

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL 1477

By: Murphey and Turner of the  
House

and

David of the Senate

COMMITTEE SUBSTITUTE

An Act relating to state government; amending 62 O.S. 2011, Section 34.6, as amended by Section 336, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2012, Section 34.6), which relates to the powers and duties of the Director of the Office of Management and Enterprise Services; authorizing Director to adopt certain rules and regulations; requiring Director to provide certain proposal by a certain date; amending 74 O.S. 2011, Section 905, as amended by Section 926, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section 905), which relates to the Oklahoma Public Employees Retirement System; adding member to Board; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.6, as amended by Section 336, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2012, Section 34.6), is amended to read as follows:

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

1        1. Prepare the budget document and assist in the drafting of  
2 legislation to make it effective;

3        2. Make field surveys and studies of governmental agencies,  
4 looking toward economy and greater efficiency;

5        3. Make allotments to control expenditures;

6        4. Authorize transfers of appropriation authorized by law;

7        5. Study accounting and other reports rendered by the Central  
8 Accounting and Reporting Division;

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

11       7. Aid the Governor in the economical management of state  
12 affairs; and

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

16       B. In addition to other duties, the Director of the Office of  
17 Management and Enterprise Services shall, upon request, advise and  
18 consult with members of the Legislature and legislative committees  
19 concerning revenue and expenditures of state agencies.

20       C. Not later than December 31, 2013, the Director of the Office  
21 of Management and Enterprise Services shall provide the Legislature  
22 with a proposal to consolidate, streamline, and reduce the size of  
23 the administrative code of the agencies consolidated pursuant to  
24 House Bill No. 2140 of the 1st Session of the 53rd Oklahoma

1 Legislature. The recommendation shall contain the Director's advice  
2 on the possibility of consolidating the affected code into a single  
3 title.

4 SECTION 2. AMENDATORY 74 O.S. 2011, Section 905, as  
5 amended by Section 926, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
6 2012, Section 905), is amended to read as follows:

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

23 (2) The member of the Board of Trustees on ~~the operative date~~  
24 ~~of this act~~ July 1, 1988, who was appointed by the Supreme Court

1 shall complete the term of office for which the member was  
2 appointed. The members thereafter appointed by the Supreme Court  
3 shall serve terms of office of four (4) years.

4 (3) Members of the Board of Trustees on ~~the operative date of~~  
5 ~~this act~~ July 1, 1988, who were appointed by the Speaker of the  
6 House of Representatives or by the President Pro Tempore of the  
7 Senate shall complete their term of office for which they were  
8 appointed. The initial term of office of members appointed  
9 thereafter shall expire on January 8, 1991. The members thereafter  
10 appointed by the Speaker of the House of Representatives and by the  
11 President Pro Tempore of the Senate shall serve terms of office of  
12 four (4) years.

13 (4) The initial term of office of the members appointed by the  
14 Governor shall expire on January 14, 1991. The members thereafter  
15 appointed by the Governor shall serve a term of office of four (4)  
16 years which is coterminous with the term of office of the office of  
17 the appointing authority.

18 (5) One of the members appointed to the Board by the Speaker of  
19 the House of Representatives and by the President Pro Tempore of the  
20 Senate and two members appointed to the Board by the Governor shall:

- 21 (a) have demonstrated professional experience in  
22 investment or funds management, public funds  
23 management, public or private pension fund management  
24 or retirement system management<sup>7</sup>.

1 (b) have demonstrated experience in the banking profession  
2 and have demonstrated professional experience in  
3 investment or funds management~~+~~L

4 (c) be licensed to practice law in this state and have  
5 demonstrated professional experience in commercial  
6 matters~~+~~L or

7 (d) be licensed by the Oklahoma Accountancy Board to  
8 practice in this state as a public accountant or a  
9 certified public accountant.

10 The appointing authorities, in making appointments that conform  
11 to the requirements of this subsection, shall give due consideration  
12 to balancing the appointments among the criteria specified in  
13 paragraphs (a) through (d) of this subsection.

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

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

19 (8) Notwithstanding any of the provisions of this section to  
20 the contrary, any person serving as an appointed member of the Board  
21 on ~~the operative date of this act~~ July 1, 1988, shall be eligible  
22 for reappointment when the term of office of the member expires.  
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1 (9) The Board shall elect one of its members as Chairman of the  
2 Board at its annual meeting. He shall preside over meetings of the  
3 Board and perform such other duties as may be required by the Board.

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

7 SECTION 3. This act shall become effective November 1, 2013.  
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