

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
HOUSE JOINT
RESOLUTION NO. 1054

By: Miller (Ken)

COMMITTEE SUBSTITUTE

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 21 of Article V of the Constitution of the State of Oklahoma; abolishing the Board on Legislative Compensation; modifying method of setting the compensation of members of the Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 21 of Article V of the Constitution of the State of Oklahoma to read as follows:

Section 21. A. The Legislature shall enact laws to prohibit members of the Legislature from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities. ~~The Board on Legislative Compensation is hereby created. Said Board shall be composed of five members appointed by the Governor, two members appointed by the President Pro Tempore of the Senate, and two members appointed by the Speaker of the House of Representatives. The members appointed by the Governor shall be from religious organizations, communications media, nonstate-supported educational institutions, labor organizations, and retail business; the members appointed by the President Pro Tempore of the Senate shall be from agricultural and~~

~~civic organizations; and the members appointed by the Speaker of the House of Representatives shall be from manufacturing and from professional fields not otherwise specified. No member of the Legislature may be appointed to or serve on the Board. In addition to the members above provided for, the Chairman of the Tax Commission and the Director of State Finance shall serve as ex officio nonvoting members of said Board. The Chairman of said Board shall be designated by the Governor. Members of the Legislature shall receive such compensation as shall be fixed by the Board on Legislative Compensation. Said Board shall each two years review the compensation paid to the members of the Legislature and shall be empowered to change such compensation; such change to become effective on the fifteenth day following the succeeding general election. The members of the Board shall serve without compensation, but shall be entitled to receive necessary travel and subsistence expense as provided by law for other state officers.~~

B. 1. Beginning with the 1st Session of the 51st Oklahoma Legislature, the salary of members of the Legislature shall be equal to the average base salary of classroom teachers in this state. The fringe benefits of members of the Legislature shall be equal to the state paid benefits offered to the classroom teachers of this state. The State Board of Education shall certify to the Office of State Finance, the Chief Clerk of the Oklahoma House of Representatives, and the Secretary of the State Senate what the average base salary of a classroom teacher is in this state based upon the total base salary plus fringe benefits not to include state paid benefits divided by the total number of full-time-equivalent classroom teachers.

2. The salary of members of the Legislature shall be calculated in the manner specified in paragraph 1 of this subsection every year thereafter to take effect on October 1 of each year.

3. In addition to the salary and benefits specified in paragraph 1 of this subsection, legislators in leadership positions that receive higher salaries shall continue to receive a higher salary based on the same percentage difference between the salary of a member not in the same leadership position prior to the effective date of this measure.

4. The provisions of this subsection shall not be applicable to the provisions of Section 913.4 of Title 74 of the Oklahoma Statutes.

5. Notwithstanding the provisions of this subsection, legislative salaries and fringe benefits shall not be less than the salaries and fringe benefits in effect for the 2nd Session of the 50th Oklahoma Legislature.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 21 of Article 5. It does away with the Board on Legislative Compensation. It changes the way compensation of members of the Legislature is set. Members' salaries would be set at the average salary of a classroom teacher in this state. It provides that legislative salaries be adjusted every year. The adjustment would be based on the average salary of a classroom teacher in this state at the time of the adjustment. Members' salaries could go up or down. The average salary of a classroom teacher would be determined by the State Board of Education. Legislative salaries could not fall below what the salaries were for the 2nd Session of the 50th Oklahoma Legislature.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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