

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1377

By: Watson and Pfeiffer of the
House

and

Pugh of the Senate

[Oklahoma Corporation Commission - creating the
Twenty-first Century Corporation Commission Task
Force - effective date]

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act related to the Corporation Commission;
creating the Twenty-first Century Corporation
Commission Review; specifying makeup of review
committee; requiring a study to determine efficacy of
Corporation Commission; specifying areas of
investigation for the study; requiring a committee
meeting by certain date; authorizing committee to
consult certain persons; requiring committee quorum
in certain cases; authorizing committee to request
assistance from certain persons; requiring committee
to develop report of findings and present report to
certain members of the Legislature; prohibiting
compensation for service on committee; terminating
committee on certain date; providing for
codification; and declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 850 of Title 17, unless there is
4 created a duplication in numbering, reads as follows:

5 A. There is hereby created the "Twenty-first Century
6 Corporation Commission Review".

7 B. The Review Committee shall consist of seven (7) members as
8 follows:

9 1. One member of the Oklahoma House of Representatives
10 appointed by the Speaker of the Oklahoma House of Representatives;

11 2. One member of the Oklahoma Senate appointed by the President
12 Pro Tempore of the Oklahoma State Senate;

13 3. A member of the Oklahoma Corporation Commission appointed by
14 a vote of the three Commissioners;

15 4. The Attorney General, or a designee from the Office of the
16 Attorney General;

17 5. The State Treasurer, or a designee from the Office of the
18 State Treasurer;

19 6. The Governor, or a designee from the Office of the Governor;
20 and

21 7. The Secretary of Energy and Environment of the State of
22 Oklahoma, who shall serve as Chair of the Review Committee.

23 C. A study shall be performed to determine if the Oklahoma
24 Corporation Commission is properly structured to efficiently operate

1 in the twenty-first century. Such study shall include but not be
2 limited to an assessment of the Oklahoma Corporation Commission
3 related to the following issues:

4 1. A performance assessment, addressing:

- 5 a. current workload levels,
- 6 b. time required to process workload and individual
7 cases; and

8 2. A structural assessment, addressing:

- 9 a. the makeup of the Commission and the impact of the
10 Oklahoma Open Meeting Act requirements,
- 11 b. trends related to terms of office,
- 12 c. the appropriateness of the current number of
13 Commissioners,
- 14 d. the effectiveness of the Corporation Commission's
15 internal structure, and
- 16 e. whether the Commission should be appointed, elected or
17 a combination thereof;

18 3. An assessment of the stated mission, addressing:

- 19 a. accuracy in light of modern day agency functions,
- 20 b. appropriateness and necessity of current duties, and
- 21 c. if performance of certain functions are better suited
22 to other agencies;

23 4. A funding assessment, addressing:

- 24 a. whether the agency is properly funded,

1 b. the current funding mechanisms available, and

2 c. funding gaps within individual programs; and

3 5. A staffing assessment, addressing:

4 a. if the agency is properly staffed to meet its mission,

5 b. if the staffing structure of the agency is efficient,

6 and

7 c. if the staff has the autonomy and accountability

8 needed to perform their duties.

9 D. The Review Committee shall hold an organizational meeting
10 not later than September 1, 2017. In furtherance of performing the
11 assessment of the issues listed in subsection C of this section, the
12 Review Committee may seek input from stakeholders, including the
13 various businesses regulated by the Corporation Commission, such as
14 representatives from the oil and gas, telecommunications,
15 transportation, electric utilities, natural gas pipeline, natural
16 gas local distribution companies and others involved in processes at
17 the Corporation Commission including consumer groups, individual
18 citizens, industrial associations, corporation commission staff and
19 all others that would like to participate.

20 E. The Review Committee may conduct business without a quorum
21 of its membership being present, but a quorum shall be required to
22 be present for purposes of adoption of the final report of the
23 Review Committee.

1 F. The Review Committee may request the assistance of any state
2 agency, board, commission, department or other entity of state
3 government to acquire relevant information for purposes of the
4 study.

5 G. The Review Committee shall develop a final report with
6 specific recommendations and transmit the report not later than
7 September 1, 2018, to the Governor, the Speaker of the Oklahoma
8 House of Representatives and the President Pro Tempore of the
9 Oklahoma State Senate.

10 H. Each member of the Review Committee shall serve without
11 compensation.

12 I. The Review Committee shall terminate effective the day
13 following the transmission of the report required by subsection G of
14 this section.

15 SECTION 2. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval."
19
20
21
22
23
24

1 Passed the Senate the 27th day of April, 2017.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2017.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 1377

By: Watson and Pfeiffer of the
House

3 and

4 Pugh of the Senate
5

6
7 [Oklahoma Corporation Commission - creating the
8 Twenty-first Century Corporation Commission Task
9 Force - effective date]
10
11

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

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 850 of Title 17, unless there is
15 created a duplication in numbering, reads as follows:

16 A. There is hereby created the "Twenty-first Century
17 Corporation Commission Task Force".

18 B. The Task Force shall consist of fourteen (14) members as
19 follows:

20 1. Five members appointed by the Speaker of the Oklahoma House
21 of Representatives as follows:

22 a. two appointments shall be members of the Oklahoma
23 House of Representatives,
24

- b. one appointment shall be a representative of the oil and gas industry,
- c. one appointment shall be a representative of the electric utility industry, and
- d. one appointment shall be a representative of a large industrial consumer of power, as determined by the appointing authority;

2. Five members appointed by the President Pro Tempore of the Oklahoma State Senate as follows:

- a. two appointments shall be members of the Oklahoma State Senate,
- b. one appointment shall be a representative of the telecommunications industry,
- c. one appointment shall be a representative of the transportation industry, and
- d. one appointment shall be a representative of a medium industrial consumer of power, as determined by the appointing authority; and

3. Four members appointed by the Director of the Oklahoma Corporation Commission, one of which shall be a representative of a pipeline utility or pipeline company.

C. The Task Force shall study current regulation to determine if the Oklahoma Corporation Commission is properly structured to efficiently operate in the twenty-first century. Such study shall

- 1 include but not be limited to an assessment of the Oklahoma
2 Corporation Commission related to the following issues:
- 3 1. A performance assessment, determining:
 - 4 a. current workload levels,
 - 5 b. time required to process workload, and
 - 6 c. reputation of agency among stakeholders;
 - 7 2. A structural assessment, determining:
 - 8 a. the makeup of the Commission and the impact of the
 - 9 Oklahoma Open Meeting Act requirements,
 - 10 b. trends related to terms of office,
 - 11 c. the appropriateness of the current number of
 - 12 Commissioners, and
 - 13 d. the effectiveness of leadership and authority;
 - 14 3. An assessment of the stated mission, determining:
 - 15 a. accuracy in light of modern day agency functions,
 - 16 b. appropriateness and necessity, and
 - 17 c. if performance of certain functions are better suited
 - 18 to other agencies;
 - 19 4. A funding assessment, determining:
 - 20 a. whether the agency is properly funded,
 - 21 b. the current funding mechanisms available, and
 - 22 c. funding gaps within individual programs; and
 - 23 5. A staffing assessment, determining:
 - 24 a. if the agency is properly staffed to meet its mission,

- 1 b. if the staffing structure of the agency is efficient,
2 and
3 c. if the staff has the autonomy needed to perform their
4 duties.

5 D. The Task Force shall hold an organizational meeting not
6 later than December 1, 2017. The Task Force shall select from its
7 membership a chair and vice chair.

8 E. The Task Force may conduct business without a quorum of its
9 membership being present, but a quorum shall be required to be
10 present for purposes of adoption of the final report of the Task
11 Force.

12 F. The Task Force may request the assistance of any state
13 agency, board, commission, department or other entity of state
14 government to acquire relevant information for purposes of the
15 study. Staff assistance for the Task Force shall be provided by the
16 Oklahoma House of Representatives, the Oklahoma State Senate and the
17 Oklahoma Corporation Commission.

18 G. The Task Force shall develop a final report and transmit the
19 report not later than December 1, 2018, to the Governor, the Speaker
20 of the Oklahoma House of Representatives and the President Pro
21 Tempore of the Oklahoma State Senate.

22 H. Each member of the Task Force shall serve without
23 compensation.

1 I. The Task Force shall terminate effective the day following
2 the transmission of the report required by subsection G of this
3 section.

4 SECTION 4. This act shall become effective November 1, 2017.

5 Passed the House of Representatives the 21st day of March, 2017.

6

7

Presiding Officer of the House
of Representatives

8

9

Passed the Senate the ____ day of _____, 2017.

10

11

12

Presiding Officer of the Senate

13

14

15

16

17

18

19

20

21

22

23

24