

1 ENGROSSED SENATE  
2 BILL NO. 1090

By: Aldridge of the Senate

3 and

4 Faught of the House

5  
6  
7 An Act relating to Sunset Review; amending 74 O.S.  
8 2011, Sections 3905 and 3906, which relate to  
9 termination of certain statutory entities by certain  
10 dates; modifying lists of entities; amending 2 O.S.  
11 2011, Section 18-272, which relates to the Oklahoma  
12 Oilseed Commission; extending termination date;  
13 providing for codification; and declaring an  
14 emergency.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 3905, is  
17 amended to read as follows:

18 Section 3905. The following statutory entities and their  
19 successors shall be terminated on July 1, 2014, and all powers,  
20 duties and functions shall be abolished one (1) year thereafter:

21 1. State Board of Licensure for Professional Engineers and Land  
22 Surveyors as created by Section 475.3 of Title 59 of the Oklahoma  
23 Statutes;

24 2. Oklahoma Accountancy Board as created by Section 15.2 of  
Title 59 of the Oklahoma Statutes;

- 1           3. The Board of Governors of the Licensed Architects, Landscape  
2 Architects and Registered Interior Designers of Oklahoma as created  
3 by Section 46.4 of Title 59 of the Oklahoma Statutes;
- 4           4. Oklahoma Funeral Board as created by Section 396 of Title 59  
5 of the Oklahoma Statutes;
- 6           5. Long-Term Care Facility Advisory Board as created by Section  
7 1-1923 of Title 63 of the Oklahoma Statutes;
- 8           6. Commission on Marginally Producing Oil and Gas Wells as  
9 created by Section 700 of Title 52 of the Oklahoma Statutes;
- 10          7. Group Homes for Persons with Developmental or Physical  
11 Disabilities Advisory Board as created by Section 1430.4 of Title 10  
12 of the Oklahoma Statutes;
- 13          8. Electronic and Information Technology Accessibility Advisory  
14 Council as created by Section 34.30 of Title 62 of the Oklahoma  
15 Statutes; ~~and~~
- 16          9. Oklahoma Strategic Military Commission as created by Section  
17 5401 of Title 74 of the Oklahoma Statutes;
- 18          10. Oklahoma Educational Television Authority as created by  
19 Section 23-105 of Title 70 of the Oklahoma Statutes;
- 20          11. State Board of Veterinary Medical Examiners as created by  
21 Section 698.3 of Title 59 of the Oklahoma Statutes;
- 22          12. Oklahoma Climatological Survey as created by Section 245 of  
23 Title 74 of the Oklahoma Statutes;
- 24

1       13. State Board of Licensed Social Workers as created by  
2 Section 1253 of Title 59 of the Oklahoma Statutes; and

3       14. Child Death Review Board as created by Section 1150.2 of  
4 Title 10 of the Oklahoma Statutes.

5       SECTION 2.       AMENDATORY       74 O.S. 2011, Section 3906, is  
6 amended to read as follows:

7       Section 3906. The following statutory entities and their  
8 successors shall be terminated on July 1, 2015, and all powers,  
9 duties and functions shall be abolished one (1) year thereafter:

10       1. Polygraph Examiners Board as created by Section 1455 of  
11 Title 59 of the Oklahoma Statutes;

12       2. State Board of Osteopathic Examiners as created by Section  
13 624 of Title 59 of the Oklahoma Statutes;

14       3. Board of Podiatric Medical Examiners as created by Section  
15 137 of Title 59 of the Oklahoma Statutes; ~~and~~

16       4. Oklahoma State Athletic Commission as created by Section  
17 604.1 of Title 3A of the Oklahoma Statutes;

18       5. Waterworks and Wastewater Works Advisory Council as created  
19 by Section 1103 of Title 59 of the Oklahoma Statutes;

20       6. State Board of Examiners of Certified Shorthand Reporters as  
21 created by Section 1501 of Title 20 of the Oklahoma Statutes;

22       7. State Board of Examiners of Perfusionists as created by  
23 Section 2053 of Title 59 of the Oklahoma Statutes;

1       8. Board of Examiners for Speech-Language Pathology and  
2 Audiology as created by Section 1607 of Title 59 of the Oklahoma  
3 Statutes;

4       9. Board of Tests for Alcohol and Drug Influence as created by  
5 Section 759 of Title 47 of the Oklahoma Statutes;

6       10. State Capitol Preservation Commission as created by Section  
7 4102 of Title 74 of the Oklahoma Statutes;

8       11. Commission on County Government Personnel Education and  
9 Training as created by Section 130.1 of Title 19 of the Oklahoma  
10 Statutes;

11       12. Oklahoma Liquefied Petroleum Gas Research, Marketing and  
12 Safety Commission as created by Section 420.22 of Title 52 of the  
13 Oklahoma Statutes; and

14       13. Oklahoma Music Hall of Fame Board as created by Section 231  
15 of Title 53 of the Oklahoma Statutes.

16       SECTION 3.       NEW LAW       A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3908.1 of Title 74, unless there  
18 is created a duplication in numbering, reads as follows:

19       The following statutory entities and their successors shall be  
20 terminated on July 1, 2016, and all powers, duties and functions  
21 shall be abolished one (1) year thereafter:

22       1. Polygraph Examiners Board as created by Section 1455 of  
23 Title 59 of the Oklahoma Statutes;

24

- 1        2. State Board of Osteopathic Examiners as created by Section  
2 624 of Title 59 of the Oklahoma Statutes;
- 3        3. Board of Podiatric Medical Examiners as created by Section  
4 137 of Title 59 of the Oklahoma Statutes;
- 5        4. Oklahoma State Committee of Plumbing Examiners as created by  
6 Section 1004 of Title 59 of the Oklahoma Statutes;
- 7        5. Oklahoma Emergency Response Systems Development Advisory  
8 Council as created by Section 1-2516 of Title 63 of the Oklahoma  
9 Statutes;
- 10       6. Public Employees Relations Board as created by Section 51-  
11 104 of Title 11 of the Oklahoma Statutes;
- 12       7. State Anatomical Board as created by Section 91 of Title 63  
13 of the Oklahoma Statutes;
- 14       8. Oklahoma Peanut Commission as created by Section 18-52 of  
15 Title 2 of the Oklahoma Statutes;
- 16       9. Oklahoma Wheat Utilization, Research and Market Development  
17 Commission as created by Section 18-301 of Title 2 of the Oklahoma  
18 Statutes;
- 19       10. Board of Examiners in Optometry as created by Section 582  
20 of Title 59 of the Oklahoma Statutes;
- 21       11. Board of Chiropractic Examiners as created by Section 161.4  
22 of Title 59 of the Oklahoma Statutes;
- 23       12. State Board of Registration for Foresters as created by  
24 Section 1203 of Title 59 of the Oklahoma Statutes; and

1 13. Oklahoma Oilseed Commission as created by Section 18-272 of  
2 Title 2 of the Oklahoma Statutes.

3 SECTION 4. AMENDATORY 2 O.S. 2011, Section 18-272, is  
4 amended to read as follows:

5 Section 18-272. A. There is created until June 1, ~~2012~~ 2013,  
6 in accordance with the provisions of the Oklahoma Sunset Law, the  
7 Oklahoma Oilseed Commission.

8 B. 1. With the exception of the ex officio nonvoting member,  
9 the Commission shall be composed of five (5) elected members who:

10 a. are at least twenty-five (25) years of age and are  
11 residents of Oklahoma,

12 b. have been actually engaged in the production of  
13 oilseed in this state for a period of at least two (2)  
14 years, and

15 c. derive a portion of their income from the production  
16 of oilseed.

17 2. The President of the State Board of Agriculture shall be an  
18 ex officio nonvoting member of the Commission. The President may  
19 appoint a designee to serve on the Commission in the place of the  
20 President.

21 C. Each of the elected members shall be a resident of, have a  
22 farming operation in, and be elected by oilseed producers within a  
23 district area designated by this subsection as District 1 through  
24 District 5. The districts shall be as follows:

1           1. District 1 shall consist of the counties of Cimarron, Texas,  
2 Beaver, Harper, Woodward, Ellis, Dewey, Roger Mills, and Custer;

3           2. District 2 shall consist of the counties of Beckham,  
4 Washita, Caddo, Grady, Greer, Kiowa, Comanche, Harmon, Jackson,  
5 Tillman, and Cotton;

6           3. District 3 shall consist of the counties of Woods, Alfalfa,  
7 Major, Blaine, Kingfisher, Canadian, Grant, Kay, Garfield, Noble,  
8 Logan, Payne, Oklahoma, and Lincoln;

9           4. District 4 shall consist of the counties of Osage,  
10 Washington, Nowata, Craig, Ottawa, Pawnee, Rogers, Mayes, Delaware,  
11 Creek, Tulsa, Wagoner, Cherokee, Adair, Okfuskee, Okmulgee,  
12 Muskogee, Sequoyah, and McIntosh; and

13           5. District 5 shall consist of the counties of Cleveland,  
14 Pottawatomie, Seminole, Hughes, Pittsburg, Haskell, Le Flore,  
15 Stephens, Jefferson, McClain, Garvin, Murray, Carter, Love,  
16 Pontotoc, Johnston, Marshall, Coal, Atoka, Bryan, Latimer,  
17 Pushmataha, Choctaw, and McCurtain.

18           D. 1. The terms of office of the initial elected Commission  
19 shall be as follows:

- 20           a. two (2) years for District 1,
- 21           b. three (3) years for District 2,
- 22           c. four (4) years for District 3,
- 23           d. five (5) years for District 4, and
- 24           e. six (6) years for District 5.

1 Thereafter the term of office shall be for five (5) years. An  
2 elected member of the Commission may serve for two consecutive full  
3 five-year terms. Upon completion of two consecutive full five-year  
4 terms, a member shall not be eligible for election for a period of  
5 one term before becoming eligible for election to the Commission for  
6 two additional consecutive five-year terms.

7 2. If for any reason there is a vacancy on the Commission due  
8 to resignation, death, or for any cause resulting in an unexpired  
9 term, the Commission may name a person to serve as a provisional  
10 member of the Commission for the remainder of the term of the office  
11 vacated. The Commission shall submit, in writing, the name of the  
12 person to the President for approval. The President shall either  
13 approve or disapprove the named person as a provisional member of  
14 the Commission within thirty (30) days of the submission of the name  
15 by the Commission. The failure of the President to disapprove the  
16 person named as the provisional member of the Commission within the  
17 thirty-day period shall be deemed approval of the person as the  
18 provisional member of the Commission.

19 E. The Commission shall hold meetings as necessary at a place  
20 and time to be fixed by the Commission. The Commission shall  
21 select, at the initial meeting of the Commission, a chair, a vice-  
22 chair, and a secretary-treasurer. At the first meeting in each  
23 fiscal year thereafter, the chair, vice-chair, and secretary-  
24 treasurer for the ensuing year shall be elected. Special meetings

1 may be called by the chair or by three members of the Commission by  
2 delivery of written notice to each member of the Commission. Three  
3 members of the Commission shall constitute a quorum.

4 F. Commission members shall not receive any compensation, but  
5 shall be reimbursed in accordance with the provisions of the State  
6 Travel Reimbursement Act for all actual and necessary expenses  
7 incurred in the performance of the duties imposed upon the  
8 Commission pursuant to the Oklahoma Oilseed Resources Act.

9 G. A member of the Oklahoma Oilseed Commission may be removed  
10 by the President of the State Board of Agriculture for cause or by a  
11 two-thirds (2/3) vote of the other members of the Commission. In  
12 addition to all other causes, a member ceasing to:

- 13 1. Be a resident of the state; or
- 14 2. Produce or plant oilseed in the district from which the  
15 member was elected,  
16 shall be sufficient cause for removal from office.

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

21  
22  
23  
24

1 Passed the Senate the 8th day of March, 2012.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2012.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives