

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2316

By: McCall

7 COMMITTEE SUBSTITUTE

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

17
18 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
19 03/01/2017 - DO PASS, As Amended.
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