

CS for SB 1225

1 THE STATE SENATE
2 Tuesday, February 24, 2004

3 Committee Substitute for
4 Senate Bill No. 1225

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1225 - By: ROBINSON of the
6 Senate and HILLIARD of the House.

7 [Department of Rehabilitation Services - salary computation
8 - emergency]

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

10 SECTION 1. AMENDATORY 74 O.S. 2001, Section 840-5.12, as
11 amended by Section 5, Chapter 93, O.S.L. 2003 (74 O.S. Supp. 2003,
12 Section 840-5.12), is amended to read as follows:

13 Section 840-5.12 A. The State Department of Rehabilitation
14 Services shall be under the Merit System. Except as otherwise
15 provided in this section, all offices, positions and personnel shall
16 be classified and subject to the provisions of the Merit System of
17 Personnel Administration and rules promulgated hereunder. This
18 section shall supersede and repeal any and all executive orders
19 issued pursuant to Section 840-1.1 et seq. of this title to place
20 the agency or its predecessors under the Merit System.

21 B. In addition to offices, positions and personnel that are
22 unclassified pursuant to Section 840-5.5 of this title, the Director
23 of the State Department of Rehabilitation Services may establish
24 positions in the unclassified service and place employees in the

1 positions provided the total number of unclassified positions does
2 not exceed fifty-two (52). This limit does not include State
3 Department of Rehabilitation Services employees subject to Section
4 840-5.3 of this title.

5 C. The limit on unclassified positions provided for in
6 subsection B of this section shall not apply to the instructional
7 and administrative personnel at the Oklahoma School for the Blind
8 and the Oklahoma School for the Deaf as listed in Section 1419 of
9 Title 10 of the Oklahoma Statutes.

10 D. The limit on unclassified positions provided for in
11 subsection B of this section shall not apply to the employees of the
12 Disability Determination Division of the State Department of
13 Rehabilitation Services. The Director of the State Department of
14 Rehabilitation Services may establish positions in the unclassified
15 service in the Disability Determination Division and may place
16 employees in those positions provided the total number of those
17 unclassified positions does not exceed ten.

18 E. Instructional and administrative personnel of the State
19 Department of Rehabilitation Services at the Oklahoma School for the
20 Blind and the Oklahoma School for the Deaf pursuant to Section 1419
21 of Title 10 of the Oklahoma Statutes shall be considered
22 unclassified state employees solely for the purpose of entering and
23 maintaining employment data in the state Personnel Management

1 Information System established pursuant to Section 840-2.13 of this
2 title, unless otherwise provided by law.

3 F. Noninstructional and nonadministrative personnel of the
4 State Department of Rehabilitation Services at the Oklahoma School
5 for the Blind and the Oklahoma School for the Deaf who work only
6 during the months of August through May, may make an irrevocable
7 election in July of each year to have such employee's salary
8 computed on a twelve-month basis and shall receive a prorated check
9 each month during such employment. Upon termination the employee
10 shall receive a lump sum equivalent to the difference between the
11 employee's prorated check and the amount such employee would have
12 received for the months employed, if any, had he or she not made the
13 election pursuant to this section.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this resolution shall take
17 effect and be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-04 - DO
19 PASS, As Amended and Coauthored.