

1 ENGROSSED SENATE
2 BILL NO. 946

By: Floyd of the Senate

3 and

4 Osburn (Mike) of the House
5

6 An Act relating to Merit Protection; creating the
7 Task Force on Merit Protection; providing expiration
8 date; stating purpose of Task Force; establishing
9 duties of Task Force; providing for membership;
10 providing for naming of Chair; providing for quorum;
11 providing for frequency of meetings; subjecting
meetings to the Oklahoma Open Meeting Act;
prohibiting compensation; providing for travel
reimbursement; directing staff support; requiring
certain report; providing for noncodification; and
providing an effective date.

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

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

17 A. There is hereby created until December 31, 2019, the Task
18 Force on Merit Protection to study and evaluate the feasibility and
19 efficacy of transferring the oversight of the Merit Protection
20 Commission to the Administrative Office of the Courts.

21 B. The Task Force shall submit a report of its findings and
22 recommendations by November 1, 2019, to the Governor, the President
23 Pro Tempore of the Senate and the Speaker of the House of
24 Representatives, which shall include, but not be limited to:

1 1. An analysis of the effects of transferring the oversight of
2 the Merit Protection Commission to the judicial branch;

3 2. Recommendations for modification of the powers and duties of
4 the Commission;

5 3. Necessary changes, if any, to the Merit System of Personnel
6 Administration and the Oklahoma Merit Protection Commission
7 Revolving Fund as may be required by a transfer of oversight;

8 4. Necessary changes, if any, to the Whistleblower Act, Section
9 840-2.5 of Title 74 of the Oklahoma Statutes, as may be required by
10 a transfer of oversight; and

11 5. Recommendations to ensure the enforcement of protections for
12 employees and citizens under the Merit System of Personnel
13 Administration.

14 C. The Task Force shall be comprised of thirteen (13) members
15 as follows:

16 1. The Administrative Director of the Courts or designee;

17 2. The Chair of the Merit Protection Commission or designee;

18 3. The Executive Director of the Merit Protection Commission or
19 designee;

20 4. The Executive Director of the Oklahoma Public Employees
21 Association or designee;

22 5. Three members appointed by the Governor, no more than two of
23 whom shall be from the same political party;

1 6. Three members of the Senate appointed by the President Pro
2 Tempore of the Senate, no more than two of whom shall be from the
3 same political party; and

4 7. Three members of the House of Representatives appointed by
5 the Speaker of the House of Representatives, no more than two of
6 whom shall be from the same political party.

7 The Chair of the Task Force shall be selected by the Governor.

8 D. A quorum of the Task Force shall be required to approve any
9 final action of the Task Force. For purposes of this section, seven
10 (7) members shall constitute a quorum.

11 E. The Task Force may meet as often as may be required in order
12 to perform the duties imposed upon it. The Chair shall call the
13 first meeting and all subsequent meetings shall be made at the call
14 of the Chair.

15 F. The meetings of the Task Force shall be subject to the
16 Oklahoma Open Meeting Act.

17 G. Members of the Task Force shall receive no compensation for
18 their service, but shall receive travel reimbursement as follows:

19 1. Legislative members of the Task Force shall be reimbursed
20 for necessary travel expenses incurred in the performance of their
21 duties in accordance with the provisions of Section 456 of Title 74
22 of the Oklahoma Statutes; and

23 2. Nonlegislative members of the Task Force shall be reimbursed
24 by their appointing authorities or respective agencies for necessary

1 travel expenses incurred in the performance of their duties in
2 accordance with the State Travel Reimbursement Act.

3 H. Staff support shall be provided by the Governor's office,
4 the Senate and the House of Representatives.

5 SECTION 2. This act shall become effective November 1, 2018.

6 Passed the Senate the 12th day of March, 2018.

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Presiding Officer of the Senate

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10 Passed the House of Representatives the ____ day of _____,
11 2018.

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Presiding Officer of the House
of Representatives

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