

1 ENGROSSED SENATE  
2 BILL NO. 850

By: Jolley and Treat of the  
Senate

3 and

4 Sears and Casey of the  
5 House

6  
7 An Act relating to relating to the State Department  
8 of Health; providing that employees of Department be  
9 in classified service and subject to Merit System of  
10 Personnel Administration; providing exceptions;  
11 amending 74 O.S. 2011, Section 840-5.5, as last  
12 amended by Section 6, Chapter 117, O.S.L. 2014 (74  
13 O.S. Supp. 2014, Section 840-5.5) which relates to  
14 unclassified employees; providing for codification;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 840-5.25 of Title 74, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. The State Department of Health shall be under the Merit  
22 System. Except as otherwise provided in subsection B of this  
23 section or Section 840-5.5 of Title 74 of the Oklahoma Statutes or  
24 except as otherwise provided by law, 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

1 all executive orders issued pursuant to the Oklahoma Personnel Act  
2 to place the agency or its predecessors under the Merit System.

3 B. In addition to offices, positions, and personnel that are  
4 unclassified as specifically provided by law, the State Department  
5 of Health may place in the unclassified service any employee who is  
6 initially employed on or after July 1, 2015, in the following  
7 positions:

- 8 1. State Commissioner of Health;
- 9 2. Assistant State Commissioner of Health;
- 10 3. Senior Deputy Commissioner of Health;
- 11 4. Deputy Commissioner of Health;
- 12 5. Assistant Deputy Commissioner of Health;
- 13 6. Chief Operating Officer;
- 14 7. Service Director;
- 15 8. County Health Department Regional Director;
- 16 9. Assistant Service Director;
- 17 10. Administrative Program Manager;
- 18 11. Executive Assistant;
- 19 12. Executive Secretary;
- 20 13. Paralegal;
- 21 14. Legal Assistant;
- 22 15. Legal Secretary;
- 23 16. Commissioned Peace Officer;
- 24 17. Internal Auditor;

1 18. Business Officer;

2 19. Operations Manager;

3 20. State Epidemiologist; and

4 21. All positions or employees assigned to the Behavioral Risk  
5 Surveillance System for Health Care Information.

6 SECTION 2. AMENDATORY 74 O.S. 2011, Section 840-5.5, as  
7 last amended by Section 6, Chapter 117, O.S.L. 2014 (74 O.S. Supp.  
8 2014, Section 840-5.5), is amended to read as follows:

9 Section 840-5.5. A. The following offices, positions, and  
10 personnel shall be in the unclassified service and shall not be  
11 placed under the classified service:

12 1. Persons chosen by popular vote or appointment to fill an  
13 elective office, and their employees, except the employees of the  
14 Corporation Commission, the State Department of Education and the  
15 Department of Labor;

16 2. Members of boards and commissions, and heads of agencies;  
17 also one principal assistant or deputy and one executive secretary  
18 for each state agency;

19 3. All judges, elected or appointed, and their employees;

20 4. Persons employed with one-time, limited duration, federal or  
21 other grant funding that is not continuing or indefinitely  
22 renewable. The length of the unclassified employment shall not  
23 exceed the period of time for which that specific federal funding is  
24 provided;

1           5. All officers and employees of The Oklahoma State System of  
2 Higher Education, State Board of Education and Oklahoma Department  
3 of Career and Technology Education;

4           6. Persons employed in a professional or scientific capacity to  
5 make or conduct a temporary and special inquiry, investigation, or  
6 examination on behalf of the Legislature or a committee thereof or  
7 by authority of the Governor. These appointments and authorizations  
8 shall terminate on the first day of the regular legislative session  
9 immediately following the appointment, if not terminated earlier.  
10 However, nothing in this paragraph shall prevent the reauthorization  
11 and reappointment of any such person. Any such appointment shall be  
12 funded from the budget of the appointing authority;

13           7. Election officials and employees;

14           8. Temporary employees employed to work less than one thousand  
15 (1,000) hours in any twelve-month period, and seasonal employees  
16 employed by the Oklahoma Tourism and Recreation Department pursuant  
17 to Section 2241 of this title who work less than one thousand six  
18 hundred (1,600) hours in any twelve-month period;

19           9. Department of Public Safety employees occupying the  
20 following offices or positions:

- 21           a. administrative aides to the Commissioner,
- 22           b. executive secretaries to the Commissioner,
- 23           c. the Governor's representative of the Oklahoma Highway  
24           Safety Office who shall be appointed by the Governor,

- 1 d. Highway Patrol Colonel,
- 2 e. Highway Patrol Lieutenant Colonel,
- 3 f. Director of Finance,
- 4 g. noncommissioned pilots,
- 5 h. Information Systems Administrator,
- 6 i. Law Enforcement Telecommunications System Specialist,
- 7 j. Director of Driver Compliance,
- 8 k. Director of Transportation Division,
- 9 l. Director of the Oklahoma Highway Safety Office,
- 10 m. Civil Rights Administrator,
- 11 n. Budget Analyst,
- 12 o. Comptroller,
- 13 p. Chaplain,
- 14 q. Helicopter Mechanic,
- 15 r. Director of Safety Compliance,
- 16 s. Human Resources Director,
- 17 t. Administrator of Department Services, and
- 18 u. a maximum of seven (7) positions for the purpose of
- 19 administering programs in the Oklahoma Highway Safety
- 20 Office, within full-time employee limitations of the
- 21 Department, employed with federal funding that is
- 22 continuing or indefinitely renewable. The
- 23 authorization for such positions shall be terminated
- 24 if the federal funding for positions is discontinued;

1 provided, any person appointed to a position prescribed in  
2 subparagraph d or e of this paragraph shall have a right of return  
3 to the classified commissioned position without any loss of rights,  
4 privileges or benefits immediately upon completion of the duties in  
5 the unclassified commissioned position;

6 10. Professional trainees only during the prescribed length of  
7 their course of training or extension study;

8 11. Students who are employed on a part-time basis, which shall  
9 be seventy-five percent (75%) of a normal forty-hour work week or  
10 thirty (30) hours per week, or less, or on a full-time basis if the  
11 employment is pursuant to a cooperative education program such as  
12 that provided for under Title I IV-D of the Higher Education Act of  
13 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly  
14 enrolled in:

15 a. an institution of higher learning within The Oklahoma  
16 State System of Higher Education,

17 b. an institution of higher learning qualified to become  
18 coordinated with The Oklahoma State System of Higher  
19 Education. For purposes of this section, a student  
20 shall be considered a regularly enrolled student if  
21 the student is enrolled in a minimum of five (5) hours  
22 of accredited graduate courses or a minimum of ten  
23 (10) hours of accredited undergraduate courses,  
24 provided, however, the student shall only be required

1 to be enrolled in a minimum of six (6) hours of  
2 accredited undergraduate courses during the summer, or  
3 c. high school students regularly enrolled in a high  
4 school in Oklahoma and regularly attending classes  
5 during such time of enrollment;

6 12. The spouses of personnel who are employed on a part-time  
7 basis to assist or work as a relief for their spouses in the  
8 Oklahoma Tourism and Recreation Department;

9 13. Service substitute attendants who are needed to replace  
10 museum and site attendants who are unavoidably absent. Service  
11 substitutes may work as part-time or full-time relief for absentees  
12 for a period of not more than four (4) weeks per year in the  
13 Oklahoma Historical Society sites and museums; such substitutes will  
14 not count towards the agency's full-time-equivalent (FTE) employee  
15 limit;

16 14. Employees of the Oklahoma House of Representatives, the  
17 State Senate, or the Legislative Service Bureau;

18 15. Corporation Commission personnel occupying the following  
19 offices and positions:

- 20 a. Administrative aides, and executive secretaries to the  
21 Commissioners,
- 22 b. Directors of all the divisions, personnel managers and  
23 comptrollers,
- 24 c. General Counsel,

- 1 d. Public Utility Division Chief Engineer,
- 2 e. Public Utility Division Chief Accountant,
- 3 f. Public Utility Division Chief Economist,
- 4 g. Public Utility Division Deputy Director,
- 5 h. Secretary of the Commission,
- 6 i. Deputy Conservation Director,
- 7 j. Manager of Pollution Abatement,
- 8 k. Manager of Field Operations,
- 9 l. Manager of Technical Services,
- 10 m. Public Utility Division Chief of Telecommunications,
- 11 n. Director of Information Services,
- 12 o. All Data Processing employees hired on or after
- 13 September 1, 2005,
- 14 p. All Public Utilities employees hired on or after
- 15 September 1, 2007,
- 16 q. All Regulatory Program Managers hired on or after
- 17 September 1, 2007, and
- 18 r. All Pipeline Safety Department employees hired on or
- 19 after September 1, 2008;

20 16. At the option of the employing agency, the Supervisor,  
21 Director, or Educational Coordinator in any other state agency  
22 having a primary responsibility to coordinate educational programs  
23 operated for children in state institutions;

1 17. Department of Mental Health and Substance Abuse Services  
2 personnel occupying the following offices and positions at each  
3 facility:

- 4 a. Director of Facility,
- 5 b. Deputy Director for Administration,
- 6 c. Clinical Services Director,
- 7 d. Executive Secretary to Director, and
- 8 e. Directors or Heads of Departments or Services;

9 18. Office of Management and Enterprise Services personnel  
10 occupying the following offices and positions:

- 11 a. State Comptroller,
- 12 b. Administrative Officers,
- 13 c. Alternator Claims Auditor,
- 14 d. Employees hired to fulfill state compliance agency  
15 requirements under Model Tribal Gaming Compacts,
- 16 e. Employees of the Budget Division,
- 17 f. Employees of the Fiscal and Research Division,
- 18 g. Employees hired to work on the CORE Systems Project,  
19 and
- 20 h. The following employees of the Information Services  
21 Division:
  - 22 (1) Information Services Division Manager,
  - 23 (2) Network Manager,
  - 24 (3) Network Technicians,

- 1 (4) Security Manager,
- 2 (5) Contracts/Purchasing Manager,
- 3 (6) Operating and Applications Manager,
- 4 (7) Project Manager,
- 5 (8) Help Desk Manager,
- 6 (9) Help Desk Technicians,
- 7 (10) Quality Assurance Manager,
- 8 (11) ISD Analysts,
- 9 (12) CORE Manager,
- 10 (13) Enterprise System/Database Software Manager,
- 11 (14) Data Center Operations and Production Manager,
- 12 (15) Voice Communications Manager,
- 13 (16) Applications Development Manager,
- 14 (17) Projects Manager,
- 15 (18) PC's Manager,
- 16 (19) Servers Manager,
- 17 (20) Portal Manager,
- 18 (21) Procurement Specialists,
- 19 (22) Security Technicians,
- 20 (23) Enterprise Communications and Network  
21 Administrator,
- 22 (24) Server Support Specialists,
- 23 (25) Senior Server Support Specialists,
- 24 (26) Systems Support Specialists,

- 1 (27) Senior Systems Support Specialists,
- 2 (28) Chief Technology Officer,
- 3 (29) Facility Manager,
- 4 (30) Application Development Specialists,
- 5 (31) Senior Application Development Specialists,
- 6 (32) Workstation Specialists,
- 7 (33) Senior Workstation Specialists,
- 8 (34) Cabling Infrastructure Administration,
- 9 (35) Planning Specialists,
- 10 (36) Senior Planning Specialists,
- 11 (37) Network Specialists,
- 12 (38) Senior Network Specialists,
- 13 (39) Voice Communication Specialists, and
- 14 (40) Senior Voice Communication Specialists;

15 19. Employees of the Oklahoma Industrial Finance Authority;

16 20. Those positions so specified in the annual business plan of  
17 the Oklahoma Department of Commerce;

18 21. Those positions so specified in the annual business plan of  
19 the Oklahoma Center for the Advancement of Science and Technology;

20 22. The following positions and employees of the Oklahoma  
21 School of Science and Mathematics:

- 22 a. positions for which the annual salary is Twenty-four  
23 Thousand One Hundred Ninety-three Dollars (\$24,193.00)  
24 or more, as determined by the Office of Management and

1 Enterprise Services, provided no position shall become  
2 unclassified because of any change in salary or grade  
3 while it is occupied by a classified employee,  
4 b. positions requiring certification by the State  
5 Department of Education, and  
6 c. positions and employees authorized to be in the  
7 unclassified service of the state elsewhere in this  
8 section or in subsection B of this section;

9 23. Office of Management and Enterprise Services employees  
10 occupying the following positions:

- 11 a. the Carl Albert Internship Program Coordinator,
- 12 b. one Administrative Assistant,
- 13 c. one Workforce Planning Manager,
- 14 d. Assistant Administrators,
- 15 e. one Associate Administrator, and
- 16 f. Division Directors;

17 24. Department of Labor personnel occupying the following  
18 offices and positions:

- 19 a. two Deputy Commissioners,
- 20 b. two Executive Secretaries to the Commissioner,
- 21 c. Chief of Staff,
- 22 d. two Administrative Assistants,
- 23 e. Information Systems Administrator,
- 24 f. three Safety and Health Directors,

- 1 g. Research Director,
- 2 h. Employment Standards Director,
- 3 i. Asbestos Director,
- 4 j. General Counsel,
- 5 k. one Legal Secretary,
- 6 l. one Docket Clerk, and
- 7 m. two Information Systems Application Specialists;

8 25. The State Bond Advisor and his or her employees;

9 26. The Oklahoma Employment Security Commission employees  
10 occupying the following positions:

- 11 a. Associate Director,
- 12 b. Secretary to the Associate Director, and
- 13 c. Assistant to the Executive Director;

14 27. Officers and employees of the State Banking Department;

15 28. Officers and employees of the University Hospitals

16 Authority except personnel in the state classified service pursuant  
17 to Section 3211 of Title 63 of the Oklahoma Statutes and members of  
18 the University Hospitals Authority Model Personnel System created  
19 pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma  
20 Statutes or as otherwise provided for in Section 3213.2 of Title 63  
21 of the Oklahoma Statutes;

22 29. Alcoholic Beverage Laws Enforcement Commission employees  
23 occupying the following positions:

24

- 1 a. three Administrative Service Assistant positions,  
2 however, employees in such positions who are in the  
3 unclassified service on June 4, 2003, may make an  
4 election to be in the classified service without a  
5 loss in salary by September 1, 2003, and  
6 b. the Deputy Director position in addition to the one  
7 authorized by paragraph 2 of this subsection;

8 30. The Oklahoma State Bureau of Investigation employees  
9 occupying the following positions:

- 10 a. five assistant directors,  
11 b. six special investigators,  
12 c. one information representative,  
13 d. one federally funded physical evidence technician,  
14 e. four federally funded laboratory analysts,  
15 f. a maximum of fourteen positions employed for the  
16 purpose of managing the automated information systems  
17 of the agency,  
18 g. one executive secretary in addition to the one  
19 executive secretary authorized pursuant to paragraph 2  
20 of this subsection,  
21 h. Child Abuse Response Team (CART) investigator,  
22 i. Child Abuse Response Team (CART) forensic interviewer,  
23 and  
24

1           j.    nine administration and research positions and five  
2                    data processing and information technology positions  
3                    transferred from the Criminal Justice Resource Center  
4                    pursuant to Section 150.17a of this title;

5       31.   The Department of Transportation, the following positions:

- 6           a.    Director of the Oklahoma Aeronautics Commission,
- 7           b.    five Department of Transportation Assistant Director
- 8                    positions,
- 9           c.    eight field division engineer positions,
- 10          d.    one pilot position,
- 11          e.    five Project Manager Positions, and
- 12          f.    five Transportation Coordinators;

13       32.   Commissioners of the Land Office employees occupying the  
14 following positions:

- 15          a.    Chief Financial Officer,
- 16          b.    two Assistant Directors of Financial Services,
- 17          c.    two Archivists,
- 18          d.    one Audit Tech position,
- 19          e.    two Auditor positions,
- 20          f.    two Accounting Tech I positions,
- 21          g.    two Administrative Assistant positions,
- 22          h.    one Imaging Specialist position,
- 23          i.    one Information Systems Specialist position,
- 24          j.    Director of Communications,

- k. Director of Royalty Compliance,
- l. Director of Mineral Management,
- m. Accountant or Certified Public Accountant,
- n. Commercial Property Manager,
- o. Assistant Secretary,
- p. Director of Real Estate Management,
- q. one executive assistant,
- r. one legal secretary,
- s. one secretary,
- t. one Assistant Commercial Property Manager,
- u. one Oil and Gas Production Advisor or Geologist,
- v. one Soil Conservationist,
- w. one Administrative Programs Officer, and
- x. one Geographic Information Systems Specialist;

33. Within the Oklahoma State Bureau of Narcotics and Dangerous  
Drugs Control Commission, the following positions:

- a. six Narcotics Agent positions and three Typist  
Clerk/Spanish transcriptionists, including a Typist  
Clerk Supervisor/Spanish transcriptionist, provided,  
authorization for such positions shall be terminated  
if the federal funding for the positions is  
discontinued,
- b. one executive secretary in addition to the one  
authorized pursuant to paragraph 2 of this subsection,

- 1 c. one fiscal officer,
- 2 d. one full-time Programmer, and
- 3 e. one full-time Network Engineer;

4 34. The Military Department of the State of Oklahoma is  
5 authorized such unclassified employees within full-time employee  
6 limitations to work in any of the Department of Defense directed  
7 youth programs, the State of Oklahoma Juvenile Justice youth  
8 programs, those persons reimbursed from Armory Board or Billeting  
9 Fund accounts, and skilled trade positions;

10 35. Within the Oklahoma Commission on Children and Youth the  
11 following unclassified positions:

- 12 a. one Oversight Specialist and one Community Development  
13 Planner,
- 14 b. one State Plan Grant Coordinator, provided  
15 authorization for the position shall be terminated  
16 when federal support for the position by the United  
17 States Department of Education Early Intervention  
18 Program is discontinued,
- 19 c. one executive secretary in addition to the one  
20 authorized pursuant to paragraph 2 of this subsection,  
21 and
- 22 d. one Programs Manager;

23 36. The following positions and employees of the Office of  
24 Management and Enterprise Services:

- a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection,
- b. the Director of Central Purchasing,
- c. one Alternate Fuels Administrator,
- d. one Director of Special Projects,
- e. three postauditors,
- f. four high-technology contracting officers,
- g. one Executive Assistant to the Purchasing Director,
- h. four Contracts Managers,
- i. one Associate Director,
- j. one specialized HiTech/Food Contracting Officer,
- k. one State Use Contracting Officer,
- l. one Property Distribution Administrator,
- m. three licensed architects assigned to the Construction and Properties Division,
- n. three licensed engineers assigned to the Construction and Properties Division,
- o. eight construction consultants assigned to the Construction and Properties Division,
- p. one attorney assigned to the Construction and Properties Division,
- q. three positions assigned to the Information Services Division, which shall include one Information

- 1 Technology Manager, one Applications Specialist and  
2 one Data Planning Specialist,  
3 r. four positions assigned to Fleet Management, which  
4 shall include one Deputy Fleet Manager and three  
5 Management Analysts,  
6 s. one Chief Auditor,  
7 t. one Assistant Director of Central Purchasing Division,  
8 u. one Professional Errors and Omissions Liability  
9 Adjuster,  
10 v. three Strategic Sourcing Managers,  
11 w. three Strategic Sourcing Assistant Managers, and  
12 x. two Printing Services Brokers;

13 37. Oklahoma Water Resources Board personnel occupying the  
14 following offices and positions:

- 15 a. four Water Quality Assistant Division Chiefs,  
16 b. four Water Resources Division Chiefs, and  
17 c. Director of Water Planning;

18 38. J.D. McCarty Center for Children with Developmental  
19 Disabilities personnel occupying the following offices and  
20 positions:

- 21 a. Physical Therapists,  
22 b. Physical Therapist Assistants,  
23 c. Occupational Therapists,  
24 d. Certified Occupational Therapist Aides, and

1 e. Speech Pathologists;

2 39. The Development Officer, the Director of the State Museum  
3 of History and the Cherokee Strip Regional Heritage Center Director  
4 within the Oklahoma Historical Society;

5 40. Oklahoma Department of Agriculture, Food, and Forestry  
6 personnel occupying the following positions:

7 a. one Executive Secretary in addition to the Executive  
8 Secretary authorized by paragraph 2 of this subsection  
9 and one Executive Assistant,

10 b. nineteen Agricultural Marketing Coordinator III  
11 positions,

12 c. temporary fire suppression personnel, regardless of  
13 the number of hours worked, who are employed by the  
14 Oklahoma Department of Agriculture, Food, and  
15 Forestry; provided, however, notwithstanding the  
16 provisions of any other section of law, the hours  
17 worked by such employees shall not entitle such  
18 employees to any benefits received by full-time  
19 employees,

20 d. one Information Technology Specialist,

21 e. one Director of Administrative Services,

22 f. one Water Quality Consumer Complaint Coordinator,

23 g. one hydrologist position,

24 h. Public Information Office Director,

- 1 i. one Information Technology Technician,  
2 j. Legal Services Director,  
3 k. Animal Industry Services Director,  
4 l. Agricultural Environmental Management Services  
5 Director,  
6 m. Forestry Services Director,  
7 n. Plant Industry and Consumer Services Director,  
8 o. one Grants Administrator position,  
9 p. Director of Laboratory Services,  
10 q. Chief of Communications,  
11 r. Public Information Manager,  
12 s. Inventory/Supply Officer,  
13 t. five Agriculture Field Inspector positions assigned  
14 the responsibility for conducting inspections and  
15 audits of agricultural grain storage warehouses. All  
16 other Agriculture Field Inspector positions and  
17 employees of the Oklahoma Department of Agriculture,  
18 Food, and Forestry shall be classified and subject to  
19 the provisions of the Merit System of Personnel  
20 Administration. On November 1, 2002, all other  
21 unclassified Agriculture Field Inspectors shall be  
22 given status in the classified service as provided in  
23 Section 840-4.2 of this title,  
24 u. Rural Fire Coordinator,

- v. one Agricultural Marketing Coordinator I,
- w. Food Safety Division Director,
- x. two Environmental Program Specialists,
- y. two Scale Technicians,
- z. two Plant Protection Specialists, and
- aa. Chief Agent;

41. The Contracts Administrator within the Oklahoma State Employees Benefits Council;

42. The Development Officer within the Oklahoma Department of Libraries;

43. Oklahoma Real Estate Commission personnel occupying the following offices and positions:

- a. Educational Program Director, and
- b. Data Processing Manager;

44. A Chief Consumer Credit Examiner for the Department of Consumer Credit;

45. All officers and employees of the Oklahoma Capitol Complex and Centennial Commemoration Commission;

46. All officers and employees of the Oklahoma Motor Vehicle Commission;

47. One Museum Archivist of The Will Rogers Memorial Commission;

48. One Fire Protection Engineer of the Office of the State Fire Marshal;

1        49. Acting incumbents employed pursuant to Section 209 of Title  
2 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not  
3 be included in any limitation on full-time equivalency imposed by  
4 law on an agency. Permanent classified employees may request a  
5 leave of absence from classified status and accept an unclassified  
6 appointment and compensation as an acting incumbent with the same  
7 agency; provided, the leave shall expire no later than two (2) years  
8 from the date of the acting incumbent appointment. An appointing  
9 authority may establish unclassified positions and appoint  
10 unclassified employees to perform the duties of a permanent  
11 classified employee who is on leave of absence from a classified  
12 position to serve as an acting incumbent. All unclassified  
13 appointments created pursuant to this paragraph shall expire no  
14 later than two (2) years from the date of appointment. Classified  
15 employees accepting unclassified appointments and compensation  
16 pursuant to this paragraph shall be entitled to participate without  
17 interruption in any benefit programs available to classified  
18 employees, including retirement and insurance programs. Immediately  
19 upon termination of an unclassified appointment pursuant to this  
20 paragraph, an employee on assignment from the classified service  
21 shall have a right to be restored to the classified service and  
22 reinstated to the former job family level and compensation plus any  
23 adjustments and increases in salary or benefits which the employee  
24 would have received but for the leave of absence;

1           50. The Oklahoma Homeland Security Director and all other  
2 positions assigned the responsibilities of working in the Oklahoma  
3 Office of Homeland Security;

4           ~~51. The following eighteen (18) positions in the State~~  
5 ~~Department of Health:~~

- 6           ~~a. one surveillance supervisor,~~
- 7           ~~b. one surveillance project monitor,~~
- 8           ~~c. two bilingual interviewers,~~
- 9           ~~d. eight senior interviewers, and~~
- 10          ~~e. six interviewers;~~

11          ~~52.~~ State Board of Licensure for Professional Engineers and  
12 Land Surveyors personnel occupying the following offices and  
13 positions:

- 14          a. one Director of Enforcement, and
- 15          b. two Board Investigators;

16          ~~53.~~ 52. One Information Systems Data Management Analyst of the  
17 State and Education Employees Group Insurance Board;

18          ~~54.~~ 53. Two Management Information Systems positions of the  
19 Office of Juvenile Affairs; and

20          ~~55.~~ 54. Heads of agencies, principal assistants or deputies and  
21 executive secretaries of an agency that is consolidated into another  
22 agency.

1 B. If an agency has the authority to employ personnel in the  
2 following offices and positions, the appointing authority shall have  
3 the discretion to appoint personnel to the unclassified service:

4 1. Licensed medical doctors, osteopathic physicians, dentists,  
5 psychologists, and nurses;

6 2. Certified public accountants;

7 3. Licensed attorneys;

8 4. Licensed veterinarians; and

9 5. Licensed pharmacists.

10 C. Effective July 1, 1996, authorization for unclassified  
11 offices, positions, or personnel contained in a bill or joint  
12 resolution shall terminate June 30 of the ensuing fiscal year after  
13 the authorization unless the authorization is codified in the  
14 Oklahoma Statutes or the termination is otherwise provided in the  
15 legislation.

16 D. The appointing authority of agencies participating in the  
17 statewide information systems project may establish unclassified  
18 positions and appoint unclassified employees to the project as  
19 needed. Additional unclassified positions may be established, if  
20 required, to appoint an unclassified employee to perform the duties  
21 of a permanent classified employee who is temporarily absent from a  
22 classified position as a result of assignment to this project. All  
23 unclassified appointments under this authority shall expire no later  
24 than December 31, 2007, and all unclassified positions established

1 to support the project shall be abolished. Both the positions and  
2 appointments resulting from this authority shall be exempt from any  
3 agency FTE limitations and any limits imposed on the number of  
4 unclassified positions authorized. Permanent classified employees  
5 may request a leave of absence from classified status and accept an  
6 unclassified appointment and compensation with the same agency under  
7 the provisions of this subsection; provided, the leave shall expire  
8 no later than December 31, 2007. Employees accepting the  
9 appointment and compensation shall be entitled to participate  
10 without interruption in any benefit programs available to classified  
11 employees, including retirement and insurance programs. Immediately  
12 upon termination of an unclassified appointment pursuant to this  
13 subsection, an employee on assignment from the classified service  
14 shall have a right to be restored to the classified service and  
15 reinstated to the former job family level and compensation plus any  
16 adjustments and increases in salary or benefits which the employee  
17 would have received but for the leave of absence.

18 SECTION 3. This act shall become effective July 1, 2015.

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

23

24

1 Passed the Senate the 20th day of May, 2015.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2015.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives