

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2639

By: Denney

4  
5  
6 AS INTRODUCED

7 An Act relating to the Commissioners of the Land  
8 Office; amending 64 O.S. 2011, Section 1011, as last  
9 amended by Section 1, Chapter 250, O.S.L. 2013 (64  
10 O.S. Supp. 2013, Section 1011), which relates to the  
11 Commissioners of the Land Office Revolving Fund;  
12 adding use for the cash drawer change fund; changing  
13 maximum amount of cash drawer change fund; requiring  
14 the filing of proper receipts; amending 64 O.S. 2011,  
15 Section 1013, as amended by Section 2, Chapter 70,  
16 O.S.L. 2013 (64 O.S. Supp. 2013, Section 1013), which  
17 relates to the investment of permanent school and  
18 educational funds; changing certain dates; amending  
19 64 O.S. 2011, Section 1030, which relates to the  
20 requirements for handling of mail; modifying type of  
21 documentation required; changing the record where  
22 entries are made; amending 64 O.S. 2011, Sections  
23 1047 and 1054, which relate to the publication of the  
24 notice of sale; updating statutory language; amending  
74 O.S. 2011, Sections 78, as last amended by Section  
1, Chapter 301, O.S.L. 2013, 78a, as amended by  
Section 729, Chapter 304, O.S.L. 2012 and 78b, as  
amended by Section 730, Chapter 304, O.S.L. 2012 (74  
O.S. Supp. 2013, Sections 78, 78a and 78b), which  
relate to the Fleet Management Division of the Office  
of Management and Enterprise Services; exempting the  
Commissioners of the Land Office from oversight;  
exempting the Commissioners of the Land Office from  
the requirement to submit a requisition for purchase  
of a motor vehicle; exempting the Commissioners of  
the Land Office from submitting notification of  
disposal of a motor vehicle; amending 74 O.S. 2011,  
Section 85.451, as last amended by Section 103,  
Chapter 15, O.S.L. 2013 (74 O.S. Supp. 2013, Section  
85.451), which relates to the Trip Optimizer system;  
making the Commissioners of the Land Office a

1 nonappropriated state agency for certain purpose;  
2 amending 74 O.S. 2011, Section 840-5.5, as last  
3 amended by Section 30, Chapter 214, O.S.L. 2013 (74  
4 O.S. Supp. 2013, Section 840-5.5), which relates to  
5 unclassified service; modifying unclassified employee  
6 positions for the Commissioners of the Land Office;  
7 providing an effective date; and declaring an  
8 emergency.

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

10 SECTION 1. AMENDATORY 64 O.S. 2011, Section 1011, as  
11 last amended by Section 1, Chapter 250, O.S.L. 2013 (64 O.S. Supp.  
12 2013, Section 1011), is amended to read as follows:

13 Section 1011. A. There is hereby created a revolving fund for  
14 the Commissioners of the Land Office to be designated the  
15 "Commissioners of the Land Office Revolving Fund". The fund shall  
16 be a continuing fund not subject to fiscal year limitations and into  
17 which shall be paid all fees that may be collected by the  
18 Commissioners of the Land Office, transfers from other revolving  
19 funds of the Commissioner of the Land Office and any monies  
20 designated for transfer into the fund. In addition, available  
21 monies received within an annual period may be added to the fund  
22 upon designation by the Secretary of the Land Office, in such case  
23 the funds are hereby appropriated and may be budgeted and expended  
24 by the Commissioners of the Land Office within the annual period in  
which received or thereafter in the performance of the  
constitutional and statutory trust duties of the Commissioners of

1 the Land Office. Monies from the fund may be used to pay for all  
2 books, forms, and other necessary equipment and supplies for the  
3 installation and maintenance of a modern system of accounting,  
4 necessary printing expenses, abstracts, refunds, expenses incidental  
5 to the operation of the Land Office, necessary communication and  
6 traveling expenses incurred by the employees of the Land Office,  
7 attorney fees and litigation expenses, collection costs and  
8 expenses, distributions and conservation and commercial property  
9 upgrades. The Commissioners of the Land Office may also use monies  
10 in the revolving fund for any expenses of the Land Office related to  
11 personal services, operating expenses, the purchase of equipment and  
12 for the performance of all duties necessary and as may be prescribed  
13 to carry out the function of the Land Office. All funds accruing to  
14 the fund are hereby appropriated. Monies in the fund may be  
15 invested by the State Treasurer in the manner prescribed in Section  
16 89.1a et seq. of Title 62 of the Oklahoma Statutes. Interest income  
17 derived from the investment of monies in the fund shall be credited  
18 to and placed in the fund.

19 B. There is hereby created a cash drawer change fund for the  
20 Commissioners of the Land Office. The fund shall be used as cash  
21 for the Land Office to make change for customers and for the payment  
22 of emergency purchases and bills. The amount held in the fund shall  
23 not exceed ~~One Thousand Dollars (\$1,000.00)~~ Five Thousand Dollars  
24 (\$5,000.00). The initial amount in the fund shall be drawn by

1 warrant from the revolving fund created pursuant to subsection A of  
2 this section. All adjustments to the amount retained in the fund  
3 shall be by withdrawal and deposit in the revolving fund established  
4 pursuant to subsection A of this section upon the filing of a claim  
5 with proper receipts showing the disbursement therefrom. ~~No~~  
6 ~~purchases shall be made from the fund.~~ Officers, employees or  
7 agents of the Land Office shall be prohibited from receiving change  
8 from the fund.

9 SECTION 2. AMENDATORY 64 O.S. 2011, Section 1013, as  
10 amended by Section 2, Chapter 70, O.S.L. 2013 (64 O.S. Supp. 2013,  
11 Section 1013), is amended to read as follows:

12 Section 1013. A. The Commissioners of the Land Office shall be  
13 responsible for the investment of the permanent school funds, other  
14 educational funds and public building funds solely in the best  
15 interests of the current and future beneficiaries. The  
16 Commissioners of the Land Office shall make investments:

17 1. For the exclusive purpose of:

- 18 a. providing maximum benefits to current and future  
19 beneficiaries, and
- 20 b. defraying reasonable expenses of administering the  
21 trust funds;

22 2. With the care, skill, prudence and diligence under the  
23 circumstances then prevailing that a prudent person acting in a like  
24 enterprise of a like character and with like aims would use; and

1 3. By diversifying the investments of the trust funds so as to  
2 minimize the risk of large losses.

3 B. The permanent school fund and other educational funds may  
4 only be invested in bonds issued in the United States, United States  
5 dollar denominated or other investments settled in United States  
6 dollars or traded on the United States exchange markets and real  
7 property to be owned or acquired by the Commissioners of the Land  
8 Office. The Commissioners of the Land Office shall not invest more  
9 than sixty percent (60%) of the trust fund investments in equity  
10 securities. The Commissioners of the Land Office are further  
11 authorized to acquire, purchase, exchange and grant any real  
12 property under its jurisdiction as is necessary to carry out the  
13 investment in the real property. The Commissioners of the Land  
14 Office shall not invest more than three percent (3%) of the total  
15 value of the assets of the permanent school funds in connection with  
16 investments in real property. In no case shall the Commissioners of  
17 the Land Office bid against private sector bidders above the  
18 appraised value of any property to be acquired.

19 C. The Commissioners shall establish an investment committee.  
20 The investment committee shall be composed of not more than three  
21 members of the Commissioners of the Land Office or their designees.  
22 The committee shall make recommendations to the Commissioners of the  
23 Land Office on all matters related to the choice of managers of the  
24 assets of the funds, on the establishment of investment and fund

1 management guidelines, and in planning future investment policy.  
2 The committee shall have no authority to act on behalf of the  
3 Commissioners of the Land Office in any circumstances whatsoever.  
4 No recommendations of the committee shall have effect as an action  
5 of the Commissioners of the Land Office or take effect without the  
6 approval of the Commissioners as provided by law. The Commissioners  
7 shall promulgate and adopt on an annual basis an investment plan.  
8 The investment plan shall state the criteria for selecting  
9 investment managers, the allocation of assets among investment  
10 managers, and established standards of investment and fund  
11 management.

12 D. The Commissioners shall retain qualified investment managers  
13 to provide for investment of the fund monies pursuant to the  
14 investment plan. Investment managers shall be chosen by a  
15 solicitation of proposals on a competitive bid basis pursuant to  
16 standards set by the Commissioners. Subject to the investment plan,  
17 each investment manager shall have full discretion in the management  
18 of the funds allocated to said investment managers. The funds  
19 allocated to investment managers shall be actively managed by them,  
20 which may include selling investments and realizing losses if the  
21 action is considered advantageous to longer term return  
22 maximization. Because of the total return objective, no distinction  
23 shall be made for management and performance evaluation purposes  
24 between realized and unrealized capital gains and losses.

1 E. The Commissioners shall take any measures they deem  
2 appropriate to safeguard custody of securities and other assets of  
3 the trusts.

4 F. By ~~August~~ September 1 of each year, the Commissioners shall  
5 develop a written investment plan for the trust funds.

6 G. The Commissioners shall compile a quarterly financial report  
7 showing the performance of all the combined funds under their  
8 control on a fiscal year basis. The report shall contain a list of  
9 all investments made by the Commissioners and a list of any  
10 commissions, fees or payments made for services regarding the  
11 investments for that reporting period. The report shall be based on  
12 market values and shall be compiled pursuant to uniform reporting  
13 standards prescribed by the Oklahoma State Pension Commission for  
14 all state retirement systems. The report shall be distributed to  
15 the Oklahoma State Pension Commission, the Cash Management and  
16 Investment Oversight Commission, and the Legislative Service Bureau.

17 H. Before ~~October~~ January 1 of each year, the Commissioners  
18 shall publish an annual report of all Trust operations, presented in  
19 a simple and easily understood manner to the extent possible. The  
20 report shall be submitted to the Governor, the Speaker of the House  
21 of Representatives, the President Pro Tempore of the Senate, the  
22 State Department of Education and each higher education beneficiary.  
23 The annual report shall cover the operation of the Trusts during the  
24 past fiscal year, including income, disbursements and the financial

1 condition of the Trusts at the end of each fiscal year on a cash  
2 basis. The annual report shall also contain a summary of the assets  
3 of each trust and current market value as of the report date.

4 I. The Cash Management and Investment Oversight Commission  
5 shall review reports prepared by the Commissioners of the Land  
6 Office pursuant to this subsection and shall make recommendations  
7 regarding the investment strategies and practices, the development  
8 of internal auditing procedures and practices and any other matters  
9 as determined necessary and applicable.

10 J. The Commissioners of the Land Office shall select one  
11 custodial bank to settle transactions involving the investment of  
12 the funds under the control of the Commissioners of the Land Office.  
13 The Commissioners of the Land Office shall review the performance of  
14 the custodial bank at least once every year. The Commissioners of  
15 the Land Office shall require a written competitive bid every five  
16 (5) years. The custodial bank shall have a minimum of Five Hundred  
17 Million Dollars (\$500,000,000.00) in assets to be eligible for  
18 selection. Any out-of-state custodial bank shall have a service  
19 agent in the State of Oklahoma so that service of summons or legal  
20 notice may be had on the designated agent, and the bank shall submit  
21 to the jurisdiction of Oklahoma state courts for resolution of any  
22 and all disputes. In order to be eligible for selection, the  
23 custodial bank shall allow electronic access to all transaction and  
24 portfolio reports maintained by the custodial bank involving the

1 investment of state funds under control of the Commissioners of the  
2 Land Office and to the Cash Management and Investment Oversight  
3 Commission. The requirement for electronic access shall be  
4 incorporated into any contract between the Commissioners of the Land  
5 Office and the custodial bank. Neither the Commissioners of the  
6 Land Office nor the custodial bank shall permit any of the funds  
7 under the control of the Commissioners of the Land Office or any of  
8 the documents, instruments, securities or other evidence of a right  
9 to be paid money to be located in any place other than within a  
10 jurisdiction or territory under the control or regulatory power of  
11 the United States government.

12 SECTION 3. AMENDATORY 64 O.S. 2011, Section 1030, is  
13 amended to read as follows:

14 Section 1030. The Secretary of the Land Office shall cause all  
15 mail received by the Land Office to be opened by some employee  
16 designated by the Secretary, assisted by two other employees not  
17 connected with the cashier's office, whose duty shall be to examine  
18 all incoming mail and make a proper ~~duplicate~~ reception record of  
19 all monies received. The ~~original copy~~ reception record shall be  
20 delivered to the Secretary and the duplicate delivered to the  
21 cashier. The entries on the reception record shall be made at the  
22 time of the opening of the letters and when completed shall be  
23 signed by the maker and witnessed by the employees assisting, who  
24 shall also sign. All cash and cash equivalents, together with

1 ~~duplicate~~ the reception record, shall be immediately delivered to  
2 the cashier who shall give a receipt therefor by signing the  
3 original copy of the reception record, and who shall make proper  
4 entries on the ~~record as provided above~~ financial records of the  
5 Land Office showing the amount so received. The Secretary to the  
6 Commissioners of the Land Office and the cashier are charged jointly  
7 and severally with the proper keeping and it is hereby made their  
8 duty to see that the above and foregoing reception ~~records are~~  
9 record is correctly kept. Alternatively, or in addition to the  
10 procedures set forth in this section, the Secretary may also  
11 purchase lock box collection services from an appropriate vendor for  
12 the handling, collection and processing of mail. Lock box services  
13 may include collecting Land Office mail from a specified post  
14 office, sorting, totaling, and recording payments, processing the  
15 items and making deposits.

16 SECTION 4. AMENDATORY 64 O.S. 2011, Section 1047, is  
17 amended to read as follows:

18 Section 1047. Before selling any public, state or school lands,  
19 the Commissioners of the Land Office shall advertise the fact that  
20 ~~such~~ the sale shall be had by publication in four consecutive issues  
21 of at least one weekly newspaper of general circulation in the  
22 county in which said lands are situated. ~~Such~~ The notice shall  
23 state the time, place and terms of sale, give a brief description of  
24 the land and improvements, and of the appraised value of the land

1 and the appraised value of the improvements, and state that any  
2 further information that is desired may be obtained by addressing  
3 the Secretary to the Commissioners of the Land Office.

4 SECTION 5. AMENDATORY 64 O.S. 2011, Section 1054, is  
5 amended to read as follows:

6 Section 1054. Before selling lands and improvements authorized  
7 to be sold, the Commissioners of the Land Office shall advertise the  
8 sale by publication calculated to bring the highest and best bids.  
9 The advertisement shall be at a minimum published in a newspaper of  
10 general circulation in the county in which the land is situated for  
11 fifteen (15) days prior to the date of sale. The notice shall state  
12 the time and place of sale ~~and~~, the quantity of land to be sold and  
13 the purposes of the sale.

14 SECTION 6. AMENDATORY 74 O.S. 2011, Section 78, as last  
15 amended by Section 1, Chapter 301, O.S.L. 2013 (74 O.S. Supp. 2013,  
16 Section 78), is amended to read as follows:

17 Section 78. A. There is hereby created and established within  
18 the Office of Management and Enterprise Services, the Fleet  
19 Management Division. The Division shall provide oversight of and  
20 advice to state agencies that own, operate and utilize motor  
21 vehicles, except for the Department of Public Safety, the Department  
22 of Transportation, the Oklahoma State Bureau of Narcotics and  
23 Dangerous Drugs Control, the Oklahoma State Bureau of Investigation,  
24

1 the Commissioners of the Land Office and The Oklahoma State System  
2 of Higher Education.

3 B. The Director of the Office of Management and Enterprise  
4 Services shall:

5 1. Appoint and fix duties and compensation for a Fleet Manager  
6 who shall serve as the administrative head of the division;

7 2. Hire personnel as necessary to provide fleet services;

8 3. Acquire facilities to maintain vehicles;

9 4. Promulgate rules for efficient and economical operations to  
10 provide fleet services; and

11 5. Report to the Governor, Speaker of the House of  
12 Representatives, and President Pro Tempore of the Senate those  
13 agencies that fail to comply with the provisions of law and the  
14 rules of the Fleet Management Division regarding submission of  
15 reports, vehicle use, and vehicle maintenance.

16 C. The rules shall include provisions to:

17 1. Establish uniform written vehicle acquisition, leasing,  
18 maintenance, repairs, and disposal standards for use by all state  
19 agencies to justify actual need for vehicles;

20 2. Establish standards for routine vehicle inspection and  
21 maintenance;

22 3. Provide standards and forms for recordkeeping of fleet  
23 operation, maintenance, and repair costs for mandatory use by all  
24

1 state agencies to report the data to the Fleet Management Division  
2 on a monthly basis;

3 4. Provide standards and utilize methods for disposal of  
4 vehicles pursuant to the Oklahoma Surplus Property Act and any other  
5 applicable state laws;

6 5. Establish mandatory maintenance contracts throughout the  
7 state for all agencies to access for vehicle repairs and service at  
8 discounted rates and parts;

9 6. Require all agencies with in-house repair and service  
10 facilities to assign a value to the preventive maintenance services,  
11 track those services with a dollar value, and report costs to the  
12 Fleet Manager for the prior month no later than the twentieth day  
13 following the close of each month;

14 7. Promulgate rules requiring all state-owned motor vehicles to  
15 be marked in a uniform, highly visible manner, except for certain  
16 vehicles driven by law enforcement agencies or other agencies  
17 requiring confidentiality;

18 8. Require agencies to produce and maintain written  
19 justification for any vehicle that travels fewer than twelve  
20 thousand (12,000) miles annually and report to the Fleet Manager  
21 such information by October 1 of each year; and

22 9. Address any other matter or practice which relates to the  
23 responsibilities of the Director of the Office of Management and  
24 Enterprise Services.

1 D. The Fleet Manager shall:

2 1. Develop specifications for contracts for vehicle maintenance  
3 for state vehicles not serviced or maintained by state agencies;

4 2. Conduct on-site inspections to verify state agency or  
5 supplier compliance with Division standards for inspections,  
6 maintenance and recordkeeping;

7 3. Assess state agency needs for vehicles and types of  
8 vehicles;

9 4. Assign, transfer or lease vehicles to a state agency to meet  
10 the needs of the state agency;

11 5. Unless otherwise provided by law, determine whether a state  
12 agency may use or operate a vehicle without state identifying  
13 markings, bearing a license plate used by a privately owned vehicle  
14 to perform the duties of the state agency without hindrance;

15 6. Report to the Director of the Office of Management and  
16 Enterprise Services occurrences of agencies failing to comply with  
17 the provisions of law and the rules of the Fleet Management Division  
18 regarding submission of reports, vehicle use, and vehicle  
19 maintenance;

20 7. Offer guidelines to agencies to assist in determining the  
21 most cost-effective and reasonable modes of travel for single trips  
22 from the following options: state vehicle, private rental, or  
23 mileage reimbursement; and  
24

1 8. Provide, upon the request of the Governor, the President Pro  
2 Tempore of the Senate or the Speaker of the House of  
3 Representatives, reports from data the Fleet Manager collects.

4 E. The Director of the Office of Management and Enterprise  
5 Services may enter into agreements with any political subdivision of  
6 this state for the purpose of providing fleet services established  
7 by the Fleet Management Division pursuant to this section and rules  
8 promulgated pursuant to this section.

9 F. The Director of the Office of Management and Enterprise  
10 Services, through the Fleet Management Division, may enter into  
11 partnership agreements with political subdivisions and private  
12 entities for the purposes of applying for, participating in, and  
13 administering federal grant funds. The partnership agreements and  
14 activities authorized in this subsection are hereby declared to be a  
15 public purpose.

16 G. The Office may offer public access to alternative fueling  
17 infrastructure owned and operated by the Office in areas of the  
18 state in which access to an alternative fueling infrastructure is  
19 not readily available to the public. The Office shall cease  
20 allowing public access to an alternative fueling infrastructure  
21 operated by the Office if a privately owned alternative fueling  
22 infrastructure locates within a five-mile radius of the  
23 infrastructure operated by the Department.

24 H. When used in relation to the Fleet Management Division:

1 1. "Alternative fueling infrastructure" shall mean a fill  
2 station or charge station used to deliver or provide alternative  
3 fuels as defined in Section 130.2 of this title; and

4 2. "Alternative fuel vehicle" shall mean a motor vehicle  
5 originally designed by the manufacturer to operate lawfully and  
6 principally on streets and highways which is propelled by an  
7 alternative fuel as defined in Section 130.2 of this title.

8 SECTION 7. AMENDATORY 74 O.S. 2011, Section 78a, as  
9 amended by Section 729, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
10 2013, Section 78a), is amended to read as follows:

11 Section 78a. A. State agencies with authority to own motor  
12 vehicles shall submit a requisition to the Director of the Office of  
13 Management and Enterprise Services prior to acquisition of a motor  
14 vehicle. The requisition shall state the type of vehicle, the  
15 intended purpose of the vehicle, a statement that the agency has  
16 actual need for the vehicle, the supplier of the vehicle, that the  
17 state agency has sufficient funds to acquire and maintain the  
18 vehicle and cite the statutory authority of the state agency to  
19 acquire a vehicle.

20 B. The Director of the Office of Management and Enterprise  
21 Services shall review the requisition and approve or deny the  
22 request of the state agency within fifteen (15) days of receipt.

23 C. The provisions of subsections A and B of this section shall  
24 not apply to the Commissioners of the Land Office, the Department of

1 Public Safety or the Oklahoma State Bureau of Narcotics and  
2 Dangerous Drugs Control.

3 D. The provisions of subsections A and B of this section shall  
4 not apply to CompSource Oklahoma if CompSource Oklahoma is operating  
5 pursuant to a pilot program authorized by Sections 3316 and 3317 of  
6 this title.

7 SECTION 8. AMENDATORY 74 O.S. 2011, Section 78b, as  
8 amended by Section 730, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
9 2013, Section 78b), is amended to read as follows:

10 Section 78b. A. A state agency shall notify the Fleet  
11 Management Division of the Office of Management and Enterprise  
12 Services not less than thirty (30) days prior to any vehicle  
13 disposal by the state agency.

14 B. A state agency shall not dispose of a passenger car, truck,  
15 pickup, or other vehicle the state agency owns until it has been in  
16 use for sixty thousand (60,000) miles or at least twenty-four (24)  
17 months have elapsed since the day the claim was approved for the  
18 payment thereof, unless the vehicle has damage and repairs that will  
19 exceed Two Thousand Five Hundred Dollars (\$2,500.00), or the  
20 Director of the Fleet Management Division of the Office of  
21 Management and Enterprise Services provides written authorization  
22 for disposal.

23 C. The provisions of subsections A and B of this section shall  
24 not apply to the Commissioners of the Land Office or CompSource

1 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot  
2 program authorized by Sections 3316 and 3317 of this title.

3 SECTION 9. AMENDATORY 74 O.S. 2011, Section 85.451, as  
4 last amended by Section 103, Chapter 15, O.S.L. 2013 (74 O.S. Supp.  
5 2013, Section 85.451), is amended to read as follows:

6 Section 85.451 A. Each state agency, board, commission or  
7 other entity organized within the executive department of state  
8 government shall use the Trip Optimizer system of the Office of  
9 Management and Enterprise Services in computing the optimum method  
10 and cost for travel by state employees using a motor vehicle where  
11 the travel will exceed one hundred (100) miles per day and the  
12 employee is not driving a state-owned or -leased dedicated vehicle.  
13 For purposes of this section, "dedicated vehicle" means a vehicle  
14 that has been assigned to the employee.

15 B. The provisions of this section shall be used to determine  
16 the most cost-effective method of travel by motor vehicles, whether  
17 such vehicles are owned by the agency, leased by the agency or by  
18 the employee, and shall be applicable for purposes of determining  
19 the maximum authorized amount of any travel reimbursement for  
20 employees of such agencies related to vehicle usage.

21 C. A nonappropriated state agency, that employs persons who use  
22 personal vehicles as part of their regular duties and who are  
23 reimbursed for travel expenses by the agency shall not be required  
24 to utilize the Trip Optimizer system with regard to the travel

1 expenses of such employees. As used in this section,  
2 "nonappropriated state agency" means an entity within the executive  
3 branch of government that does not receive any of its funding  
4 through the annual legislative appropriations process. For purposes  
5 of this section only the Commissioners of the Land Office shall be  
6 considered a nonappropriated state agency.

7 D. The maximum authorized amount of travel reimbursement  
8 related to vehicle usage shall be the lowest cost option as  
9 determined by the Trip Optimizer system. All travel claims  
10 submitted for reimbursement shall include the results of the Trip  
11 Optimizer system indicating the lowest cost option for travel by the  
12 state employee.

13 E. State employees may be exempt from the reimbursement  
14 requirements of the Trip Optimizer system, provided the state  
15 employees utilize a personally owned vehicle and seek reimbursement  
16 according to the schedule referenced in subsection F of this  
17 section.

18 F. The Office of Management and Enterprise Services may publish  
19 a schedule of reimbursement rates for state employee travel. The  
20 schedule may apply to exemptions claimed under subsection E of this  
21 section. The schedule may categorize reimbursement rates by type of  
22 vehicle and shall not exceed standard mileage reimbursement rates as  
23 established by the Internal Revenue Service.

24

1 G. In providing a calculation of rates, the Trip Optimizer  
2 system shall account for the distance that an employee must travel  
3 to pick up a rental or state fleet vehicle.

4 H. In providing a calculation of rates, the Trip Optimizer  
5 system shall account for the long-term rate discounts offered  
6 through the state's purchasing contract for vehicle rentals.

7 SECTION. 10 AMENDATORY 74 O.S. 2011, Section 840-5.5,  
8 as last amended by Section 30, Chapter 214, O.S.L. 2013 (74 O.S.  
9 Supp. 2013, Section 840-5.5), is amended to read as follows:

10 Section 840-5.5 A. The following offices, positions, and  
11 personnel shall be in the unclassified service and shall not be  
12 placed under the classified service:

13 1. Persons chosen by popular vote or appointment to fill an  
14 elective office, and their employees, except the employees of the  
15 Corporation Commission, the State Department of Education and the  
16 Department of Labor;

17 2. Members of boards and commissions, and heads of agencies;  
18 also one principal assistant or deputy and one executive secretary  
19 for each state agency;

20 3. All judges, elected or appointed, and their employees;

21 4. Persons employed with one-time, limited duration, federal or  
22 other grant funding that is not continuing or indefinitely  
23 renewable. The length of the unclassified employment shall not  
24

1 exceed the period of time for which that specific federal funding is  
2 provided;

3 5. All officers and employees of The Oklahoma State System of  
4 Higher Education, State Board of Education and Oklahoma Department  
5 of Career and Technology Education;

6 6. Persons employed in a professional or scientific capacity to  
7 make or conduct a temporary and special inquiry, investigation, or  
8 examination on behalf of the Legislature or a committee thereof or  
9 by authority of the Governor. These appointments and authorizations  
10 shall terminate on the first day of the regular legislative session  
11 immediately following the appointment, if not terminated earlier.  
12 However, nothing in this paragraph shall prevent the reauthorization  
13 and reappointment of any such person. Any such appointment shall be  
14 funded from the budget of the appointing authority;

15 7. Election officials and employees;

16 8. Temporary employees employed to work less than one thousand  
17 (1,000) hours in any twelve-month period, and seasonal employees  
18 employed by the Oklahoma Tourism and Recreation Department pursuant  
19 to Section 2241 of this title who work less than one thousand six  
20 hundred (1,600) hours in any twelve-month period;

21 9. Department of Public Safety employees occupying the  
22 following offices or positions:

- 23 a. administrative aides to the Commissioner,
- 24 b. executive secretaries to the Commissioner,

- 1 c. the Governor's representative of the Oklahoma Highway  
2 Safety Office who shall be appointed by the Governor,  
3 d. Highway Patrol Colonel,  
4 e. Highway Patrol Lieutenant Colonel,  
5 f. Director of Finance,  
6 g. noncommissioned pilots,  
7 h. Information Systems Administrator,  
8 i. Law Enforcement Telecommunications System Specialist,  
9 j. Director of Driver Compliance,  
10 k. Director of Transportation Division,  
11 l. Director of the Oklahoma Highway Safety Office,  
12 m. Civil Rights Administrator,  
13 n. Budget Analyst,  
14 o. Comptroller,  
15 p. Chaplain,  
16 q. Helicopter Mechanic,  
17 r. Director of Safety Compliance,  
18 s. Human Resources Director,  
19 t. Administrator of Department Services, and  
20 u. a maximum of seven (7) positions for the purpose of  
21 administering programs in the Oklahoma Highway Safety  
22 Office, within full-time employee limitations of the  
23 Department, employed with federal funding that is  
24 continuing or indefinitely renewable. The

1 authorization for such positions shall be terminated  
2 if the federal funding for positions is discontinued;  
3 provided, any person appointed to a position prescribed in  
4 subparagraph d or e of this paragraph shall have a right of return  
5 to the classified commissioned position without any loss of rights,  
6 privileges or benefits immediately upon completion of the duties in  
7 the unclassified commissioned position;

8 10. Professional trainees only during the prescribed length of  
9 their course of training or extension study;

10 11. Students who are employed on a part-time basis, which shall  
11 be seventy-five percent (75%) of a normal forty-hour work week or  
12 thirty (30) hours per week, or less, or on a full-time basis if the  
13 employment is pursuant to a cooperative education program such as  
14 that provided for under Title I IV-D of the Higher Education Act of  
15 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly  
16 enrolled in:

17 a. an institution of higher learning within The Oklahoma  
18 State System of Higher Education,

19 b. an institution of higher learning qualified to become  
20 coordinated with The Oklahoma State System of Higher  
21 Education. For purposes of this section, a student  
22 shall be considered a regularly enrolled student if  
23 the student is enrolled in a minimum of five (5) hours  
24 of accredited graduate courses or a minimum of ten

1 (10) hours of accredited undergraduate courses,  
2 provided, however, the student shall only be required  
3 to be enrolled in a minimum of six (6) hours of  
4 accredited undergraduate courses during the summer, or

5 c. high school students regularly enrolled in a high  
6 school in Oklahoma and regularly attending classes  
7 during such time of enrollment;

8 12. The spouses of personnel who are employed on a part-time  
9 basis to assist or work as a relief for their spouses in the  
10 Oklahoma Tourism and Recreation Department;

11 13. Service substitute attendants who are needed to replace  
12 museum and site attendants who are unavoidably absent. Service  
13 substitutes may work as part-time or full-time relief for absentees  
14 for a period of not more than four (4) weeks per year in the  
15 Oklahoma Historical Society sites and museums; such substitutes will  
16 not count towards the agency's full-time-equivalent (FTE) employee  
17 limit;

18 14. Employees of the Oklahoma House of Representatives, the  
19 State Senate, or the Legislative Service Bureau;

20 15. Corporation Commission personnel occupying the following  
21 offices and positions:

22 a. Administrative aides, and executive secretaries to the  
23 Commissioners,  
24

- b. Directors of all the divisions, personnel managers and comptrollers,
- c. General Counsel,
- d. Public Utility Division Chief Engineer,
- e. Public Utility Division Chief Accountant,
- f. Public Utility Division Chief Economist,
- g. Public Utility Division Deputy Director,
- h. Secretary of the Commission,
- i. Deputy Conservation Director,
- j. Manager of Pollution Abatement,
- k. Manager of Field Operations,
- l. Manager of Technical Services,
- m. Public Utility Division Chief of Telecommunications,
- n. Director of Information Services,
- o. All Data Processing employees hired on or after September 1, 2005,
- p. All Public Utilities employees hired on or after September 1, 2007,
- q. All Regulatory Program Managers hired on or after September 1, 2007, and
- r. All Pipeline Safety Department employees hired on or after September 1, 2008;

16. At the option of the employing agency, the Supervisor, Director, or Educational Coordinator in any other state agency

1 having a primary responsibility to coordinate educational programs  
2 operated for children in state institutions;

3 17. Department of Mental Health and Substance Abuse Services  
4 personnel occupying the following offices and positions at each  
5 facility:

- 6 a. Director of Facility,
- 7 b. Deputy Director for Administration,
- 8 c. Clinical Services Director,
- 9 d. Executive Secretary to Director, and
- 10 e. Directors or Heads of Departments or Services;

11 18. Office of Management and Enterprise Services personnel  
12 occupying the following offices and positions:

- 13 a. State Comptroller,
- 14 b. Administrative Officers,
- 15 c. Alternator Claims Auditor,
- 16 d. Employees hired to fulfill state compliance agency  
17 requirements under Model Tribal Gaming Compacts,
- 18 e. Employees of the Budget Division,
- 19 f. Employees of the Fiscal and Research Division,
- 20 g. Employees hired to work on the CORE Systems Project;  
21 and
- 22 h. The following employees of the Information Services  
23 Division:
  - 24 (1) Information Services Division Manager,

- 1 (2) Network Manager,
- 2 (3) Network Technicians,
- 3 (4) Security Manager,
- 4 (5) Contracts/Purchasing Manager,
- 5 (6) Operating and Applications Manager,
- 6 (7) Project Manager,
- 7 (8) Help Desk Manager,
- 8 (9) Help Desk Technicians,
- 9 (10) Quality Assurance Manager,
- 10 (11) ISD Analysts,
- 11 (12) CORE Manager,
- 12 (13) Enterprise System/Database Software Manager,
- 13 (14) Data Center Operations and Production Manager,
- 14 (15) Voice Communications Manager,
- 15 (16) Applications Development Manager,
- 16 (17) Projects Manager,
- 17 (18) PC's Manager,
- 18 (19) Servers Manager,
- 19 (20) Portal Manager,
- 20 (21) Procurement Specialists,
- 21 (22) Security Technicians,
- 22 (23) Enterprise Communications and Network  
23 Administrator,
- 24 (24) Server Support Specialists,

- 1 (25) Senior Server Support Specialists,
- 2 (26) Systems Support Specialists,
- 3 (27) Senior Systems Support Specialists,
- 4 (28) Chief Technology Officer,
- 5 (29) Facility Manager,
- 6 (30) Application Development Specialists,
- 7 (31) Senior Application Development Specialists,
- 8 (32) Workstation Specialists,
- 9 (33) Senior Workstation Specialists,
- 10 (34) Cabling Infrastructure Administration,
- 11 (35) Planning Specialists,
- 12 (36) Senior Planning Specialists,
- 13 (37) Network Specialists,
- 14 (38) Senior Network Specialists,
- 15 (39) Voice Communication Specialists, and
- 16 (40) Senior Voice Communication Specialists;

17 19. Employees of the Oklahoma Industrial Finance Authority;

18 20. Those positions so specified in the annual business plan of  
19 the Oklahoma Department of Commerce;

20 21. Those positions so specified in the annual business plan of  
21 the Oklahoma Center for the Advancement of Science and Technology;

22 22. The following positions and employees of the Oklahoma  
23 School of Science and Mathematics:

24

- 1 a. positions for which the annual salary is Twenty-four  
2 Thousand One Hundred Ninety-three Dollars (\$24,193.00)  
3 or more, as determined by the Office of Management and  
4 Enterprise Services, provided no position shall become  
5 unclassified because of any change in salary or grade  
6 while it is occupied by a classified employee,  
7 b. positions requiring certification by the State  
8 Department of Education, and  
9 c. positions and employees authorized to be in the  
10 unclassified service of the state elsewhere in this  
11 section or in subsection B of this section;

12 23. Office of Management and Enterprise Services employees  
13 occupying the following positions:

- 14 a. the Carl Albert Internship Program Coordinator,  
15 b. one Administrative Assistant,  
16 c. one Workforce Planning Manager,  
17 d. Assistant Administrators,  
18 e. one Associate Administrator, and  
19 f. Division Directors;

20 24. Department of Labor personnel occupying the following  
21 offices and positions:

- 22 a. two Deputy Commissioners,  
23 b. two Executive Secretaries to the Commissioner,  
24 c. Chief of Staff,

- 1 d. two Administrative Assistants,
- 2 e. Information Systems Administrator,
- 3 f. three Safety and Health Directors,
- 4 g. Research Director,
- 5 h. Employment Standards Director,
- 6 i. Asbestos Director,
- 7 j. General Counsel,
- 8 k. one Legal Secretary,
- 9 l. one Docket Clerk, and
- 10 m. two Information Systems Application Specialists;

11 25. The State Bond Advisor and his or her employees;

12 26. The Oklahoma Employment Security Commission employees  
13 occupying the following positions:

- 14 a. Associate Director,
- 15 b. Secretary to the Associate Director, and
- 16 c. Assistant to the Executive Director;

17 27. Officers and employees of the State Banking Department;

18 28. Officers and employees of the University Hospitals

19 Authority except personnel in the state classified service pursuant  
20 to Section 3211 of Title 63 of the Oklahoma Statutes and members of  
21 the University Hospitals Authority Model Personnel System created  
22 pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma  
23 Statutes or as otherwise provided for in Section 3213.2 of Title 63  
24 of the Oklahoma Statutes;

1       29. Alcoholic Beverage Laws Enforcement Commission employees  
2 occupying the following positions:

- 3           a. three Administrative Service Assistant positions,  
4               however, employees in such positions who are in the  
5               unclassified service on June 4, 2003, may make an  
6               election to be in the classified service without a  
7               loss in salary by September 1, 2003, and
- 8           b. the Deputy Director position in addition to the one  
9               authorized by paragraph 2 of this subsection;

10       30. The Oklahoma State Bureau of Investigation employees  
11 occupying the following positions:

- 12           a. five assistant directors,
- 13           b. six special investigators,
- 14           c. one information representative,
- 15           d. one federally funded physical evidence technician,
- 16           e. four federally funded laboratory analysts,
- 17           f. a maximum of fourteen positions employed for the  
18               purpose of managing the automated information systems  
19               of the agency,
- 20           g. one executive secretary in addition to the one  
21               executive secretary authorized pursuant to paragraph 2  
22               of this subsection,
- 23           h. Child Abuse Response Team (CART) investigator,

- 1 i. Child Abuse Response Team (CART) forensic interviewer,  
2 and  
3 j. nine administration and research positions and five  
4 data processing and information technology positions  
5 transferred from the Criminal Justice Resource Center  
6 pursuant to Section 150.17a of this title;

7 31. The Department of Transportation, the following positions:

- 8 a. Director of the Oklahoma Aeronautics Commission,  
9 b. five Department of Transportation Assistant Director  
10 positions,  
11 c. eight field division engineer positions,  
12 d. one pilot position,  
13 e. five Project Manager Positions, and  
14 f. five Transportation Coordinators;

15 32. Commissioners of the Land Office employees occupying the  
16 following positions:

- 17 a. ~~Director of the Investments Division~~ Chief Financial  
18 Officer,  
19 b. ~~Assistant Director of the Investments Division~~ two  
20 Assistant Directors of Financial Services,  
21 c. ~~one Administrative Assistant~~ two Archivists,  
22 d. one Audit Tech position,  
23 e. ~~one~~ two Auditor I ~~position~~ positions,  
24 f. two Accounting Tech I positions,

- 1 g. two Administrative Assistant ± positions,
- 2 h. ~~two~~ one Imaging Specialist ~~positions~~ position,
- 3 i. one Information Systems Specialist position,
- 4 j. Director of Communications,
- 5 k. Director of Royalty Compliance,
- 6 l. Director of Mineral Management,
- 7 m. ~~Director of Accounting~~ Accountant or Certified Public
- 8 Accountant,
- 9 n. ~~Chief of Staff~~ Commercial Property Manager,
- 10 o. ~~First~~ Assistant Secretary,
- 11 p. Director of Real Estate Management,
- 12 q. one executive ~~secretary~~ assistant,
- 13 r. one legal secretary, and
- 14 s. one ~~legal assistant~~ secretary,
- 15 t. one Assistant Commercial Property Manager,
- 16 u. one Oil and Gas Production Advisor or Geologist,
- 17 v. one Soil Conservationist,
- 18 w. one Administrative Programs Officer, and
- 19 x. one Geographic Information Systems Specialist;

20 33. Within the Oklahoma State Bureau of Narcotics and Dangerous  
21 Drugs Control Commission, the following positions:

- 22 a. six Narcotics Agent positions and three Typist  
23 Clerk/Spanish transcriptionists, including a Typist  
24 Clerk Supervisor/Spanish transcriptionist, provided,

1 authorization for such positions shall be terminated  
2 if the federal funding for the positions is  
3 discontinued,

4 b. one executive secretary in addition to the one  
5 authorized pursuant to paragraph 2 of this subsection,

6 c. one fiscal officer,

7 d. one full-time Programmer, and

8 e. one full-time Network Engineer;

9 34. The Military Department of the State of Oklahoma is  
10 authorized such unclassified employees within full-time employee  
11 limitations to work in any of the Department of Defense directed  
12 youth programs, the State of Oklahoma Juvenile Justice youth  
13 programs, those persons reimbursed from Armory Board or Billeting  
14 Fund accounts, and skilled trade positions;

15 35. Within the Oklahoma Commission on Children and Youth the  
16 following unclassified positions:

17 a. one Oversight Specialist and one Community Development  
18 Planner,

19 b. one State Plan Grant Coordinator, provided  
20 authorization for the position shall be terminated  
21 when federal support for the position by the United  
22 States Department of Education Early Intervention  
23 Program is discontinued,  
24

- c. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection, and
- d. one Programs Manager;

36. The following positions and employees of the Office of Management and Enterprise Services:

- a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection,
- b. the Director of Central Purchasing,
- c. one Alternate Fuels Administrator,
- d. one Director of Special Projects,
- e. three postauditors,
- f. four high-technology contracting officers,
- g. one Executive Assistant to the Purchasing Director,
- h. four Contracts Managers,
- i. one Associate Director,
- j. one specialized HiTech/Food Contracting Officer,
- k. one State Use Contracting Officer,
- l. one Property Distribution Administrator,
- m. three licensed architects assigned to the Construction and Properties Division,
- n. three licensed engineers assigned to the Construction and Properties Division,

- 1           o.   eight construction consultants assigned to the
- 2                   Construction and Properties Division,
- 3           p.   one attorney assigned to the Construction and
- 4                   Properties Division,
- 5           q.   three positions assigned to the Information Services
- 6                   Division, which shall include one Information
- 7                   Technology Manager, one Applications Specialist and
- 8                   one Data Planning Specialist,
- 9           r.   four positions assigned to Fleet Management, which
- 10                   shall include one Deputy Fleet Manager and three
- 11                   Management Analysts,
- 12           s.   one Chief Auditor,
- 13           t.   one Assistant Director of Central Purchasing Division,
- 14           u.   one Professional Errors and Omissions Liability
- 15                   Adjuster,
- 16           v.   three Strategic Sourcing Managers,
- 17           w.   three Strategic Sourcing Assistant Managers, and
- 18           x.   two Printing Services Brokers;

19           37. Oklahoma Water Resources Board personnel occupying the  
20 following offices and positions:

- 21           a.   four Water Quality Assistant Division Chiefs,
- 22           b.   four Water Resources Division Chiefs, and
- 23           c.   Director of Water Planning;

1           38. J.D. McCarty Center for Children with Developmental  
2 Disabilities personnel occupying the following offices and  
3 positions:

- 4           a. Physical Therapists,
- 5           b. Physical Therapist Assistants,
- 6           c. Occupational Therapists,
- 7           d. Certified Occupational Therapist Aides, and
- 8           e. Speech Pathologists;

9           39. The Development Officer, the Director of the State Museum  
10 of History and the Cherokee Strip Regional Heritage Center Director  
11 within the Oklahoma Historical Society;

12           40. Oklahoma Department of Agriculture, Food, and Forestry  
13 personnel occupying the following positions:

- 14           a. one Executive Secretary in addition to the Executive  
15           Secretary authorized by paragraph 2 of this subsection  
16           and one Executive Assistant,
- 17           b. nineteen Agricultural Marketing Coordinator III  
18           positions,
- 19           c. temporary fire suppression personnel, regardless of  
20           the number of hours worked, who are employed by the  
21           Oklahoma Department of Agriculture, Food, and  
22           Forestry; provided, however, notwithstanding the  
23           provisions of any other section of law, the hours  
24           worked by such employees shall not entitle such

1 employees to any benefits received by full-time  
2 employees,

- 3 d. one Information Technology Specialist,
- 4 e. one Director of Administrative Services,
- 5 f. one Water Quality Consumer Complaint Coordinator,
- 6 g. one hydrologist position,
- 7 h. Public Information Office Director,
- 8 i. one Information Technology Technician,
- 9 j. Legal Services Director,
- 10 k. Animal Industry Services Director,
- 11 l. Agricultural Environmental Management Services  
12 Director,
- 13 m. Forestry Services Director,
- 14 n. Plant Industry and Consumer Services Director,
- 15 o. one Grants Administrator position,
- 16 p. Director of Laboratory Services,
- 17 q. Chief of Communications,
- 18 r. Public Information Manager,
- 19 s. Inventory/Supply Officer,
- 20 t. five Agriculture Field Inspector positions assigned  
21 the responsibility for conducting inspections and  
22 audits of agricultural grain storage warehouses. All  
23 other Agriculture Field Inspector positions and  
24 employees of the Oklahoma Department of Agriculture,

1 Food, and Forestry shall be classified and subject to  
2 the provisions of the Merit System of Personnel  
3 Administration. On November 1, 2002, all other  
4 unclassified Agriculture Field Inspectors shall be  
5 given status in the classified service as provided in  
6 Section 840-4.2 of this title,

- 7 u. Rural Fire Coordinator,
- 8 v. one Agricultural Marketing Coordinator I,
- 9 w. Food Safety Division Director,
- 10 x. two Environmental Program Specialists,
- 11 y. two Scale Technicians,
- 12 z. two Plant Protection Specialists, and
- 13 aa. Chief Agent;

14 41. The Contracts Administrator within the Oklahoma State  
15 Employees Benefits Council;

16 42. The Development Officer within the Oklahoma Department of  
17 Libraries;

18 43. Oklahoma Real Estate Commission personnel occupying the  
19 following offices and positions:

- 20 a. Educational Program Director, and
- 21 b. Data Processing Manager;

22 44. A Chief Consumer Credit Examiner for the Department of  
23 Consumer Credit;

1 45. All officers and employees of the Oklahoma Capitol Complex  
2 and Centennial Commemoration Commission;

3 46. All officers and employees of the Oklahoma Motor Vehicle  
4 Commission;

5 47. One Museum Archivist of The Will Rogers Memorial  
6 Commission;

7 48. One Fire Protection Engineer of the Office of the State  
8 Fire Marshal;

9 49. Acting incumbents employed pursuant to Section 209 of Title  
10 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not  
11 be included in any limitation on full-time equivalency imposed by  
12 law on an agency. Permanent classified employees may request a  
13 leave of absence from classified status and accept an unclassified  
14 appointment and compensation as an acting incumbent with the same  
15 agency; provided, the leave shall expire no later than two (2) years  
16 from the date of the acting incumbent appointment. An appointing  
17 authority may establish unclassified positions and appoint  
18 unclassified employees to perform the duties of a permanent  
19 classified employee who is on leave of absence from a classified  
20 position to serve as an acting incumbent. All unclassified  
21 appointments created pursuant to this paragraph shall expire no  
22 later than two (2) years from the date of appointment. Classified  
23 employees accepting unclassified appointments and compensation  
24 pursuant to this paragraph shall be entitled to participate without

1 interruption in any benefit programs available to classified  
2 employees, including retirement and insurance programs. Immediately  
3 upon termination of an unclassified appointment pursuant to this  
4 paragraph, an employee on assignment from the classified service  
5 shall have a right to be restored to the classified service and  
6 reinstated to the former job family level and compensation plus any  
7 adjustments and increases in salary or benefits which the employee  
8 would have received but for the leave of absence;

9       50. The Oklahoma Homeland Security Director and all other  
10 positions assigned the responsibilities of working in the Oklahoma  
11 Office of Homeland Security;

12       51. The following eighteen (18) positions in the State  
13 Department of Health:

- 14           a. one surveillance supervisor,
- 15           b. one surveillance project monitor,
- 16           c. two bilingual interviewers,
- 17           d. eight senior interviewers, and
- 18           e. six interviewers;

19       52. State Board of Licensure for Professional Engineers and  
20 Land Surveyors personnel occupying the following offices and  
21 positions:

- 22           a. one Director of Enforcement, and
- 23           b. two Board Investigators;

24

1       53. One Information Systems Data Management Analyst of the  
2 State and Education Employees Group Insurance Board;

3       54. Two Management Information Systems positions of the Office  
4 of Juvenile Affairs; and

5       55. Heads of agencies, principal assistants or deputies and  
6 executive secretaries of an agency that is consolidated into another  
7 agency.

8       B. If an agency has the authority to employ personnel in the  
9 following offices and positions, the appointing authority shall have  
10 the discretion to appoint personnel to the unclassified service:

11       1. Licensed medical doctors, osteopathic physicians, dentists,  
12 psychologists, and nurses;

13       2. Certified public accountants;

14       3. Licensed attorneys;

15       4. Licensed veterinarians; and

16       5. Licensed pharmacists.

17       C. Effective July 1, 1996, authorization for unclassified  
18 offices, positions, or personnel contained in a bill or joint  
19 resolution shall terminate June 30 of the ensuing fiscal year after  
20 the authorization unless the authorization is codified in the  
21 Oklahoma Statutes or the termination is otherwise provided in the  
22 legislation.

23       D. The appointing authority of agencies participating in the  
24 statewide information systems project may establish unclassified

1 positions and appoint unclassified employees to the project as  
2 needed. Additional unclassified positions may be established, if  
3 required, to appoint an unclassified employee to perform the duties  
4 of a permanent classified employee who is temporarily absent from a  
5 classified position as a result of assignment to this project. All  
6 unclassified appointments under this authority shall expire no later  
7 than December 31, 2007, and all unclassified positions established  
8 to support the project shall be abolished. Both the positions and  
9 appointments resulting from this authority shall be exempt from any  
10 agency FTE limitations and any limits imposed on the number of  
11 unclassified positions authorized. Permanent classified employees  
12 may request a leave of absence from classified status and accept an  
13 unclassified appointment and compensation with the same agency under  
14 the provisions of this subsection; provided, the leave shall expire  
15 no later than December 31, 2007. Employees accepting the  
16 appointment and compensation shall be entitled to participate  
17 without interruption in any benefit programs available to classified  
18 employees, including retirement and insurance programs. Immediately  
19 upon termination of an unclassified appointment pursuant to this  
20 subsection, an employee on assignment from the classified service  
21 shall have a right to be restored to the classified service and  
22 reinstated to the former job family level and compensation plus any  
23 adjustments and increases in salary or benefits which the employee  
24 would have received but for the leave of absence.

1 SECTION 11. This act shall become effective July 1, 2014.

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

6

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