

05/15/2012 10:16:15 AM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2684

By: Banz of the House and Ford of the Senate

Title: Schools; modifying definition in the Larry Dickerson Education Flexible Benefits Allowance Act; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Amendment No. 1.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HOUSE CONFEREES

Armes

Don F. Armes Sears

Earl Sears

Billy

~~[Signature]~~ Walker

Ernest D. Walker

Blackwell

Brown

Mike Brown

Cox

Douglas G. Cox M.P.

Dank

DeWitt

Hale DeWitt

Denney

Lee Denney

Dorman

Joe Dorman

Hoskin

Charles Hoskin

Liebmann

Ray Liebmann

Martin (Scott)

McPeak

Jerry McPeak

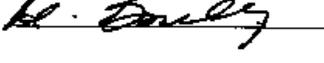
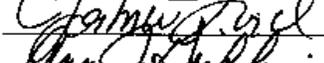
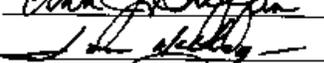
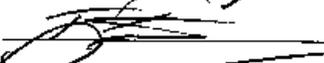
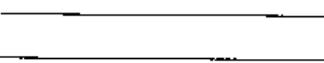
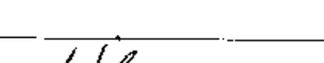
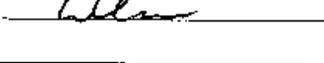
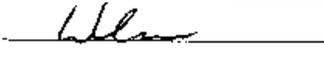
Nelson

Peters

Jon Peters

2684 CCR A

SENATE CONFEREES

Ballenger	
Branan	
Brinkley	
Burrage	_____
Crain	_____
David	
Ford	
Griffin	
Halligan	
Ivester	
Jolley	
Justice	
Marlatt	
Mazzei	
McAffrey	
Newberry	
Nichols	
Paddack	_____
Stanislawski	_____
Sykes	_____
Wilson	
Wyrick	_____

House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2684

By: Banz of the House

and

Ford of the Senate

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8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 26-103, which relates to the Larry Dickerson
10 Education Flexible Benefits Allowance Act; modifying
certain definition; providing an effective date; and
declaring an emergency.

11
12 AMENDMENT NO. 1. Page 1, strike the title to read

13 "[schools - Larry Dickerson Education Flexible
14 Benefits Allowance Act - effective date -
emergency]"

15
16 Passed the Senate the 19th day of April, 2012.

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18 _____
19 Presiding Officer of the Senate

20 Passed the House of Representatives the ____ day of _____,
21 2012.

22
23 _____
24 Presiding Officer of the House
of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 2684

By: Banz of the House

3 and

4 Ford of the Senate

5
6
7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 26-103, which relates to the Larry Dickerson
9 Education Flexible Benefits Allowance Act; modifying
10 certain definition; providing an effective date; and
11 declaring an emergency.

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 26-103, is
14 amended to read as follows:

15 Section 26-103. The following words and phrases as used in this
16 act, unless a different meaning is clearly required by the context,
17 shall have the following meanings:

18 1. "Benefit" means any of the benefits which may be purchased
19 or are required to be purchased under the cafeteria plan;

20 2. "Cafeteria plan" means a benefit plan established pursuant
21 to 26 U.S.C. Section 125;

22 3. "Flexible benefit allowance" means amounts credited by the
23 school district for each school district employee for the purchase
24 of benefits under the cafeteria plan;

1 4. "Support personnel" means full-time employees of a school
2 district as determined by the standard period of labor which is
3 customarily understood to constitute full-time employment for the
4 type of services performed by the employees who are employed a
5 minimum of six (6) hours per day for a minimum of one hundred
6 seventy-two (172) days or a minimum of six (6) hours per day for a
7 minimum of one thousand thirty-two (1,032) hours per year and who
8 provide services not performed by certified personnel, which is
9 necessary for the efficient and satisfactory functioning of a school
10 district, and shall include cooks, janitors, maintenance personnel,
11 bus drivers, noncertified or nonregistered nurses, noncertified
12 librarians, and clerical employees of a school district but shall
13 not include adult education instructors or adult coordinators
14 employed by technology center school districts;

15 5. "Plan year" means the twelve-month period established by the
16 school district for the cafeteria plan;

17 6. "School district" means the public school districts and
18 technology center school districts of this state;

19 7. "School district employee" means certified or support
20 personnel as defined in this act;

21 8. "Certified personnel" means a certified person employed on a
22 full-time basis to serve as a teacher, principal, supervisor,
23 administrator, counselor, librarian, or certified or registered
24 nurse, but shall not mean a superintendent of a school district; and

1 9. "Self-insured" means a health care program in which the
2 school district funds the benefit plans from its own resources
3 without purchasing insurance and which may be administered by the
4 school district or by an outside administrator under contract with
5 the school district for administrative services. The State Board of
6 Education shall prepare by May 1st of each year a list of each
7 school district in the state that is self-insured and the number of
8 support personnel and the number of certified personnel that are
9 participating in each self-insured school district plan.

10 SECTION 2. This act shall become effective July 1, 2012.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 Passed the House of Representatives the 5th day of March, 2012.

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18 _____
19 Presiding Officer of the House of
Representatives

20 Passed the Senate the ____ day of _____, 2012.

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23 _____
24 Presiding Officer of the Senate

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