HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Department of Transportation; amending Section 1, Chapter 394, O.S.L. 2015 (74 O.S. Supp. 2015, Section 840-5.25), which relates to the classified service; providing exceptions for certain seasonal employees; directing

certain report to be submitted; providing an effective date; and declaring an emergency.

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 936

By: Thompson of the Senate

and

Osborn of the House

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

SECTION 1.

N 1. AMENDATORY

Section 1, Chapter 394, O.S.L.

2015 (74 O.S. Supp. 2015, Section 840-5.25), is amended to read as

follows:

Section 840-5.25 A. The Oklahoma Department of Transportation shall be under the Merit System. Except as otherwise provided in subsection subsections B through E of this section, all offices, positions, and personnel shall be classified and subject to the

provisions of the Merit System of Personnel Administration and rules
promulgated pursuant thereto. This section shall supersede and
repeal any and all executive orders issued pursuant to the Oklahoma
Personnel Act to place the agency or its predecessors under the
Merit System.

- B. In addition to offices, positions, and personnel that are unclassified as specifically provided by law, the Oklahoma

 Department of Transportation may place any employee initially employed in the following positions on or after July 1, 2015, in the unclassified service:
- 1. Five (5) executive assistant positions, assigned to an assistant director;
 - Five (5) project manager positions;
 - 3. Five (5) transportation coordinator positions; and
 - 4. Five (5) administration coordinator positions.
- 5. Seasonal employees who work less than one thousand six hundred (1,600) hours in any twelve-month period.
- C. The Department may employ seasonal employees throughout the calendar year. Such labor employed by the Department for a period of time necessary to address a seasonal need shall be in the unclassified service of the state as provided by the Oklahoma

 Personnel Act of the Oklahoma Statutes. Such employees shall not be entitled to paid leave, paid holidays, retirement, health, dental or

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life insurance, and shall be exempt from any laws, rules or practices providing for such benefits.

D. The Department, in its annual budget request, shall include a summary of the use of seasonal employees, which shall include the number of workers employed under the provisions of this section and the total wages paid to these employees.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 04/06/2016 - DO PASS, As Amended.

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