

**EHB 2880**

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**THE STATE SENATE**  
**Wednesday, March 29, 2006**

**ENGROSSED**

**House Bill No. 2880**

ENGROSSED HOUSE BILL NO. 2880 - By: YOUNG and NANCE of the House and LEFTWICH of the Senate.

An Act relating to statutes and reports; amending Section 3, Chapter 495, O.S.L. 2002, as last amended by Section 1, Chapter 55, O.S.L. 2005 (75 O.S. Supp. 2005, Section 503), which relates to the Small Business Regulatory Review Committee; modifying term of office for certain appointees; providing for appointments to fill vacancies; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3, Chapter 495, O.S.L.

2002, as last amended by Section 1, Chapter 55, O.S.L. 2005 (75 O.S. Supp. 2005, Section 503), is amended to read as follows:

Section 503. A. 1. There shall be established a Small Business Regulatory Review Committee within the Oklahoma Department of Commerce.

2. The duties of the Committee shall be to:

- a. provide agencies with input regarding proposed permanent rules which may have an adverse economic effect upon small business and for which the notice of intended action is published by "The Oklahoma Register" on or after July 1, 2002, and

1           b.    review any rule promulgated by a state agency for  
2                    which notice has been given by the agency to the  
3                    Committee that the proposed rule has an adverse  
4                    economic effect upon small business and make  
5                    recommendations to the agency and the Legislature  
6                    regarding the need for a rule or legislation as  
7                    provided in Section 505 of this title.

8           3.    Staff support for the Committee shall be provided by the  
9    Oklahoma Department of Commerce.  The Department shall act only as a  
10   coordinator for the Committee within the budgeted amount  
11   appropriated by the Legislature, not to exceed Seventy-five Thousand  
12   Dollars (\$75,000.00) per annum, to provide such services.  The  
13   Department shall not be required to provide legal counsel for the  
14   Committee.

15           B.   The Small Business Regulatory Review Committee shall consist  
16   of thirteen (13) members, who shall be appointed as follows:

- 17           1.   Five members to be appointed by the Governor;
- 18           2.   Two members to be appointed by the Lieutenant Governor;
- 19           3.   Three members to be appointed by the President Pro Tempore  
20   of the Senate; and
- 21           4.   Three members to be appointed by the Speaker of the House of  
22   Representatives.

1 In addition, the Chair of the Business and Labor Committee of  
2 the Oklahoma Senate and the Chair of the Business and Economic  
3 Development Committee of the Oklahoma House of Representatives shall  
4 serve as nonvoting, ex officio members of the Committee.

5 C. 1. Appointments to the Small Business Regulatory Review  
6 Committee shall be representative of a variety of small businesses  
7 in this state. All appointed members shall be either current or  
8 former owners or officers of a small business.

9 2. The Governor and Lieutenant Governor shall each appoint at  
10 least one member from small businesses located in municipalities  
11 having a population of three hundred thousand (300,000) or more.

12 3. The President Pro Tempore of the Senate and the Speaker of  
13 the House of Representatives shall each appoint at least one member  
14 from small businesses located in municipalities having a population  
15 of less than three hundred thousand (300,000).

16 D. The initial appointments to the Committee shall be made  
17 within thirty (30) days from the effective date of this act. The  
18 Oklahoma Department of Commerce shall provide the name and address  
19 of each appointee to the Governor, Lieutenant Governor, the  
20 President Pro Tempore of the Senate, the Speaker of the House of  
21 Representatives, the Chair of the House Business and Economic  
22 Development Committee and the Chair of the Senate Business and Labor  
23 Committee.

1 E. 1. ~~Except as otherwise provided by this subsection, members~~  
2 ~~initially appointed to the Committee shall serve for terms ending~~  
3 ~~December 31, 2004.~~ Those initially appointed by the Lieutenant  
4 Governor shall serve for terms ending December 31, 2006. Those  
5 initially appointed by the President Pro Tempore of the Senate shall  
6 serve for terms ending December 31, 2006. Thereafter, appointed  
7 members shall serve for ~~two-year~~ four-year terms that expire on  
8 December 31 of the ~~second~~ fourth year.

9 2. The Governor shall appoint the initial chair of the  
10 Committee from the appointed members for a term ending December 31,  
11 2006, and shall appoint subsequent chairs of the Committee from the  
12 appointed members for ~~two-year~~ four-year terms that expire on  
13 December 31 of the ~~second~~ fourth year. Other than the initial chair  
14 of the Committee, the persons appointed by the Governor for terms  
15 that began on or after January 1, 2005, shall serve for terms ending  
16 December 31, 2008. Thereafter, appointed members shall serve for  
17 four-year terms that expire on December 31 of the fourth year.

18 3. Vacancies in any position on the Committee shall be filled  
19 by the applicable appointing authority for the remainder of the  
20 term.

21 4. Members shall not receive any compensation but shall be  
22 eligible for reimbursement by the Oklahoma Department of Commerce  
23 for necessary expenses in accordance with the State Travel

1 Reimbursement Act; provided, however, legislative members shall be  
2 reimbursed by the legislative body in which they serve pursuant to  
3 Section 456 of Title 74 of the Oklahoma Statutes.

4 ~~4.~~ 5. The Committee shall meet at least semiannually or more  
5 often if necessary as determined by the chair of the Committee.

6 ~~5.~~ 6. A majority of the voting members of the Committee shall  
7 constitute a quorum to do business. The concurrence of a majority  
8 of the members of the Committee present and voting shall be  
9 necessary to make any action of the Committee valid.

10 ~~6.~~ 7. No appointed Committee member shall serve more than three  
11 consecutive terms.

12 SECTION 2. This act shall become effective November 1, 2006.

13 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 3-27-06  
14 - DO PASS.