

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2552

By: Rice

COMMITTEE SUBSTITUTE

An Act relating to the Corporation Commission; creating the Corporation Commission Nominating Council; providing membership of Council; stating terms of certain members of Council; providing for travel reimbursement; providing for chairperson and secretary; providing for meetings; stating duties of chairperson; providing for a quorum; stating duties of Council; providing procedure for selecting nominees; allowing for comments; authorizing Council to make legislative recommendations; providing procedure for filling vacancy; providing for qualifications for nominees; amending 74 O.S. 1991, Sections 250.4 and 250.7, which relate to salaries of the Corporation Commission; deleting certain sum of compensation; setting Commission salaries; providing for codification; and making act effective upon passage of certain constitutional resolution.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 25 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the "Corporation Commission Nominating Council". The Council shall be composed of five (5) members who are as follows:

1. One member appointed by the Speaker of the House of Representatives;
2. One member appointed by the President Pro Tempore of the Senate;
3. One member appointed by the Governor;
4. One member appointed by the Attorney General; and
5. One member appointed by the Chief Justice of the Supreme Court of Oklahoma.

B. The initial term of the member appointed by the Speaker shall be one (1) year, the initial term of the member appointed by the President Pro Tempore shall be two (2) years, the initial term of the member appointed by the Governor shall be three (3) years, the initial term of the member appointed by the Attorney General shall be four (4) years and the initial term of the member appointed by the Chief Justice shall be five (5) years.

C. After the initial appointments, the appointed members of the Council shall serve for a term of six (6) years. A vacancy in a position shall be filled for the unexpired term in the same manner as the original appointment.

D. Members of the Council shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

E. Annually, on the first day of February, the Council shall select from among its members a chairperson and secretary. The Council may adopt rules governing its proceeding. The Governor shall call the first meeting of the Council.

F. The Council shall keep a record of its proceedings. Meetings may be called by the chairperson and shall be called by the chairperson upon receipt of a written request for a meeting signed by two or more members of the Council. The chairperson shall provide written notice of meetings to each member of the Council. A majority of the members of the Council shall constitute a quorum.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 26 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Commission shall review and evaluate possible appointees for the Office of Corporation Commissioner.

B. Not less than sixty (60) days prior to the expiration of the term of a Commissioner or not more than thirty (30) days after the death, resignation or termination of service by a Commissioner, the Council shall provide the Governor with a list of three individuals who are in the judgment of the Council the

most fully qualified to accede to the office of Corporation Commissioner. The Council shall not include the name of an individual on the list if the appointment of the individual by the Governor would result in more than two members of the Commission belonging to or being affiliated with the same political party.

C. In reviewing and evaluating possible appointees for the Office of Corporation Commissioner, the Council may accept comments from, cooperate with and request information from any person. The Council may make recommendations to the Legislature concerning changes in legislation to assist the Council in the performance of its duties.

D. Within thirty (30) days of receipt of the recommendations of the Council, the Governor shall fill the vacancy occurring in the Office of Corporation Commissioner by appointment of one of the persons recommended by the Council. The Governor may, in his discretion reject all of the nominees of the Council and reconvene the Council in order to select three additional nominees. When the Governor has reconvened the Council and the Council has provided the Governor with a second list of three names, the Governor shall make the appointment from one of the names on the first or second list. Each appointment by the Governor shall be subject to the advice and consent of the Senate.

E. The Council shall select nominees who meet the qualifications provided in Section 17 of Article 9 of the Oklahoma Constitution and who are experienced in accounting, business, engineering, government, finance, law or other similar fields.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 250.4, is amended to read as follows:

Section 250.4 Pursuant to provisions of the Constitution of the State of Oklahoma from and after the beginning date of a term of office which commences in, or after, January, 1983, the following officers of the State of Oklahoma shall be annually compensated for their services, payable monthly, the following sums:

Governor:	\$70,000.00
Lieutenant Governor:	40,000.00

Attorney General:	55,000.00
Each Member of the	
Corporation Commission:	50,000.00
State Treasurer:	50,000.00
State Auditor	
and Inspector:	50,000.00
State Superintendent of	
Public Instruction:	55,000.00
Secretary of State:	37,500.00
State Insurance Commissioner:	50,000.00
Commissioner of Labor:	37,500.00
Chief Mine Inspector:	37,500.00

SECTION 4. AMENDATORY 74 O.S. 1991, Section 250.7, is amended to read as follows:

Section 250.7 ~~Each~~ From and after the beginning date of a term of office which commences in January 1997 each Corporation Commissioner holding office ~~after the effective date of this act~~ shall receive as compensation ~~the~~ an annual salary ~~established by the Legislature for Corporation Commissioners of Seventy-five Thousand Dollars (\$75,000.00), which amount may be adjusted yearly by the Legislature. The person elected Corporation Commission Chairman by those members constituting the Corporation Commission shall receive additional annual compensation in the amount of Two Thousand Dollars (\$2,000.00) payable monthly, while serving in the capacity of Chairman.~~

SECTION 5. This act shall become effective upon the approval by the people of the constitutional amendment contained in House Joint Resolution 1060 of the 2nd Session of the 44th Oklahoma Legislature.

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