

ENROLLED HOUSE
BILL NO. 2006

By: Mitchell and Bonny of the
House

and

Morgan and Robinson of the
Senate

An Act relating to state government personnel; amending Section 1, Chapter 17, O.S.L. 2002, as amended by Section 1, Chapter 398, O.S.L. 2003 (74 O.S. Supp. 2003, Section 3601.1), which relates to full-time-equivalent state employees; modifying provisions related to full-time-equivalent employees; modifying provisions related to salaries of chief executive officers; prescribing procedures for establishment of salaries for certain officers; prescribing minimum and maximum amounts; authorizing increases and imposing limitations upon increases; requiring certain certification regarding funding; requiring reports to Office of Personnel management; requiring legislative review; requiring review by Office of Personnel Management; authorizing increases to director salaries under certain circumstances; prescribing conditions related to increases in director salaries; providing for codification; providing for noncodification; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 17, O.S.L. 2002, as amended by Section 1, Chapter 398, O.S.L. 2003 (74 O.S. Supp. 2003, Section 3601.1), is amended to read as follows:

Section 3601.1 A. For purposes of Sections 3601.1 through 3603 of ~~Title 74 of the Oklahoma Statutes~~ this title, 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, ~~2003~~ 2004, 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~~ this title.

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 <u>9</u> |
| 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 <u>Board</u> | 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 <u>25</u> |
| Oklahoma State Board of Examiners for Nursing Home Administrators | 4 |
| Board of Examiners in Optometry | 2 |
| State Board of Osteopathic Examiners | 7 |
| 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 |

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| Oklahoma Wheat Utilization, Research and Market Development Commission | 7 |
| Oklahoma Firefighters Pension and Retirement System | 13 |
| Oklahoma Police Pension and Retirement System | 11 |
| Teachers' Retirement System of Oklahoma | 52 |
| Oklahoma Public Employees Retirement System | 54 <u>63</u> |
| Oklahoma Student Loan Authority | 68 |
| Oklahoma Industrial Finance Authority/ Oklahoma Development Finance Authority | 15 <u>10</u> |
| 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 |
| Oklahoma State Banking Department | 46 |
| Liquefied Petroleum Gas Administration | 10 |

~~C. Beginning July 1, 2003, 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 |

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| 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 |

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| 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 |
| Oklahoma State Banking Department | \$110,000.00 |
| Liquefied Petroleum Gas Administration | \$44,555.00 |

~~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 3601.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Beginning January 1, 2005, the agency, board, commission, department or program shall establish the salary of each of the chief executive officers for which they have appointing authority. Such salary shall be set between the minimum and maximum of the

range specified below, for full-time employees only, per annum, payable monthly, pursuant to the limitations outlined below:

1. If the chief executive officer's salary is below the minimum annual salary then it can not be raised to more than the minimum annual salary in one (1) fiscal year. If the chief executive officer's salary is at or above the minimum annual salary then their salary may not be increased above the midpoint in one (1) fiscal year.

2. Such increases shall not occur more than once in a fiscal year; and

3. The salary of the incumbent chief executive officer shall not be increased if such officer's salary exceeds the maximum of the range.

| | MINIMUM ANNUAL SALARY | MIDPOINT ANNUAL SALARY | MAXIMUM ANNUAL SALARY |
|--|-----------------------------|------------------------------|-----------------------------|
| CompSource | \$82,034.00 | \$96,511.00 | \$110,987.00 |
| Oklahoma Employment Security Commission | \$88,752.00 | \$104,414.00 | \$120,076.00 |
| Oklahoma Accountancy Board | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| The Board of Governors of the Licensed Architects and Landscape Architects of Oklahoma | \$43,346.00 | \$52,423.00 | \$60,286.00 |
| Board of Chiropractic Examiners | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| State Board of Cosmetology | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Board of Dentistry | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Oklahoma Funeral Board | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| State Board of Registration for Professional Engineers and Land Surveyors | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| State Board of Medical Licensure and Supervision, Board of Podiatric Medical Examiners/State Board of Examiners of Perfusionists | \$64,334.00 | \$75,687.00 | \$87,040.00 |
| Commission on Marginally Producing Oil and Gas Wells | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| Oklahoma Motor Vehicle Commission | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| Oklahoma Board of Nursing | \$64,334.00 | \$75,687.00 | \$87,040.00 |

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| Oklahoma State Board of Examiners for Nursing Home Administrators | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| State Board of Osteopathic Examiners | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Oklahoma Peanut Commission | \$43,346.00 | \$52,423.00 | \$60,286.00 |
| Oklahoma State Board of Pharmacy | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| State Board of Examiners of Psychologists | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Oklahoma Real Estate Commission | \$64,334.00 | \$75,687.00 | \$87,040.00 |
| Board of Examiners for Speech-Language Pathology and Audiology | \$36,191.00 | \$42,577.00 | \$48,964.00 |
| Oklahoma Used Motor Vehicle and Parts Commission | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| State Board of Veterinary Medical Examiners | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Oklahoma Wheat Utilization, Research and Market Development Commission | \$53,093.00 | \$62,462.00 | \$71,832.00 |
| Oklahoma Firefighters Pension and Retirement System | \$76,888.00 | \$90,457.00 | \$104,025.00 |
| Oklahoma Police Pension and Retirement System | \$76,889.00 | \$90,458.00 | \$104,026.00 |
| Teachers' Retirement System of Oklahoma | \$82,034.00 | \$96,511.00 | \$110,987.00 |
| Oklahoma Public Employees Retirement System | \$82,034.00 | \$96,511.00 | \$110,987.00 |
| Oklahoma Student Loan Authority | \$79,800.00 | \$96,511.00 | \$110,987.00 |
| Oklahoma Industrial Finance Authority | \$76,887.00 | \$90,456.00 | \$104,024.00 |
| State and Education Employees Group Insurance Board | \$82,034.00 | \$96,511.00 | \$110,987.00 |
| Oklahoma Capital Investment Board | \$76,887.00 | \$90,456.00 | \$104,024.00 |

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|--|-------------|--------------|--------------|
| State Board of Licensed Social Workers | \$44,560.00 | \$52,423.00 | \$60,287.00 |
| Oklahoma State Employees Benefits Council | \$76,887.00 | \$90,456.00 | \$104,024.00 |
| Grand River Dam Authority | \$96,607.00 | \$113,656.00 | \$130,704.00 |
| Oklahoma State Banking Department | \$96,607.00 | \$113,656.00 | \$130,704.00 |
| Liquefied Petroleum Gas Administration | \$53,093.00 | \$62,462.00 | \$71,832.00 |

B. All increases require certification of the appointing authority that said action can be implemented for the current fiscal year and subsequent fiscal year without the need for additional funding. The agency, board, commission, department or program shall report increases granted under this section to the Office of Personnel Management on an annual basis by August 1 of each year. The Office of Personnel management shall forward a report of such increases to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives no later than September 1 of each year.

C. Every two (2) years starting FY-05, the Office of Personnel Management shall review these salary ranges and report on and make recommendations on proposed salary ranges in their annual compensation reports mandated by paragraph 5 of Section 840-1.6A of Title 74 of the Oklahoma Statutes by no later than December 1.

D. Every three (3) years the Legislature shall review the salary ranges specified in subsection A of this section.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The salary of the Director of each agency below shall not exceed the specified amounts per annum, payable monthly for the fiscal year ending June 30, 2005:

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| Department of Mental Health and Substance Abuse Services | \$126,387.00 |
| Department of Transportation | \$111,400.00 |
| Department of Corrections | \$111,400.00 |
| State Department of Health | \$181,400.00 |
| Oklahoma Department of Veteran Affairs | \$76,400.00 |
| Oklahoma Health Care Authority | \$126,400.00 |
| Office of Personnel Management | \$76,400.00 |

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| Oklahoma Tourism and Recreation Department | \$75,400.00 |
| State Department of Rehabilitation Services | \$76,400.00 |
| Oklahoma Department of Commerce | \$107,060.00 |
| Department of Environmental Quality | \$83,400.00 |
| Board of Juvenile Affairs | \$91,400.00 |
| Board of Medicolegal Investigations | \$176,400.00 |
| Oklahoma Securities Commission | \$111,400.00 |
| Oklahoma Department of Agriculture, Food, and Forestry | \$77,400.00 |
| Oklahoma State Bureau of Investigation | \$75,400.00 |
| Department of Central Services | \$75,920.00 |
| Oklahoma Water Resources Board | \$81,400.00 |
| Oklahoma Indigent Defense System | \$111,863.00 |
| Oklahoma Educational Television Authority | \$60,515.00 |
| Commissioners of the Land Office | \$73,400.00 |
| Oklahoma Department of Career and Technology Education | \$106,400.00 |
| Oklahoma Department of Emergency Management | \$71,400.00 |
| J.D. McCarty Center for Children with Developmental Disabilities | \$71,400.00 |
| Oklahoma State Bureau of Narcotics and Dangerous Drugs Control | \$73,400.00 |
| Oklahoma Center for the Advancement of Science and Technology | \$86,400.00 |

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| State Election Board | \$75,357.00 |
| Oklahoma School of Science and Mathematics | \$71,381.00 |
| Oklahoma Historical Society | \$73,400.00 |
| Alcoholic Beverage Laws Enforcement Commission | \$71,400.00 |
| Council on Law Enforcement Education and Training | \$53,536.00 |
| Oklahoma Department of Libraries | \$73,400.00 |
| Oklahoma Conservation Commission | \$61,584.00 |
| Pardon and Parole Board | \$66,400.00 |
| Council on Judicial Complaints | \$77,720.00 |
| Oklahoma Human Rights Commission | \$60,620.00 |
| Office of the State Fire Marshal | \$57,449.00 |
| Oklahoma Arts Council | \$60,900.00 |
| Oklahoma Horse Racing Commission | \$68,459.00 |
| Oklahoma Capitol Complex and Centennial Commemoration Commission | \$78,400.00 |
| Oklahoma Commission for Teacher Preparation | \$63,600.00 |
| Oklahoma Merit Protection Commission | \$61,400.00 |
| Office of Handicapped Concerns | \$46,400.00 |
| Oklahoma Commission on Children and Youth | \$61,400.00 |
| Department of Mines | \$54,400.00 |
| Scenic Rivers Commission | \$46,040.00 |
| Oklahoma Space Industry Development Authority | \$86,400.00 |

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| Commission on Consumer Credit | \$57,716.00 |
| J.M. Davis Memorial Commission | \$66,400.00 |
| Physicians Manpower Training Commission | \$52,221.00 |
| Oklahoma Indian Affairs Commission | \$48,400.00 |
| Oklahoma Board of Private Vocational Schools | \$41,681.00 |

SECTION 4. Sections 1 and 3 of this act shall become effective July 1, 2004.

SECTION 5. Section 2 of this act shall become effective January 1, 2005.

SECTION 6. 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 27th day of May, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the 28th day of May, 2004.

Presiding Officer of the Senate