

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2316

6 By: McCall

7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; amending 74 O.S.  
9 2011, Section 2, which relates to power of the  
10 Governor; authorizing Governor to appoint or replace  
11 certain persons; authorizing President Pro Tempore of  
12 the Senate and the Speaker of the House of  
13 Representatives to appoint or replace certain  
14 persons; amending 40 O.S. 2011, Section 4-105, which  
15 relates to the Oklahoma Employment Security  
16 Commission; modifying appointments made by the  
17 Governor; amending 43A O.S. 2011, Section 2-103,  
18 which relates to the Board of Mental Health and  
19 Substance Abuse Services; modifying appointments made  
20 by the Governor; amending 62 O.S. 2011, Section 901,  
21 as last amended by Section 9, Chapter 209, O.S.L.  
22 2013 (62 O.S. Supp. 2016, Section 901), which relates  
23 to the Long-Range Capital Planning Commission;  
24 modifying appointments to the Commission; amending 63  
O.S. 2011, Section 5007, which relates to the  
Oklahoma Health Care Authority Board; modifying  
appointments to the Board; amending 68 O.S. 2011,  
Section 102, which relates to the Oklahoma Tax  
Commission; modifying appointments made by the  
Governor; amending 70 O.S. 2011, Section 14-101,  
which relates to the State Board of Career and  
Technology Education; modifying appointments made by  
the Governor; providing for codification; and  
providing an effective date.

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

1 SECTION 1. AMENDATORY 74 O.S. 2011, Section 2, is  
2 amended to read as follows:

3 Section 2. A. The Governor shall have power to remove any  
4 officers appointed by him, ~~in case of incompetency, neglect of duty,~~  
5 ~~or malfeasance in office; and may then fill the same as provided in~~  
6 ~~cases of vacancy~~ or her.

7 B. In addition to any appointments created by expiring terms or  
8 vacancies provided by law, the Governor shall have the power to  
9 appoint, remove or replace any gubernatorial appointments on any  
10 agency, board or commission. Nothing in this section shall apply to  
11 appointments to any agency, board or commission if the appointment  
12 authority is provided for in the Constitution.

13 SECTION 2. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 464.1 of Title 74, unless there  
15 is created a duplication in numbering, reads as follows:

16 In addition to any appointments created by expiring terms or  
17 vacancies provided by law, the President Pro Tempore of the Senate  
18 and the Speaker of the House of Representatives shall have the power  
19 to appoint, remove or replace any of their respective appointments  
20 on any agency, board or commission. Nothing in this section shall  
21 apply to appointments to any agency, board or commission if the  
22 appointment authority is provided for in the Constitution.

23 SECTION 3. AMENDATORY 40 O.S. 2011, Section 4-105, is  
24 amended to read as follows:

1 Section 4-105. REMOVAL BY THE GOVERNOR. Members appointed to  
2 the Oklahoma Employment Security Commission shall serve at the  
3 pleasure of the Governor. The Governor may, at any time, ~~after~~  
4 ~~notice and hearing,~~ remove or replace any Commissioner ~~for cause,~~  
5 ~~and such Commissioner sought to be thus removed shall, if he so~~  
6 ~~desires, be given a copy of the charges brought against him, and be~~  
7 ~~given an opportunity of being publicly heard in person, or by~~  
8 ~~counsel, upon not less than ten (10) days' notice. Such hearing~~  
9 ~~shall be had before the Governor of the State of Oklahoma. If such~~  
10 ~~Commissioner be removed, the Governor shall file in the office of~~  
11 ~~the Secretary of State a complete statement of all charges made~~  
12 ~~against such Commissioner, and a complete record of the Governor's~~  
13 ~~proceedings and his findings thereon.~~

14 SECTION 4. AMENDATORY 43A O.S. 2011, Section 2-103, is  
15 amended to read as follows:

16 Section 2-103. A. The Board of Mental Health and Substance  
17 Abuse Services shall be composed of eleven (11) members, appointed  
18 by the Governor, with the advice and consent of the Senate. Each  
19 term is for a seven-year period and members may be reappointed to  
20 subsequent terms. Board members shall serve at the pleasure of the  
21 Governor and may be removed or replaced without cause. Board  
22 members shall meet the following criteria:

23 1. One member, who shall be a physician licensed to practice in  
24 this state, and one member, who shall be a psychiatrist certified as

1 a diplomate of the American Board of Psychiatry and Neurology, shall  
2 both be appointed from a list containing the names of not less than  
3 three physicians and not less than three psychiatrists submitted to  
4 the Governor by the Oklahoma State Medical Association;

5 2. One member, who shall be an attorney licensed to practice in  
6 this state and shall be appointed from a list of not less than three  
7 names submitted to the Governor by the Board of Governors of the  
8 Oklahoma Bar Association;

9 3. One member, who shall be a psychologist, licensed to  
10 practice in this state, who shall be appointed from a list of not  
11 less than three names submitted to the Governor by the Oklahoma  
12 State Psychological Association;

13 4. Three members, qualified by education and experience in the  
14 area of substance abuse recovery, who shall be appointed from a list  
15 of not less than ten names submitted to the Governor by a state  
16 association of substance abuse recovery programs or organizations;  
17 and

18 5. Four members who shall be citizens of this state, at least  
19 one of whom shall be either a current or former consumer of mental  
20 health services.

21 B. No person shall be appointed a member of the Board who has  
22 been a member of the Legislature of this state within the preceding  
23 five (5) years.

24

1 C. The Board shall elect from among its members a chair and a  
2 vice-chair. The chair may call meetings at any time.

3 D. All regularly scheduled meetings of the Board shall be held  
4 at the Central Office of the Department of Mental Health and  
5 Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise  
6 scheduled. Six members shall constitute a quorum at any meeting,  
7 and all action may be taken by an affirmative vote of the majority  
8 of the members present at any such meeting.

9 E. The action taken by the Board on any matter, or any document  
10 passed by the Board, shall be considered official when such action  
11 is placed in writing and signed by the chair or vice-chair.

12 F. The duties of the Board shall pertain to the care,  
13 treatment, and hospitalization of persons with mental illness, or  
14 alcohol- or drug-dependent persons.

15 G. Members of the Board of Mental Health and Substance Abuse  
16 Services shall be allowed their necessary travel expenses pursuant  
17 to the provisions of the State Travel Reimbursement Act.

18 H. Members of the Board of Mental Health and Substance Abuse  
19 Services shall be allowed to serve on the State Board of Medical  
20 Licensure and Supervision during members' terms on the Board of  
21 Mental Health and Substance Abuse Services.

22 SECTION 5. AMENDATORY 62 O.S. 2011, Section 901, as last  
23 amended by Section 9, Chapter 209, O.S.L. 2013 (62 O.S. Supp. 2016,  
24 Section 901), is amended to read as follows:

1 Section 901. A. There is hereby created a Long-Range Capital  
2 Planning Commission to advise and assist the Legislature in  
3 providing for real property capital facility needs for this state.  
4 The Commission shall consist of nine (9) members as follows:

5 1. Three members appointed by the President Pro Tempore of the  
6 Senate;

7 2. Three members appointed by the Speaker of the House of  
8 Representatives; and

9 3. Three members shall be appointed by the Governor.

10 All appointees shall serve at the will and pleasure of the  
11 appointing authority and may be removed or replaced without cause  
12 and be from the public at large. Within thirty (30) days of the  
13 effective date of this act, the appointing authorities shall appoint  
14 new members to the Commission; provided, a member serving on the  
15 effective date of this act may be reappointed if he or she is  
16 otherwise qualified. Of the members initially appointed by each  
17 appointing authority after the effective date of this act, one shall  
18 be appointed for a one-year term, one shall be appointed for a two-  
19 year term and one shall be appointed for a three-year term.  
20 Thereafter, their successors shall be appointed for four-year terms.  
21 Any vacancy shall be filled for the remainder of the unexpired term  
22 in the same manner as the original appointment. The appointing  
23 authorities shall appoint members who possess knowledge, skills and  
24 abilities to perform the duties of the Commission. No member of the

1 Commission shall be interested, directly or indirectly, in any  
2 contract entered into for a project approved by the Commission  
3 during the period of service of the member, nor shall any person be  
4 appointed as a member of the Commission if such person is  
5 interested, directly or indirectly, in a contract entered into for a  
6 project approved prior to the appointment. An indirect interest  
7 shall include, but not be limited to, an interest of an immediate  
8 family member of the member of the Commission or a business with  
9 which the member of the Commission is associated.

10 B. A chair of the Commission shall be elected from its  
11 membership. Five members of the Commission shall constitute a  
12 quorum. Members of the Commission shall serve without compensation,  
13 but shall be entitled to reimbursement, pursuant to the State Travel  
14 Reimbursement Act, for expenses incurred in the performance of their  
15 duties.

16 C. Initial appointments to the Commission shall be made within  
17 thirty (30) days of the effective date of this act.

18 D. The Commission shall have the authority to promulgate rules  
19 and regulations necessary to implement the provisions of this act.

20 E. The Office of Management and Enterprise Services, with the  
21 advice and assistance of the Oklahoma State Bond Advisor, shall  
22 provide staffing for the Commission and other such assistance as the  
23 Commission may require.

24

1 F. 1. The Commission shall prepare each year an annual capital  
2 plan budget and a state capital plan for addressing state capital  
3 facility needs for the next ensuing eight (8) years. The Oklahoma  
4 State Regents for Higher Education and each state governmental  
5 entity as defined in Section 695.3 of this title shall cooperate  
6 with the Commission in the preparation of the state plan. Each  
7 year, on or about December 1, the plan shall be submitted to the  
8 Governor, Speaker of the House of Representatives and President Pro  
9 Tempore of the Senate. The Long-Range Capital Planning Commission  
10 shall annually update the eight-year plan. The Office of Management  
11 and Enterprise Services shall perform routine services to support  
12 the eight-year plan, including but not limited to, agency-level  
13 planning, real estate services, construction services and facility  
14 operations as provided by law.

15 2. In addition to the requirements set forth in Section 10 of  
16 this act, the capital plan should:

- 17 a. supplement and integrate, not replace, existing  
18 capital planning processes,
- 19 b. assess long-term needs for capital facilities to  
20 support state government needs as determined by the  
21 Commission,
- 22 c. review and assess the inventory of capital facilities  
23 held by the state, and make recommendations on  
24



- 1 reallocation, reuse or liquidation of properties for  
2 incorporation into the annual capital plan,
- 3 d. include a projection of economic and demographic  
4 trends likely to influence the needs of state  
5 government during the eight-year period,
- 6 e. address agency strategic facility plans for new,  
7 improved, renovated, or expanded capital facilities or  
8 facilities that should be reallocated or liquidated,
- 9 f. include estimates of life cycle costs for new and  
10 substantially expanded or renovated facilities,
- 11 g. evaluate the effectiveness of planning processes at  
12 the agency level to account for all capital facility  
13 costs for incorporation into the annual capital  
14 budget,
- 15 h. account for projections of debt service and revenues  
16 available from general obligation bonds and other  
17 sources, including but not limited to, the Maintenance  
18 of State Buildings Revolving Fund,
- 19 i. analyze the capacity of the state to incur debt or  
20 finance public capital facilities,
- 21 j. include a comprehensive listing of all capital  
22 expenditures of the state which the Commission  
23 recommends be undertaken or continued for any state  
24 agency in the next two (2) fiscal years, together with

1 information as to the effect of such capital projects  
2 on future operating expenses of the state, and with  
3 recommendations as to the priority of such capital  
4 projects and the means of funding them,

5 k. forecast the requirements for capital projects of  
6 state agencies for the eight-year-period and for such  
7 additional periods, if any, as may be necessary or  
8 desirable for adequate presentation of particular  
9 capital projects, and include a schedule for the  
10 planning and implementation or construction of such  
11 capital projects,

12 l. set forth a proposed itemized budget for the next  
13 fiscal year of recommended capital expenditures  
14 inclusive of all funding sources, for each agency,  
15 including facility rent and lease payments, energy and  
16 utility expenditures, operations and maintenance,  
17 capital improvements and capital development projects  
18 as necessary to optimize and preserve the state's  
19 capital assets,

20 m. include the findings of the Oklahoma State Government  
21 Asset Reduction and Cost Savings Program and the  
22 indexing of the most necessary capital improvements to  
23 the expenditure of funds from the Maintenance of State  
24 Buildings Revolving Fund,

1 n. include such other information as the Commission deems  
2 relevant to its duties, and

3 o. include findings of the Oklahoma State Government  
4 Asset Reduction and Cost Savings Program and the  
5 indexing of the most necessary capital improvements to  
6 the expenditure of funds from the Maintenance of State  
7 Buildings Revolving Fund.

8 G. The capital plan budget shall include, for each expenditure  
9 and class of expenditures, the capital facility costs to be incurred  
10 during the next ensuing fiscal year, inclusive of the annual  
11 operating and maintenance costs of such facilities and a schedule of  
12 depreciation calculated in accordance with the principles and  
13 standards of capital budgeting authorized by subsection H of this  
14 section.

15 H. The Commission, with the assistance of the Office of  
16 Management and Enterprise Services, shall prepare and publish rules  
17 and regulations that set forth principles and standards for capital  
18 planning and budgeting to be used by state agencies. The rules and  
19 regulations shall set forth definitions of relevant terms to be used  
20 in the capital planning and budgeting processes, establish  
21 accounting standards and standards for costs and benefits of public  
22 facility investments.

23 I. 1. The Commission, the Office of Management and Enterprise  
24 Services, and the Oklahoma State Bond Advisor may request the

1 assistance of such personnel of any state agency in order to perform  
2 their duties pursuant to the State Capital Improvement Planning Act  
3 and such agencies shall respond and provide any such assistance as  
4 may be required. The Commission may use existing studies, surveys,  
5 plans, data and other materials in the possession of any state  
6 agency. Each such agency shall make the same available to the  
7 Commission so that the Commission may have available to it current  
8 information with respect to the capital plans and programs of each  
9 such agency.

10 2. The officers and personnel of any state agency may serve at  
11 the request of the Commission upon such advisory committees as the  
12 Commission may create and such officers and personnel may serve upon  
13 such committees without forfeiture of office or employment and with  
14 no loss or diminution of the compensation, status, rights and  
15 privileges which they otherwise enjoy.

16 J. This section shall not be applicable to the following or  
17 their lands, properties, buildings, funds or revenue:

- 18 1. The Oklahoma Ordnance Works Authority; and
- 19 2. The Commissioners of the Land Office.

20 SECTION 6. AMENDATORY 63 O.S. 2011, Section 5007, is  
21 amended to read as follows:

22 Section 5007. A. There is hereby created the Oklahoma Health  
23 Care Authority Board. On and after July 1, 1994, as the terms of  
24 the initially appointed members expire, the Board shall be composed

1 of seven appointed members who shall serve for terms of four (4)  
2 years and shall be appointed as follows:

3 1. Two members shall be appointed by the President Pro Tempore  
4 of the Senate;

5 2. Two members shall be appointed by the Speaker of the House  
6 of Representatives; and

7 3. Three members shall be appointed by the Governor. Two of  
8 the members appointed by the Governor shall be consumers.

9 B. All members of the Board shall serve at the pleasure of the  
10 appointing authority and may be removed or replaced without cause.

11 Members appointed pursuant to this paragraph, with the exception of  
12 the consumer members, shall include persons having experience in  
13 medical care, health care services, health care delivery, health  
14 care finance, health insurance and managed health care. Consumer  
15 members shall have no financial or professional interest in medical  
16 care, health care services, health care delivery, health finance,  
17 health insurance or managed care. In making the appointments, the  
18 appointing authority shall also give consideration to urban, rural,  
19 gender and minority representation.

20 C. 1. As the terms of office of members appointed before July  
21 1, 1995, expire, appointments made on or after July 1, 1995, shall  
22 be subject to the following requirements:

23 a. ~~One~~ one member appointed by the Governor shall be a  
24 resident of the First Congressional District. The

1 term of office of the member appointed by the Governor  
2 and serving as of the effective date of this act shall  
3 expire on September 1, 2003~~+~~L

4 b. ~~One~~ one member appointed by the President Pro Tempore  
5 of the Senate shall be a resident of the Second  
6 Congressional District and a consumer. The term of  
7 office of the member appointed by the President Pro  
8 Tempore of the Senate and serving as of the effective  
9 date of this act shall expire on September 1, 1999~~+~~L

10 c. ~~One~~ one member appointed by the President Pro Tempore  
11 of the Senate shall be a resident of the Third  
12 Congressional District. The term of office of the  
13 member appointed by the President Pro Tempore of the  
14 Senate and serving as of the effective date of this  
15 act shall expire on September 1, 2004~~+~~L

16 d. ~~One~~ one member appointed by the Speaker of the House  
17 of Representatives shall be a resident of the Fourth  
18 Congressional District. The term of office of the  
19 member appointed by the Speaker of the House of  
20 Representatives and serving as of the effective date  
21 of this act shall expire on September 1, 2001~~+~~L

22 e. ~~One~~ one member appointed by the Speaker of the House  
23 of Representatives shall be a resident of the Fifth  
24 Congressional District and a consumer. The term of

1 office of the member appointed by the Speaker of the  
2 House of Representatives and serving as of the  
3 effective date of this act shall expire on September  
4 1, 1998~~7~~1,

5 f. ~~One~~ one member appointed by the Governor shall be a  
6 resident of the Sixth Congressional District and a  
7 consumer. The term of office of the member appointed  
8 by the Governor and serving as of the effective date  
9 of this act shall expire on September 1, 2000~~7~~1 and

10 g. ~~The~~ the second consumer member appointed by the  
11 Governor shall be appointed at large. The term of  
12 office of the member appointed by the Governor and  
13 serving as of the effective date of this act shall  
14 expire on September 1, 2002.

15 2. Appointments made subsequent to the effective date of this  
16 act shall not be restricted to any particular congressional  
17 district. Appointments made after July 1 of the year in which a  
18 redrawing of a congressional district becomes effective shall be  
19 from the state at large. However, no appointments may be made after  
20 July 1 of the year in which such modification becomes effective if  
21 such appointment would result in more than two members serving from  
22 the same modified district.

23 D. The terms of the members serving on the Board as of the  
24 effective date of this act shall expire on September 1 of the year

1 in which the respective terms expire. Thereafter, as new terms  
2 begin, members shall be appointed to four-year staggered terms which  
3 shall expire on September 1. Should a member serve less than a  
4 four-year term, the term of office of the member subsequently  
5 appointed shall be for the remainder of the four-year term.

6 E. On and after July 1, 1994, any subsequently appointed  
7 administrator of the Authority shall be appointed by the Board. The  
8 administrator shall have the training and experience necessary for  
9 the administration of the Authority, as determined by the Board,  
10 including, but not limited to, prior experience in the  
11 administration of managed health care. The administrator shall  
12 serve at the pleasure of the Board.

13 F. The Board shall have the power and duty to:

14 1. Establish the policies of the Oklahoma Health Care  
15 Authority;

16 2. Appoint the Administrator of the Authority;

17 3. Adopt and promulgate rules as necessary and appropriate to  
18 carry out the duties and responsibilities of the Authority. The  
19 Board shall be the rulemaking body for the Authority; and

20 4. Adopt, publish and submit by January 1 of each year to the  
21 Governor, the President Pro Tempore of the Senate, and the Speaker  
22 of the House of Representatives appropriate administrative policies  
23 and the business plan for that year. All actions governed by said  
24



1 administrative policies and annual business plan shall be examined  
2 annually in an independent audit.

3 G. 1. A vacancy in a position shall be filled in the same  
4 manner as provided in subsection A of this section.

5 2. A majority of the members of the Board shall constitute a  
6 quorum for the transaction of business and for taking any official  
7 action. Official action of the Board must have a favorable vote by  
8 a majority of the members present.

9 3. Members appointed pursuant to subsection A of this section  
10 shall serve without compensation but shall be reimbursed for  
11 expenses incurred in the performance of their duties in accordance  
12 with the State Travel Reimbursement Act.

13 H. The Board and the Authority shall act in accordance with the  
14 provisions of the Oklahoma Open Meeting Act, the Oklahoma Open  
15 Records Act and the Administrative Procedures Act.

16 SECTION 7. AMENDATORY 68 O.S. 2011, Section 102, is  
17 amended to read as follows:

18 Section 102. The "Oklahoma Tax Commission" is hereby created,  
19 and shall possess such duties, powers and authority as are  
20 hereinafter defined, and as are now or as may hereafter be conferred  
21 upon it by law. The Tax Commission shall consist of three (3)  
22 persons to be appointed by the Governor of the State of Oklahoma by  
23 and with the consent of the State Senate of the State of Oklahoma.  
24 No more than two ~~(2)~~ members of the Tax Commission shall be, or

1 shall have been in the previous six (6) months, members of the same  
2 political party. The members of the Tax Commission shall ~~not~~ be  
3 subject to removal or replacement from office at the will and  
4 pleasure of the Governor, ~~but may be removed only for cause and in~~  
5 ~~the manner provided by law for the removal of state officials not~~  
6 ~~subject to impeachment under the provision of Section 1, Article~~  
7 ~~VIII, of the Constitution.~~

8 The members of the Oklahoma Tax Commission as now constituted  
9 shall continue to serve until the members of the Tax Commission  
10 created by this act are duly appointed, confirmed and qualified.  
11 Within twenty (20) days after the effective date of this act, the  
12 Governor shall appoint a new Tax Commission with the term of office  
13 of one member to expire on the second Monday of January 1955, the  
14 term of office of the second member to expire on the second Monday  
15 of January 1957, and the term of office of the third member to  
16 expire on the second Monday of January 1959. Except as set out  
17 above the term of office of each member of said Commission shall be  
18 for six (6) years with the term of office of one member of the Tax  
19 Commission expiring on the second Monday of January of each  
20 odd-numbered year. Provided, however, that a member of the  
21 Commission shall continue to serve after the expiration of his term  
22 of office until his successor is appointed, confirmed and qualified.  
23 In the event of a vacancy in the membership of the Tax Commission  
24 before the expiration of any term of office, the Governor shall fill

1 such vacancy for the unexpired term within twenty (20) days, and no  
2 member of the Commission shall be entitled to draw any salary or  
3 perform any service until his appointment is confirmed by the  
4 Senate, if the Senate then be in session. If the Senate be not in  
5 session, then such member may serve and draw his salary until some  
6 special or regular session convenes; and if his appointment is then  
7 not confirmed within twenty (20) days, he shall cease to perform  
8 such services and cease to draw a salary.

9 Each member of the Tax Commission shall, at the time of his  
10 appointment, be a resident and citizen of the State of Oklahoma, and  
11 shall devote all of his time to the administration of the affairs of  
12 the Tax Commission. The Governor shall at the time of making the  
13 initial appointments, and also at the time of making each  
14 appointment to fill a vacancy on the Commission as provided by this  
15 act, designate one member to serve as Chairman, one member to serve  
16 as Vice Chairman and one member to serve as Secretary.

17 The Oklahoma Tax Commission shall appoint an administrator who  
18 shall serve at the pleasure of the Commission and who shall be the  
19 administrative officer of the Commission and manage the activities  
20 of the employees provided for in Sections 104 and 105 of this title.

21 SECTION 8. AMENDATORY 70 O.S. 2011, Section 14-101, is  
22 amended to read as follows:

23 Section 14-101. A. There is hereby created the State Board of  
24 Career and Technology Education which shall succeed to all of the

1 powers and duties heretofore invested in the State Board for  
2 Vocational Education. The membership of the State Board of Career  
3 and Technology Education shall consist of:

4 1. The State Superintendent of Public Instruction who shall be  
5 an ex officio voting member;

6 2. Two appointed members of the State Board of Education,  
7 selected by the Governor, to serve as ex officio voting members.  
8 One State Board member shall be selected for a one-year term and one  
9 State Board member shall be selected for a two-year term;

10 3. Five members to be appointed by the Governor with the advice  
11 and consent of the Senate. Each appointed member shall be an owner,  
12 chief executive or operating officer, or business executive with  
13 policy-making or hiring authority for a business or industry located  
14 in the state or with a business or industry where a significant  
15 number of the workforce performs a task for which training or other  
16 educational service may be obtained from the career and technology  
17 education system. The Governor shall appoint one such appointive  
18 member from each of the congressional districts and any remaining  
19 members shall be appointed from the state at large.

20 However, when congressional districts are redrawn each member  
21 appointed prior to July 1 of the year in which such modification  
22 becomes effective shall complete the current term of office and  
23 appointments made after July 1 of the year in which such  
24 modification becomes effective shall be based on the redrawn

1 districts. Appointments made after July 1 of the year in which such  
2 modification becomes effective shall be from any redrawn districts  
3 which are not represented by a board member until such time as each  
4 of the modified congressional districts are represented by a board  
5 member. No member shall be appointed pursuant to this paragraph who  
6 has not resided in the relevant congressional district for at least  
7 six (6) months prior to the date of appointment; and

8 4. One member who represents the public, private and/or  
9 educational interests of the state shall be appointed by the  
10 Governor from the state at large with the advice and consent of the  
11 Senate.

12 B. All initial appointments made by the Governor pursuant to  
13 this act shall be for terms as follows:

14 1. Initial appointments of the two members of the State Board  
15 of Education pursuant to paragraph 2 of subsection A of this section  
16 shall be for terms as follows:

17 a. one for a term to expire on April 1, 2004, and

18 b. one for a term to expire on April 1, 2005;

19 2. Initial appointments of the six members pursuant to  
20 paragraphs 3 and 4 of subsection A of this section shall be for  
21 terms as follows:

22 a. one for a term to expire on April 1, 2004,

23 b. one for a term to expire on April 1, 2005,

24 c. one for a term to expire on April 1, 2006,

- d. one for a term to expire on April 1, 2007,
- e. one for a term to expire on April 1, 2008, and
- f. one for a term to expire on April 1, 2009;

3. The member appointed to represent the state at large shall be the initial appointment for the term ending April 1, 2009;

4. After the initial terms, all members appointed by the Governor shall be appointed for terms of six (6) years. All appointed members of the Board shall serve at the pleasure of the Governor and may be removed or replaced without cause. Initial appointments pursuant to the provisions of this section shall be made no later than September 1, 2003. All terms shall expire on the first day of April of the year in which the term of each member expires, except for the terms of office of members serving on the Board on the effective date of this section, which shall expire August 31, 2003;

5. The Chair of the Board shall be the State Superintendent of Public Instruction. The Director of the Oklahoma Department of Career and Technology Education shall serve as an ex officio nonvoting member and shall be the executive officer of the Board; and

6. Members of the State Board of Career and Technology Education shall be subject to the orientation and continuing education requirements for school board members specified in Sections 5-110 and 5-110.1 of this title. Failure of a member to

1 satisfy these requirements shall result in the member vacating the  
2 seat and the vacancy being filled as provided by law.

3 C. No person shall be eligible to be appointed to serve on the  
4 Board unless the person has been awarded a high school diploma or  
5 certificate of high school equivalency.

6 D. For each additional month employed, the additional salary  
7 shall be calculated on the basis of one-tenth (1/10) of the base  
8 salary as prescribed by the school district for a teacher of like  
9 qualifications employed on a ~~ten-months~~ ten-month basis.

10 E. The official name of the Board which is known as the "State  
11 Board of Vocational and Technical Education" shall be designated in  
12 all future references as the "State Board of Career and Technology  
13 Education". Any references in the statutes to the State Board of  
14 Vocational and Technical Education shall be deemed references to the  
15 State Board of Career and Technology Education.

16 SECTION 9. This act shall become effective November 1, 2017.

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18 56-1-7223 LRB 03/01/17  
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