

ENGROSSED SENATE
BILL NO. 26

BY: ROBERTS of the SENATE

and

MAXEY of the HOUSE

AN ACT RELATING TO STATE GOVERNMENT; AMENDING SECTION 6, CHAPTER 328, O.S.L. 1989, AND SECTION 4, CHAPTER 328, O.S.L. 1989, AS AMENDED BY SECTION 3, CHAPTER 214, O.S.L. 1990, WHICH RELATE TO THE RECODIFICATION COMMITTEE AND THE SENTENCING/RELEASE POLICY COMMITTEE; PROVIDING FOR NUMBER OF MEMBERS TO CONSTITUTE QUORUM; MODIFYING TERM OF CHAIRMAN; INCREASING CERTAIN MEMBERSHIP; PROVIDING FOR NONCODIFICATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 6, Chapter 328, O.S.L. 1989, is amended to read as follows:

Section 6. A. Within fifteen (15) days from the initial appointment of membership for the Recodification and the Sentencing/Release Policy Committees, the Chairman and co-chairman of each committee shall be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives from the membership of the respective committees, who shall serve until ~~June 30, 1991~~ June 1, 1992.

B. Other officers may be elected to serve their respective committees for terms of office as may be designated by the committee members. The Chairman of each committee or his designee shall preside at meetings.

C. The Committees shall meet at least one time per month and at such other times as may be set by the Chairman of the committee.

D. Members of the committees shall receive no salary; however, all members of the committees shall be reimbursed for their actual and necessary travel expenses as follows:

1. Legislative members of the committees shall receive reimbursement from the house in which they serve as provided in the State Travel Reimbursement Act, except when the Legislature is in session and the meeting is held in Oklahoma City.

2. Nonlegislative committee members employed by the state shall be reimbursed by their respective employing agency pursuant to the Travel Reimbursement Act.

3. Any other committee member shall receive reimbursement pursuant to the Travel Reimbursement Act from funds of the Legislative Service Bureau.

E. Meetings of the Recodification and Sentencing/Release Policy Committees shall comply with the provisions of the Open Meeting Act.

F. ~~A majority of the~~ The presence of seven members appointed to ~~a committee~~ the Recodification Committee shall constitute a quorum and a majority present may act for the committee. The presence of six members appointed to the Sentencing/Release Policy Committee shall constitute a quorum and a majority present may act for the committee.

G. The committees shall keep minutes of meetings and voting records of each appointed member on file pursuant to the Open Records Act.

SECTION 2. AMENDATORY Section 4, Chapter 328, O.S.L.

1989, as amended by Section 3, Chapter 214, O.S.L. 1990, is amended to read as follows:

Section 4. A. The Sentencing/Release Policy Committee shall consist of ~~seventeen (17)~~ eighteen (18) members appointed as follows:

1. One member shall be a presiding judge of a court having criminal jurisdiction, to be appointed by the Assembly of Presiding Judges;

2. One member shall be a district attorney or assistant district attorney, to be appointed by the District Attorneys Association;

3. One member shall be a practicing attorney having substantial experience representing criminal defendants, to be appointed by the Oklahoma Association of Criminal Defense Lawyers and the Oklahoma Trial Lawyers Association;

4. One member shall be an active law enforcement officer, to be appointed by the Sheriffs and Peace Officers Association;

5. One member shall be an attorney from the Public Defender's Office, to be appointed by the members of the Oklahoma Public Defender Systems Board;

6. ~~Three~~ Four members shall be appointed by the President Pro Tempore of the Senate;

7. Three members shall be appointed by the Speaker of the House of Representatives;

8. One member shall be the Chairman of the Pardon and Parole Board or his designee;

9. One member shall be the Director of the Oklahoma Department of Corrections or his designee;

10. One member shall be the Director of the Victim's Compensation Board or his designee;

11. One member shall be a judge of the Oklahoma Court of Criminal Appeals, to be appointed by the judges of the Oklahoma Court of Criminal Appeals;

12. One member shall be the Administrative Director of the Courts or his designee; and

13. One member shall be a professor of law from the Oklahoma City University School of Law, to be appointed by the Dean of the School of Law.

B. Each member of the Sentencing/Release Policy Committee initially appointed shall make his appointment known to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by August 1, 1989. Appointed members shall serve until June 1, 1992.

C. No member of the Sentencing/Release Policy Committee shall serve the committee simultaneously with the Recodification Committee. The Sentencing/Release Policy Committee may divide into subcommittees in furtherance of its purposes.

D. Any vacancies in the appointive membership of the Sentencing/Release Policy Committee shall be filled for the unexpired term in the same manner as the original appointment.

SECTION 3. The provisions of Section 1 and 2 of this act shall not be codified in the Oklahoma Statutes.

SECTION 4. 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.

Passed the Senate the 25th day of February, 1991.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1991.

Speaker of the House of
Representatives