

1 STATE OF OKLAHOMA

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

3 SENATE JOINT  
4 RESOLUTION 26

By: Brecheen

7 AS INTRODUCED

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 Oklahoma Constitution; stating  
12 legislative intent and findings; setting limitation  
13 upon amount of compensation for members of the  
14 Legislature as set by the Board on Legislative  
15 Compensation; specifying certain duties of Board;  
16 providing for noncodification; providing ballot  
17 title; and directing filing.

18 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
19 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

20 SECTION 1. NEW LAW A new section of law not to be  
21 codified in the Oklahoma Statutes reads as follows:

22 It is the intent of the Legislature to present a question to the  
23 people for a vote, which would require the Board on Legislative  
24 Compensation to limit legislative salaries to the average salary  
paid to members of the legislatures in states surrounding Oklahoma.  
The Legislature finds that this will operate to reduce the salaries  
paid to members of the Legislature in this state, and further finds

1 that salaries would be reduced even more if legislative salaries  
2 were reduced to those in states comparable to Oklahoma in terms of  
3 state population, size of the Legislature and average length of the  
4 legislative session.

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

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

13 B. 1. The Board on Legislative Compensation is hereby created.  
14 ~~Said~~ The Board shall be composed of five members appointed by the  
15 Governor, two members appointed by the President Pro Tempore of the  
16 Senate, and two members appointed by the Speaker of the House of  
17 Representatives. The members appointed by the Governor shall be  
18 from religious organizations, communications media, nonstate-  
19 supported educational institutions, labor organizations, and retail  
20 business; the members appointed by the President Pro Tempore of the  
21 Senate shall be from agricultural and civic organizations; and the  
22 members appointed by the Speaker of the House of Representatives  
23 shall be from manufacturing and from professional fields not  
24 otherwise specified. No member of the Legislature may be appointed

1 to or serve on the Board. In addition to the members above provided  
2 for, the ~~Chairman~~ Chair of the Oklahoma Tax Commission and the  
3 Director of State Finance shall serve as ex officio nonvoting  
4 members of ~~said~~ the Board.

5 2. The Chairman of ~~said~~ the Board shall be designated by the  
6 Governor.

7 3. Members of the Legislature shall receive such compensation  
8 as shall be fixed by the Board on Legislative Compensation, subject  
9 to the limitations specified in this section. The maximum amount of  
10 compensation fixed by the Board shall not exceed the average amount  
11 of compensation paid to members of the legislatures in states  
12 immediately surrounding Oklahoma. For each surrounding state, the  
13 Board shall obtain the amount of compensation paid to members of its  
14 legislature in the most recent preceding calendar year for which  
15 such information is available and shall determine the average amount  
16 of such compensation by adding up each amount obtained and dividing  
17 by the number of states on the list.

18 4. If a member of the Legislature is incarcerated due to being  
19 charged with a criminal offense and subsequently is found guilty of  
20 the offense or pleads guilty or nolo contendere to the offense, the  
21 legislator shall return to the state any compensation the legislator  
22 received from the state while the legislator was incarcerated prior  
23 to the guilty verdict or plea or nolo contendere plea and shall not  
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1 receive any compensation from the state during any incarceration  
2 following such verdict or plea.

3 5. ~~Said~~ The Board shall each two years review the compensation  
4 paid to the members of the Legislature and shall be empowered to  
5 change such compensation subject to the limitations specified in  
6 this section; such change to become effective on the fifteenth day  
7 following the succeeding general election.

8 6. The members of the Board shall serve without compensation,  
9 but shall be entitled to receive necessary travel and subsistence  
10 expense as provided by law for other state officers.

11 SECTION 3. The Ballot Title for the proposed Constitutional  
12 amendment as set forth in SECTION 2 of this resolution shall be in  
13 the following form:

14 BALLOT TITLE  
15 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure would amend Section 21 of Article V of the State  
18 Constitution. This section creates the Board on Legislative  
19 Compensation. This Board meets every two years to set the  
20 salaries for members of the Senate and House of Representatives.

21 This measure would limit the maximum amount. The Board would  
22 obtain the salaries of members of the legislatures in states  
23 surrounding Oklahoma. The Board would add up each amount and  
24

1 divide by the number of states. The resulting amount would be  
2 the maximum amount of compensation that could be paid.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES \_\_\_\_\_

5 AGAINST THE PROPOSAL - NO \_\_\_\_\_

6 SECTION 4. The President Pro Tempore of the Senate shall,  
7 immediately after the passage of this resolution, prepare and file  
8 one copy thereof, including the Ballot Title set forth in SECTION 3  
9 hereof, with the Secretary of State and one copy with the Attorney  
10 General.

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