

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 2503

By: Pfeiffer

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 2011, Section 18-10, which relates to agricultural associations and commissions; specifying that an expense limitation shall only apply to a certain commission; amending 2 O.S. 2011, Sections 18-300, as amended by Section 27, Chapter 1, O.S.L. 2014, 18-302, 18-307, 18-308, 18-309 and 18-312 (2 O.S. Supp. 2015, Section 18-300), which relate to the Oklahoma Wheat Resources Act; removing reference to the Oklahoma Wheat Commission; modifying definition; removing powers of certain commission; modifying reference to Oklahoma Wheat Commission; requiring certain balance to be deposited in General Revenue Fund; modifying reference to Oklahoma Wheat Commission; removing requirements of certain commission; amending 62 O.S. 2011, Section 155, as last amended by Section 42, Chapter 229, O.S.L. 2013 (62 O.S. Supp. 2015, Section 155), which relates to revolving funds; removing reference to certain commission; amending 74 O.S. 2011, Section 85.3A, as amended by Section 3, Chapter 106, O.S.L. 2012 (74 O.S. Supp. 2015, Section 85.3A), which relates to the Oklahoma Central Purchasing Act; removing reference to certain commission; amending 74 O.S. 2011, Section 500.18, as amended by Section 860, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2015, Section 500.18), which relates to the State Travel Reimbursement Act; removing reference to certain commission; amending 74 O.S. 2011, Section 3601.1, as last amended by Section 19, Chapter 405, O.S.L. 2013 (74 O.S. Supp. 2015, Section 3601.1), which relates to maximum number of full-time employees; removing references to certain commissions; amending 74 O.S. 2011, Section 3907, which relates to the Oklahoma Sunset Law; removing references to certain commissions and board;

1 repealing 2 O.S. 2011, Sections 18-301, as amended by
2 Section 1, Chapter 64, O.S.L. 2012, 18-303, 18-304,
3 18-305, 18-306, 18-314, 18-315 and 18-316 (2 O.S.
4 Supp. 2015, Section 18-301), which relate to the
5 Oklahoma Wheat Resources Act; and providing an
6 effective date.

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

8 SECTION 1. AMENDATORY 2 O.S. 2011, Section 18-10, is
9 amended to read as follows:

10 Section 18-10. ~~The following agricultural commodity commissions~~
11 Oklahoma Sheep and Wool Commission shall not expend more than
12 thirty-five percent (35%) of the funds ~~they receive~~ it receives for
13 administrative expenses: ~~Oklahoma Peanut Commission; Oklahoma Pecan~~
14 ~~Commission; Oklahoma Sheep and Wool Utilization, Research and Market~~
15 ~~Development Commission; and the Oklahoma Wheat Utilization, Research~~
16 ~~and Market Development Commission.~~

17 SECTION 2. AMENDATORY 2 O.S. 2011, Section 18-300, as
18 amended by Section 27, Chapter 1, O.S.L. 2014 (2 O.S. Supp. 2015,
19 Section 18-300), is amended to read as follows:

20 Section 18-300. ~~A.~~ Sections 18-300 through 18-317 of this
21 title shall be known and may be cited as the "Oklahoma Wheat
22 Resources Act".

23 ~~B. The Oklahoma Wheat Commission shall cease to exist and be~~
24 ~~replaced by a successor organization if approved by the Commissioner~~
25 ~~of the Oklahoma Department of Agriculture, Food, and Forestry to~~

1 ~~receive the assessment contained in the Oklahoma Wheat Resources Act~~
2 ~~pursuant to the procedures outlined in the Oklahoma Agricultural~~
3 ~~Commodity Act.~~

4 SECTION 3. AMENDATORY 2 O.S. 2011, Section 18-302, is
5 amended to read as follows:

6 Section 18-302. As used in the Oklahoma Wheat Resources Act,
7 unless the context otherwise requires:

8 1. "Commission" means the Oklahoma Wheat ~~Utilization, Research~~
9 ~~and Market Development~~ Commission;

10 2. "Wheat producer" means anyone personally engaged in growing
11 wheat, who markets wheat in commercial quantities in Oklahoma, and
12 includes both the owner and tenant;

13 3. "Commercial quantities" means and includes all bushels of
14 wheat produced for market in any calendar year by a producer;

15 4. "First purchaser" means any person, public or private
16 corporation, or partnership buying, accepting for shipment within
17 the state or otherwise acquiring the property in or to wheat from a
18 producer, and includes a mortgagee, pledgee, lienor, or other
19 person, public or private, having a claim against the producer, if
20 the actual or constructive possession of such wheat is taken as part
21 payment or in satisfaction of such mortgage, pledge, lien or claim;
22 and

23 5. "Commercial channels" means the sale of wheat for any use,
24 when sold to any commercial buyer, dealer, processor, cooperative,

1 or to any person, public or private, who resells any wheat or
2 product produced from wheat.

3 SECTION 4. AMENDATORY 2 O.S. 2011, Section 18-307, is
4 amended to read as follows:

5 Section 18-307. It is hereby declared to be the public policy
6 of the State of Oklahoma to protect and foster the health,
7 prosperity, and general welfare of its people by protecting and
8 stabilizing the wheat industry and the economy of the areas
9 producing wheat. ~~In connection therewith and in furtherance
10 thereof, the Oklahoma Wheat Utilization, Research and Market
11 Development Commission shall have the power to:~~

12 ~~1. Establish an office in Oklahoma City in the Capitol or a
13 capitol office building;~~

14 ~~2. Formulate the general policies and programs of the State of
15 Oklahoma respecting the discovery, promotion, and development of
16 markets and industries for the utilization of wheat, such policies
17 and programs to be closely coordinated with the State Board of
18 Agriculture;~~

19 ~~3. Adopt and devise a program of education and publicity;~~

20 ~~4. Cooperate with local, state, national or other
21 organizations, whether public or private, or voluntary or created by
22 state or national law, engaged in work or activities involving the
23 expenditure of monies promoting the use of chemicals beneficial to
24 farming operations, contacting regulatory agencies affecting grain~~

1 ~~grading, facilitating the marketing of grain and publishing~~
2 ~~information on marketing and production problems of wheat farming.~~
3 ~~The Commission may enter into contracts and agreements with such~~
4 ~~organizations or agencies or carrying on a joint campaign of~~
5 ~~research, promotion and education. Provided, however, no Commission~~
6 ~~funds shall be used, directly or indirectly, or as a result of~~
7 ~~contract or agreement with other persons, or organizations, in~~
8 ~~supporting or opposing political candidates or political~~
9 ~~officeholders, and direct lobbying, either state or national, except~~
10 ~~that the Commission may recommend amendments to the Oklahoma Wheat~~
11 ~~Resources Act. Provided, that nothing herein shall restrict the~~
12 ~~powers of the Commission as set forth in this section;~~

13 ~~5. Promulgate such rules as are necessary to promptly and~~
14 ~~effectively administer the provisions of the Oklahoma Wheat~~
15 ~~Resources Act;~~

16 ~~6. Conduct any other program for the utilization, research and~~
17 ~~market development of wheat grown in the State of Oklahoma as deemed~~
18 ~~necessary by the Commission;~~

19 ~~7. Call and conduct such meetings and elections as may be~~
20 ~~necessary in carrying out the provisions of the Oklahoma Wheat~~
21 ~~Resources Act;~~

22 ~~8. Hire or retain legal counsel to represent wheat producers in~~
23 ~~matters pertaining to transportation problems and other matters~~
24

1 ~~which could result in potential substantial loss to wheat producers;~~
2 and

3 ~~9. Expend Commission funds for the purchase of awards and~~
4 ~~plaques used in promotional projects, baking contests and~~
5 ~~recognition of individuals who have made substantial contributions~~
6 ~~to the wheat industry.~~

7 SECTION 5. AMENDATORY 2 O.S. 2011, Section 18-308, is
8 amended to read as follows:

9 Section 18-308. A. There is hereby assessed a fee of two cents
10 (\$0.02) per bushel upon all wheat marketed by wheat producers in
11 this state and sold through commercial channels. The fee is
12 assessed and imposed on the producer at the time of sale or
13 delivery, and shall be collected and remitted by the first purchaser
14 to the Oklahoma Wheat Utilization, Research and Market Development
15 Commission. Under the provisions of the Oklahoma Wheat Resources
16 Act, no wheat shall be subject to a fee more than once.

17 B. The Commission shall allocate twenty percent (20%) of the
18 two-cent fee levied and collected pursuant to subsection A of this
19 section to the Oklahoma Wheat Research Foundation for the purpose of
20 conducting wheat research, including, but not limited to,
21 utilization and educational projects, less the cost of collecting
22 the fee, such cost not to exceed fifty percent (50%) of the total of
23 the office rental and clerical costs, and the costs of supplies and
24 postage and such cost to be prorated on the basis of eighty percent

1 (80%) to the Commission and twenty percent (20%) to the Oklahoma
2 Wheat Research Foundation.

3 C. In order for the Oklahoma Wheat Research Foundation to
4 qualify for the allocation of twenty percent (20%) of collected
5 fees, the Commission shall appoint a member of the Oklahoma Wheat
6 ~~Utilization, Research and Market Development~~ Commission to the
7 Oklahoma Wheat Research Foundation board of directors.

8 D. Any unexpended balance contained in the revolving fund
9 designated for the Wheat Utilization, Research and Market
10 Development Commission as of November 1, 2016, shall be transferred
11 and deposited to the credit of the General Revenue Fund of the State
12 Treasury.

13 SECTION 6. AMENDATORY 2 O.S. 2011, Section 18-309, as
14 amended by Section 2, Chapter 87, O.S.L. 2012 (2 O.S. Supp. 2015,
15 Section 18-309), is amended to read as follows:

16 Section 18-309. A. Producers may petition for a referendum at
17 any time after five (5) years following the effective date of the
18 Oklahoma Wheat Resources Act to determine if the assessment is to be
19 continued.

20 B. The President of the State Board of Agriculture shall call
21 and conduct a referendum if the petitions bear signatures of ten
22 percent (10%) of the wheat producers. No more than one such
23 referendum shall be conducted in any one thirty-six-month period.
24 The State Board of Agriculture shall determine if the petition bears

1 the required number of valid signatures. The President shall
2 announce the referendum at least thirty (30) days prior to the day
3 of voting. At least thirty (30) days before the referendum, the
4 President shall mail a notice of the referendum to all known wheat
5 producers in the State of Oklahoma who market wheat in commercial
6 quantities. The notice shall specify the dates, times, and places
7 for holding the referendum. The notice shall also include a sample
8 ballot with the following wording:

9 DO YOU FAVOR A CONTINUATION OF THE 20 MILL PER BUSHEL ASSESSMENT
10 ON WHEAT MARKETED IN OKLAHOMA FOR UTILIZATION, RESEARCH AND
11 MARKET DEVELOPMENT?

12 YES () NO ()

13 C. Places within each county for conducting the referendum
14 shall be designated by the Agricultural Extension Division of
15 Oklahoma State University. Voting in each county shall be
16 supervised by the county agricultural extension agent, or a person
17 designated by the Extension Division in cases where there is no
18 county agent in a county at the time of the referendum.

19 D. The Oklahoma Wheat ~~Utilization, Research and Market~~
20 ~~Development~~ Commission shall ensure sufficient ballots and supplies
21 necessary for conducting the voting and the tabulation of returns.

22 E. Certified results of the referendum in each county shall be
23 transmitted within twenty-four (24) hours after voting ends to the
24 President of the State Board of Agriculture. The ballots shall be

1 transmitted to the President within forty-eight (48) hours. Ballots
2 shall be preserved by the President for a period of at least three
3 (3) months.

4 F. The results of the referendum shall be determined by the
5 President and the results certified to the Governor, who shall issue
6 a proclamation declaring the results.

7 G. The Commission shall bear expenses of advertising and
8 conducting the referendum.

9 H. Whenever the question of levying the assessments is
10 disapproved, by failure of sixty percent (60%) of the producers
11 voting in the referendum to favor continuation of the assessments,
12 the proclamation declaring the result shall provide for the
13 termination of the assessments on April 30, following the date of
14 the referendum.

15 I. Thirty (30) days after termination of the assessment, all
16 remaining funds of the Commission shall be transferred to the
17 Experiment Stations of Oklahoma State University, to be used for
18 continued research on wheat.

19 SECTION 7. AMENDATORY 2 O.S. 2011, Section 18-312, is
20 amended to read as follows:

21 Section 18-312. ~~A. The chair of the Oklahoma Wheat~~
22 ~~Utilization, Research and Market Development Commission shall submit~~
23 ~~a written annual report to the Governor, within thirty (30) days~~
24 ~~after June 30 of each year, showing in detail all income and~~

1 ~~expenditures and any other facts relevant to the Oklahoma Wheat~~
2 ~~Resources Act. The annual report shall also include a list of all~~
3 ~~officers and employees of the Oklahoma Wheat Utilization, Research~~
4 ~~and Market Development Commission and shall indicate the official~~
5 ~~positions of the officers and employees and their salaries.~~

6 ~~B. The report shall be available to the public. A copy shall~~
7 ~~be sent to each producer upon whom the fees levied pursuant to the~~
8 ~~Oklahoma Wheat Resources Act are assessed.~~

9 ~~C. All records of the Commission shall be kept at least three~~
10 ~~(3) years.~~

11 ~~D. The Oklahoma Wheat Research Foundation shall make an annual~~
12 ~~report to the chair of the Commission, within fifteen (15) days~~
13 ~~after June 30 of each year, showing disposition of all funds~~
14 ~~allocated to it under the provisions of the Oklahoma Wheat Resources~~
15 ~~Act.~~

16 SECTION 8. AMENDATORY 62 O.S. 2011, Section 155, as last
17 amended by Section 42, Chapter 229, O.S.L. 2013 (62 O.S. Supp. 2015,
18 Section 155), is amended to read as follows:

19 Section 155. A. There is hereby created in the State Treasury
20 a revolving fund for each of the following state boards, commissions
21 and departments:

22 1. The Board of Governors of the Licensed Architects, Landscape
23 Architects and Registered Interior Designers of Oklahoma;

24 2. Oklahoma Funeral Board;

- 1 3. Board of Podiatric Medical Examiners;
- 2 4. Board of Chiropractic Examiners;
- 3 5. State Board of Registration for Foresters;
- 4 6. State Board of Medical Licensure and Supervision;
- 5 7. Oklahoma Board of Nursing;
- 6 8. State Board of Osteopathic Examiners;
- 7 9. State Board of Pharmacy;
- 8 10. State Board of Licensed Social Workers;
- 9 11. Oklahoma Motor Vehicle Commission;
- 10 12. Oklahoma Peanut Commission;
- 11 ~~13.~~ 12. Oklahoma Real Estate Commission; and
- 12 ~~14.~~ 13. Santa Claus Commission; ~~and~~
- 13 ~~15. Wheat Utilization, Research and Market Development~~
- 14 ~~Commission.~~

15 B. Each revolving fund shall consist of all monies received by
16 the boards, commissions and departments, pursuant to statutory
17 authority, but not including appropriated funds. These revolving
18 funds shall be continuing funds, not subject to fiscal year
19 limitations and shall be under the control and management of the
20 administrative authorities of the respective boards, commissions or
21 departments.

22 C. Expenditures from the revolving funds shall be made pursuant
23 to the laws of the state and the statutes relating to said boards,
24 commissions and departments, and without legislative appropriation.

1 Warrants for expenditures from said revolving funds shall be drawn
2 by the State Treasurer, based on claims signed by an authorized
3 employee or employees of the respective boards, commissions or
4 departments and approved for payment by the Director of the Office
5 of Management and Enterprise Services.

6 SECTION 9. AMENDATORY 74 O.S. 2011, Section 85.3A, as
7 amended by Section 3, Chapter 106, O.S.L. 2012 (74 O.S. Supp. 2015,
8 Section 85.3A), is amended to read as follows:

9 Section 85.3A A. Compliance with the provisions of The
10 Oklahoma Central Purchasing Act shall not be required of:

11 1. County government;

12 2. The Oklahoma State Regents for Higher Education, the
13 institutions, centers, or other constituent agencies of The Oklahoma
14 State System of Higher Education;

15 3. The telecommunications network known as OneNet;

16 4. The Department of Public Safety gun range;

17 5. The State Treasurer for the following purchases:

18 a. services, including, but not limited to, legal
19 services to assist in the administration of the
20 Uniform Unclaimed Property Act, as provided in Section
21 668 of Title 60 of the Oklahoma Statutes, and

22 b. software, hardware and associated services to assist
23 in the administration of funds and securities held by
24

1 the state, as provided in Section 71.2 of Title 62 of
2 the Oklahoma Statutes; or

3 6. CompSource Oklahoma if CompSource Oklahoma is operating
4 pursuant to a pilot program authorized by Sections 3316 and 3317 of
5 this title; ~~or~~

6 ~~7. The Oklahoma Wheat Utilization, Research and Market
7 Development Commission.~~

8 B. The State Purchasing Director may form an advisory committee
9 consisting of representatives from entities exempted from the
10 provisions of The Oklahoma Central Purchasing Act. The purpose of
11 the committee shall be to allow committee members to provide input
12 into the development of shared state purchasing contracts,
13 collaboratively participate in the integration of their purchasing
14 platforms or electronic purchasing catalogs, analyze solutions that
15 may be used by state government to meet the purchasing needs of the
16 entities, explore joint purchases of general use items that result
17 in mutual procurement of quality goods and services at the lowest
18 reasonable cost and explore flexibility, administrative relief, and
19 transformation changes through utilization of procurement
20 technology.

21 C. At the invitation of the State Purchasing Director entities
22 exempted from the provisions of The Oklahoma Central Purchasing Act
23 shall participate in the advisory committee referenced in subsection
24 B of this section.

1 D. The State Purchasing Director may invite representatives of
2 local government and local common education entities to participate
3 as members of the advisory committee.

4 SECTION 10. AMENDATORY 74 O.S. 2011, Section 500.18, as
5 amended by Section 860, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
6 2015, Section 500.18), is amended to read as follows:

7 Section 500.18 A. Except for members of the Legislature, the
8 Governor and the Lieutenant Governor, provisions of Sections 500.1
9 through 500.18 of this title shall be mandatory for all officials
10 and employees of all departments, boards, commissions and
11 institutions of the state, regardless of the provisions of any other
12 act of the Legislature, except as provided by this section. The
13 enactment of any measure in the future providing for travel
14 reimbursement of state officers and employees on the basis of
15 "actual and necessary" expenses or in any other manner inconsistent
16 with Sections 500.1 through 500.18 of this title shall be deemed to
17 provide for reimbursement in accordance with Sections 500.1 through
18 500.18 of this title unless a contrary intent is explicitly
19 expressed in this section. Sections 500.1 through 500.18 of this
20 title shall not apply, however, to travel reimbursements made by
21 political subdivisions of this state, except as otherwise provided
22 by law.

1 B. The agencies listed below are authorized certain exceptions
2 and/or exemptions to the provisions of Sections 500.1 through 500.18
3 of this title to the extent specified:

4 1. Oklahoma Department of Agriculture, Food, and Forestry:

- 5 a. The actual and reasonable expenses of travel and
6 subsistence in pursuing and developing markets for
7 Oklahoma agricultural products incurred by the
8 Commissioner, Deputy Commissioner and such employees
9 designated by the State Board of Agriculture within
10 the marketing development programs of the Oklahoma
11 Department of Agriculture, Food, and Forestry shall be
12 reimbursed to the employee incurring such expenses.
13 Reimbursement of such expenses shall be in accordance
14 with rules adopted by the Board. Expenses claimed
15 shall, prior to reimbursement, be reviewed by the
16 Board at a regular meeting and individually approved
17 or disapproved.
- 18 b. The actual and necessary expenses of out-of-state
19 travel and subsistence incurred by employees of the
20 Forestry Division authorized to evaluate and acquire
21 federal excess property or surplus property in other
22 states for use in its fire protection program, shall
23 be reimbursed to the employee incurring such expenses.
24

1 2. ~~Wheat Utilization, Research and Market Development~~

2 ~~Commission:~~

3 ~~The actual and reasonable expenses of travel, lodging and~~
4 ~~subsistence in pursuing and developing markets for Oklahoma wheat~~
5 ~~and wheat products incurred by the Commission, staff and such~~
6 ~~persons authorized by the Commission shall be reimbursed to the~~
7 ~~person incurring such expenses. Expenses of wheat trade officials~~
8 ~~on wheat trade missions from foreign countries and from other states~~
9 ~~can be reimbursed to the person previously authorized by the~~
10 ~~Commission to incur the expense. No actual and reasonable expenses~~
11 ~~shall be paid except for time spent working with wheat trade~~
12 ~~officials on wheat trade missions. Reimbursement of such expenses~~
13 ~~shall be made in accordance with rules adopted by the Commission.~~
14 ~~Expenses claimed shall, prior to reimbursement, be reviewed by the~~
15 ~~Commission at each regular meeting and individually approved or~~
16 ~~disapproved.~~

17 ~~3.~~ Department of Public Safety:

18 When traveling with the Governor or at the Governor's request,
19 personnel assigned by the Commissioner for executive security and
20 pilots on executive assignment shall be allowed their actual and
21 necessary traveling expenses, upon claims approved by the
22 Commissioner.

23 ~~4.~~ 3. Department of Corrections:

1 The Department of Corrections shall be exempt from limitations
2 of reimbursement for rented automobiles, as set forth in Section
3 500.5 of this title, when the rental is by a Correctional Officer or
4 Transportation Officer for the limited purpose of transporting
5 inmates. Reimbursement for the expense shall be on the basis of
6 actual cost.

7 ~~5.~~ 4. Oklahoma Tourism and Recreation Department:

8 The Oklahoma Tourism and Recreation Commission and Department
9 staff who promote in-state and out-of-state business for Oklahoma's
10 state-operated or state-owned parks, lodges, and golf courses and
11 the tourism and recreation industry, may be reimbursed for the
12 actual and necessary expense of travel, subsistence and
13 entertainment for this purpose. The Director of the Oklahoma
14 Tourism and Recreation Department may reimburse the Publisher of
15 Oklahoma Today magazine and its staff for expenses for meals and
16 other entertainment in order to gain advertising and promotion for
17 Oklahoma Today magazine. The Oklahoma Tourism and Recreation
18 Department may reimburse the Director of the Office of the Oklahoma
19 Film and Music Commission and staff for the actual and necessary
20 expenses for meals and other entertainment in order to promote the
21 film and music industries in this state. Reimbursement of all
22 actual and necessary expenses shall be in accordance with rules
23 adopted by the Oklahoma Tourism and Recreation Commission.

24 ~~6.~~ 5. Oklahoma Department of Commerce:

1 a. The actual and necessary expenses incurred by the
2 Director and other employees of the Department
3 authorized by the Director for the purpose of business
4 recruitment shall be reimbursed. Reimbursement of
5 expenses shall be in accordance with rules adopted by
6 the Director of the Oklahoma Department of Commerce.
7 Expenses claimed shall, prior to reimbursement, be
8 reviewed by the Director and individually approved or
9 disapproved.

10 b. The Department, at the discretion of the Director, may
11 charter aircraft for the purposes of carrying out its
12 duties and responsibilities related to business
13 recruitment and performing the duties of the Director.
14 The cost of such charter shall be exempt from the
15 provisions of Section 500.6 of this title. Claims
16 filed with the Office of Management and Enterprise
17 Services shall bear the following certification:
18 The best interests of the citizens of Oklahoma were
19 better served in that conventional ground
20 transportation was not practical or feasible for this
21 trip, aircraft from the Department of Public Safety
22 were not available for this trip, and no other claim
23 has been or will be filed as a payment for the cost of
24 transportation in connection with this trip.

1 ~~7.~~ 6. Office of Management and Enterprise Services:

2 The actual and necessary expenses of travel and subsistence
3 incurred by the Director, any state employee approved by his or her
4 appointing authority, or state officials, for travel outside the
5 state in performance of duties related to bond financing shall be
6 reimbursed to the employee or state official incurring such
7 expenses. Reimbursement for lodging expenses shall be supported by
8 three telephone bids from hotels within a reasonable distance of the
9 activity for which the travel was approved.

10 ~~8.~~ 7. Oklahoma Futures:

11 The actual and necessary expenses incurred by the members of
12 Oklahoma Futures in the performance of their duties shall be
13 reimbursed to the members incurring such expenses. Reimbursement of
14 all actual and necessary expenses shall be in accordance with rules
15 adopted by Oklahoma Futures.

16 ~~9.~~ 8. Oklahoma Development Finance Authority:

17 The actual and necessary expenses incurred by the members and
18 employees of the Oklahoma Development Finance Authority in the
19 performance of their duties shall be reimbursed to the person
20 incurring such expenses. Reimbursement of all actual and necessary
21 expenses shall be in accordance with the bylaws of the Authority.

22 ~~10.~~ 9. Oklahoma Center for the Advancement of Science and
23 Technology:
24

1 The actual and necessary expenses incurred by the members and
2 employees of the Oklahoma Center for the Advancement of Science and
3 Technology in the performance of their duties shall be reimbursed to
4 the person incurring such expenses. Reimbursement of all actual and
5 necessary expenses shall be in accordance with the bylaws of the
6 Center.

7 ~~11.~~ 10. Center for International Trade Development:

8 The actual and necessary expenses of travel, lodging and
9 subsistence incurred by the Director and authorized employees of the
10 Center for International Trade Development for performance of their
11 duties for the purpose of business recruitment and assistance shall
12 be reimbursed to the person incurring such expenses. Reimbursement
13 of such expenses shall be in accordance with the rules adopted by
14 the Director of the Center for International Trade Development.
15 Expenses claimed shall be reviewed and individually approved or
16 disapproved, prior to reimbursement, first by the Director, and
17 finally by either the Vice President, Business and Finance of
18 Oklahoma State University or the President of Oklahoma State
19 University.

20 ~~12.~~ 11. Oklahoma State Bureau of Investigation:

21 The actual and necessary expenses incurred by the Director and
22 other employees of the Bureau authorized by the Director as a result
23 of conducting investigations shall be reimbursed to each such
24 employee incurring the expenses. Reimbursement of the expenses

1 shall be in accordance with rules adopted by the Director of the
2 Oklahoma State Bureau of Investigation. Prior to reimbursement,
3 expenses claimed shall be reviewed by the Director and individually
4 approved or disapproved.

5 ~~13.~~ 12. Department of Human Services:

- 6 a. The actual and necessary expenses of travel, lodging
7 and subsistence incurred by employees of the Legal
8 Division in the performance of their duties for the
9 purpose of representing the Department of Human
10 Services or any of its officials, employees,
11 institutions or hospitals at any proceeding, including
12 depositions, held before any court, administrative
13 body or representative thereof, shall be reimbursed to
14 the employee incurring such expenses. Expenses
15 claimed shall be approved by the General Counsel and
16 the Director of Human Services prior to reimbursement.
- 17 b. The Department, at the discretion of the Director, may
18 charter aircraft when determined by the Director such
19 charter would be more practical or less expensive than
20 normal modes of transportation and when aircraft of
21 the Department of Public Safety are unavailable. The
22 costs of such charter shall be exempt from the
23 provisions of Section 500.6 of this title.

24 ~~14.~~ 13. Oklahoma Health Care Authority:

1 The actual and necessary expenses of travel, lodging and
2 subsistence incurred by employees of the Legal Division in the
3 performance of their duties for the purpose of representing the
4 Authority or any of its officials or employees, at any proceeding,
5 including depositions, held before any court, administrative body or
6 representative thereof, shall be reimbursed to the employee
7 incurring such expenses. Expenses claimed shall be approved by the
8 Administrator prior to reimbursement.

9 ~~15.~~ 14. Oklahoma State Bureau of Narcotics and Dangerous Drugs
10 Control:

11 The actual and necessary expenses incurred by the Director and
12 other employees of the Bureau authorized by the Director as a result
13 of conducting investigations shall be reimbursed to each employee
14 incurring the expenses. Reimbursement of the expenses shall be in
15 accordance with rules adopted by the Director of the Oklahoma State
16 Bureau of Narcotics and Dangerous Drugs Control. Prior to
17 reimbursement, expenses claimed shall be reviewed by the Director
18 and individually approved or disapproved.

19 ~~16.~~ 15. University Hospitals:

20 The actual and necessary expenses of travel, lodging and
21 subsistence incurred by employees of the Legal Office in the
22 performance of their duties for the purpose of representing the
23 University Hospitals or any of its officials, employees,
24 institutions or hospitals at any proceeding, including depositions,

1 held before any court, administrative body or representative
2 thereof, shall be reimbursed to the employee incurring such
3 expenses. Expenses shall be approved by the Chief Executive Officer
4 of the University Hospitals or by the University Hospitals
5 Authority.

6 ~~17.~~ 16. Oklahoma Historical Society:

7 The actual and necessary expenses of travel, subsistence and
8 entertainment incurred by the Executive Director, Deputy Director
9 and any employees designated by the Executive Committee of the
10 Oklahoma Historical Society Board of Directors in pursuing and
11 developing programs and projects for the preservation and marketing
12 of Oklahoma history shall be reimbursed to the person incurring the
13 expenses. Reimbursement of expenses shall be in accordance with
14 rules adopted by the Oklahoma Historical Society Board of Directors.
15 Prior to reimbursement, expenses claimed shall be reviewed by the
16 Executive Committee at a regularly scheduled meeting and each claim
17 shall be individually approved or disapproved.

18 ~~18.~~ 17. The Oklahoma Department of Mines:

19 The actual and necessary expenses of travel, lodging and
20 subsistence incurred by employees of the Department in the
21 performance of their duties for the purpose of representing the
22 Department or any of its officials or employees, at any proceeding,
23 hearing or meeting with federal agencies, boards, commissions,
24 congressional representatives, congressional committees or staff,

1 shall be reimbursed to the employee incurring such expenses.

2 Expenses claimed shall be approved by the Executive Director prior
3 to reimbursement.

4 ~~19.~~ 18. The Office of Attorney General:

5 The actual and necessary expenses of travel, lodging and
6 subsistence incurred by its employees in the performance of their
7 duties for the purpose of representing the state, the Legislature,
8 any state board, agency or commission, or any employee or official
9 of the state entitled to representation, at any proceeding,
10 including depositions, held before any court, administrative body or
11 any representative thereof, and the actual and necessary expenses
12 incurred by employees as a result of conducting investigations shall
13 be reimbursed to the employee incurring the expenses. The expenses
14 shall be approved by the Attorney General prior to reimbursement.

15 ~~20.~~ 19. District Attorneys Council:

16 The actual and necessary expenses of travel, lodging and
17 subsistence incurred by each district attorney and other employees
18 of the district attorney authorized by the district attorney in the
19 performance of their duties for any district other than the district
20 for which they are employed for the purpose of representing the
21 state, any county, or any employee or official of the state entitled
22 to representation at any proceeding, including depositions held
23 before any court, administrative body or any representative of a
24 court or administrative body, and the actual and necessary expenses

1 incurred as a result of conducting investigations shall be
2 reimbursed to each employee incurring the expenses. Reimbursement
3 of the expenses shall be in accordance with rules adopted by the
4 District Attorneys Council. Prior to reimbursement, expenses
5 claimed shall be reviewed by the Council and individually approved
6 or disapproved.

7 ~~21.~~ 20. The Department of Securities:

8 The actual and necessary expenses of travel, lodging and
9 subsistence incurred by the Administrator and other employees of the
10 Department of Securities in the performance of their duties for the
11 purpose of representing the Department of Securities, at any
12 proceeding, including depositions, held before any court,
13 administrative body or any representative thereof, conducting on-
14 site examinations, or conducting investigations, shall be reimbursed
15 to each employee incurring the expenses. The expenses shall be
16 approved by the Administrator of the Department of Securities prior
17 to reimbursement.

18 ~~22.~~ 21. Corporation Commission:

19 The actual and necessary travel expenses incurred by the staff
20 of the Public Utility Division as a result of conducting audits
21 and/or reviews of utility service providers shall be reimbursed to
22 each such employee incurring the expense. Reimbursement of the
23 expenses shall be as set forth in procedures established by the
24 appointing authority.

1 ~~23.~~ 22. The Department of Human Services:

2 Employees of the Department of Human Services shall be
3 reimbursed for their actual and necessary expenses of travel,
4 lodging and subsistence incurred in the performance of their duties
5 for the purpose of escorting and transporting children or adults in
6 the care or custody of the Department:

- 7 a. for out-of-state visitation, care, treatment and
8 placement of a child welfare client,
9 b. for out-of-state treatment for or placement of an
10 adult protective services client,
11 c. for out-of-state treatment for or placement of a
12 resident of a state resource center, or
13 d. for out-of-state treatment for or placement of an
14 individual with a developmental disability who is
15 living in the community in community residential
16 services.

17 Expenses claimed shall be approved by the appropriate Division
18 Administrator or Associate Director prior to reimbursement.

19 ~~24.~~ 23. The Banking Department:

20 The actual and necessary expenses of travel and lodging incurred
21 by the Commissioner and other employees of the Banking Department in
22 the performance of their duties for the Banking Department shall be
23 paid or reimbursed by the Banking Department to each employee
24

1 incurring the expenses. The expenses shall be approved by the
2 Banking Commissioner prior to payment or reimbursement.

3 ~~25.~~ 24. Oklahoma Office of Homeland Security:

4 The actual and necessary expenses of travel, lodging, and
5 subsistence incurred by the Oklahoma Homeland Security Director, as
6 a result of the duties and responsibilities of the Director, shall
7 be paid or reimbursed by the Oklahoma Office of Homeland Security.

8 ~~26.~~ 25. The Grand River Dam Authority:

9 The actual and necessary expenses of travel and lodging incurred
10 by the Board of Directors and other employees of the district in the
11 performance of their duties for the Grand River Dam Authority shall
12 be paid or reimbursed by the district to each Director or employee
13 incurring the expenses. The expenses shall be approved by the
14 General Manager of the Grand River Dam Authority prior to payment or
15 reimbursement.

16 ~~27.~~ 26. The Native American Cultural and Educational Authority:

17 The actual and necessary expenses incurred by the Directors and
18 employees of the Native American Cultural and Educational Authority
19 in performances of duties. The expenses shall be approved by the
20 Director prior to payment or reimbursement.

21 ~~28.~~ 27. Oklahoma Department of Career and Technology Education:

22 The actual and necessary expenses incurred by the Director and
23 other employees of the Department, authorized by the Director, for
24 the purpose of business recruitment, training, and the provision of

1 technical assistance shall be reimbursed. Reimbursement of expenses
2 shall be in accordance with rules adopted by the State Board of
3 Career and Technology Education. Expenses claimed, prior to the
4 reimbursement, will be reviewed by the Board and individually
5 approved or disapproved.

6 C. The agencies listed in subsection B of this section shall be
7 required to report annually the actual expenses excepted or exempted
8 from Sections 500.1 through 500.18 of this title to the Governor,
9 the President Pro Tempore of the Senate, and the Speaker of the
10 House of Representatives. The report shall be submitted no later
11 than the first day of September following the end of each fiscal
12 year.

13 SECTION 11. AMENDATORY 74 O.S. 2011, Section 3601.1, as
14 last amended by Section 19, Chapter 405, O.S.L. 2013 (74 O.S. Supp.
15 2015, Section 3601.1), is amended to read as follows:

16 Section 3601.1 A. For purposes of Sections 3601.1 through 3603
17 of this title, the term "employee" means a full-time employee or any
18 number of part-time employees whose combined weekly hours of
19 employment equal those of a full-time employee, but shall not
20 include temporary employees working on a seasonal basis between May
21 1 and October 31.

22 B. Beginning July 1, 2008, the maximum number of full-time-
23 equivalent employees for each of the following agencies, boards,
24 commissions, departments, or programs shall not exceed the numbers

1 specified in this section, except as may be authorized pursuant to
2 the provisions of Section 3603 of this title.

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MAXIMUM NUMBER OF
FULL-TIME-EQUIVALENT
EMPLOYEES

| | |
|--|------|
| Oklahoma Employment Security Commission | 1150 |
| Oklahoma Accountancy Board | 11 |
| Board of Governors of the Licensed Architects, Landscape Architects and Interior Designers of Oklahoma | 4 |
| Board of Chiropractic Examiners | 3 |
| State Board of Cosmetology | 16 |
| Board of Dentistry | 10 |
| Oklahoma State Board of Embalmers and Funeral Directors | 5 |
| State Board of Registration for Professional Engineers and Land Surveyors | 10 |
| State Board of Medical Licensure and Supervision/ Board of Podiatric Medical Examiners/State Board of Examiners of Perfusionists | 29 |
| Commission on Marginally Producing Oil and Gas Wells | 5 |
| Oklahoma Motor Vehicle Commission | 6 |
| Oklahoma Board of Nursing | 30 |

| | | |
|----|--|--------------|
| 1 | Oklahoma State Board of Examiners for Nursing | |
| 2 | Home Administrators | 4 |
| 3 | Board of Examiners in Optometry | 3 |
| 4 | State Board of Osteopathic Examiners | 7 |
| 5 | Oklahoma Peanut Commission | 2 |
| 6 | Oklahoma State Board of Pharmacy | 10 |
| 7 | State Board of Examiners of Psychologists | 2 |
| 8 | Oklahoma Real Estate Commission | 26 |
| 9 | Board of Examiners for Speech-Language Pathology | |
| 10 | and Audiology | 2 |
| 11 | Oklahoma Used Motor Vehicle and Parts Commission | 12 |
| 12 | State Board of Veterinary Medical Examiners | 6 |
| 13 | Oklahoma Wheat Utilization, Research and Market | |
| 14 | Development Commission | 7 |
| 15 | Oklahoma Firefighters Pension and Retirement | |
| 16 | System | 13 |
| 17 | Oklahoma Police Pension and Retirement System | 12 |
| 18 | Teachers' Retirement System of Oklahoma | 52 |
| 19 | Oklahoma Public Employees Retirement System | 63 |
| 20 | Oklahoma Student Loan Authority | 85 |
| 21 | Oklahoma Industrial Finance Authority/Oklahoma | |
| 22 | Development Finance Authority | 10 |
| 23 | State and Education Employees Group Insurance | |
| 24 | Board | 178 |

| | | |
|---|---|----|
| 1 | Oklahoma Capital Investment Board | 4 |
| 2 | State Board of Licensed Social Workers | 1 |
| 3 | Oklahoma State Employees Benefits Council | 38 |
| 4 | Oklahoma State Banking Department | 46 |
| 5 | Liquefied Petroleum Gas Administration | 10 |

6 C. The duties and compensation of employees, not otherwise
7 prescribed by law, necessary to perform the duties imposed upon the
8 Oklahoma Public Employees Retirement System Board of Trustees by law
9 shall be set by the Board of Trustees.

10 D. Temporary employees of the Oklahoma Used Motor Vehicle and
11 Parts Commission between the dates of November 1 and January 31
12 annually shall not be counted toward the maximum number of full-
13 time-equivalent employees provided for in this section.

14 SECTION 12. AMENDATORY 74 O.S. 2011, Section 3907, is
15 amended to read as follows:

16 Section 3907. The following statutory entities and their
17 successors shall be terminated on July 1, 2012, and all powers,
18 duties and functions shall be abolished one (1) year thereafter:

19 1. Board of Examiners for Speech-Language Pathology and
20 Audiology as created by Section 1607 of Title 59 of the Oklahoma
21 Statutes;

22 2. State Board of Veterinary Medical Examiners as created by
23 Section 698.3 of Title 59 of the Oklahoma Statutes;

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1 3. Board of Tests for Alcohol and Drug Influence as created by
2 Section 759 of Title 47 of the Oklahoma Statutes;

3 4. State Anatomical Board as created by Section 91 of Title 63
4 of the Oklahoma Statutes;

5 ~~5. Oklahoma Peanut Commission as created by Section 18-52 of~~
6 ~~Title 2 of the Oklahoma Statutes;~~

7 ~~6. Oklahoma Wheat Utilization, Research and Market Development~~
8 ~~Commission as created by Section 18-301 of Title 2 of the Oklahoma~~
9 ~~Statutes;~~

10 ~~7.~~ Board of Examiners in Optometry as created by Section 582 of
11 Title 59 of the Oklahoma Statutes;

12 ~~8.~~ 6. State Capitol Preservation Commission as created by
13 Section 4102 of this title;

14 ~~9.~~ 7. Commission on County Government Personnel Education and
15 Training as created by Section 130.1 of Title 19 of the Oklahoma
16 Statutes;

17 ~~10.~~ 8. Oklahoma Climatological Survey as created by Section 245
18 of this title;

19 ~~11.~~ 9. The State Board of Licensed Social Workers as created by
20 Section 1253 of Title 59 of the Oklahoma Statutes;

21 ~~12.~~ 10. Child Death Review Board as created by Section 1150.2
22 of Title 10 of the Oklahoma Statutes;

23 ~~13.~~ 11. Oversight Committee for State Employee Charitable
24 Contributions as created by Section 7005 of this title;

1 ~~14.~~ 12. The Wellness Council as created by Section 1382 of this
2 title;

3 ~~15.~~ 13. Oklahoma Liquefied Petroleum Gas Research, Marketing
4 and Safety Commission as created by Section 420.22 of Title 52 of
5 the Oklahoma Statutes;

6 ~~16.~~ 14. Board of Chiropractic Examiners as created by Section
7 161.4 of Title 59 of the Oklahoma Statutes; and

8 ~~17.~~ 15. Oklahoma Music Hall of Fame Board as created by Section
9 231 of Title 53 of the Oklahoma Statutes; ~~and~~

10 ~~18.~~ ~~State Board of Registration for Foresters as created by~~
11 ~~Section 1203 of Title 59 of the Oklahoma Statutes.~~

12 SECTION 13. REPEALER 2 O.S. 2011, Sections 18-301, as
13 amended by Section 1, Chapter 64, O.S.L. 2012, 18-303, 18-304, 18-
14 305, 18-306, 18-314, 18-315 and 18-316 (2 O.S. Supp. 2015, Section
15 18-301), are hereby repealed.

16 SECTION 14. This act shall become effective November 1, 2016.

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