

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 1236

By: Kerr of the Senate

and

Turner of the House

COMMITTEE SUBSTITUTE

An Act relating to agriculture; amending 2 O.S. 2001, Section 18-52, which relates to the Oklahoma Peanut Commission; modifying composition of districts; providing certain date for elections; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 2 O.S. 2001, Section 18-52, is amended to read as follows:

Section 18-52. A. ~~There is hereby created the Oklahoma Peanut Growers Association composed of all peanut growers paying the assessment provided in the Oklahoma Peanut Act.~~ There is hereby re-created, to continue until July 1, 2006, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Peanut Commission composed of six (6) members selected from districts described as follows:

1. District I shall consist of the following counties: Carter, Creek, Cleveland, Garvin, Johnston, Lincoln, Logan, Love, McClain, Marshall, Murray, Muskogee, Oklahoma, Okmulgee, Payne, Pawnee, Pontotoc, Pottawatomie, Seminole, Tulsa, Wagoner, Noble, Kay, and Osage, Atoka, Bryan, Choctaw, Coal, Haskell, Hughes, LeFlore, McCurtain, McIntosh, Okfuskee, Pittsburg, Pushmataha, Latimer, Sequoyah, Adair, Cherokee, Delaware, Ottawa, Craig, Mayes, Rogers, Nowata and Washington;

2. District II shall consist of the following counties:

~~Atoka, Bryan, Choctaw, Coal, Haskell, Hughes, LeFlore, McCurtain, McIntosh, Okfuskee, Pittsburg, Pushmataha, Latimer, Sequoyah, Adair, Cherokee, Delaware, Ottawa, Craig, Mayes, Rogers, Nowata and Washington~~ Alfalpa, Grant, Major, Garfield, Kingfisher, Canadian, Caddo, Grady, Comanche, Stephens, Jefferson, Cotton and Blaine; and

3. District III shall consist of ~~all other counties within the state~~ the following counties: Cimarron, Texas, Beaver, Harper, Woods, Woodward, Ellis, Dewey, Roger Mills, Custer, Beckham, Washita, Kiowa, Tillman, Jackson, Harmon and Greer.

B. A meeting shall be held annually by the ~~Oklahoma Peanut Growers Association~~ Commission within each district at which all ~~members~~ producers in the district may attend and be present for the purpose of ~~ascertaining:~~

1. Nominating producers to fill any expiring district appointments;

2. Ascertaining the needs of the ~~members~~ producers within the district; and ~~determining~~

3. Determining whether or not the policies and activities of the Commission are meeting those needs.

C. District meetings shall be advertised in the "Oklahoma Peanut", the official newspaper of the Oklahoma Peanut Commission, stating the date, the time and the place of each meeting to be held.

D. Election of six nominees from each district shall be conducted by the Oklahoma Peanut ~~Growers Association~~ Commission. Appointments to the Commission shall be made by the Governor from the list of six nominees in each district. The manner in which these six nominees are elected shall be at the discretion of the Board of Directors of the Oklahoma Peanut ~~Growers Association~~ Commission.

E. All elections for selection of a nominee by the districts shall be held by September 1, 2004. Members of the Commission

serving on the effective date of this act shall continue to serve until the Governor appoints a new member.

F. The members of the Commission ~~first~~ appointed ~~after April 18, 1969~~ for service effective July 1, 2004, shall hold their offices as follows:

1. Commissioners for District I shall serve for one (1) year;
2. Commissioners for District II shall serve for ~~two (2)~~ three (3) years; and
3. Commissioners for District III shall serve for ~~three (3)~~ two (2) years; thereafter, the Commissioners shall be appointed for three-year terms.

Re-creation of the Commission will not alter the existing staggered terms.

SECTION 2. This act shall become effective July 1, 2004.

SECTION 3. 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.

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