STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 1684 By: Blackwell

AS INTRODUCED

An Act relating to sunset; amending 2 O.S. 2011, Section 18-272, as amended by Section 1, Chapter 75, O.S.L. 2012 (2 O.S. Supp. 2012, Section 18-272), which relates to the Oklahoma Oilseed Commission; re-creating the Commission; and modifying termination date.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 18-272, as amended by Section 1, Chapter 75, O.S.L. 2012 (2 O.S. Supp. 2012, Section 18-272), is amended to read as follows:

Section 18-272. A. There is re-created until June 1, ~~2013~~ 2017, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Oilseed Commission.

B. 1. With the exception of the ex officio nonvoting member, the Commission shall be composed of five (5) elected members who:

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

b. have been actually engaged in the production of oilseed in this state for a period of at least two (2) years, and

c. derive a portion of their income from the production of oilseed.

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

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

1. District 1 shall consist of the counties of Cimarron, Texas, Beaver, Harper, Woodward, Ellis, Dewey, Roger Mills, and Custer;

2. District 2 shall consist of the counties of Beckham, Washita, Caddo, Grady, Greer, Kiowa, Comanche, Harmon, Jackson, Tillman, and Cotton;

3. District 3 shall consist of the counties of Woods, Alfalfa, Major, Blaine, Kingfisher, Canadian, Grant, Kay, Garfield, Noble, Logan, Payne, Oklahoma, and Lincoln;

4. District 4 shall consist of the counties of Osage, Washington, Nowata, Craig, Ottawa, Pawnee, Rogers, Mayes, Delaware,

Creek, Tulsa, Wagoner, Cherokee, Adair, Okfuskee, Okmulgee, Muskogee, Sequoyah, and McIntosh; and

5. District 5 shall consist of the counties of Cleveland, Pottawatomie, Seminole, Hughes, Pittsburg, Haskell, Le Flore, Stephens, Jefferson, McClain, Garvin, Murray, Carter, Love, Pontotoc, Johnston, Marshall, Coal, Atoka, Bryan, Latimer, Pushmataha, Choctaw, and McCurtain.

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

a. two (2) years for District 1,

b. three (3) years for District 2,

c. four (4) years for District 3,

d. five (5) years for District 4, and

e. six (6) years for District 5.

Thereafter the term of office shall be for five (5) years. An elected member of the Commission may serve for two consecutive full five-year terms. Upon completion of two consecutive full five-year terms, a member shall not be eligible for election for a period of one term before becoming eligible for election to the Commission for two additional consecutive five-year terms.

2. If for any reason there is a vacancy on the Commission due to resignation, death, or for any cause resulting in an unexpired term, the Commission may name a person to serve as a provisional member of the Commission for the remainder of the term of the office

vacated. The Commission shall submit, in writing, the name of the person to the President for approval. The President shall either approve or disapprove the named person as a provisional member of the Commission within thirty (30) days of the submission of the name by the Commission. The failure of the President to disapprove the person named as the provisional member of the Commission within the thirty-day period shall be deemed approval of the person as the provisional member of the Commission.

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

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

G. A member of the Oklahoma Oilseed Commission may be removed by the President of the State Board of Agriculture for cause or by a

two-thirds (2/3) vote of the other members of the Commission. In addition to all other causes, a member ceasing to:

1. Be a resident of the state; or

2. Produce or plant oilseed in the district from which the member was elected,

shall be sufficient cause for removal from office.

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