

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 873

By: Loveless

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5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma Merit Protection  
8 Commission; amending 62 O.S. 2011, Section 34.3.1, as  
9 amended by Section 3, Chapter 303, O.S.L. 2012 (62  
10 O.S. Supp. 2015, Section 34.3.1), which relates to  
11 consolidated agencies within the Office of Management  
12 and Enterprise Services; consolidating Oklahoma Merit  
13 Protection Commission into Office of Management and  
14 Enterprise Services; amending 74 O.S. 2011, Section  
15 840-1.8, which relates to the Executive Director of  
16 the Oklahoma Merit Protection Commission; modifying  
17 procedure for appointment of and authority for  
18 Executive Director; deleting obsolete language;  
19 providing an effective date; and declaring an  
20 emergency.

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

22 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.3.1, as  
23 amended by Section 3, Chapter 303, O.S.L. 2012 (62 O.S. Supp. 2015,  
24 Section 34.3.1), is amended to read as follows:

25 Section 34.3.1. A. The Department of Central Services, Office  
26 of Personnel Management, Oklahoma State Employees Benefits Council  
27 and the State and Education Employees Group Insurance Board are  
28 consolidated into the Office of Management and Enterprise Services.

29 Effective July 1, 2016, the Oklahoma Merit Protection Commission

1 shall be consolidated into the Office of Management and Enterprise  
2 Services. The Director of the Office of Management and Enterprise  
3 Services shall assume all executive-level responsibilities for each  
4 agency and shall function as and possess the powers of the agency  
5 director for each consolidated agency as enumerated by existing  
6 statute. For the purposes of this section the term "consolidated  
7 agencies" shall mean the Department of Central Services, Office of  
8 Personnel Management, Oklahoma Merit Protection Commission, Oklahoma  
9 State Employees Benefits Council and the State and Education  
10 Employees Group Insurance Board. Any funds appropriated to, in the  
11 possession of or allocated to any of the consolidated agencies shall  
12 be deemed to be funds of the Office of Management and Enterprise  
13 Services.

14 B. Upon request of the Director of the Office of Management and  
15 Enterprise Services, the personnel of the consolidated agencies  
16 shall deliver to the Office of Management and Enterprise Services  
17 all books, papers, records and property of the consolidated  
18 agencies.

19 C. All functions, powers, duties and obligations previously  
20 assigned to each of the consolidated agencies are hereby transferred  
21 to the Office of Management and Enterprise Services.

22 D. All rules, regulations, acts, orders, determinations and  
23 decisions of the consolidated agencies pertaining to the functions  
24 and powers herein transferred and assigned to the Office of

1 Management and Enterprise Services, in force at the time of such  
2 transfer, assignment, assumption or devolution shall continue in  
3 force and effect as rules, regulations, acts, orders, determinations  
4 and decisions of the consolidated agencies until duly modified or  
5 abrogated by the appropriate body or until otherwise provided by  
6 law.

7 SECTION 2. AMENDATORY 74 O.S. 2011, Section 840-1.8, is  
8 amended to read as follows:

9 Section 840-1.8. ~~The appointing authority of the Oklahoma Merit~~  
10 ~~Protection Commission shall be the Executive Director.~~ The  
11 Executive Director of the Oklahoma Merit Protection Commission, as  
12 consolidated into the Office of Management and Enterprise Services,  
13 ~~shall be appointed by the Commission to serve at its pleasure~~  
14 Director of the Office of Management and Enterprise Services. The  
15 Executive Director, with the approval of the Commission, may employ  
16 and compensate an attorney and shall select, compensate and employ  
17 such administrative hearing officers and other personnel as deemed  
18 necessary for the proper administration of the duties and functions  
19 of the Commission. ~~Effective September 1, 1994, employees of the~~  
20 ~~Commission shall become classified employees, except those employees~~  
21 ~~with less than six (6) months of service from their enter on duty~~  
22 ~~date will remain in probationary status until obtaining permanent~~  
23 ~~status in accordance with applicable rules of the Administrator of~~  
24

1 ~~the Office of Personnel Management or as provided in Section 8 of~~  
2 ~~this act.~~

3 SECTION 3. This act shall become effective July 1, 2016.

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

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