

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 443

By: Shurden

AS INTRODUCED

An Act relating to roads, bridges and ferries; amending 69 O.S. 1991, Section 302, which relates to State Highway Administration; clarifying language; prohibiting certain removal of Transportation Commissioners; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 1991, Section 302, is amended to read as follows:

Section 302. (a) The State Transportation Commission shall consist of one (1) member from each of eight districts of the state, such districts to serve as the maintenance districts and to include the area as follows:

District 1. Wagoner, Cherokee, Adair, Sequoyah, Muskogee, Okmulgee, McIntosh and Haskell Counties.

District 2. Pittsburg, Latimer, LeFlore, McCurtain, Pushmataha, Atoka, Choctaw, Bryan and Marshall Counties.

District 3. Lincoln, Cleveland, McClain, Garvin, Pottawatomie, Okfuskee, Seminole, Hughes, Pontotoc, Coal and Johnston Counties.

District 4. Payne, Logan, Canadian, Kingfisher, Garfield, Grant, Kay, Noble and Oklahoma Counties.

District 5. Roger Mills, Dewey, Custer, Washita, Beckham, Greer, Kiowa, Harmon, Jackson, Blaine, and Tillman Counties.

District 6. Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Ellis, Major and Woodward Counties.

District 7. Carter, Love, Murray, Grady, Comanche, Stephens, Cotton, Caddo and Jefferson Counties.

District 8. Osage, Pawnee, Nowata, Creek, Craig, Ottawa, Rogers, Mayes, Delaware, Washington and Tulsa Counties.

(b) The members of the Commission shall be appointed by the Governor, by and with the consent of the Senate, such appointment to have full force and effect and to be submitted to the Senate for its confirmation at the first session of the Senate after such appointment is made. No Commissioner shall be entitled to the payment of salary, or to perform any service, until ~~his~~ the appointment is confirmed by the Senate, if the Senate then be in session; if the Senate be not in session, then ~~such~~ the Commissioner may serve and draw ~~his~~ salary until a special or regular session convenes; and if ~~his~~ the appointment is not then confirmed within twenty (20) days, ~~he~~ the Commissioner shall cease to perform such services and cease to draw ~~his~~ a salary. Each of the Commissioners thus appointed shall, at the time of ~~his~~ appointment, be a citizen and resident of the district for which ~~he~~ the Commissioner shall have been appointed for at least three (3) years prior to the date of ~~his~~ appointment. Not more than one Commissioner shall reside in any one district, as defined herein, at any time while serving on the Commission. Each Commissioner thus appointed and confirmed shall, after the first term of office as herein provided, serve for a term of eight (8) years, and unless ~~he~~ the Commissioner is reappointed by the Governor and confirmed by the Senate within twenty (20) legislative days ~~his~~ the Commissioner's services are automatically terminated and ~~he~~ the Commissioner shall cease to draw ~~his~~ a salary, or any perquisites or emoluments as a Commissioner; provided, that in the event the Governor's appointee is not confirmed by the Senate within ten (10) days from the date ~~his~~ the Commissioner's name is submitted, then the Governor shall submit a further appointee for confirmation; ~~and during his term of office may be removed by the Governor at his pleasure.~~ The terms of office shall be as follows: Two Commissioners shall serve until the 15th

day of February, 1969; two Commissioners shall serve until the 15th day of February, 1971; two Commissioners shall serve until the 15th day of February, 1973; and two Commissioners shall serve until the 15th day of February, 1975; and the Governor, at the time of making the first appointment, shall, in his order of appointment, designate the term each Commissioner so appointed shall serve. Thereafter the term of each Commissioner appointed and confirmed shall expire the 15th day of February in the eighth year after his appointment, and in case of death, resignation, or removal, the place shall be filled by appointment by the Governor for the remainder of the term. Such appointments also shall be confirmed by the Senate. The members of the Commission each shall receive an annual salary of Four Thousand Eight Hundred Dollars (\$4,800.00), payable monthly, and each shall be entitled to receive travel expenses pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. The Governor shall be an ex officio member of the Commission, but shall be entitled to vote only in case of a tie vote.

(c) Provided, that persons serving as members of the State Highway Commission created by Section 301 of this title, when this Code becomes effective shall serve as members of the Transportation Commission created by this Code for the remainder of the terms for which they were appointed, in the positions on the latter Commission having corresponding terms of office, or until such positions are filled as herein provided. Future Gubernatorial appointments shall be made from districts as directed by this act.

SECTION 2. This act shall become effective November 1, 1999.

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