

EHB 2328

THE STATE SENATE
Tuesday, April 5, 2010

ENGROSSED

House Bill No. 2328

As Amended

ENGROSSED HOUSE BILL NO. 2328 - By: Murphey of the House and Russell of the Senate.

[state government - creation of the Oklahoma State Employees Benefits Council - requiring certain annual meeting - effective date]

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 1364, is amended to read as follows:

Section 1364. A. There is hereby created the Oklahoma State Employees Benefits Council.

B. The Oklahoma State Employees Benefits Council shall be composed of the five (5) following individuals:

- 1. The Administrator of the Office of Personnel Management;
- 2. Two members appointed by the Governor;
- 3. One member appointed by the President Pro Tempore of the Senate; and
- 4. One member appointed by the Speaker of the House of Representatives.

C. The members appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of

(Bold face denotes Committee Amendments)

1 office of the office of the appointing authority. The members
2 appointed by the Speaker of the House of Representatives and the
3 President Pro Tempore of the State Senate shall serve a term of
4 office of four (4) years.

5 D. No member of the Council shall be a lobbyist registered in
6 this state as provided by law, or be employed, directly or
7 indirectly, by any firm or health care provider under contract to
8 the Council or Board, or any benefit program under its jurisdiction,
9 for any goods or services whatsoever.

10 E. Any vacancy that occurs on the Council shall be filled for
11 the unexpired term in the same manner as the office was previously
12 filled.

13 F. The general administration and responsibility for the proper
14 design, selection or operation of the benefits offered under the
15 plan and for making effective the provisions of Section 1361 et seq.
16 of this title are hereby vested in the Council.

17 G. The Council shall elect one of its members as chair. The
18 chair shall preside over meetings of the Council and perform such
19 other duties as may be required by the Council. The Council shall
20 elect one of its members to serve as vice-chair who shall perform
21 the duties of the chair in the absence of the latter or upon the
22 inability or refusal of the chair to act. The Council shall elect
23 one of its members to serve as secretary.

1 H. The Council and staff shall act in accordance with the
2 provisions of the Oklahoma Open Meeting Act, the Oklahoma Open
3 Records Act and the Administrative Procedures Act. The Council
4 shall, in July of each year, hold a regular meeting ~~which shall be~~
5 ~~the annual meeting~~, at which meeting it shall elect officers. Each
6 year, the Council shall conduct an annual planning meeting.

7 I. Special meetings may be called upon written notice by the
8 chair or by agreement of any three members of the Council. Notice
9 of a special meeting shall be delivered to all members in person or
10 by registered or certified United States mail not less than seven
11 (7) days prior to the date fixed for the meeting; provided, however,
12 that notice of such meeting may be waived by any member either
13 before or after such meeting and attendance at such meeting shall
14 constitute a waiver of notice of such meeting, unless a member
15 participates therein solely to object to the transaction of any
16 business because the meeting has not been legally called or
17 convened.

18 J. The majority of the members of the Council shall constitute
19 a quorum for the transaction of business. Each Council member shall
20 be entitled to one vote on the Council. Any official action of the
21 Council must have three votes of the members of the Council present.

22 K. All resolutions, proceedings, acts and determinations of the
23 Council shall be recorded and all such records, together with such

1 documents and instruments as may be necessary for the administration
2 of the plan, shall be preserved in the custody of the executive
3 director.

4 L. Each member of the Council shall serve without compensation
5 except that each of the Council members shall receive travel
6 expenses in accordance with the State Travel Reimbursement Act.

7 M. The Council shall not be subject to the provisions of the
8 Oklahoma Sunset Law, Section 3901 et seq. of this title.

9 SECTION 2. This act shall become effective November 1, 2010.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-31-10 - DO
11 PASS, As Amended.