State Board of Osteopathic Examiners	5
Oklahoma Peanut Commission	2
Oklahoma State Board of Pharmacy	9
State Board of Examiners of Psychologists	2
Oklahoma Real Estate Commission	26
Board of Examiners for Speech-Language Pathology and Audiology	2
Oklahoma Used Motor Vehicle and Parts Commission	12
State Board of Veterinary Medical Examiners	6
Oklahoma Wheat Utilization, Research and Market Development Commission	7

Oklahoma Firefighters Pension and Retirement System	11
Oklahoma Police Pension and Retirement System	10
Teachers' Retirement System of Oklahoma	52
Oklahoma Public Employees Retirement System	54
Oklahoma Student Loan Authority	68
Oklahoma Industrial Finance Authority/Oklahoma Development Finance Authority	15
State and Education Employees Group Insurance Board	178
Oklahoma Capital Investment Board	4
State Board of Licensed Social Workers	1
Oklahoma State Employees Benefits Council	31

C. ~~Beginning July 1, 2001, the salary of the chief executive officer for each of the following agencies, boards, commissions, departments, or programs shall not exceed the amount specified, per annum, payable monthly, as follows:~~

	MAXIMUM ANNUAL SALARY FOR CHIEF EXECUTIVE OFFICER
Board of Managers of the State Insurance Fund	\$96,000.00
Oklahoma Employment Security Commission	\$83,000.00
Oklahoma Accountancy Board	\$65,000.00
The Board of Governors of the Licensed Architects and Landscape Architects of Oklahoma	\$50,000.00
Board of Chiropractic Examiners	\$31,496.00
State Board of Cosmetology	\$42,000.00
Board of Dentistry	\$57,226.00
Oklahoma State Board of Embalmers and Funeral Directors	\$59,000.00

State Board of Registration for Professional Engineers and Land Surveyors	\$48,000.00
State Board of Medical Licensure and Supervision, Board of Podiatric Medical Examiners/State Board of Examiners of Perfusionists	\$79,000.00
Commission on Marginally Producing Oil and Gas Wells	\$58,000.00
Oklahoma Motor Vehicle Commission	\$51,931.00
Oklahoma Board of Nursing	\$65,000.00
Oklahoma State Board of Examiners for Nursing Home Administrators	\$44,943.00
State Board of Osteopathic Examiners	\$66,000.00
Oklahoma Peanut Commission	\$47,121.00
Oklahoma State Board of Pharmacy	\$77,000.00
State Board of Examiners of Psychologists	\$34,656.00
Oklahoma Real Estate Commission	\$62,000.00
Board of Examiners for Speech-Language Pathology and Audiology	\$28,000.00
Oklahoma Used Motor Vehicle and Parts Commission	\$53,905.00
State Board of Veterinary Medical Examiners	\$34,950.00
Oklahoma Wheat Utilization, Research and Market Development Commission	\$57,000.00
Oklahoma Firefighters Pension and Retirement System	\$85,000.00
Oklahoma Police Pension and Retirement System	\$85,000.00
Teachers' Retirement System of Oklahoma	\$90,000.00
Oklahoma Public Employees Retirement System	\$90,000.00
Oklahoma Student Loan Authority	\$98,000.00
Oklahoma Industrial Finance Authority/Oklahoma Development Finance Authority	\$93,178.00
State and Education Employees Group Insurance Board	\$93,494.00

Oklahoma Capital Investment Board	\$76,000.00
State Board of Licensed Social Workers	\$34,760.00
Oklahoma State Employees Benefits Council	\$74,291.00
Grand River Dam Authority	\$115,000.00

~~D.~~ The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Public Employees Retirement System Board of Trustees by law shall be set by the Board of Trustees.

~~E.~~ D. Temporary employees of the Oklahoma Used Motor Vehicle and Parts Commission between the dates of November 1 and January 31 annually shall not be counted toward the maximum number of full-time-equivalent employees provided for in this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "State Chief Executive Officer Salary Act".

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

For purposes of this act the following definitions shall apply:

1. "State chief executive officer" means the executive director, executive secretary or other named chief executive officer of a state agency, board, commission or authority;

2. "Content grade" means the level in the pay structure in which a position is placed based on the evaluation of the required know-how, problem-solving, and accountability;

3. "Pay grade" means a level in the pay structure in which a position is placed based on market considerations;

4. "Assignment" means the placement of a state chief executive officer position in the appropriate content grade and pay grade.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the "State Chief Executive Officer Salary Commission" which shall consist of nine (9) members as follows: three members appointed by the Governor, three members appointed by the President Pro Tempore of the Senate, and three members appointed by the Speaker of the House of Representatives. All appointed members shall have experience in executive compensation.

B. The members appointed by the Governor shall serve a term which is coterminous with the term of the Governor. The members appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall serve a term of four (4) years. However, the initial term of the members appointed by the President Pro Tempore of the Senate shall expire on October 1, 2004, and the initial term of the members appointed by the Speaker of the House of Representatives shall expire on October 1, 2005. Any vacancy that occurs on the Commission shall be filled for the unexpired term in the same manner as the office was previously filled. The Commission shall elect from its membership a chair and vice-chair.

C. The Commission shall act in accordance with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act and the Administrative Procedures Act.

D. The Commission shall, in December of each year, hold a regular meeting, at which meeting it shall elect officers and conduct other business pursuant to this act. The first annual meeting shall be held in December of 2003.

E. The majority of the members of the Commission shall constitute a quorum for the transaction of business. Each commissioner shall be entitled to one vote on the Commission. Any

official action of the Commission must have a majority of the members of the Commission present.

F. Each Commission member shall serve without compensation but shall receive travel reimbursement for their necessary travel expenses incurred in the performance of their duties on the Commission as follows:

1. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes from the legislative body in which they serve;

2. Nonlegislative members who are officers or employees of the state shall be reimbursed by their employing agency in accordance with the State Travel Reimbursement Act; and

3. Nonlegislative members who are not officers or employees of the state shall be reimbursed by their appointing authority except that such members appointed by the Governor shall be reimbursed by the Office of Personnel Management, all in accordance with the State Travel Reimbursement Act.

G. Staff support for the Commission shall be provided by the Office of Personnel Management.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.4 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. After June 30, 2003, an agency board, commission, or appointing authority may raise a state chief executive officer's salary up to the applicable assigned midpoint as provided in Section 7 of this act.

B. Any agency board, commission, or appointing authority may recommend that the Commission raise the salary of a state chief executive officer above the applicable assigned pay grade midpoint as provided in section 7 of this act. Such recommendations shall be based upon the applicable market of the state chief executive officer or the performance of the state chief executive officer.

Such recommendations shall be submitted by the board, commission or appointing authority to the Office of Personnel Management for review prior to consideration by the Commission. At the annual meetings as provided in Section 4 of this act, and at special meetings called pursuant to Sections 301 through 314 of Title 25 when necessary, the Office of Personnel Management shall report the results of their review of such recommendations to the Commission. If the Commission approves such recommendations to amend a state chief executive officer's salary, such salary amendment shall take place at the beginning of the next fiscal year, unless an earlier date is requested by the board, commission, or appointing authority and approved by the Commission.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.5 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Office of Personnel Management shall conduct a salary and fringe benefit survey regarding state chief executive officers every three years beginning in the year 2005. The survey shall be completed prior to the annual meeting.

B. Subsequent triennial surveys shall be presented to the Commission at the annual meeting in the year of the survey. The Office of Personnel Management shall make any recommendations to the Commission at the annual meeting concerning adjustments to the state chief executive officer content grades, pay grades and assignments. At the annual meeting the Commission shall adopt, reject, or modify any and all recommendations. The Commission shall present a report of its recommendations and decisions to the Legislature by February 1 of the following year.

C. If the Legislature adopts a content grade adjustment, pay grade adjustment or assignment adjustment and such adjustment causes the minimum pay grade for a state chief executive officer to be greater than such officer's current salary, then such officer's

salary shall be increased to the minimum pay grade pursuant to such adjustment when the change comes into effect.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3606.6 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2003, the following pay grades shall be used in determining the salary range of state chief executive officers. Such pay grades are initially based upon a study conducted by the Office of Personnel Management pursuant to Section 1, Chapter 343, O.S.L. 2001.

Pay Grade	Minimum	Midpoint	Maximum
4	\$ 28,660	\$ 33,718	\$ 38,775
5	\$ 35,205	\$ 41,418	\$ 47,630
6	\$ 43,346	\$ 50,995	\$ 58,645
7	\$ 51,647	\$ 60,761	\$ 69,875
8	\$ 62,582	\$ 73,625	\$ 84,669
9	\$ 74,793	\$ 87,992	\$101,191
10	\$ 79,800	\$ 93,882	\$107,964
11	\$ 86,335	\$101,570	\$116,806
12	\$ 93,976	\$110,560	\$127,144
13	\$103,699	\$121,999	\$140,299
14	\$115,030	\$135,329	\$155,628
15	\$128,468	\$151,139	\$173,810
16	\$148,310	\$174,482	\$200,654

B. Effective July 1, 2003, the following state chief executive officers shall be assigned to the following pay grades and content grades. The initial assignments and content grades are based upon the study conducted by the Office of Personnel Management pursuant to Section 1, Chapter 343, O.S.L. 2001.

State Chief Executive Officer	Pay Grade	Content
<u>Pay Grade 5</u>		Grade

Board of Examiners for Speech-Language		
Pathology & Audiology	5	5
<u>Pay Grade 6</u>		
Board of Chiropractic Examiners	6	6
Board of Dentistry	6	6
Board of Examiners in Optometry	6	6
Oklahoma Board of Private Vocational		
Schools	6	6
Oklahoma Indian Affairs Commission	6	6
Oklahoma State Board of Embalmers and		
Funeral Directors	6	6
Oklahoma State Board of Examiners for		
Nursing Home Administrators	6	6
State Board of Cosmetology	6	6
State Board of Examiners of Psychologists	6	6
State Board of Osteopathic Examiners	6	6
State Board of Veterinary Medical Examiners	6	6
Will Rogers Memorial Commission	6	6
<u>Pay Grade 7</u>		
Commission on Consumer Credit	7	7
Commission on Marginally Producing Oil and		
Gas Wells	7	7
J. M. Davis Memorial Commission	7	7
Oklahoma Accountancy Board	7	7
Oklahoma Boll Weevil Eradication		
Organization	7	7
Oklahoma Liquefied Petroleum Gas Board	7	7
Oklahoma Motor Vehicle Commission	7	7
Oklahoma State Board of Pharmacy	7	7
Oklahoma Used Motor Vehicle & Parts		
Commission	7	7

Oklahoma Wheat Utilization, Research and Market Development Commission	7	7
Physician Manpower Training Commission	7	7
State Board of Registration for Professional Engineers and Land Surveyors	7	7
<u>Pay Grade 8</u>		
Department of Mines	8	8
District Attorney's Council	8	8
Ethics Commission	8	8
Office of Handicapped Concerns	8	8
Oklahoma Arts Council	8	8
Oklahoma Board of Nursing	8	8
Oklahoma Capitol Complex and Centennial Commemoration Commission	8	8
Oklahoma Commission on Children & Youth	8	8
Oklahoma Commission for Teacher Preparation	8	8
Oklahoma Horse Racing Commission	8	8
Oklahoma Human Rights Commission	8	8
Oklahoma Law Enforcement Retirement System	8	8
Oklahoma Merit Protection Commission	8	8
Oklahoma Real Estate Commission	8	8
State Board of Medical Licensure and Supervision	8	8
State Fire Marshal Commission	8	8
University Hospitals Authority	8	8
<u>Pay Grade 9</u>		
Alcoholic Beverage Laws Enforcement Commission	9	9
Council on Law Enforcement Education and Training	9	9
Department of Civil Emergency Management	9	9

Oklahoma Center for the Advancement of Science and Technology	9	9
Oklahoma Conservation Commission	9	9
Oklahoma Industrial Finance Authority	9	9
J. D. McCarthy Center for Children with Developmental Disabilities	9	9
Oklahoma Department of Libraries	9	9
Oklahoma Firefighters Pension and Retirement System	9	9
Oklahoma Historical Society	9	9
Oklahoma Police Pension and Retirement System	9	9
Oklahoma School of Science and Mathematics	9	9
Oklahoma State Bureau of Narcotics and Dangerous Drugs Control	9	9
Oklahoma State Employees Benefits Council	9	9
Pardon & Parole Board	9	9
State Election Board	9	9
<u>Pay Grade 10</u>		
Board of Managers of CompSource Oklahoma	10	10
Commissioners of the Land Office	10	10
Department of Central Services	10	10
Office of State Finance	10	10
Oklahoma Corporation Commission	10	10
Oklahoma Department of Career and Technology Education	10	10
Oklahoma Educational Television Authority	10	10
Oklahoma Public Employees Retirement System	10	10
Oklahoma State Bureau of Investigation	10	10
Oklahoma Transportation Authority	10	10
Oklahoma Water Resources Board	10	10

Oklahoma Wildlife Conservation Commission	10	10
Secretary of State	10	10
State Department of Agriculture	10	10
State and Education Employees Group		
Insurance Board	10	10
Teachers' Retirement System of Oklahoma	10	10
<u>Pay Grade 11</u>		
Department of Environmental Quality	11	11
Military Department of the State of		
Oklahoma	11	11
Office of Juvenile Affairs	11	11
Office of Personnel Management	11	11
Oklahoma Department of Commerce	11	11
Oklahoma Employment Security Commission	11	11
Oklahoma Tourism and Recreation Department	11	11
State Department of Rehabilitation Services	11	11
<u>Pay Grade 12</u>		
Banking Department	12	10
Grand River Dam Authority	12	12
Oklahoma Health Care Authority	12	12
Oklahoma Indigent Defense System	12	10
Oklahoma Securities Commission	12	10
<u>Pay Grade 13</u>		
Department of Public Safety	13	13
Oklahoma Department of Veterans Affairs	13	13
Oklahoma Tax Commission	13	13
<u>Pay Grade 14</u>		
Department of Corrections	14	14
Department of Mental Health and Substance		
Abuse Services Center	14	14
Department of Transportation	14	14

Pay Grade 15

Department of Human Services	15	15
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Pay Grade 16

Board of Medicolegal Investigations	16	10
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State Department of Health	16	14
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C. A state chief executive officer's salary shall not be reduced if such officer's salary is greater than the assigned maximum pay grade pursuant to this section.

SECTION 8. Sections 1 and 7 of this act shall become effective July 1, 2003.

SECTION 9. Sections 2 through 6 of this act shall become effective July 1, 2002.

SECTION 10. 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.

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