

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1755

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to the Construction Industries Board;
8 amending 59 O.S. 2011, Sections 1000.2 and 1000.3,
9 which relate to the appointment of Board members and
10 officers; adding the Commissioner of Labor to the
11 Board on certain date; increasing Board membership;
12 deleting language; providing for staggered terms;
13 providing for certain membership to terminate on
14 certain date; changing annual organization date;
15 allowing election of other officers; making the
16 Commissioner of Labor the chair of the Board;
17 providing compensation for Commissioner of Labor to
18 be consistent with elected compensation; and
19 providing an effective date.

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

21 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1000.2, is
22 amended to read as follows:

23 Section 1000.2. A. The Construction Industries Board is hereby
24 created to continue until July 1, 2013, in accordance with the
25 provisions of the Oklahoma Sunset Law. ~~Beginning January 1, 2002,~~
26 ~~the~~ The Board shall regulate the plumbing, electrical and mechanical
27 trades, and building and construction inspectors through the powers

1 and duties set forth in the Construction Industries Board Act and in
2 the respective licensing acts for such trades.

3 B. 1. Beginning ~~July 1, 2008~~ November 1, 2012, the Board shall
4 be composed of ~~seven (7)~~ the Commissioner of Labor and eight (8)
5 members appointed by the Governor with the advice and consent of the
6 Senate, as follows:

7 a. ~~two~~ three members shall have at least ten (10) years'
8 experience in the plumbing trade, of which one shall
9 be a plumbing contractor and one shall be a journeyman
10 plumber,

11 b. two members shall have at least ten (10) years'
12 experience in the electrical trade, of which one shall
13 be an electrical contractor and one shall be a
14 journeyman electrician,

15 c. two members shall have at least ten (10) years'
16 experience in the mechanical trade, of which one shall
17 be a mechanical contractor and one shall be a
18 mechanical journeyman, and

19 d. one member shall have at least ten (10) years'
20 experience as a building and construction inspector
21 and shall be from a list recommended by a statewide
22 organization of municipal governments

23 2. Members ~~shall be~~ appointed ~~for~~ by the Governor shall serve
24 staggered terms of four (4) years; ~~provided, of those members~~

1 ~~initially appointed to the Board, five members shall be appointed~~
2 ~~for two-year terms, beginning September 1, 2001, and four members~~
3 ~~shall be appointed for four-year terms, beginning September 1, 2001,~~
4 ~~as designated by the Governor.~~ Members shall continue in office
5 until a successor is appointed by the Governor. The Governor shall
6 fill all vacancies and unexpired terms in the same manner as the
7 original appointment of the member whose position is to be filled.
8 Such members may be removed by the Governor for cause.

9 C. On November 1, 2012, if a currently serving member of the
10 Board is to be replaced by the Commissioner of Labor or the member's
11 position does not meet the requirements for appointment in effect on
12 November 1, 2012, the member shall be deemed to have vacated the
13 position.

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1000.3, is
15 amended to read as follows:

16 Section 1000.3. A. 1. The Construction Industries Board shall
17 organize ~~immediately after September 1, 2001, and annually~~
18 ~~thereafter,~~ by November 1 each year by electing from among its
19 members ~~a chair and a vice-chair~~ and other officers. The
20 Commissioner of Labor shall serve as chair. The Board shall hold
21 regularly scheduled meetings at least once each quarter at a time
22 and place determined by the Board and may hold such special
23 meetings, emergency meetings, or continued or reconvened meetings as
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1 found by the Board to be necessary. A majority of the members of
2 the Board shall constitute a quorum for the transaction of business.

3 2. The chair shall preside at meetings of the Board, set the
4 agenda, sign orders and other required documents, coordinate Board
5 activities, and perform such other duties as may be prescribed by
6 the Board.

7 3. The vice-chair shall perform the duties of the chair during
8 the absence or disability of the chair and shall perform such other
9 duties as may be prescribed by the Board.

10 4. The Construction Industries Administrator, at the discretion
11 of the Board shall:

- 12 a. keep a record of all proceedings of the Board and
13 certify to actions of the Board,
- 14 b. oversee the receipt and deposit of all monies received
15 by the Board in the appropriate revolving funds,
- 16 c. submit, at the first regular meeting of the Board
17 after the end of each fiscal year, a full itemized
18 report of the receipts and disbursements for the prior
19 fiscal year, showing the amount of funds on hand, and
- 20 d. perform such other duties as are prescribed in this
21 act or as may be prescribed by the Board.

22 B. The Board shall act in accordance with the provisions of the
23 Oklahoma Open Meeting Act, the Oklahoma Open Records Act, and the
24 Administrative Procedures Act.

1 C. All members of the Board and such employees as determined by
2 the Board shall be bonded as required by Sections 85.26 through
3 85.31 of Title 74 of the Oklahoma Statutes.

4 D. The liability of any member or employee of the Board acting
5 within the scope of Board duties or employment shall be governed by
6 The Governmental Tort Claims Act.

7 E. Members of the Board, except the Commissioner of Labor,
8 shall serve without compensation but shall be reimbursed for all
9 actual and necessary expenses incurred in the performance of their
10 duties in accordance with the State Travel Reimbursement Act. The
11 Commissioner of Labor shall serve and be paid the compensation
12 provided for the elected office and shall not receive any additional
13 compensation for serving as chair of the Board.

14 SECTION 3. This act shall become effective November 1, 2012.

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