

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 736

By: Pugh

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5
6 AS INTRODUCED

7 An Act relating to state government; creating within
8 the Oklahoma Department of Commerce the Oklahoma
9 Board of Commerce; specifying governing authority;
10 providing appointing authority; establishing
11 membership requirements; establishing rights and
12 duties of the Board; providing for codification; and
13 providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 5003.3a of Title 74, unless
17 there is created a duplication in numbering, reads as follows:

18 A. There is hereby created within the Oklahoma Department of
19 Commerce the Oklahoma Board of Commerce, hereinafter referred to as
20 the "Board". The Board shall serve as the governing body of the
21 Oklahoma Department of Commerce.

22 B. The Board shall consist of six (6) members who shall serve a
23 term of six (6) years. No more than one Board member shall be from
24 any one county. The Lieutenant Governor shall serve as an ex
officio voting member of the Board.

1 C. Six members shall be appointed by the Governor with the
2 advice and consent of the Senate.

3 D. Whenever a vacancy on the Board occurs by death,
4 resignation, or otherwise, the Lieutenant Governor shall fill the
5 same by appointment, with the advice and consent of the Senate, and
6 the appointee shall hold office during the unexpired term. Each
7 member shall hold office until a successor has been appointed and
8 qualified. Four members of the Board shall constitute a quorum, and
9 the vote of the majority of members present shall be necessary for
10 any action to be taken by the Board. No vacancy in the membership
11 of the Board shall impair the rights of a quorum to exercise and
12 perform all the rights and duties of the Board.

13 E. Each member of the Board, before serving on the Board, shall
14 take and subscribe to the constitutional and statutory oaths of
15 office and file the oaths with the Secretary of State. Members of
16 the Board shall be reimbursed for travel expenses to Board meetings
17 as provided in the State Travel Reimbursement Act of the Oklahoma
18 Statutes.

19 F. The Board shall be organized by the Lieutenant Governor who
20 shall appoint from the Board the chair, the vice chair, and the
21 secretary. The Board is authorized and directed to adopt rules
22 pursuant to the provisions of the Administrative Procedures Act to
23 execute the powers and duties of the Board and Department.

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1 G. The Board may meet monthly and shall meet at least
2 quarterly. The Board may meet at such other times as it deems
3 necessary for effectively performing its duties and
4 responsibilities. Special meetings may be called by the chair or by
5 any three members of the Board. The meetings of the Board shall be
6 subject to the Oklahoma Open Meeting Act.

7 H. The Board is hereby declared to be a governmental agency and
8 instrumentality of the State of Oklahoma with authority to exercise,
9 in addition to those it now has, the rights, privileges and
10 functions hereinafter specified.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 5003.3b of Title 74, unless
13 there is created a duplication in numbering, reads as follows:

14 There are hereby granted to and imposed in the Oklahoma Board of
15 Commerce, and in any commission or body which may hereafter succeed
16 to the powers, rights and duties of the Board, the following
17 additional powers, rights and duties:

- 18 1. Sue and be sued;
- 19 2. Adopt, use and alter an official seal;
- 20 3. Make bylaws for the management and regulation of its
21 affairs;
- 22 4. Appoint, prescribe the duties and fix the compensation for
23 officers, agents and employees;
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5. Make contracts and execute instruments as in the judgment of the Board are necessary or convenient to the exercise of the powers conferred upon it by law; and

6. Promulgate rules and policies necessary and convenient to the exercise of the powers conferred upon it by law.

SECTION 3. This act shall become effective November 1, 2019.

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