

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE JOINT
4 RESOLUTION 1018

By: Murphey

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 a proposed amendment to Section 21 of
11 Article V of the Constitution of the State of
12 Oklahoma, which relates to the Board on Legislative
13 Compensation; abolishing the Board on Legislative
14 Compensation; establishing a criteria for
15 compensation of members of the Legislature; providing
16 that certain increases require a vote of the people;
17 providing when changes in compensation take effect;
18 providing ballot title; and directing filing.

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for
their approval or rejection, as and in the manner provided by law,
the following proposed amendment to Section 21 of Article V of the
Constitution of the State of Oklahoma to read as follows:

Section 21. A. The Legislature shall enact laws to prohibit
members of the Legislature from engaging in activities or having

1 interests which conflict with the proper discharge of their duties
2 and responsibilities.

3 B. The Board on Legislative Compensation is hereby ~~created.~~
4 ~~Said Board shall be composed of five members appointed by the~~
5 ~~Governor, two members appointed by the President Pro Tempore of the~~
6 ~~Senate, and two members appointed by the Speaker of the House of~~
7 ~~Representatives. The members appointed by the Governor shall be~~
8 ~~from religious organizations, communications media,~~
9 ~~nonstate-supported educational institutions, labor organizations,~~
10 ~~and retail business; the members appointed by the President Pro~~
11 ~~Tempore of the Senate shall be from agricultural and civic~~
12 ~~organizations; and the members appointed by the Speaker of the House~~
13 ~~of Representatives shall be from manufacturing and from professional~~
14 ~~fields not otherwise specified. No member of the Legislature may be~~
15 ~~appointed to or serve on the Board. In addition to the members~~
16 ~~above provided for, the Chairman of the Oklahoma Tax Commission and~~
17 ~~the Director of State Finance shall serve as ex officio nonvoting~~
18 ~~members of said Board. The Chairman of said Board shall be~~
19 ~~designated by the Governor~~ abolished.

20 C. Members of the Legislature shall receive ~~such~~ compensation
21 ~~as shall be fixed by the Board on Legislative Compensation~~ pursuant
22 to subsection D of this section. If a member of the Legislature is
23 incarcerated due to being charged with a criminal offense and
24 subsequently is found guilty of the offense or pleads guilty or nolo

1 | contendere to the offense, the legislator shall return to the state
2 | any compensation the legislator received from the state while the
3 | legislator was incarcerated prior to the guilty verdict or plea or
4 | nolo contendere plea and shall not receive any compensation from the
5 | state during any incarceration following such verdict or plea. ~~Said~~
6 | ~~Board shall each two years review the compensation paid to the~~
7 | ~~members of the Legislature and shall be empowered to change such~~
8 | ~~compensation; such~~

9 | D. Annual compensation for members of the Legislature shall be
10 | paid monthly and be equal to Oklahoma's Annual State Per Capita
11 | Personal Income as determined by the United States Census Bureau of
12 | Economic Analysis or the successor body of the same. Additional
13 | benefits, including health insurance, retirement, travel
14 | reimbursement, and per diem for members and additional compensation
15 | provided to the Speaker of the House of Representatives, President
16 | Pro Tempore of the Senate, Speaker Pro Tempore of the House of
17 | Representatives, Minority Floor Leaders and Appropriations Chairs,
18 | shall remain as provided during the 53rd Session of the Oklahoma
19 | Legislature and shall not increase without approval by a vote of the
20 | people. Any change to in compensation or other benefits pursuant to
21 | this subsection shall become effective on the fifteenth day
22 | following the succeeding general election. The members of the Board
23 | shall serve without compensation, but shall be entitled to receive
24 |

1 ~~necessary travel and subsistence expense as provided by law for~~
2 ~~other state officers.~~

3 SECTION 2. The Ballot Title for the proposed Constitutional
4 amendment as set forth in SECTION 1 of this resolution shall be in
5 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 the State Constitution. It amends the
10 section that sets pay for members of the Legislature. It does
11 away with the Board that sets pay for legislators. It provides
12 a way for salaries to be set. The pay would be equal to
13 Oklahoma's Annual State Per Capita Personal Income. This is
14 determined by the federal Census Bureau. Other benefits, such
15 as health insurance, retirement, travel, per diem and additional
16 pay for legislative leaders would have to go to a vote of the
17 people. Oklahoma voters would have to vote to allow changes in
18 these benefits.

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL - YES _____

21 AGAINST THE PROPOSAL - NO _____

22 SECTION 3. The Chief Clerk of the House of Representatives,
23 immediately after the passage of this resolution, shall prepare and
24 file one copy thereof, including the Ballot Title set forth in

1 SECTION 2 hereof, with the Secretary of State and one copy with the
2 Attorney General.

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4 53-1-6299 LRB 12/20/10

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