

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1481

By: Sneed

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Department of
8 Transportation; amending 69 O.S. 2021, Sections 302
9 and 305, which relate to the State Transportation
10 Commission; modifying makeup of the Commission;
11 modifying appointment process for the Commission;
12 requiring certain confirmation prior to payment of
13 salary; stating certain citizenship and residency
14 requirements; setting terms for Commissioners;
15 describing terms for specific offices; requiring
16 certain designation by the Governor; setting
17 expiration of terms; providing for appointment of
18 replacement Commissioners; setting salary; allowing
19 travel reimbursement; modifying removal procedures;
20 modifying certain ex officio member; requiring
21 certain Commissioners serve out terms; directing
22 future Gubernatorial appointments be made from set
23 districts; modifying selection of Director; modifying
24 removal of Director; requiring Director salary be set
by Commission; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 302, is
amended to read as follows:

Section 302. A. The State Transportation Commission shall
consist of ~~an at-large member and~~ one (1) member from each of eight

1 districts of the state, such districts to serve as the maintenance
2 districts and to include the area as follows:

3 District 1. Wagoner, Cherokee, Adair, Sequoyah, Muskogee,
4 Okmulgee, McIntosh and Haskell Counties.

5 District 2. Pittsburg, Latimer, LeFlore, McCurtain, Pushmataha,
6 Atoka, Choctaw, Bryan and Marshall Counties.

7 District 3. Lincoln, Cleveland, McClain, Garvin, Pottawatomie,
8 Okfuskee, Seminole, Hughes, Pontotoc, Coal and Johnston Counties.

9 District 4. Payne, Logan, Canadian, Kingfisher, Garfield,
10 Grant, Kay, Noble and Oklahoma Counties.

11 District 5. Roger Mills, Dewey, Custer, Washita, Beckham,
12 Greer, Kiowa, Harmon, Jackson, Blaine, and Tillman Counties.

13 District 6. Cimarron, Texas, Beaver, Harper, Woods, Alfalfa,
14 Ellis, Major and Woodward Counties.

15 District 7. Carter, Love, Murray, Grady, Comanche, Stephens,
16 Cotton, Caddo and Jefferson Counties.

17 District 8. Osage, Pawnee, Nowata, Creek, Craig, Ottawa,
18 Rogers, Mayes, Delaware, Washington and Tulsa Counties.

19 B. The members of the Commission shall be appointed ~~as follows:~~

20 ~~1. Members from Districts 5, 6, 7 and 8 and the at-large member~~
21 ~~shall be appointed by the Governor;~~

22 ~~2. Members from Districts 2 and 3 shall be appointed by the~~
23 ~~Speaker of the House of Representatives; and~~

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1 ~~3. Members from Districts 1 and 4 shall be appointed by the~~
2 ~~President Pro Tempore of the Senate~~ by the Governor, by and with the
3 consent of the Senate, such appointment to have full force and
4 effect and to be submitted to the Senate for its confirmation at the
5 first session of the Senate after such appointment is made. No
6 Commissioner shall be entitled to the payment of salary, or to
7 perform any service, until his or her appointment is confirmed by
8 the Senate, if the Senate then be in session; if the Senate be not
9 in session, then such Commissioner may serve and draw his or her
10 salary until a special or regular session convenes; and if his or
11 her appointment is not then confirmed within twenty (20) days, he or
12 she shall cease to perform such services and cease to draw his or
13 her salary. Each of the Commissioners thus appointed shall, at the
14 time of his or her appointment, be a citizen and resident of the
15 district for which he or she shall have been appointed for at least
16 three (3) years prior to the date of his or her appointment. Not
17 more than one Commissioner shall reside in any one district, as
18 defined herein, at any time while serving on the Commission. Each
19 Commissioner thus appointed and confirmed shall, after the first
20 term of office as herein provided, serve for a term of eight (8)
21 years, and unless he or she is reappointed by the Governor and
22 confirmed by the Senate within twenty (20) legislative days his or
23 her services are automatically terminated and he or she shall cease
24 to draw his or her salary, or any perquisites or emoluments as a

1 Commissioner; provided, that in the event the Governor's appointee
2 is not confirmed by the Senate within ten (10) days from the date
3 his or her name is submitted, then the Governor shall submit a
4 further appointee for confirmation; and during his or her term of
5 office may be removed by the Governor at his or her pleasure. The
6 terms of office shall be as follows: Two Commissioners shall serve
7 until the 15th day of February, 1969; two Commissioners shall serve
8 until the 15th day of February, 1971; two Commissioners shall serve
9 until the 15th day of February, 1973; and two Commissioners shall
10 serve until the 15th day of February, 1975; and the Governor, at the
11 time of making the first appointment, shall, in his or her order of
12 appointment, designate the term each Commissioner so appointed shall
13 serve. Thereafter the term of each Commissioner appointed and
14 confirmed shall expire the 15th day of February in the eighth year
15 after his or her appointment, and in case of death, resignation, or
16 removal, the place shall be filled by appointment by the Governor
17 for the remainder of the term. Such appointments also shall be
18 confirmed by the Senate. The members of the Commission each shall
19 receive an annual salary of Four Thousand Eight Hundred Dollars
20 (\$4,800.00), payable monthly, and each shall be entitled to receive
21 travel expenses pursuant to the State Travel Reimbursement Act,
22 Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

23 ~~C. Each member shall serve at the pleasure of his or her~~
24 ~~appointing authority and may be removed or replaced without cause.~~

1 ~~Any member of the Commission shall be prohibited from voting on any~~
2 ~~issue in which the member has a direct financial interest. The~~
3 ~~Director of the Department of Transportation~~ Governor shall be an ex
4 officio member of the Commission, but shall be entitled to vote only
5 in case of a tie vote.

6 ~~D. C. The members of the Commission each shall receive an~~
7 ~~annual salary of Four Thousand Eight Hundred Dollars (\$4,800.00),~~
8 ~~payable monthly, and each shall be entitled to receive travel~~
9 ~~expenses pursuant to the State Travel Reimbursement Act. Provided,~~
10 ~~that persons serving as members of the State Highway Commission~~
11 ~~created by Section 301 of this title, when this Code becomes~~
12 ~~effective shall serve as members of the State Transportation~~
13 ~~Commission created by this Code for the remainder of the terms for~~
14 ~~which they were appointed, in the positions on the latter Commission~~
15 ~~having corresponding terms of office, or until such positions are~~
16 ~~filled as herein provided. Future Gubernatorial appointments shall~~
17 ~~be made from districts as directed by this act.~~

18 SECTION 2. AMENDATORY 69 O.S. 2021, Section 305, is
19 amended to read as follows:

20 Section 305. There is hereby created the office of the Director
21 of the Department of Transportation, who shall be ~~appointed by the~~
22 ~~Governor with the advice and consent of the Senate~~ elected by a
23 majority vote of the entire Commission and who shall serve at the
24 pleasure of the ~~Governor and may be removed or replaced without~~

1 ~~cause Commission. Compensation for the Director shall be determined~~
2 ~~by the Governor. The Director may be removed from office by a two-~~
3 ~~thirds (2/3) vote of the members elected to and constituting each~~
4 ~~chamber of the~~ The Director shall receive an annual salary to be
5 fixed by a majority vote of the entire Commission from
6 appropriations made by the Legislature.

7 SECTION 3. This act shall become effective November 1, 2023.

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