

1 Employees Relations Board, which shall be composed of ~~three (3)~~ five
2 (5) members: one appointed by the Governor, one of whom shall be an
3 impartial appointment and designated as Chairman, two appointed by
4 the President Pro Tempore of the State Senate, one of whom shall be
5 a representative from the labor industry, and one of whom shall be
6 an impartial representative from a community with a population of
7 less than thirty-five thousand (35,000) persons and two appointed by
8 the Speaker of the Oklahoma House of Representatives, one of whom
9 shall be a representative of a municipality, and one of whom shall
10 be an impartial representative from a community with a population of
11 more than thirty-five thousand (35,000) persons. The Chairman shall
12 be appointed for a term of five (5) years, commencing from July 1,
13 1972. The other members shall be appointed for terms of one (1) and
14 three (3) years, respectively, from July 1, 1972, but their
15 successors shall be appointed for terms of ~~five (5)~~ three (3) years.
16 ~~Two~~ No member shall serve on the Board for more than two terms. No
17 member within two (2) years of being appointed to the Board or while
18 -serving on the Board shall have served or worked in a capacity as an
19 advocate, be a member or receive payment, compensation, or money
20 from a labor union group association or its subordinate affiliates
21 or municipality. Three (3) members of the Board shall constitute a
22 quorum. Any individual chosen to fill a vacancy on the Board shall
23 be appointed only for the unexpired term. The Chairman and members

1 of the Board shall not receive a salary but shall receive
2 compensation in lieu of expenses in the amount of Fifty Dollars
3 (\$50.00) per day for any meeting or the conduct of official duties,
4 whether acting singly or collectively.

5 B. To accomplish the objectives and to perform the duties
6 prescribed by this article, the Board may subpoena witnesses, issue
7 subpoenas to require the production of books, papers, records, and
8 documents which may be needed as evidence of any matter under
9 inquiry, and administer oaths and affirmations. In cases of neglect
10 or refusal to obey a subpoena issued to any person, the district
11 court of the county in which the investigations or the public
12 hearings are taking place, upon application by the Board, may issue
13 an order requiring such person to appear before the Board and
14 produce evidence about the matter under investigation. A failure to
15 obey such order may be punished by the court as a contempt.

16 C. Any subpoena, notice of hearing, or other process or notice
17 of the Board issued under the provisions of this article may be
18 served personally, by registered mail, or by leaving a copy at the
19 principal office of the person required to be served. A return made
20 and verified by the individual making such service and setting forth
21 the manner of such service is proof of service, and a returned post
22 office receipt, when registered or certified mail is used, is proof
23 of service.

1 D. The Board shall adopt, promulgate, amend, or rescind such
2 rules as it deems necessary to carry out the provisions of this
3 article. Public hearings shall be held by the Board on any proposed
4 rule of general applicability designed to implement, interpret, or
5 prescribe policy, procedure or practice requirements under the
6 provisions of this article and on any proposed change to such
7 existing rule. Reasonable notice shall be given prior to such
8 hearings, which shall include the time, place, and nature of such
9 hearing and the terms or substance of the proposed rule or the
10 changes to such rule.

11 SECTION 2. This act shall become effective November 1, 2011.

12 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-17-
13 2011 - DO PASS, As Coauthored.

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