

1 ENGROSSED SENATE  
2 BILL NO. 35

By: Schulz of the Senate

3 and

4 Jackson of the House

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6  
7 An Act relating to the Oklahoma Sunset Law; amending  
8 2 O.S. 2011, Section 18-242, which relates to the  
9 Oklahoma Sorghum Commission; re-creating the  
Commission for certain time period; and declaring an  
emergency.

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

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SECTION 1. AMENDATORY 2 O.S. 2011, Section 18-242, is

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amended to read as follows:

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Section 18-242. A. There is created until July 1, ~~2009~~ 2018,

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in accordance with the provisions of the Oklahoma Sunset Law, the

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Oklahoma Sorghum Commission.

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B. 1. With the exception of the ex officio nonvoting member,

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the Commission shall be composed of five (5) elected members who:

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a. are at least twenty-five (25) years of age and are

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residents of Oklahoma,

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b. have been actually engaged in the production of

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sorghum in this state for a period of at least five

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(5) years, and

1 c. derive a portion of their income from the production  
2 of sorghum.

3 2. The President of the State Board of Agriculture shall be an  
4 ex officio nonvoting member of the Commission. The President may  
5 appoint a designee to serve on the Commission in the place of the  
6 President.

7 C. Each of the elected members shall be a resident of, have a  
8 farming operation in, and be elected by sorghum producers within a  
9 district area designated by this subsection as District 1 through  
10 District 5. The districts shall be as follows:

11 1. District 1 shall consist of Cimarron County;

12 2. District 2 shall consist of Texas County;

13 3. District 3 shall consist of the counties of Beaver, Harper,  
14 Woods, Alfalfa, Ellis, Woodward, Major, Roger Mills, Custer, Dewey,  
15 Blaine, Kingfisher, and Canadian;

16 4. District 4 shall consist of the counties of Grant, Kay,  
17 Osage, Washington, Nowata, Craig, Ottawa, Garfield, Nobel, Pawnee,  
18 Rogers, Mayes, Delaware, Logan, Payne, Creek, Tulsa, Wagoner,  
19 Cherokee, Adair, Oklahoma, Lincoln, Okfuskee, Okmulgee, Muskogee,  
20 Sequoyah, and McIntosh; and

21 5. District 5 shall consist of the counties of Beckham,  
22 Washita, Caddo, Grady, Cleveland, Pottawatomie, Seminole, Hughes,  
23 Pittsburg, Haskell, Le Flore, Harmon, Greer, Kiowa, Comanche,  
24 Jackson, Tillman, Cotton, Stephens, Jefferson, McClain, Garvin,

1 Murray, Carter, Love, Pontotoc, Johnston, Marshall, Coal, Atoka,  
2 Bryan, Latimer, Pushmataha, Choctaw, and McCurtain.

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

- 5 a. two (2) years for District 1,
- 6 b. three (3) years for District 2,
- 7 c. four (4) years for District 3,
- 8 d. five (5) years for District 5, and
- 9 e. six (6) years for District 4.

10 Thereafter the term of office shall be for five (5) years. An  
11 elected member of the Commission may only serve for two full five-  
12 year terms.

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

1 E. The Commission shall hold meetings as necessary at a place  
2 and time to be fixed by the Commission. The Commission shall  
3 select, at the initial meeting of the Commission, a chair, a vice-  
4 chair, and a secretary-treasurer. At the first meeting in each  
5 fiscal year thereafter, the chair, vice-chair, and secretary-  
6 treasurer for the ensuing year shall be elected. Special meetings  
7 may be called by the chair or by three members of the Commission by  
8 delivery of written notice to each member of the Commission. Three  
9 members of the Commission shall constitute a quorum.

10 F. Commission members shall not receive any compensation, but  
11 shall be reimbursed in accordance with the provisions of the State  
12 Travel Reimbursement Act for all actual and necessary expenses  
13 incurred in the performance of the duties imposed upon the  
14 Commission pursuant to the Oklahoma Sorghum Resources Act.

15 G. A member of the Oklahoma Sorghum Commission may be removed  
16 by the President of the State Board of Agriculture for cause or by a  
17 two-thirds (2/3) vote of the other members of the Commission. In  
18 addition to all other causes, a member ceasing to:

- 19 1. Be a resident of the state; or
- 20 2. Produce or plant sorghum in the district from which the  
21 member was elected,  
22 shall be sufficient cause for removal from office.

23 SECTION 2. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3 Passed the Senate the 5th day of March, 2013.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
8 2013.

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Presiding Officer of the House  
of Representatives

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