

1 ENGROSSED HOUSE
2 BILL NO. 1477

By: Murphey and Turner of the
House

3 and

4 David of the Senate
5

6
7 An Act relating to state government; declaring
8 legislative intent; amending 62 O.S. 2011, Section
9 34.6, as amended by Section 336, Chapter 304, O.S.L.
10 2012 (62 O.S. Supp. 2012, Section 34.6), which
11 relates to the powers and duties of the Director of
12 the Office of Management and Enterprise Services;
13 authorizing Director to adopt certain rules and
14 regulations; requiring Director to provide certain
15 proposal by a certain date; amending 74 O.S. 2011,
16 Section 905, as amended by Section 926, Chapter 304,
17 O.S.L. 2012 (74 O.S. Supp. 2012, Section 905), which
18 relates to the Oklahoma Public Employees Retirement
19 System; adding member to Board; providing for
20 noncodification; and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:

24 Whereas, with passage of House Bill No. 2140 of the 1st Session
of the 53rd Oklahoma Legislature, the Legislature consolidated the
Office of State Finance, the Department of Central Services, the
Office of Personnel Management, the Oklahoma State Employees
Benefits Council and the Oklahoma State and Education Employees
Group Insurance Board; and

1 Whereas, with the passage of House Bill No. 2140 of the 1st
2 Session of the 53rd Oklahoma Legislature, the Legislature continued
3 the effort to adjust, clarify and streamline Oklahoma statutes to
4 properly reflect the mission and needs of the consolidated agency
5 now known as the Office of Management and Enterprise Services; and

6 Whereas, the Legislature wishes to account for any and all
7 unintended outcomes from the passage of this previous legislation.

8 Now, therefore, with passage of this legislation, the
9 Legislature seeks to provide the necessary statutory clarification
10 to allow the Office of Management and Enterprise Services to
11 continue in its mission.

12 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.6, as
13 amended by Section 336, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
14 2012, Section 34.6), is amended to read as follows:

15 Section 34.6 The Director of the Office of Management and
16 Enterprise Services shall have the power and duty under the
17 direction of the Governor to:

- 18 1. Prepare the budget document and assist in the drafting of
19 legislation to make it effective;
- 20 2. Make field surveys and studies of governmental agencies,
21 looking toward economy and greater efficiency;
- 22 3. Make allotments to control expenditures;
- 23 4. Authorize transfers of appropriation authorized by law;

24

1 5. Study accounting and other reports rendered by the Central
2 Accounting and Reporting Division;

3 6. Enter into agreements with the United States Secretary of
4 the Treasury for the purpose of implementing federal law; ~~and~~

5 7. Aid the Governor in the economical management of state
6 affairs; and

7 8. Adopt such rules and regulations concerning the exercise of
8 powers and duties as the Director shall deem appropriate, in
9 accordance with the Administrative Procedures Act.

10 B. In addition to other duties, the Director of the Office of
11 Management and Enterprise Services shall, upon request, advise and
12 consult with members of the Legislature and legislative committees
13 concerning revenue and expenditures of state agencies.

14 C. Not later than December 31, 2013, the Director of the Office
15 of Management and Enterprise Services shall provide the Legislature
16 with a proposal to consolidate, streamline, and reduce the size of
17 the administrative code of the agencies consolidated pursuant to
18 House Bill No. 2140 of the 1st Session of the 53rd Oklahoma
19 Legislature. The recommendation shall contain the Director's advice
20 on the possibility of consolidating the affected code into a single
21 title.

22 SECTION 3. AMENDATORY 74 O.S. 2011, Section 905, as
23 amended by Section 926, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
24 2012, Section 905), is amended to read as follows:

1 Section 905. (1) There shall be a Board of Trustees which
2 shall consist of ~~twelve (12)~~ thirteen (13) members as follows: a
3 member of the Corporation Commission selected by the Corporation
4 Commission, the Director of the Office of Management and Enterprise
5 Services or the Director's designee, the State Insurance
6 Commissioner or the Commissioner's designee, the Director of Human
7 Capital Management of the Office of Management and Enterprise
8 Services, a member of the Oklahoma Tax Commission selected by the
9 Tax Commission, three members appointed by the Governor, one member
10 appointed by the Supreme Court, two members appointed by the Speaker
11 of the House of Representatives and two members appointed by the
12 President Pro Tempore of the State Senate. One member appointed by
13 the Governor shall be an active member of the System. One member
14 appointed by the Speaker shall be an active member of the System.
15 One member appointed by the President Pro Tempore shall be a retired
16 member of the System.

17 (2) The member of the Board of Trustees on the operative date
18 of this act who was appointed by the Supreme Court shall complete
19 the term of office for which the member was appointed. The members
20 thereafter appointed by the Supreme Court shall serve terms of
21 office of four (4) years.

22 (3) Members of the Board of Trustees on the operative date of
23 this act who were appointed by the Speaker of the House of
24 Representatives or by the President Pro Tempore of the Senate shall

1 complete their term of office for which they were appointed. The
2 initial term of office of members appointed thereafter shall expire
3 on January 8, 1991. The members thereafter appointed by the Speaker
4 of the House of Representatives and by the President Pro Tempore of
5 the Senate shall serve terms of office of four (4) years.

6 (4) The initial term of office of the members appointed by the
7 Governor shall expire on January 14, 1991. The members thereafter
8 appointed by the Governor shall serve a term of office of four (4)
9 years which is coterminous with the term of office of the office of
10 the appointing authority.

11 (5) One of the members appointed to the Board by the Speaker of
12 the House of Representatives and by the President Pro Tempore of the
13 Senate and two members appointed to the Board by the Governor shall:

14 (a) have demonstrated professional experience in
15 investment or funds management, public funds
16 management, public or private pension fund management
17 or retirement system management~~†~~†

18 (b) have demonstrated experience in the banking profession
19 and have demonstrated professional experience in
20 investment or funds management~~†~~†

21 (c) be licensed to practice law in this state and have
22 demonstrated professional experience in commercial
23 matters~~†~~† or
24

1 (d) be licensed by the Oklahoma Accountancy Board to
2 practice in this state as a public accountant or a
3 certified public accountant.

4 The appointing authorities, in making appointments that conform
5 to the requirements of this subsection, shall give due consideration
6 to balancing the appointments among the criteria specified in
7 paragraphs (a) through (d) of this subsection.

8 (6) No member of the Board of Trustees shall be a lobbyist
9 registered in this state as provided by law.

10 (7) Any vacancy that occurs on the Board of Trustees shall be
11 filled for the unexpired term in the same manner as the office was
12 previously filled.

13 (8) Notwithstanding any of the provisions of this section to
14 the contrary, any person serving as an appointed member of the Board
15 on the operative date of this act shall be eligible for
16 reappointment when the term of office of the member expires.

17 (9) The Board shall elect one of its members as Chairman of the
18 Board at its annual meeting. He shall preside over meetings of the
19 Board and perform such other duties as may be required by the Board.

20 (10) The Board shall also elect another member to serve as Vice
21 Chairman, and the Vice Chairman shall perform duties of Chairman in
22 the absence of the latter or upon his inability or refusal to act.

23 SECTION 4. This act shall become effective November 1, 2013.
24

1 Passed the House of Representatives the 14th day of March, 2013.

2
3 Presiding Officer of the House
4 of Representatives

5 Passed the Senate the ___ day of _____, 2013.

6
7 Presiding Officer of the Senate