

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1222

By: Haney

AS INTRODUCED

An Act relating to state government; providing short title; creating "The State Chief Executive Officer Salary Act"; providing definition; creating "The State Chief Executive Officer Salary Commission"; providing for membership; stating qualifications; providing terms of office and election of officers; requiring compliance with certain acts; providing for annual meeting; setting first annual meeting and organizational meeting; stating duty to be performed at organizational meeting; establishing quorum and voting; providing for reimbursement; requiring Office of Personnel Management to establish certain salary guidelines and ranges; requiring the Commission to review and approve or request amendment of certain salary guidelines and ranges; providing date for the Office of Personnel Management to make certain amendments; setting date for implementation of salary guidelines and ranges; prohibiting certain automatic reduction in pay; limiting reduction of salary to be within salary range; requiring Commission to hear certain recommendations at annual meeting; providing date for certain salary implementation to take effect; requiring the Office of Personnel Management to conduct certain triennial salary survey; providing date for first survey; requiring triennial survey be presented at annual meeting; requiring the Office of Personnel Management to make any salary range recommendations at annual meeting; requiring Commission to accept, reject or modify recommendations; providing effective date of salary range recommendations; providing for codification; providing an effective date; 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 870-1.1 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 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870-1.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

For purposes of this act, "state chief executive officer" means the executive director, executive secretary or other named chief executive officer of a state agency, board, commission or authority.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870-1.3 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 of four (4) years which is coterminous with the term of the office of the appointing authority. 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. The Commission shall, in June of each year, hold a regular meeting which shall be the annual meeting,

at which meeting it shall elect officers and conduct other business pursuant to this act. The first annual meeting shall be held in June of 2003. However, in October 2002, there will be an organizational meeting and at such meeting the Commission shall accept or request amendment of the guidelines and ranges established by the Office of Personnel Management pursuant to Section 4 of this act.

D. 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.

E. Each member of the Commission shall serve without compensation except that each of the Commission members shall receive travel expenses in accordance with the State Travel Reimbursement Act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870-1.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. On or before October 1, 2002, the Office of Personnel Management shall establish salary guidelines and ranges for state chief executive officers. The State Chief Executive Officer Salary Commission shall review, at the October organizational meeting, such guidelines and ranges and either approve or request amendments. The Office of Personnel Management shall complete any requested amendments by November 30, 2002.

B. On December 1, 2002, the salary guidelines and ranges adopted by the Commission shall be implemented. If a state chief executive officer's salary is greater than the applicable range, such officer's salary shall not be reduced. However, the state chief executive officer's appointing authority may reduce such salary as long as it is within the salary range.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870-1.5 of Title 70, unless there is created a duplication in numbering, reads as follows:

At the annual meetings as provided in Section 3 of this act, the Commission shall hear all recommendations for amending the salary of a state chief executive officer by any agency board, commission, or appointing authority when such board, commission or appointing authority is seeking to raise the chief executive officer's salary above the midpoint as established by the Office of Personnel Management and as adopted by the Commission. If the Commission adopts such recommendations to amend a state chief executive officer's salary, such salary amendment shall take place in September of the year in which it is adopted.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870-1.6 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 first survey shall be completed in the year 2005 and prior to the annual meeting as provided in this act.

B. The triennial survey shall be presented to the Commission at its annual meeting. The Office of Personnel Management shall make any recommendations to the Commission at the annual meeting concerning any adjustments to the state chief executive officer salary ranges. At the annual meeting the Commission shall either accept, reject, or modify any and all salary range adjustment recommendations. Such amendments or modifications shall take effect in September of the year in which they are adopted. If after adopting or modifying such salary range adjustments, the minimum salary for the salary range is greater than a state chief executive

officer's salary, such officer's salary shall be increased in accordance with the adjustment in September of the year of adoption.

SECTION 7. This act shall become effective July 1, 2002.

SECTION 8. 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.

48-2-2086

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6/12/2015 10:57:00 AM