

1 **SENATE FLOOR VERSION**

2 February 27, 2017

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 206

By: Floyd and Thompson of the
Senate

6 and

7 Roberts (Dustin) of the
8 House

9
10 An Act relating to Merit Protection; creating the
11 Task Force on Merit Protection; providing expiration
12 date; stating purpose of Task Force; establishing
13 duties of Task Force; providing for membership;
14 providing for naming of chair; providing for quorum;
15 providing for frequency of meetings; subjecting
16 meetings to the Oklahoma Open Meeting Act;
17 prohibiting compensation; providing for travel
18 reimbursement; directing staff support; requiring
19 certain report; and providing for noncodification.

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

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

23 A. There is hereby created until December 31, 2017, the Task
24 Force on Merit Protection to study and evaluate the feasibility and
efficacy of transferring the oversight of the Merit Protection
Commission.

1 B. The task force shall submit a report of its findings and
2 recommendations by November 1, 2017, to the Governor, the President
3 Pro Tempore of the Senate and the Speaker of the House of
4 Representatives, which shall include, but not be limited to:

5 1. An analysis of the effects of transferring oversight and
6 recommendations for modification of the powers and duties of the
7 Commission;

8 2. Necessary changes, if any, to the Merit System of Personnel
9 Administration and the Oklahoma Merit Protection Commission
10 Revolving Fund as may be required by a transfer of oversight;

11 3. Necessary changes, if any, to the Whistleblower Act, Section
12 840-2.5 of Title 74 of the Oklahoma Statutes, as may be required by
13 a transfer of oversight; and

14 4. Recommendations to ensure the enforcement of protections for
15 employees and citizens under the Merit System of Personnel
16 Administration.

17 C. The task force shall be comprised of nine (9) members as
18 follows:

19 1. The Administrator of Human Capital Management of the Office
20 of Management and Enterprise Services or designee;

21 2. The Executive Director of the Merit Protection Commission or
22 designee;

23 3. The Executive Director of the Oklahoma Public Employees
24 Association or designee;

1 4. Two members appointed by the Governor, no more than one of
2 whom shall be from the same political party;

3 5. Two members of the Senate appointed by the President Pro
4 Tempore of the Senate, no more than one of whom shall be from the
5 same political party; and

6 6. Two members of the House of Representatives appointed by the
7 Speaker of the House of Representatives, no more than one of whom
8 shall be from the same political party.

9 The Chair of the task force shall be selected by the Governor.

10 D. A quorum of the task force shall be required to approve any
11 final action of the task force. For purposes of this section, five
12 (5) members shall constitute a quorum.

13 E. The task force may meet as often as may be required in order
14 to perform the duties imposed upon it. The chair shall call the
15 first meeting and all subsequent meetings shall be made at the call
16 of the chair.

17 F. The meetings of the task force shall be subject to the
18 Oklahoma Open Meeting Act.

19 G. Members of the task force shall receive no compensation for
20 their service, but shall receive travel reimbursement as follows:

21 1. Legislative members of the task force shall be reimbursed
22 for necessary travel expenses incurred in the performance of their
23 duties in accordance with the provisions of Section 456 of Title 74
24 of the Oklahoma Statutes; and

1 2. Non-legislative members of the task force shall be
2 reimbursed by their appointing authorities or respective agencies
3 for necessary travel expenses incurred in the performance of their
4 duties in accordance with the State Travel Reimbursement Act.

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

7 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
8 February 27, 2017 - DO PASS AS AMENDED
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