

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 951

By: Thompson

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Merit Protection  
8 Commission; amending 62 O.S. 2011, Section 34.3.1, as  
9 amended by Section 3, Chapter 303, O.S.L. 2012 (62  
10 O.S. Supp. 2015, Section 34.3.1), which relates to  
11 consolidated agencies within the Office of Management  
12 and Enterprise Services; consolidating Oklahoma Merit  
13 Protection Commission into Office of Management and  
14 Enterprise Services; amending 74 O.S. 2011, Section  
15 840-1.8, which relates to the Executive Director of  
16 the Oklahoma Merit Protection Commission; modifying  
17 procedure for appointment of and authority for  
18 Executive Director; deleting obsolete language;  
19 providing an effective date; and declaring an  
20 emergency.

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

22 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.3.1, as  
23 amended by Section 3, Chapter 303, O.S.L. 2012 (62 O.S. Supp. 2015,  
24 Section 34.3.1), is amended to read as follows:

Section 34.3.1. A. The Department of Central Services, Office  
of Personnel Management, Oklahoma State Employees Benefits Council  
and the State and Education Employees Group Insurance Board are  
consolidated into the Office of Management and Enterprise Services.  
Effective July 1, 2016, except as otherwise provided by this

1 section, the Oklahoma Merit Protection Commission shall be  
2 consolidated into the Division of the Human Capital Management of  
3 the Office of Management and Enterprise Services. The Director of  
4 the Office of Management and Enterprise Services shall assume all  
5 executive-level responsibilities for each agency and shall function  
6 as and possess the powers of the agency director for each  
7 consolidated agency as enumerated by existing statute. For the  
8 purposes of this section the term "consolidated agencies" shall mean  
9 the Department of Central Services, Office of Personnel Management,  
10 Oklahoma Merit Protection Commission, Oklahoma State Employees  
11 Benefits Council and the State and Education Employees Group  
12 Insurance Board. Any funds appropriated to, in the possession of or  
13 allocated to any of the consolidated agencies shall be deemed to be  
14 funds of the Office of Management and Enterprise Services.

15 B. Upon request of the Director of the Office of Management and  
16 Enterprise Services, the personnel of the consolidated agencies  
17 shall deliver to the Office of Management and Enterprise Services  
18 all books, papers, records and property of the consolidated  
19 agencies.

20 C. All functions, powers, duties and obligations previously  
21 assigned to each of the consolidated agencies are hereby transferred  
22 to the Office of Management and Enterprise Services; provided, the  
23 Oklahoma Merit Protection Commission shall continue to meet and  
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1 perform its duties as provided by Section 840-1.9 of Title 74 of the  
2 Oklahoma Statutes.

3 D. All rules, regulations, acts, orders, determinations and  
4 decisions of the consolidated agencies pertaining to the functions  
5 and powers herein transferred and assigned to the Office of  
6 Management and Enterprise Services, in force at the time of such  
7 transfer, assignment, assumption or devolution shall continue in  
8 force and effect as rules, regulations, acts, orders, determinations  
9 and decisions of the consolidated agencies until duly modified or  
10 abrogated by the appropriate body or until otherwise provided by  
11 law.

12 SECTION 2. AMENDATORY 74 O.S. 2011, Section 840-1.8, is  
13 amended to read as follows:

14 Section 840-1.8. ~~The appointing authority of the Oklahoma Merit~~  
15 ~~Protection Commission shall be the Executive Director.~~ The  
16 Executive Director of the Oklahoma Merit Protection Commission, as  
17 consolidated into the Office of Management and Enterprise Services,  
18 shall be appointed by the ~~Commission to serve at its pleasure~~  
19 Director of the Office of Management and Enterprise Services. The  
20 ~~Executive Director, with the approval of the Commission~~ Director of  
21 the Office of Management and Enterprise Services, may employ and  
22 compensate an attorney and shall select, compensate and employ such  
23 administrative hearing officers and other personnel as deemed  
24 necessary for the proper administration of the duties and functions

1 of the Commission. ~~Effective September 1, 1994, employees of the~~  
2 ~~Commission shall become classified employees, except those employees~~  
3 ~~with less than six (6) months of service from their enter on duty~~  
4 ~~date will remain in probationary status until obtaining permanent~~  
5 ~~status in accordance with applicable rules of the Administrator of~~  
6 ~~the Office of Personnel Management or as provided in Section 8 of~~  
7 ~~this act.~~

8 SECTION 3. This act shall become effective July 1, 2016.

9 SECTION 4. It being immediately necessary for the preservation  
10 of the public peace, health and safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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