

EHB 2176

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THE STATE SENATE
Wednesday, April 3, 2002

ENGROSSED

House Bill No. 2176

ENGROSSED HOUSE BILL NO. 2176 - By: EASLEY of the House and CRUTCHFIELD of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 1103, which relates to the Waterworks and Wastewater Works Advisory Council; re-creating the Waterworks and Wastewater Works Advisory Council; and modifying termination date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 1103, is amended to read as follows:

Section 1103. A. The Waterworks and Wastewater Works Advisory Council is hereby re-created, to continue until July 1, ~~2002~~ 2008, in accordance with the provisions of the Oklahoma Sunset Law. The Advisory Council shall consist of nine (9) members appointed as follows:

- 1. The Governor shall appoint three members as follows:
 - a. one member who holds a certificate under the terms and conditions of which he could lawfully be the operator of a municipal waterworks for an initial term of three (3) years,

1 b. one member representing higher education and the
2 Environmental Training Center for the State of
3 Oklahoma for an initial term of two (2) years, and

4 c. one member appointed from a list of six or more
5 nominees submitted by the Oklahoma Municipal League;

6 2. The President Pro Tempore of the Senate shall appoint three
7 members as follows:

8 a. two members appointed from a list of twelve or more
9 nominees submitted by the Oklahoma Water and Pollution
10 Control Association, and

11 b. one member appointed from a list of twelve or more
12 nominees submitted by the Oklahoma Rural Water
13 Association;

14 3. The Speaker of the House of Representatives shall appoint
15 three members as follows:

16 a. one member who holds a certificate under the terms and
17 conditions of which he could lawfully be the operator
18 of a municipal waterworks for an initial term of three
19 (3) years,

20 b. one member who holds a certificate under the terms and
21 conditions of which he could lawfully be the operator
22 of a municipal wastewater works for an initial term of
23 two (2) years, and

1 c. one member appointed from a list of twelve or more
2 nominees submitted by the Oklahoma Rural Water
3 Association.

4 B. Persons serving on the Waterworks and Wastewater Works
5 Advisory Council as of June 30, 1993, shall continue to serve on
6 such Council for terms stated below unless a vacancy is created by
7 resignation, death or any other cause resulting in an unexpired
8 term. Such vacancy shall be filled by appointment as provided in
9 subsection A of this section for a term of three (3) years. Members
10 continuing to serve are:

11 1. One member appointed from a list of six or more nominees
12 submitted by the Oklahoma Municipal League, whose term shall expire
13 June 30, 1994, and whose successor shall be appointed by the
14 Governor;

15 2. One member appointed from a list of twelve or more nominees
16 submitted by the Oklahoma Water and Pollution Control Association,
17 whose term shall expire June 30, 1994, and whose successor shall be
18 appointed by the President Pro Tempore of the Senate;

19 3. One member appointed from a list of twelve or more nominees
20 submitted by the Oklahoma Water and Pollution Control Association,
21 whose term shall expire June 30, 1995, and whose successor shall be
22 appointed by the President Pro Tempore of the Senate;

1 4. One member appointed from a list of twelve or more nominees
2 submitted by the Oklahoma Rural Water Association, whose term shall
3 expire June 30, 1996, and whose successor shall be appointed by the
4 President Pro Tempore of the Senate; and

5 5. One member appointed from a list of twelve or more nominees
6 submitted by the Oklahoma Rural Water Association, whose term shall
7 expire June 30, 1994, and whose successor shall be appointed by the
8 Speaker of the House of Representatives.

9 C. Each member shall be appointed to serve a term of office of
10 three (3) years, except that the term of those first appointed shall
11 expire as specified in subsection A above. Any vacancy shall be
12 filled pursuant to subsection A of this section.

13 D. The Council shall elect a chair and vice-chair from among
14 its members. Five members shall constitute a quorum. Each Council
15 shall meet as required for rule development, review and
16 recommendation and for such other purposes specified by law.
17 Special meetings may be called by the chair or by the concurrence of
18 any three members.

19 E. Of the nominees on each list referenced in subsection A of
20 this section, one-third shall be individuals certified as competent
21 to operate a municipal waterworks and one-third shall be individuals
22 certified as competent to operate municipal wastewater works.

1 F. Members of the Council shall serve without compensation but
2 may be reimbursed expenses incurred in the performance of their
3 duties as provided by the State Travel Reimbursement Act. The
4 Council is authorized to utilize the conference rooms of the
5 Department and obtain administrative assistance from the Department
6 as required.

7 G. The Council shall not recommend rules for promulgation of
8 the Environmental Quality Board unless all applicable requirements
9 of the Administrative Procedures Act have been followed including
10 requirements relating to, but not limited to, notice, rule impact
11 statement and rulemaking hearings. The Council shall perform the
12 duties specified in subsection I of Section 2-2-201 of Title 27A of
13 the Oklahoma Statutes for the Department of Environmental Quality
14 Advisory Councils and shall perform other duties as may be assigned
15 to it by the Department.

16 COMMITTEE REPORT BY: COMMITTEE ON SUNSET REVIEW, dated 4-1-02 - DO
17 PASS.