

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1097

By: Johnson (Constance)

4
5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2001, Section 166.2, as amended by Section 2, Chapter
9 543, O.S.L. 2004 (74 O.S. Supp. 2008, Section 166.2),
10 which relates to the Commission for Rehabilitation
11 Services; modifying the membership of the Commission
12 for Rehabilitation Services; and declaring an
13 emergency.

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

15 SECTION 1. AMENDATORY 74 O.S. 2001, Section 166.2, as
16 amended by Section 2, Chapter 543, O.S.L. 2004 (74 O.S. Supp. 2008,
17 Section 166.2), is amended to read as follows:

18 Section 166.2 A. Effective July 1, 1993, there is hereby
19 created the Commission for Rehabilitation Services, an agency of the
20 State of Oklahoma, a body corporate and politic, with powers of
21 government and with the authority to exercise the rights, privileges
22 and functions as herein specified, with its lawful operations deemed
23 to be an essential governmental function of the State of Oklahoma
24 with all the attributes thereof.

1 B. The Commission shall appoint and remove the Director of the
2 Department of Rehabilitation Services, approve programs, policy and
3 budget, and perform the necessary functions of a governing board for
4 the State Department of Rehabilitation Services.

5 C. 1. The Commission shall consist of ~~three (3)~~ seven (7)
6 members, ~~to be appointed by June 15, 1993,~~ as follows:

- 7 a. one member shall be appointed by the President Pro
8 Tempore of the Oklahoma State Senate for a three-year
9 term,
- 10 b. one member shall be appointed by the Speaker of the
11 Oklahoma House of Representatives for a three-year term,
12 and
- 13 c. one member shall be appointed by the Governor for a
14 three-year term,
- 15 d. two members shall be appointed by the Governor by June
16 15, 2009, for an initial one-year term, and
- 17 e. two members shall be appointed by the Governor by June
18 15, 2009, for an initial two-year term.

19 2. ~~Thereafter, beginning with the expiration of the terms of the~~
20 ~~three members initially appointed, the Commission shall consist of~~
21 ~~three (3) members, appointed as follows:~~

- 22 a. ~~one member shall be appointed by the President Pro~~
23 ~~Tempore of the Oklahoma State Senate and shall serve a~~
24 ~~term of one (1) year,~~

1 ~~b. one member shall be appointed by the Speaker of the~~
2 ~~Oklahoma House of Representatives and shall serve a~~
3 ~~term of two (2) years, and~~

4 ~~e. one member shall be appointed by the Governor and shall~~
5 ~~serve a term of three (3) years.~~

6 ~~3. Thereafter, at At~~ the expiration of the term, or termination
7 of the member's service for any reason, the original appointing
8 authority shall appoint a successor for a term of three (3) years, or
9 for the remainder of an unexpired term.

10 D. Members of the Commission shall be knowledgeable of and have
11 concern for rehabilitation issues and disability issues; provided,
12 that such requirement shall not exclude participation of lay persons
13 as Commission members. Four of the members shall be people with a
14 disability, and their appointments shall be made with consideration
15 for geographic and racial diversity. All members shall be residents
16 of the state and qualified electors at the time of their appointment.
17 Before entering upon the duties of their office, members of the
18 Commission shall take the Constitutional oath of office, and the same
19 shall be filed with the Secretary of State. A member of the
20 Commission may be reappointed to succeed himself or herself.
21 Commission members shall be reimbursed for travel expenses incurred
22 in the performance of their duties as provided in the State Travel
23 Reimbursement Act.

1 E. The original appointing authority may remove any commissioner
2 for misconduct, incompetency or neglect of duty, after giving such
3 commissioner a written statement of charges, and opportunity for a
4 hearing.

5 SECTION 2. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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