

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE JOINT
4 RESOLUTION 48

By: Ivester

5
6 AS INTRODUCED

7
8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection proposed amendments to Sections 21 and 26
11 of Article 5 of the Oklahoma Constitution; requiring
Legislature to meet in regular session in odd-
numbered years; limiting amount of compensation paid
to members of Legislature; providing ballot title;
and directing filing.

12 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
13 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

14 SECTION 1. The Secretary of State shall refer to the people for
15 their approval or rejection, as and in the manner provided by law,
16 the following proposed amendment to Section 26 of Article 5 of the
17 Oklahoma Constitution to read as follows:

18 Section 26. The Legislature shall meet in regular session at
19 the seat of government at twelve o'clock noon on the first Monday in
20 February of each odd-numbered year and the regular session shall be
21 finally adjourned sine die not later than five o'clock p.m. on the
22 last Friday in May of each odd-numbered year.

23 The Legislature shall also meet in regular session at the seat
24 of government on the first Tuesday after the first Monday in January

1 of each odd-numbered year, beginning at twelve o'clock noon for the
2 purposes only of performing the duties as required by Section 5 of
3 Article VI of the Constitution and organizing pursuant to the
4 provisions of this Article and shall recess not later than five
5 o'clock p.m. of that same day until the following first Monday in
6 February of the same year, beginning at twelve o'clock noon.

7 SECTION 2. The Secretary of State shall refer to the people for
8 their approval or rejection, as and in the manner provided by law,
9 the following proposed amendment to Section 21 of Article 5 of the
10 Oklahoma Constitution to read as follows:

11 Section 21. A. The Legislature shall enact laws to prohibit
12 members of the Legislature from engaging in activities or having
13 interests which conflict with the proper discharge of their duties
14 and responsibilities.

15 B. The Board on Legislative Compensation is hereby created.
16 ~~Said~~ The Board shall be composed of five members appointed by the
17 Governor, two members appointed by the President Pro Tempore of the
18 Senate, and two members appointed by the Speaker of the House of
19 Representatives. The members appointed by the Governor shall be
20 from religious organizations, communications media, nonstate-
21 supported educational institutions, labor organizations, and retail
22 business; the members appointed by the President Pro Tempore of the
23 Senate shall be from agricultural and civic organizations; and the
24 members appointed by the Speaker of the House of Representatives

1 shall be from manufacturing and from professional fields not
2 otherwise specified. No member of the Legislature may be appointed
3 to or serve on the Board. In addition to the members above provided
4 for, the ~~Chairman~~ Chair of the Oklahoma Tax Commission and the
5 Director of State Finance shall serve as ex officio nonvoting
6 members of ~~said~~ the Board. The ~~Chairman~~ Chair of ~~said~~ the Board
7 shall be designated by the Governor. Members of the Legislature
8 shall receive such compensation as shall be fixed by the Board on
9 Legislative Compensation. If a member of the Legislature is
10 incarcerated due to being charged with a criminal offense and
11 subsequently is found guilty of the offense or pleads guilty or nolo
12 contendere to the offense, the legislator shall return to the state
13 any compensation the legislator received from the state while the
14 legislator was incarcerated prior to the guilty verdict or plea or
15 nolo contendere plea and shall not receive any compensation from the
16 state during any incarceration following such verdict or plea. ~~Said~~
17 The Board shall each two (2) years review the compensation paid to
18 the members of the Legislature and shall be empowered to change such
19 compensation; such change to become effective on the fifteenth day
20 following the succeeding general election; provided, the amount of
21 annual compensation set by the Board shall only be paid to members
22 of the Legislature in a year in which a regular legislative session
23 is held pursuant to the provisions of Section 26 of this article.
24 The members of the Board shall serve without compensation, but shall

1 be entitled to receive necessary travel and subsistence expense as
2 provided by law for other state officers.

3 SECTION 3. The Ballot Title for the proposed Constitutional
4 amendment as set forth in SECTIONS 1 and 2 of this resolution shall
5 be in the following form:

6 BALLOT TITLE

7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

9 This measure amends Sections 26 and 21 of Article 5 of the State
10 Constitution. It would require the Senate and House to meet in
11 regular session only in odd-numbered years. Under current law,
12 the Senate and House meet in regular session every year. It
13 would also state that members of the Senate and House could only
14 be paid in years in which a regular session was held.

15 SHALL THE PROPOSAL BE APPROVED?

16 FOR THE PROPOSAL - YES _____

17 AGAINST THE PROPOSAL - NO _____

18 SECTION 4. The President Pro Tempore of the Senate shall,
19 immediately after the passage of this resolution, prepare and file
20 one copy thereof, including the Ballot Title set forth in SECTION 3
21 hereof, with the Secretary of State and one copy with the Attorney
22 General.

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