

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2823

By: Gann of the House

and

Dahm of the Senate

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8 An Act relating to sunset; amending 20 O.S. 2011,
9 Section 1501, as last amended by Section 1, Chapter
10 15, O.S.L. 2016 (20 O.S. Supp. 2019, Section 1501),
11 which relates to the State Board of Examiners of
12 Certified Shorthand Reporters; re-creating the Board;
13 and modifying termination date.

14
15 AUTHOR: Remove Dahm as Senate Author and replace with Rader as
16 Senate Author

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18 AMENDMENT NO. 1. Page 1, substitute the following for the title,
19 enacting clause and the entire body of the bill:

20 "An Act relating to sunset extension; amending 59
21 O.S. 2011, Section 46.4, as last amended by Section
22 4, Chapter 234, O.S.L. 2014 (59 O.S. Supp. 2019,
23 Section 46.4), which relates to Board of Governors of
24 the Licensed Architects, Landscape Architects and
Registered Interior Designers of Oklahoma; amending
59 O.S. 2011, Section 475.3, as last amended by
Section 3, Chapter 259, O.S.L. 2017 (59 O.S. Supp.
2019, Section 475.3), which relates to the State
Board of Licensure for Professional Engineers and
Land Surveyors; amending 59 O.S. 2011, Section 698.3,
as last amended by Section 1, Chapter 353, O.S.L.
2014 (59 O.S. Supp. 2019, Section 698.3), which

1 relates to State Board of Veterinary Medical
2 Examiners; amending 59 O.S. 2011, Section 1455, as
3 last amended by Section 1, Chapter 192, O.S.L. 2019
4 (59 O.S. Supp. 2019, Section 1455), which relates to
5 the Polygraph Examiners Board; amending 59 O.S. 2011,
6 Section 1000.2, as last amended by Section 1, Chapter
7 157, O.S.L. 2016 (59 O.S. Supp. 2019, Section
8 1000.2), which relates to the Construction Industries
9 Board; amending 59 O.S. 2011, Section 15.2, as last
10 amended by Section 2, Chapter 327, O.S.L. 2019 (59
11 O.S. Supp. 2019, Section 15.2), which relates to the
12 Oklahoma Accountancy Board; amending 59 O.S. 2011,
13 Section 396, as amended by Section 1, Chapter 61,
14 O.S.L. 2014 (59 O.S. Supp. 2019, Section 396), which
15 relates to the Oklahoma Funeral Board; amending 59
16 O.S. 2011, Section 1253, as last amended by Section
17 1, Chapter 62, O.S.L. 2014 (59 O.S. Supp. 2019,
18 Section 1253), which relates to the Oklahoma Board of
19 Licensed Social Workers; amending 59 O.S. 2011,
20 Section 161.4, as last amended by Section 1, Chapter
21 156, O.S.L. 2016 (59 O.S. Supp. 2019, Section 161.4),
22 which relates to the Board of Chiropractic Examiners;
23 amending 59 O.S. 2011, Section 1873, as amended by
24 Section 1, Chapter 66, O.S.L. 2014 (59 O.S. Supp.
2019, Section 1873), which relates to the Oklahoma
Board of Licensed Alcohol and Drug Counselors;
amending 59 O.S. 2011, Section 582, as last amended
by Section 1, Chapter 158, O.S.L. 2016 (59 O.S. Supp.
2019, Section 582), which relates to the Board of
Examiners in Optometry; amending 1 O.S. 2011, Section
22, as last amended by Section 1, Chapter 44, O.S.L.
2019 (1 O.S. Supp. 2019, Section 22), which relates
to the Oklahoma Abstractors Board; amending 10 O.S.
2011, Section 1150.2, as last amended by Section 1,
Chapter 63, O.S.L. 2014 (10 O.S. Supp. 2019, Section
1150.2), which relates to the Child Death Review
Board within the Oklahoma Commission on Children and
Youth; amending 19 O.S. 2011, Section 130.1, as last
amended by Section 1, Chapter 191, O.S.L. 2019 (19
O.S. Supp. 2019, Section 130.1), which relates to the
Commission on County Government Personnel Education
and Training; amending 20 O.S. 2011, Section 1501, as
last amended by Section 1, Chapter 15, O.S.L. 2016
(20 O.S. Supp. 2019, Section 1501), which relates to
the State Board of Examiners of Certified Shorthand
Reporters; amending 27A O.S. 2011, Section 2-2-201,
as last amended by Section 1, Chapter 430, O.S.L.

1 2019 (27A O.S. Supp. 2019, Section 2-2-201), which
2 relate to the Water Quality Management Advisory
3 Council, Hazardous Waste Management Advisory Council,
4 Solid Waste Management Advisory Council and Radiation
5 Management Advisory Council; amending 57 O.S. 2011,
6 Section 521.1, as last amended by Section 1, Chapter
7 429, O.S.L. 2019 (57 O.S. Supp. 2019, Section 521.1),
8 which relates to the Reentry Policy Council; amending
9 63 O.S. 2011, Section 1-1923, as amended by Section
10 1, Chapter 60, O.S.L. 2014 (63 O.S. Supp. 2019,
11 Section 1-1923), which relates to the Long-Term Care
12 Facility Advisory Board; amending 63 O.S. 2011,
13 Section 91, as last amended by Section 1, Chapter 48,
14 O.S.L. 2016 (63 O.S. Supp. 2019, Section 91), which
15 relates to the State Anatomical Board; amending 70
16 O.S. 2011, Section 3-173, as last amended by Section
17 1, Chapter 131, O.S.L. 2014 (70 O.S. Supp. 2019,
18 Section 3-173), which relates to the Oklahoma
19 Advisory Council on Indian Education; amending 70
20 O.S. 2011, Section 23-105, as last amended by Section
21 1, Chapter 290, O.S.L. 2014 (70 O.S. Supp. 2019,
22 Section 23-105), which relates to the Oklahoma
23 Educational Television Authority; amending 74 O.S.
24 2011, Section 245, as last amended by Section 1,
Chapter 57, O.S.L. 2014 (74 O.S. Supp. 2019, Section
245), which relates to the Oklahoma Climatological
Survey; extending sunset date; providing an effective
date; and declaring an emergency."

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 46.4, as
last amended by Section 4, Chapter 234, O.S.L. 2014 (59 O.S. Supp.
2019, Section 46.4), is amended to read as follows:

Section 46.4. There is hereby re-created, to continue until
July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
Sunset Law, a board to be known as the "Board of Governors of the
Licensed Architects, Landscape Architects and Registered Interior

1 Designers of Oklahoma", hereinafter referred to as the Board. The
2 Board shall be composed of eleven (11) members, including seven
3 persons who are duly licensed to practice architecture and are in
4 good standing in this state, two persons who are duly licensed to
5 practice landscape architecture and are in good standing in this
6 state, one person as a registered interior designer and is active
7 and in good standing and one lay member. Each member of the Board
8 shall be a qualified elector of this state, and the architect,
9 landscape architect and registered interior designer members shall
10 have had five (5) years' licensing or registration experience as the
11 professional position requires in this state. Re-creation of the
12 Board shall not alter existing staggered terms. Board members,
13 other than the lay member, shall be appointed for a period of five
14 (5) years thereafter; provided that nothing herein shall affect the
15 tenure of office of anyone who is a member of the Board on May 31,
16 1957. A member may be reappointed to succeed such membership. The
17 licensed architect, landscape architect or the registered interior
18 designer may be appointed by the Governor from a list of nominees
19 submitted by respective professional societies of this state.
20 Membership in a professional society shall not be a prerequisite to
21 appointment to the Board. The lay member of the Board shall be
22 appointed by the Governor to a term coterminous with that of the
23 Governor. The lay member shall serve at the pleasure of the
24 Governor. Provided, the lay member may continue to serve after the

1 expiration of the term of the member until such time as a successor
2 is appointed. Vacancies which may occur in the membership of the
3 Board shall be filled by appointment by the Governor. Each person
4 who has been appointed to fill a vacancy shall serve for the
5 remainder of the term for which the member the person shall succeed
6 was appointed and until a successor, in turn, has been appointed and
7 shall have qualified. Each member of the Board, before entering
8 upon the discharge of the duties of the member, shall make and file
9 with the Secretary of State a written oath or affirmation for the
10 faithful discharge of official duties. Each member of the Board and
11 staff shall be reimbursed for travel expenses pursuant to the State
12 Travel Reimbursement Act.

13 SECTION 2. AMENDATORY 59 O.S. 2011, Section 475.3, as
14 last amended by Section 3, Chapter 259, O.S.L. 2017 (59 O.S. Supp.
15 2019, Section 475.3), is amended to read as follows:

16 Section 475.3. A. The State Board of Licensure for
17 Professional Engineers and Land Surveyors is hereby re-created, to
18 continue until July 1, ~~2020~~ 2023, in accordance with the provisions
19 of the Oklahoma Sunset Law, whose duty it shall be to administer the
20 provisions of Section 475.1 et seq. of this title. The Board shall
21 consist of four professional engineers and two professional land
22 surveyors, at least one of whom is not a professional engineer, all
23 of whom shall be appointed by the Governor, with the advice and
24 consent of the Senate. The Governor shall also appoint one lay

1 member. The professional engineers and professional land surveyors
2 shall be appointed by the Governor and shall have the qualifications
3 required by Section 475.4 of this title.

4 B. Each member of the Board shall file with the Secretary of
5 State a written oath or affirmation for the faithful discharge of
6 official duties.

7 C. Appointments to the Board shall be in such manner and for
8 such period of time so that no two terms, with the exception of the
9 lay member, shall expire in the same year. On the expiration of the
10 term of any member, except the lay member, the Governor shall in the
11 manner herein provided appoint for a term of six (6) years a
12 professional engineer or professional land surveyor having the
13 qualifications required in Section 475.4 of this title. The lay
14 member of the Board shall be appointed by the Governor to a term
15 coterminous with that of the Governor. The lay member shall serve
16 at the pleasure of the Governor. Provided, the lay member may
17 continue to serve after the expiration of the member's term until
18 such time as a successor is appointed. Members may be reappointed
19 to succeed themselves. Each member may hold office until the
20 expiration of the term for which appointed or until a successor has
21 been duly appointed and has qualified. In the event of a vacancy on
22 the Board due to resignation, death or for any cause resulting in an
23 unexpired term, if not filled within three (3) months, the Board may
24

1 appoint a provisional member to serve in the interim until the
2 Governor acts.

3 SECTION 3. AMENDATORY 59 O.S. 2011, Section 698.3, as
4 last amended by Section 1, Chapter 353, O.S.L. 2014 (59 O.S. Supp.
5 2019, Section 698.3), is amended to read as follows:

6 Section 698.3. A. The State Board of Veterinary Medical
7 Examiners is hereby re-created, to continue until July 1, ~~2020~~ 2023,
8 in accordance with the provisions of the Oklahoma Sunset Law, to
9 regulate and enforce the practice of veterinary medicine in this
10 state in accordance with the Oklahoma Veterinary Practice Act.

11 B. 1. The duty of determining a person's initial and
12 continuing qualification and fitness for the practice of veterinary
13 medicine, of proceeding against the unlawful and unlicensed practice
14 of veterinary medicine and of enforcing the Oklahoma Veterinary
15 Practice Act is hereby delegated to the Board. That duty shall be
16 discharged in accordance with the Oklahoma Veterinary Practice Act
17 and other applicable statutes.

18 2. a. It is necessary that the powers conferred on the Board
19 by the Oklahoma Veterinary Practice Act be construed
20 to protect the health, safety and welfare of the
21 people of this state.

22 b. No member of the Board, acting in that capacity or as
23 a member of any Board committee, shall participate in
24 the making of any decision or the taking of any action

1 affecting such member's own personal, professional or
2 pecuniary interest, or that of a person related to the
3 member within the third degree by consanguinity,
4 marriage or adoption or of a business or professional
5 associate.

6 c. With advice of legal counsel, the Board shall adopt
7 and annually review a conflict of interest policy to
8 enforce the provisions of the Oklahoma Veterinary
9 Practice Act.

10 C. The practice of veterinary medicine is a privilege granted
11 by the people of this state acting through their elected
12 representatives. It is not a natural right of individuals. In the
13 interest of the public, and to protect the public, it is necessary
14 to provide laws and rules to govern the granting and subsequent use
15 of the privilege to practice veterinary medicine. The primary
16 responsibility and obligation of the Board is to protect the public
17 from the unprofessional, improper, incompetent and unlawful practice
18 of veterinary medicine.

19 D. The liability of any member or employee of the Board acting
20 within the scope of Board duties or employment shall be governed by
21 The Governmental Tort Claims Act.

22 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1455, as
23 last amended by Section 1, Chapter 192, O.S.L. 2019 (59 O.S. Supp.
24 2019, Section 1455), is amended to read as follows:

1 Section 1455. A. There is hereby re-created, to continue until
2 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
3 Sunset Law, the Polygraph Examiners Board.

4 B. 1. The persons serving on the Board on June 30, 1988, shall
5 continue to serve the full terms for which they were originally
6 appointed until their successors have been duly appointed and
7 approved with the advice and consent of the Senate. All future
8 Boards shall continue the staggered terms of office established for
9 the Polygraph Examiners Board prior to July 1, 1988.

10 2. Any actions taken by any state agency on behalf of the
11 Polygraph Examiners Board or in an attempt to enforce the provisions
12 of the Polygraph Examiners Act shall be subject to review by the
13 Board. Any such acts may be rescinded or modified as deemed
14 appropriate by the Board, provided that such action shall not affect
15 any accrued right, or penalty incurred, or proceeding begun between
16 July 1, 1988, and October 12, 1988.

17 3. All funds collected after June 30, 1988, equipment, files,
18 fixtures, furniture, and supplies of the Board which were
19 transferred to the Office of Management and Enterprise Services or
20 State Treasury pursuant to Section 3909 of Title 74 of the Oklahoma
21 Statutes shall be returned to the care and custody of the Board.

22 4. All orders, determinations, rules, regulations, permits,
23 certificates, licenses, contracts, rates, and privileges which have
24 been issued, made, granted, or allowed by the Board and are in

1 effect on June 30, 1988, shall continue in effect according to their
2 terms until further action is taken by the Board or as modified by
3 law.

4 C. The Board shall consist of five (5) members who shall be
5 citizens of the United States and residents of the state for at
6 least two (2) years prior to appointment, all of whom shall have
7 been engaged for a period of two (2) consecutive years as polygraph
8 examiners prior to appointment to the Board, and at the time of
9 appointment active polygraph examiners. No two Board members may be
10 employed by the same person or agency. No more than two members may
11 be appointed from one congressional district. However, when
12 congressional districts are redrawn, each member appointed prior to
13 July 1 of the year in which such modification becomes effective
14 shall complete the current term of office and appointments made
15 after July 1 of the year in which such modification becomes
16 effective shall be based on the redrawn districts. No appointments
17 may be made after July 1 of the year in which such modification
18 becomes effective if such appointment would result in more than two
19 members serving from the same modified district. At least two
20 members must be qualified examiners of a governmental law
21 enforcement agency and at least two members must be qualified
22 polygraph examiners in the commercial field. The members shall be
23 appointed by the Governor of the State of Oklahoma, with the advice
24 and consent of the Senate, for terms of six (6) years. Any vacancy

1 in an unexpired term shall be filled by appointment of the Governor,
2 with the advice and consent of the Senate, for the unexpired term.
3 Except as authorized by the Polygraph Examiners Act, members of the
4 Board shall be paid no fee, expense reimbursement, wage or other
5 compensation for their services.

6 D. The vote of a majority of the Board members is sufficient
7 for passage of any business or proposal which comes before the
8 Board. The Board shall elect a chair, vice-chair, and secretary
9 from among its members.

10 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1000.2, as
11 last amended by Section 1, Chapter 157, O.S.L. 2016 (59 O.S. Supp.
12 2019, Section 1000.2), is amended to read as follows:

13 Section 1000.2. A. The Construction Industries Board is hereby
14 re-created to continue until July 1, ~~2020~~ 2023, in accordance with
15 the provisions of the Oklahoma Sunset Law. The Board shall regulate
16 the plumbing, electrical and mechanical trades, the building and
17 construction inspectors, and the roofing contractors through the
18 powers and duties set forth in the Construction Industries Board Act
19 and in the respective licensing or registration acts for such
20 trades, or as otherwise provided by law.

21 B. 1. Beginning July 1, 2013, the Board shall be composed of
22 seven (7) members appointed by the Governor with the advice and
23 consent of the Senate, as follows:

24

- 1 a. two members shall have at least ten (10) years'
2 experience in the plumbing trade, of which one shall
3 be a plumbing contractor and one shall be a journeyman
4 plumber,
- 5 b. two members shall have at least ten (10) years'
6 experience in the electrical trade, of which one shall
7 be an electrical contractor and one shall be a
8 journeyman electrician,
- 9 c. two members shall have at least ten (10) years'
10 experience in the mechanical trade, of which one shall
11 be a mechanical contractor and one shall be a
12 mechanical journeyman, and
- 13 d. one member shall have at least ten (10) years'
14 experience as a building and construction inspector.

15 2. Members shall be appointed for staggered terms of four (4)
16 years, as designated by the Governor. Members shall continue in
17 office until a successor is appointed by the Governor. The Governor
18 shall fill all vacancies and unexpired terms in the same manner as
19 the original appointment of the member whose position is to be
20 filled. A member may be removed by the Governor at any time.

21 SECTION 6. AMENDATORY 59 O.S. 2011, Section 15.2, as
22 last amended by Section 2, Chapter 327, O.S.L. 2019 (59 O.S. Supp.
23 2019, Section 15.2), is amended to read as follows:
24

1 Section 15.2. A. There is hereby re-created, to continue until
2 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
3 Sunset Law, the Oklahoma Accountancy Board. The Oklahoma
4 Accountancy Board shall have the responsibility for administering
5 and enforcing the Oklahoma Accountancy Act. The Oklahoma
6 Accountancy Board shall be composed of seven (7) members, who shall
7 have professional or practical experience in the use of accounting
8 services and financial matters, so as to be qualified to make
9 judgments about the qualifications and conduct of persons and firms
10 subject to regulation under the Oklahoma Accountancy Act to be
11 appointed by the Governor and confirmed by the Senate. The number
12 of registrant members shall not be more than six, not including a
13 firm, who shall serve terms of five (5) years. No member who has
14 served two successive complete terms shall be eligible for
15 reappointment, but an appointment to fill an unexpired term shall
16 not be considered a complete term for this purpose. The public
17 member shall serve coterminously with the Governor appointing the
18 public member.

19 B. One member shall be either a public accountant licensed and
20 holding a permit pursuant to the provisions of the Oklahoma
21 Accountancy Act, or a person with professional or practical
22 experience in the use of accounting services and financial matters
23 and who shall have met the educational requirements to qualify as a
24 candidate for examination for the license of public accountant as

1 provided in subsection B of Section 15.8 of this title. A list of
2 qualified persons shall be compiled and submitted to the Governor by
3 the Oklahoma Society of Public Accountants, or successor
4 organization from time to time as appointment of the Board member is
5 required to be made. A list of three names shall be submitted for
6 each single appointment from which the Governor may make the
7 appointment.

8 C. Five members shall be certified public accountants holding
9 certificates and four shall hold permits issued pursuant to the
10 provisions of the Oklahoma Accountancy Act, at least four of whom
11 shall have been engaged in the practice of public accounting as a
12 certified public accountant continuously for not less than five (5)
13 out of the last fifteen (15) years immediately preceding their
14 appointments. A list of qualified persons shall be compiled and
15 submitted to the Governor by the Oklahoma Society of Certified
16 Public Accountants from time to time as appointments of the
17 certified public accountant Board members are required. A list of
18 three names shall be submitted for each single appointment from
19 which the Governor may make the appointment.

20 D. One member shall be a public member who is not a certified
21 public accountant or licensed public accountant. The public member
22 shall be appointed by the Governor to a term coterminous with the
23 Governor. The public member shall serve at the pleasure of the
24 Governor.

1 E. Upon the expiration of the term of office, a member shall
2 continue to serve until a qualified successor has been appointed.
3 Confirmation by the Senate is required during the next regular
4 session of the Oklahoma Senate for the member to continue to serve.

5 SECTION 7. AMENDATORY 59 O.S. 2011, Section 396, as
6 amended by Section 1, Chapter 61, O.S.L. 2014 (59 O.S. Supp. 2019,
7 Section 396), is amended to read as follows:

8 Section 396. There is hereby re-created, to continue until July
9 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
10 Sunset Law, the Oklahoma Funeral Board. Any reference in the
11 statutes to the Oklahoma State Board of Embalmers and Funeral
12 Directors shall be a reference to the Oklahoma Funeral Board. The
13 Board shall consist of seven (7) persons, who shall be appointed by
14 the Governor. The term of membership of each member of the Board
15 shall be five (5) years from the expiration of the term of the
16 member succeeded. Any member having served as a member of the Board
17 shall be eligible for reappointment. Provided that, a member of the
18 Board shall serve no more than two consecutive terms and any
19 unexpired term that a member is appointed to shall not apply to this
20 limit. The Governor shall appoint the necessary members to the
21 Board upon vacancies and immediately prior to the expiration of the
22 various terms. Upon request of the Governor, appointments of a
23 licensed embalmer and funeral director member of the Board shall be
24 made from a list of five qualified persons submitted by the Oklahoma

1 Funeral Directors Association. An appointment to fill a vacancy
2 shall be for the unexpired term. A member of the Board shall serve
3 until a successor is appointed and qualified. No person shall be a
4 member of the Board, unless, at the time of appointment, the person
5 is of good moral character and a resident of this state. Five of
6 the members shall have been actively engaged in the practice of
7 embalming and funeral directing in this state for not less than
8 seven (7) consecutive years immediately prior to the appointment of
9 the person, shall have an active license as provided by the Funeral
10 Services Licensing Act, shall keep the license effective, and remain
11 a resident of this state during the entire time the person serves on
12 the Board. Two of the members of the Board shall be chosen from the
13 general public, one of whom shall, if possible, be a person licensed
14 and actively engaged in the health care field, and shall not be
15 licensed funeral directors or embalmers or have any interest,
16 directly or indirectly, in any funeral establishment or any business
17 dealing in funeral services, supplies or equipment. These two
18 members shall be appointed to serve for five-year terms.

19 SECTION 8. AMENDATORY 59 O.S. 2011, Section 1253, as
20 last amended by Section 1, Chapter 62, O.S.L. 2014 (59 O.S. Supp.
21 2019, Section 1253), is amended to read as follows:

22 Section 1253. A. There is hereby re-created, to continue until
23 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
24

1 Sunset Law, the State Board of Licensed Social Workers, consisting
2 of seven (7) members.

3 B. Three of the members of the Board shall be licensed social
4 workers or licensed clinical social workers licensed pursuant to the
5 provisions of the Social Worker's Licensing Act. Two other members
6 shall be licensed as either social work associates or master's
7 social workers. One member shall be the president of the Oklahoma
8 Chapter of the National Association of Social Workers. The
9 remaining member of the Board shall be selected from and shall
10 represent the general public.

11 C. Responsibility for enforcement of the provisions of this act
12 is hereby vested in the State Board of Social Work. The Board shall
13 have all of the duties, powers and authority specifically granted
14 by, or necessary for, the enforcement of this act as well as other
15 duties, powers and authority it may be granted by applicable law.

16 D. 1. Each member of the Board appointed as a social worker
17 shall:

- 18 a. be a resident of this state,
- 19 b. be licensed in good standing to engage in the practice
20 of social work in this state,
- 21 c. at the time of appointment, have been actively engaged
22 in the practice of social work for at least one (1)
23 year out of the last five (5) years, and

24

1 d. have at least three (3) years of experience in the
2 practice of social work.

3 2. Each member of the Board appointed to represent the general
4 public shall be a resident of this state who has attained the age of
5 majority and shall not be, nor shall ever have been, a social work
6 licensee, or the spouse of a social work licensee, or a person who
7 has ever had any material financial interest in the provision of
8 social work services or has engaged in any activity directly related
9 to the practice of social work.

10 SECTION 9. AMENDATORY 59 O.S. 2011, Section 161.4, as
11 last amended by Section 1, Chapter 156, O.S.L. 2016 (59 O.S. Supp.
12 2019, Section 161.4), is amended to read as follows:

13 Section 161.4. A. A Board of Chiropractic Examiners is hereby
14 re-created to continue until July 1, ~~2020~~ 2023, in accordance with
15 the provisions of the Oklahoma Sunset Law. The Board shall regulate
16 the practice of chiropractic in this state in accordance with the
17 provisions of the Oklahoma Chiropractic Practice Act. The Board,
18 appointed by the Governor, shall be composed of eight chiropractic
19 physicians and one lay member representing the public.

20 B. Each chiropractic physician member of the Board shall:

21 1. Be a legal resident of this state;

22 2. Have practiced chiropractic continuously in this state
23 during the five (5) years immediately preceding appointment to the
24 Board;

1 3. Be free of pending disciplinary action or active
2 investigation by the Board;

3 4. Be a person of recognized professional ability, integrity
4 and good reputation; and

5 5. Be in active clinical chiropractic practice at least fifty
6 percent (50%) of the time.

7 C. The lay member of the Board shall:

8 1. Be a legal resident of this state; and

9 2. Not be a registered or licensed practitioner of any of the
10 healing arts or be related within the third degree of consanguinity
11 or affinity to any such person.

12 D. The Governor shall appoint members to the Board and for
13 terms of years as follows:

14 1. Position 1: Upon expiration of the term of the board member
15 whose term expires November 2, 2006, the Governor shall appoint a
16 board member from District 1 for a term of four (4) years to expire
17 on November 1, 2010, and every four (4) years thereafter;

18 2. Position 2: Upon expiration of the term of the board member
19 whose term expires November 1, 2005, the Governor shall appoint a
20 board member from District 2 for a term of four (4) years to expire
21 on November 1, 2009, and every four (4) years thereafter;

22 3. Position 3: Upon expiration of the term of the board member
23 whose term expires June 7, 2007, the Governor shall appoint a board
24

1 member from District 3 for a term of four (4) years to expire on
2 June 1, 2011, and every four (4) years thereafter;

3 4. Position 4: Upon expiration of the term of the board member
4 whose term expires November 1, 2007, the Governor shall appoint a
5 board member from District 4 for a term of four (4) years to expire
6 on November 1, 2011, and every four (4) years thereafter;

7 5. Position 5: Upon expiration of the term of the board member
8 whose term expires June 7, 2008, the Governor shall appoint a board
9 member from District 5 for a term of four (4) years to expire on
10 June 1, 2012, and every four (4) years thereafter;

11 6. Position 6: On June 1, 2005, the Governor shall appoint a
12 board member from District 6 for a term of one (1) year to expire on
13 June 1, 2006, and every four (4) years thereafter;

14 7. Position 7: On November 1, 2005, the Governor shall appoint
15 a board member from District 7 for a term of three (3) years to
16 expire on November 1, 2008, and every four (4) years thereafter;

17 8. Position 8: Upon expiration of the term of the board member
18 whose term expires June 7, 2005, the Governor shall appoint a board
19 member from the state at large for a term of four (4) years to
20 expire on June 1, 2009, and every four (4) years thereafter; and

21 9. Position 9: The lay member of the Board shall serve a term
22 coterminous with that of the Governor.

23 E. For the purpose of the Oklahoma Chiropractic Practice Act,
24 the state shall be divided into the following districts:

1 1. District 1: Alfalfa, Beaver, Beckham, Caddo, Cimarron,
2 Custer, Dewey, Ellis, Grant, Greer, Garfield, Harmon, Harper,
3 Jackson, Kiowa, Major, Noble, Roger Mills, Texas, Washita, Woods and
4 Woodward Counties;

5 2. District 2: Tulsa County;

6 3. District 3: Kay, Logan, Lincoln, Osage, Pawnee, Payne and
7 Pottawatomie Counties;

8 4. District 4: Carter, Comanche, Cotton, Garvin, Grady, Love,
9 Murray, Jefferson, Stephens and Tillman Counties;

10 5. District 5: Blaine, Canadian, Cleveland, Kingfisher,
11 McClain and Oklahoma Counties;

12 6. District 6: Atoka, Bryan, Coal, Choctaw, Creek, Hughes,
13 Johnston, Latimer, LeFlore, Marshall, McCurtain, Okfuskee,
14 Pittsburg, Pontotoc, Pushmataha and Seminole Counties; and

15 7. District 7: Adair, Cherokee, Craig, Delaware, Haskell,
16 Mayes, McIntosh, Muskogee, Nowata, Okmulgee, Ottawa, Rogers,
17 Sequoyah, Wagoner and Washington Counties.

18 Members appointed after June 2002 shall serve no more than two (2)
19 consecutive terms.

20 F. Each member shall hold office until the expiration of the
21 term of office for which appointed or until a qualified successor
22 has been duly appointed. An appointment shall be made by the
23 Governor within ninety (90) days after the expiration of the term of
24 any member, or the occurrence of a vacancy on the Board due to

1 resignation, death, or any other cause resulting in an unexpired
2 term.

3 G. Before assuming duties on the Board, each member shall take
4 and subscribe to the oath or affirmation provided in Article XV of
5 the Oklahoma Constitution, which oath or affirmation shall be
6 administered and filed as provided in the article.

7 H. A member may be removed from the Board by the Governor for
8 cause which shall include, but not be limited to:

9 1. Ceasing to be qualified;

10 2. Being found guilty by a court of competent jurisdiction of a
11 felony or any offense involving moral turpitude;

12 3. Being found guilty, through due process, of malfeasance,
13 misfeasance or nonfeasance in relation to Board duties;

14 4. Being found mentally incompetent by a court of competent
15 jurisdiction;

16 5. Being found in violation of any provision of the Oklahoma
17 Chiropractic Practice Act; or

18 6. Failing to attend three meetings of the Board without just
19 cause, as determined by the Board.

20 I. No member of the Board shall be:

21 1. A registered lobbyist;

22 2. An officer, board member or employee of a statewide
23 organization established for the purpose of advocating the interests
24

1 of chiropractors licensed pursuant to the Oklahoma Chiropractic
2 Practice Act; or

3 3. An insurance claims adjuster, reviewer, or consultant;
4 provided, however, a person shall not be considered to be a
5 consultant solely for testifying in a court as an expert witness.

6 SECTION 10. AMENDATORY 59 O.S. 2011, Section 1873, as
7 amended by Section 1, Chapter 66, O.S.L. 2014 (59 O.S. Supp. 2019,
8 Section 1873), is amended to read as follows:

9 Section 1873. A. There is hereby re-created, to continue until
10 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
11 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
12 Counselors, consisting of seven (7) members, to be appointed by the
13 Governor, with the advice and consent of the Senate, as follows:

14 1. a. Six members who shall be alcohol and drug counselors
15 certified by an entity recognized to do professional
16 alcohol and drug counseling certification in this
17 state; provided, however, five of such members shall
18 subsequently secure licensure and one such member
19 shall subsequently secure certification, pursuant to
20 the provisions of the Licensed Alcohol and Drug
21 Counselors Act, no later than January 1, 2005.

22 b. Thereafter, five members shall be licensed alcohol and
23 drug counselors at the time of appointment, and one
24

1 member shall be certified as an alcohol and drug
2 counselor at the time of appointment.

3 c. Pursuant to the provisions of this paragraph, the
4 Governor shall appoint:

5 (1) four members from a list of names submitted by
6 the Oklahoma Drug and Alcohol Professional
7 Counselors Association,

8 (2) one member from a list of names submitted by the
9 Oklahoma Substance Abuse Services Alliance, and

10 (3) one member from a list of names submitted by the
11 Oklahoma Citizen Advocates for Recovery and
12 Treatment Association.

13 d. One member shall be appointed from and shall represent
14 the general public. Such member shall be a resident
15 of this state who has attained the age of majority and
16 shall not be, nor shall ever have been, a licensed or
17 certified alcohol and drug counselor, or the spouse of
18 a licensed or certified alcohol and drug counselor, or
19 a person who has ever had any material financial
20 interest in the provision of alcohol and drug
21 counseling services or has engaged in any activity
22 directly related to the practice of alcohol and drug
23 counseling.

24

1 2. The composition of the Board shall include five members who
2 hold a master's or higher degree and one member whose highest degree
3 held is a bachelor's degree.

4 3. The Governor shall appoint the members to the Board no later
5 than July 1, 2004.

6 B. Each member of the Board appointed as a licensed alcohol and
7 drug counselor shall:

8 1. Be certified or licensed to engage in the practice of
9 alcohol and drug counseling in this state and shall be in good
10 standing; and

11 2. Have at least three (3) years of experience in the practice
12 of alcohol and drug counseling in this state.

13 C. Two of the members initially appointed shall serve three-
14 year terms; two shall serve four-year terms and three shall serve
15 five-year terms, as designated by the Governor. Thereafter, the
16 terms of all members shall be five (5) years.

17 D. A vacancy on the Board shall be filled in the same manner as
18 the original appointment for the balance of the unexpired term.
19 Members may succeed themselves but shall serve no more than two
20 consecutive terms. Each member shall serve until a successor is
21 appointed and qualified.

22 E. Members of the Board may be removed from office for one or
23 more of the following reasons:
24

1 1. The refusal or inability for any reason to perform the
2 duties of a Board member in an efficient, responsible and
3 professional manner;

4 2. The misuse of office for pecuniary or material gain or for
5 personal advantage for self or another;

6 3. A violation of the laws or rules governing the practice of
7 alcohol and drug counseling; or

8 4. Conviction of a felony as verified by a certified copy of
9 the record of the court of conviction.

10 F. Members of the Board shall serve without compensation, but
11 shall be reimbursed for actual and necessary travel expenses as
12 provided in the State Travel Reimbursement Act.

13 SECTION 11. AMENDATORY 59 O.S. 2011, Section 582, as
14 last amended by Section 1, Chapter 158, O.S.L. 2016 (59 O.S. Supp.
15 2019, Section 582), is amended to read as follows:

16 Section 582. There is hereby re-created, to continue until July
17 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
18 Sunset Law, the Board of Examiners in Optometry. This Board shall
19 consist of five (5) persons, four of whom shall possess sufficient
20 knowledge of theoretical and practical optics to practice optometry,
21 be duly licensed as optometrists, and who shall have been residents
22 of this state actually engaged in the practice of optometry for at
23 least five (5) years. The term of each licensed optometrist member
24 of the Board, one being appointed each year, shall be five (5)

1 years, or until a qualified successor is appointed. The lay member
2 of the Board shall serve a term coterminous with that of the
3 Governor and shall serve at the pleasure of the Governor. The
4 Governor is hereby authorized to appoint a member of the Board of
5 Examiners in Optometry at the expiration of any term or whenever,
6 for any reason, a vacancy may occur on said Board. Vacancies shall
7 be filled for the unexpired term only.

8 SECTION 12. AMENDATORY 1 O.S. 2011, Section 22, as last
9 amended by Section 1, Chapter 44, O.S.L. 2019 (1 O.S. Supp. 2019,
10 Section 22), is amended to read as follows:

11 Section 22. A. There is hereby re-created to continue until
12 July 1, ~~2020~~ 2023, in accordance with the Oklahoma Sunset Law the
13 Oklahoma Abstractors Board. Beginning January 1, 2008, the Oklahoma
14 Abstractors Board shall have the total responsibility of
15 administering and enforcing the Oklahoma Abstractors Act.

16 B. The Board shall have the power and duty to prescribe,
17 promulgate and implement rules as deemed necessary to implement all
18 the provisions of the Oklahoma Abstractors Act.

19 C. The Board shall have the power and duty to obtain and secure
20 an office in Oklahoma City, and employ, direct, discharge, and
21 define the duties and set the salaries of employees of the Board,
22 including an executive director, as are necessary to implement the
23 provisions of the Oklahoma Abstractors Act.

24

1 D. The Board shall consist of nine (9) members who shall be
2 appointed by the Governor and confirmed by the Senate:

3 1. Six of the members shall be residents of this state who are
4 either a holder of a current valid Certificate of Authority or an
5 employee of a holder of a current valid Certificate of Authority for
6 not less than five (5) years in a county in the district from which
7 the member is appointed prior to appointment. One member shall be
8 appointed from each of the following districts:

9 District 1: Alfalfa, Beaver, Blaine, Cimarron, Custer, Dewey,
10 Ellis, Garfield, Grant, Harper, Kingfisher, Major, Roger Mills,
11 Texas, Woods, and Woodward Counties.

12 District 2: Beckham, Caddo, Carter, Comanche, Cotton, Garvin,
13 Grady, Greer, Harmon, Jackson, Jefferson, Kiowa, Love, McClain,
14 Murray, Stephens, Tillman, and Washita Counties.

15 District 3: Canadian, Cleveland, Logan, and Oklahoma Counties.

16 District 4: Adair, Cherokee, Craig, Delaware, Kay, Mayes,
17 Muskogee, Noble, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Payne,
18 Sequoyah, and Washington Counties.

19 District 5: Creek, Lincoln, Rogers, Tulsa, and Wagoner Counties.

20 District 6: Atoka, Bryan, Choctaw, Coal, Haskell, Hughes,
21 Johnston, Latimer, Leflore, McIntosh, Marshall, McCurtain, Okfuskee,
22 Pittsburg, Pontotoc, Pottawatomie, Pushmataha, and Seminole
23 Counties;

1 2. One member shall be a resident of this state who has been a
2 licensed real estate broker in Oklahoma for not less than five (5)
3 years;

4 3. One member shall be an attorney who is a resident of this
5 state who has been licensed to practice in Oklahoma for not less
6 than five (5) years; and

7 4. One member shall be a resident of this state who has been an
8 officer in a bank in Oklahoma for not less than five (5) years.

9 E. The Governor shall make the initial appointments to the
10 Board within ninety (90) days of the effective date of this act:

11 1. The initial appointments for the members of the Board shall
12 be as follows:

13 a. members appointed from Districts 1 and 3 shall serve
14 until July 1, 2008,

15 b. members appointed from Districts 2 and 4 shall serve
16 until July 1, 2009,

17 c. members appointed from Districts 5 and 6 shall serve
18 until July 1, 2010,

19 d. the real estate broker member shall serve until July
20 1, 2010,

21 e. the attorney member shall serve until July 1, 2009,
22 and

23 f. the bank officer member shall serve until July 1,
24 2010; and

1 2. Thereafter, all members shall serve four-year terms.

2 F. Each member shall hold office until the expiration of the
3 term of office for which appointed or until a successor has been
4 appointed and confirmed:

5 1. Vacancies on the Board due to death, resignation, or removal
6 occurring during a term shall be filled by the Governor for the
7 unexpired portion of the term in a manner as provided for regular
8 appointments to the Board;

9 2. Members filling the remainder of an unexpired term shall
10 assume office immediately upon appointment by the Governor and shall
11 serve until confirmation or denial of confirmation by the Senate;
12 and

13 3. A member may be reappointed to the Board, but shall not
14 serve more than two terms.

15 G. Members of the Board shall receive no salary or compensation
16 for service on the Board, but shall be reimbursed for travel
17 expenses incurred on behalf of their service on the Board pursuant
18 to the State Travel Reimbursement Act.

19 H. Members may be removed from office by the Governor:

20 1. For inefficiency, neglect of duty, or malfeasance in office
21 in the manner provided for by law for the removal of officers not
22 subject to impeachment;

23 2. For cause which shall include, but not be limited to:
24

1 a. the member has ceased to be qualified. A member of
2 the Board is no longer qualified to serve if that
3 member:

4 (1) is a member whose certificate of authority,
5 license, or permit pursuant to the laws of this
6 state has become void or has been revoked or
7 suspended, or

8 (2) is a member who has moved from this state,

9 b. the member has been convicted, pled guilty or nolo
10 contendere to a felony pursuant to the laws of the
11 United States or any jurisdiction,

12 c. the member has become medically incapacitated as
13 determined in writing by a medical doctor upon request
14 by the Board, or

15 d. the member has been absent from three meetings, or is
16 absent for more than one-half (1/2) the number of
17 minutes for which a meeting is conducted of three
18 meetings as determined by the Board during any twelve-
19 month period, unless such absence is determined to be
20 unavoidable in the opinion of a majority of the
21 remaining members;

22 3. Upon being found guilty, through due process, of
23 malfeasance, misfeasance or nonfeasance in relation to Board duties;
24 or

1 4. Upon being found mentally incompetent by a court of
2 competent jurisdiction.

3 I. Removal pursuant to the provisions of subsection H of this
4 section shall be accomplished in the following manner:

5 1. After a majority vote of the remaining members setting out
6 the dates of absences or other grounds for removal and the fact of
7 the disqualification of the member, a written notification of the
8 said vote shall be sent to the Governor; and

9 2. Upon receipt of the written notification, the Governor,
10 after a hearing conducted in accordance with the provisions of the
11 Administrative Procedures Act, may remove any member of the Board
12 for any of the reasons set out in the notice from the Board or for
13 any other reason specified in this act, provided:

14 a. removal pursuant to the provisions of this subsection
15 shall occur upon the Governor filing a written
16 statement of findings after the hearing as to the
17 reasons and basis for removal of the member with the
18 secretary of the Board, and

19 b. the Governor shall appoint another member in the
20 manner provided for appointments to the Board.

21 SECTION 13. AMENDATORY 10 O.S. 2011, Section 1150.2, as
22 last amended by Section 1, Chapter 63, O.S.L. 2014 (10 O.S. Supp.
23 2019, Section 1150.2), is amended to read as follows:
24

1 Section 1150.2. A. There is hereby re-created until July 1,
2 ~~2020~~ 2023, in accordance with the Oklahoma Sunset Law, the Child
3 Death Review Board within the Oklahoma Commission on Children and
4 Youth. The Board shall have the power and duty to:

5 1. Conduct case reviews of deaths and near deaths of children
6 in this state;

7 2. Develop accurate statistical information and identification
8 of deaths of children due to abuse and neglect;

9 3. Improve the ability to provide protective services to the
10 surviving siblings of a child or children who die of abuse or
11 neglect and who may be living in a dangerous environment;

12 4. Improve policies, procedures and practices within the
13 agencies that serve children, including the child protection system;

14 5. Enter into agreements with local teams established by the
15 Child Death Review Board to carry out such duties and
16 responsibilities as the Child Death Review Board shall designate,
17 including reviewing cases assigned by the Board in the geographical
18 area for that local team. The Oklahoma Commission on Children and
19 Youth, with the advice of the Child Death Review Board, shall
20 promulgate rules as necessary for the implementation and
21 administration of the provisions of this paragraph; and

22 6. Enter into agreements with other state, local, or private
23 entities as necessary to carry out the duties of the Child Death
24 Review Board including, but not limited to, conducting joint reviews

1 with the Domestic Violence Fatality Review Board on domestic
2 violence cases involving child death or child near-death incidents.

3 B. In carrying out its duties and responsibilities the Board
4 shall:

5 1. Establish criteria for cases involving the death or near
6 death of a child subject to specific, in-depth review by the Board.
7 As used in this section, the term "near death" means a child is in
8 serious or critical condition, as certified by a physician, as a
9 result of abuse or neglect;

10 2. Conduct a specific case review of those cases where the
11 cause of death or near death is or may be related to abuse or
12 neglect of a child;

13 3. Establish and maintain statistical information related to
14 the deaths and near deaths of children including, but not limited
15 to, demographic and medical diagnostic information;

16 4. Establish procedures for obtaining initial information
17 regarding near deaths of children from the Department of Human
18 Services and law enforcement agencies;

19 5. Review the policies, practices, and procedures of the child
20 protection system and make specific recommendations to the entities
21 comprising the child protection system for actions necessary for the
22 improvement of the system;

23 6. Review the extent to which the state child protection system
24 is coordinated with foster care and adoption programs and evaluate

1 whether the state is efficiently discharging its child protection
2 responsibilities under the federal Child Abuse Prevention and
3 Treatment Act state plan;

4 7. As necessary and appropriate, for the protection of the
5 siblings of a child who dies and whose siblings are deemed to be
6 living in a dangerous environment, refer specific cases to the
7 Department of Human Services or the appropriate district attorney
8 for further investigation;

9 8. Request and obtain a copy of all records and reports
10 pertaining to a child whose case is under review including, but not
11 limited to:

- 12 a. the report of the medical examiner,
- 13 b. hospital records,
- 14 c. school records,
- 15 d. court records,
- 16 e. prosecutorial records,
- 17 f. local, state, and federal law enforcement records
18 including, but not limited to, the Oklahoma State
19 Bureau of Investigation (OSBI),
- 20 g. fire department records,
- 21 h. State Department of Health records, including birth
22 certificate records,
- 23 i. medical and dental records,

24

- 1 j. Department of Mental Health and Substance Abuse
2 Services and other mental health records,
3 k. emergency medical service records,
4 l. files of the Department of Human Services, and
5 m. records in the possession of the Domestic Violence
6 Fatality Review Board when conducting a joint review
7 pursuant to paragraph 6 of subsection A of this
8 section.

9 Confidential information provided to the Board shall be
10 maintained by the Board in a confidential manner as otherwise
11 required by state and federal law. Any person damaged by disclosure
12 of such confidential information by the Board, its local boards or
13 their members, not authorized by law, may maintain an action for
14 damages, costs and attorney fees;

15 9. Maintain all confidential information, documents and records
16 in possession of the Board as confidential and not subject to
17 subpoena or discovery in any civil or criminal proceedings;
18 provided, however, information, documents and records otherwise
19 available from other sources shall not be exempt from subpoena or
20 discovery through those sources solely because such information,
21 documents and records were presented to or reviewed by the Board;

22 10. Conduct reviews of specific cases of deaths and near deaths
23 of children and request the preparation of additional information
24 and reports as determined to be necessary by the Board including,

1 but not limited to, clinical summaries from treating physicians,
2 chronologies of contact, and second-opinion autopsies;

3 11. Report, if recommended by a majority vote of the Board, to
4 the President Pro Tempore of the Senate and the Speaker of the House
5 of Representatives any gross neglect of duty by any state officer or
6 state employee, or any problem within the child protective services
7 system discovered by the Board while performing its duties;

8 12. Recommend, when appropriate, amendment of the cause or
9 manner of death listed on the death certificate; and

10 13. Subject to the approval of the Oklahoma Commission on
11 Children and Youth, exercise all incidental powers necessary and
12 proper for the implementation and administration of the Child Death
13 Review Board Act.

14 C. The review and discussion of individual cases of death or
15 near death of a child shall be conducted in executive session and in
16 compliance with the confidentiality requirements of Section 1-6-102
17 of Title 10A of the Oklahoma Statutes. All other business shall be
18 conducted in accordance with the provisions of the Oklahoma Open
19 Meeting Act. All discussions of individual cases and any writings
20 produced by or created for the Board in the course of its remedial
21 measure and recommended by the Board, as the result of a review of
22 an individual case of the death or near death of a child, shall be
23 privileged and shall not be admissible in evidence in any
24 proceeding. The Board shall periodically conduct meetings to

1 discuss organization and business matters and any actions or
2 recommendations aimed at improvement of the child protection system
3 which shall be subject to the Oklahoma Open Meeting Act. Part of
4 any meeting of the Board may be specifically designated as a
5 business meeting of the Board subject to the Oklahoma Open Meeting
6 Act.

7 D. 1. The Board shall submit an annual statistical report on
8 the incidence and causes of death and near death of children in this
9 state for which the Board has completed its review during the past
10 calendar year, including its recommendations, to the Oklahoma
11 Commission on Children and Youth on or before May 1 of each year.
12 The Board shall also prepare and make available to the public, on an
13 annual basis, a report containing a summary of the activities of the
14 Board relating to the review of deaths and near deaths of children,
15 the extent to which the state child protection system is coordinated
16 with foster care and adoption programs, and an evaluation of whether
17 the state is efficiently discharging its child protection
18 responsibilities. The report shall be completed no later than
19 December 31 of each year.

20 2. The Oklahoma Commission on Children and Youth shall review
21 the report of the Board and, as appropriate, incorporate the
22 findings and recommendations into the annual Commission report and
23 the State Plan for Services to Children and Youth.

24

1 SECTION 14. AMENDATORY 19 O.S. 2011, Section 130.1, as
2 last amended by Section 1, Chapter 191, O.S.L. 2019 (19 O.S. Supp.
3 2019, Section 130.1), is amended to read as follows:

4 Section 130.1. There is hereby re-created, to continue until
5 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
6 Sunset Law, the Commission on County Government Personnel Education
7 and Training, hereinafter called the "Commission". The Commission
8 shall be composed of the following five (5) members: The President
9 of Oklahoma State University or designee; the State Auditor and
10 Inspector or designee; the Director of the Department of
11 Transportation or designee; the Chairman of the Oklahoma Tax
12 Commission or designee; and the President of the Oklahoma County
13 Officers Association or designee.

14 SECTION 15. AMENDATORY 20 O.S. 2011, Section 1501, as
15 last amended by Section 1, Chapter 15, O.S.L. 2016 (20 O.S. Supp.
16 2019, Section 1501), is amended to read as follows:

17 Section 1501. There is hereby re-created, to continue until
18 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
19 Sunset Law, Section 3901 of Title 74 of the Oklahoma Statutes, the
20 State Board of Examiners of Certified Shorthand Reporters which
21 shall consist of five (5) members, all of whom shall be certified
22 shorthand reporters. The members shall be persons who have been,
23 for at least five (5) years prior to their appointment to the Board,
24 residents of this state and certified shorthand reporters. All

1 members shall be appointed by the Chief Justice of the Supreme Court
2 and shall serve in staggered terms, each for a period of five (5)
3 years except for the initial appointees. No member may serve more
4 than one term in succession. The Board shall elect from its
5 membership a chair and a secretary. Three members shall constitute
6 a quorum. The Board may adopt a seal for its official use. All
7 actions of the Board shall be supervised by the Supreme Court and be
8 subject to approval by the Court.

9 SECTION 16. AMENDATORY 27A O.S. 2011, Section 2-2-201,
10 as last amended by Section 1, Chapter 430, O.S.L. 2019 (27A O.S.
11 Supp. 2019, Section 2-2-201), is amended to read as follows:

12 Section 2-2-201. A. There are hereby ~~created~~ re-created until
13 July 1, ~~2020~~ 2023, pursuant to the provisions of the Oklahoma Sunset
14 Law:

- 15 1. The Water Quality Management Advisory Council;
- 16 2. The Hazardous Waste Management Advisory Council;
- 17 3. The Solid Waste Management Advisory Council; and
- 18 4. The Radiation Management Advisory Council.

19 B. 1. Except as provided for in paragraph 2 of this
20 subsection, each Council created pursuant to subsection A of this
21 section shall consist of nine (9) members. Three members shall be
22 appointed by the Governor, three members shall be appointed by the
23 Speaker of the House of Representatives and three members shall be
24 appointed by the President Pro Tempore of the Senate. Appointments

1 shall be for three-year terms. Members of the Advisory Councils
2 shall serve at the pleasure of and may be removed from office by the
3 appointing authority. Members shall continue to serve until their
4 successors are appointed. Any vacancy shall be filled in the same
5 manner as the original appointments. Five members shall constitute
6 a quorum.

7 2. a. The Solid Waste Management Advisory Council shall
8 consist of ten (10) members. Four members shall be
9 appointed by the Governor, three members shall be
10 appointed by the Speaker of the House of
11 Representatives and three members shall be appointed
12 by the President Pro Tempore of the Senate.
13 Appointments shall be for three-year terms. Members
14 of the Solid Waste Management Advisory Council shall
15 serve at the pleasure of and may be removed from
16 office by the appointing authority. Members shall
17 continue to serve until their successors are
18 appointed. Any vacancy shall be filled in the same
19 manner as the original appointments. Six members
20 shall constitute a quorum.

21 b. The Water Quality Management Advisory Council shall
22 consist of twelve (12) members. Four members shall be
23 appointed by the Governor, four members shall be
24 appointed by the President Pro Tempore of the Senate,

1 and four members shall be appointed by the Speaker of
2 the House of Representatives. Appointments shall be
3 for three-year terms. Members shall serve at the
4 pleasure of and may be removed by the appointing
5 authority. Members may be eligible for reappointment
6 and shall continue to serve until their successors are
7 appointed. Vacancies shall be filled in the same
8 manner as their original appointments. Seven members
9 shall constitute a quorum.

10 3. Each Council shall elect a chair and a vice-chair from among
11 its members. Each Council shall meet as required for rule
12 development, review and recommendation and for such other purposes
13 specified by law. Special meetings may be called by the chair or by
14 the concurrence of any three members.

15 C. 1. All members of the Water Quality Management Advisory
16 Council shall be knowledgeable of water quality and of the
17 environment. The Council shall be composed as follows:

18 a. the Governor shall appoint four members as follows:

19 (1) one member representing the field of engineering,

20 (2) one member representing a statewide nonprofit
21 environmental organization,

22 (3) one member representing the general public, and

23 (4) one member representing a commercial or publicly
24 owned laboratory accredited by the Department for

1 both the Drinking Water and the General
2 Environmental Laboratory classifications of
3 accreditation,

4 b. the President Pro Tempore of the Senate shall appoint
5 four members as follows:

6 (1) one member representing an industry located in
7 this state,

8 (2) one member representing an oil-field-related
9 industry,

10 (3) one member representing the field of geology, and

11 (4) one member who holds a certificate under the
12 Waterworks and Wastewater Works Operator
13 Certification Act and who is the operator of a
14 municipal waterworks or wastewater works
15 facility, and

16 c. the Speaker of the House of Representatives shall
17 appoint four members as follows:

18 (1) one member representing a political subdivision
19 of the state who shall be a member of the local
20 governmental body of a city or town,

21 (2) one member representing a rural water district
22 organized pursuant to the laws of this state,

23 (3) one member representing the field of agriculture,
24 and

1 (4) one member who holds a certificate under the
2 Waterworks and Wastewater Works Operator
3 Certification Act and who is the operator of a
4 waterworks or wastewater works for a rural water
5 or sewer district organized pursuant to law.

6 2. The jurisdictional areas of the Water Quality Management
7 Advisory Council shall include Article VI of this chapter, Article
8 IV of this chapter, waterworks and wastewater activities, water
9 quality and protection and related activities and such other areas
10 as designated by the Board.

11 D. 1. All members of the Hazardous Waste Management Advisory
12 Council shall be knowledgeable of hazardous waste and of the
13 environment. The Council shall be composed as follows:

14 a. the Governor shall appoint three members as follows:

15 (1) one member representing an industry located in
16 this state,

17 (2) one member representing a statewide nonprofit
18 environmental organization, and

19 (3) one member representing a political subdivision
20 of the state who shall be a member of the local
21 governing body of a city or town,

22 b. the President Pro Tempore of the Senate shall appoint
23 three members as follows:
24

1 (1) one member representing a political subdivision
2 of the state who shall be a member of the local
3 governmental body of a city or town,

4 (2) one member representing the general public, and

5 (3) one member representing industry generating
6 hazardous waste, and

7 c. the Speaker of the House of Representatives shall
8 appoint three members as follows:

9 (1) one member representing the field of engineering,

10 (2) one member representing the hazardous waste
11 industry, and

12 (3) one member representing the field of geology.

13 2. The jurisdictional areas of the Hazardous Waste Management
14 Advisory Council shall include Article VII of this chapter, the
15 Oklahoma Hazardous Waste Reduction Program, and such other areas as
16 designated by the Board.

17 E. 1. All members of the Solid Waste Management Advisory
18 Council shall be knowledgeable of solid waste and of the
19 environment. The Council shall be composed as follows:

20 a. the Governor shall appoint four members as follows:

21 (1) one member representing a statewide nonprofit
22 environmental organization,

23 (2) one member shall be a county commissioner,

24 (3) one member representing the general public, and

1 (4) one member representing the solid waste
2 incineration, waste-to-energy industry in this
3 state,

4 b. the President Pro Tempore of the Senate shall appoint
5 three members as follows:

6 (1) one member representing an industry located in
7 this state generating solid waste,

8 (2) one member representing a political subdivision
9 of this state who shall be a member of the local
10 governmental body of a city or town, and

11 (3) one member representing the field of geology, and

12 c. the Speaker of the House of Representatives shall
13 appoint three members as follows:

14 (1) one member representing the solid waste disposal
15 industry in this state,

16 (2) one member representing the field of engineering,
17 and

18 (3) one member representing the transportation
19 industry.

20 2. The jurisdictional areas of the Solid Waste Management
21 Advisory Council shall include Article X of this chapter, the
22 Oklahoma Used Tire Recycling Act and such other areas as designated
23 by the Board.
24

1 F. 1. All members of the Radiation Management Advisory Council
2 shall be knowledgeable of radiation hazards and radiation
3 protection. The Council shall be composed as follows:

4 a. the Governor shall appoint three members as follows:

5 (1) one member representing an industry located in
6 this state which uses sources of radiation in its
7 manufacturing or processing business,

8 (2) one member representing a statewide nonprofit
9 environmental organization, and

10 (3) one member representing the engineering
11 profession who shall be a professional engineer
12 employed and experienced in matters of radiation
13 management and protection,

14 b. the President Pro Tempore of the Senate shall appoint
15 three members as follows:

16 (1) one member representing the faculty of an
17 institution of higher learning of university
18 status and shall be experienced in matters of
19 scientific knowledge and competent in matters of
20 radiation management and protection,

21 (2) one member representing the general public, and

22 (3) one member representing the field of industrial
23 radiography, and
24

1 c. the Speaker of the House of Representatives shall
2 appoint three members as follows:

3 (1) one member representing the transportation
4 industry,

5 (2) one member representing the petroleum industry
6 who is trained and experienced in radiation
7 management and protection, and

8 (3) one member representing a medical institution
9 within this state who shall be experienced in
10 matters of radiation management and protection.

11 2. The jurisdictional areas of the Radiation Management
12 Advisory Council shall include Article IX of this chapter and such
13 other areas as designated by the Board.

14 G. 1. The Air Quality Council created pursuant to Section 6,
15 Chapter 215, O.S.L. 1992 (63 O.S. Supp. 1992, Section 1-1807.1)
16 shall remain in effect as the Air Quality Advisory Council and carry
17 on the powers and duties assigned to it by law. Future appointments
18 to the Council shall be made according to the provisions of this
19 section.

20 2. The Council shall consist of nine (9) members who shall be
21 residents of this state and appointed by the Governor with the
22 advice and consent of the Senate.

23 3. Members of the Council shall have the qualifications as
24 follows:

- 1 a. one member shall be selected from the engineering
2 profession, and, as such, shall be a professional
3 engineer and experienced in matters of air pollution
4 equipment and control, who shall not be an employee of
5 any unit of government,
- 6 b. one member shall be selected from industry in general,
7 and, as such, shall be employed as a manufacturing
8 executive carrying on a manufacturing business within
9 this state,
- 10 c. one member shall be selected from a faculty of an
11 institution of higher learning of university status
12 and shall be experienced in matters of scientific
13 knowledge and competent in matters of air pollution
14 control and evaluation,
- 15 d. one member shall be selected from the transportation
16 industry,
- 17 e. one member shall be selected from the petroleum
18 industry, and, as such, shall be employed by a
19 petroleum company carrying on a petroleum refining
20 business within the state, and, as such, shall be
21 trained and experienced in matters of scientific
22 knowledge of causes as well as effects of air
23 pollution,
- 24

- 1 f. one member shall be selected from agriculture, and, as
2 such, shall be engaged in or employed by a basic
3 agricultural business or the processing of
4 agricultural products,
- 5 g. one member shall be selected from the political
6 subdivisions of the state, and, as such, shall be a
7 member of the local government body of a city or town,
- 8 h. one member, whose first term shall expire on June 15,
9 1998, shall be selected from the general public, and
- 10 i. one member, whose first term shall expire on June 15,
11 1999, shall be selected from the electric utilities
12 industry, and as such, shall be knowledgeable in
13 matters of air pollution and control.

14 4. Each member shall be appointed to serve a term of office of
15 seven (7) years.

16 The terms of all members shall be deemed to have expired on June
17 ~~15th~~ 15 of the year of expiration, and shall continue until
18 successors have been duly appointed and qualified. If a vacancy
19 occurs, the Governor shall appoint a person for the remaining
20 portion of the unexpired term created by the vacancy. Five members
21 of the Council shall constitute a quorum.

22 5. The Council shall hold at least two regular meetings each
23 calendar year at a place and time to be fixed by the Council. The
24 Council shall select one of its members to serve as chair and

1 another of its members to serve as vice-chair at the first regular
2 meeting in each calendar year to serve as the chair and vice-chair
3 for the ensuing year. Special meetings may be called, and any
4 meeting may be canceled, by the chair, or by three members of the
5 Council by delivery of written notice to each member of the Council.

6 6. The jurisdictional areas of the Air Quality Council shall
7 include Article V of this chapter and such other areas as designated
8 by the Board.

9 H. In addition to other powers and duties assigned to each
10 Council pursuant to this Code, each Council shall, within its
11 jurisdictional area:

12 1. Have authority to recommend to the Board rules on behalf of
13 the Department. The Department shall not have standing to recommend
14 to the Board permanent rules or changes to such rules within the
15 jurisdiction of a Council which have not previously been submitted
16 to the appropriate Council for action;

17 2. Before recommending any permanent rules to the Board, give
18 public notice, offer opportunity for public comment and conduct a
19 public rulemaking hearing when required by the Administrative
20 Procedures Act;

21 3. Have the authority to make written recommendations to the
22 Board which have been concurred upon by at least a majority of the
23 membership of the Council;

24

1 4. Have the authority to provide a public forum for the
2 discussion of issues it considers relevant to its area of
3 jurisdiction, and to:

4 a. pass nonbinding resolutions expressing the sense of
5 the Council, and

6 b. make recommendations to the Board or Department
7 concerning the need and the desirability of conducting
8 meetings, workshops and seminars; and

9 5. Cooperate with each other Council, the public, the Board and
10 the Executive Director in order to coordinate the rules within their
11 respective jurisdictional areas and to achieve maximum efficiency
12 and effectiveness in furthering the objectives of the Department.

13 I. The Councils shall not recommend rules for promulgation by
14 the Environmental Quality Board unless all applicable requirements
15 of the Administrative Procedures Act have been followed, including
16 but not limited to notice, rule impact statement and rulemaking
17 hearings.

18 J. Members of the Councils shall serve without compensation but
19 may be reimbursed expenses incurred in the performance of their
20 duties, as provided in the State Travel Reimbursement Act. The
21 Councils are authorized to utilize the conference rooms of the
22 Department of Environmental Quality and obtain administrative
23 assistance from the Department, as required.

1 SECTION 17. AMENDATORY 57 O.S. 2011, Section 521.1, as
2 last amended by Section 1, Chapter 429, O.S.L. 2019 (57 O.S. Supp.
3 2019, Section 521.1), is amended to read as follows:

4 Section 521.1. A. ~~Upon November 1, 2007,~~ a The Reentry Policy
5 Council shall be ~~created~~ re-created, and shall continue until July
6 1, ~~2020~~ 2023, pursuant to the provisions of the Oklahoma Sunset Law,
7 for the purpose of providing oversight of the reentry policies and
8 programs operated by the Department of Corrections. The Council
9 shall consist of eleven (11) members and shall be appointed as
10 follows:

11 1. Three members shall be appointed by the Governor as follows:

- 12 a. one member shall be a law enforcement officer,
- 13 b. one member shall be a corrections official, and
- 14 c. one member shall be a crime victim;

15 2. Four members shall be appointed by the Speaker of the
16 Oklahoma House of Representatives as follows:

- 17 a. one member shall be a member of the Oklahoma House of
18 Representatives,
- 19 b. one member shall be a representative of a faith-based
20 organization involved with the reintegration of
21 inmates,
- 22 c. one member shall be a person who has been previously
23 convicted of a criminal offense in Oklahoma, and

24

1 d. one member shall be a mental health and substance
2 abuse official; and

3 3. Four members shall be appointed by the President Pro Tempore
4 of the Oklahoma State Senate as follows:

5 a. one member shall be a member of the Oklahoma State
6 Senate,

7 b. one member shall be a representative from a for-profit
8 ~~half-way~~ halfway house who specializes in
9 reintegration of inmates,

10 c. one member shall be a representative from a nonprofit
11 entity involved with the reintegration of inmates, and

12 d. one member shall be a district attorney, or his or her
13 designee.

14 B. The Council shall:

15 1. Review corrections policies, programs and procedures to
16 ensure that the primary purpose of each is public safety during
17 imprisonment and after release;

18 2. Identify gaps in reentry programs and services as well as
19 overlapping efforts, and recommend changes to address those issues;

20 3. Review policies to ensure that corrections facilities
21 recruit and welcome volunteers;

22 4. Review the licensing procedures within this state to
23 eliminate barriers to employment that are unrelated to the conduct
24 underlying the conviction; and

1 5. Report annually to the Legislature and the Governor on the
2 progress of the reentry initiative, including the impact on
3 recidivism, effectiveness of agency coordination and communications,
4 and the implementation of reentry plans and use of funding.

5 C. 1. Legislative members of the Council shall be reimbursed
6 for their necessary travel expenses incurred in the performance of
7 their duties in accordance with Section 456 of Title 74 of the
8 Oklahoma Statutes from the legislative body in which they serve.

9 2. State agency employees who are members of the Council shall
10 be reimbursed for their travel expenses incurred in the performance
11 of their duties by their respective agencies in accordance with the
12 State Travel Reimbursement Act.

13 3. All other Council members shall be reimbursed by the Office
14 of Management and Enterprise Services for travel expenses incurred
15 in the performance of their duties on the Council in accordance with
16 the State Travel Reimbursement Act.

17 SECTION 18. AMENDATORY 63 O.S. 2011, Section 1-1923, as
18 amended by Section 1, Chapter 60, O.S.L. 2014 (63 O.S. Supp. 2019,
19 Section 1-1923), is amended to read as follows:

20 Section 1-1923. A. There is hereby re-created, to continue
21 until July 1, ~~2020~~ 2023, in accordance with the provisions of the
22 Oklahoma Sunset Law, a Long-Term Care Facility Advisory Board which
23 shall be composed as follows:

24

1 1. The Governor shall appoint a twenty-seven-member Long-Term
2 Care Facility Advisory Board which shall advise the State
3 Commissioner of Health. The Advisory Board shall be comprised of
4 the following persons:

- 5 a. one representative from the Office of the State Fire
6 Marshal, designated by the State Fire Marshal,
- 7 b. one representative from the Oklahoma Health Care
8 Authority, designated by the Administrator,
- 9 c. one representative from the Department of Mental
10 Health and Substance Abuse Services, designated by the
11 Commissioner of Mental Health and Substance Abuse
12 Services,
- 13 d. one representative from the Department of Human
14 Services, designated by the Director of Human
15 Services,
- 16 e. one member who shall be a licensed general
17 practitioner of the medical profession,
- 18 f. one member who shall be a general practitioner of the
19 osteopathic profession,
- 20 g. one member who shall be a registered pharmacist,
- 21 h. one member who shall be a licensed registered nurse,
- 22 i. one member who shall be a licensed practical nurse,
- 23 j. three members who shall be of reputable and
24 responsible character and sound physical and mental

1 health and shall be operator-administrators of nursing
2 homes which have current licenses issued pursuant to
3 the Nursing Home Care Act and who shall have had five
4 (5) years' experience in the nursing home profession
5 as operator-administrators,

6 k. three members who shall be residential care home
7 operator-administrators licensed pursuant to the
8 provisions of the Residential Care Act,

9 l. three members who shall be adult day care facility
10 owner-operators licensed pursuant to the provisions of
11 the Adult Day Care Act,

12 m. three members who shall be continuum of care facility
13 or assisted living center owner-operators licensed
14 pursuant to the provisions of the Continuum of Care
15 and Assisted Living Act, and

16 n. six members who shall be over the age of sixty-five
17 (65) who shall represent the general public;

18 2. The designated representative from the Office of the State
19 Fire Marshal, the designated representative from the Department of
20 Mental Health and Substance Abuse Services, the designated
21 representative from the Department of Human Services, and the
22 designated representative from the State Department of Health shall
23 serve at the pleasure of their designators;

1 3. The initial appointments of the Governor shall be for the
2 following terms:

- 3 a. the initial term of the member of the medical
4 profession shall be for a three-year term,
- 5 b. the initial term of the member of the osteopathic
6 profession shall be for a three-year term,
- 7 c. the initial term of the registered pharmacist shall be
8 for a two-year term,
- 9 d. the initial term of the licensed registered nurse
10 shall be for a two-year term,
- 11 e. the initial term of the licensed practical nurse shall
12 be for a one-year term,
- 13 f. of the initial terms for the twelve members who are
14 licensed operator-administrators for facilities
15 pursuant to the Nursing Home Care Act, residential
16 care homes pursuant to the Residential Care Act, adult
17 day care facilities pursuant to the Adult Day Care
18 Act, and continuum of care facilities and assisted
19 living centers pursuant to the Continuum of Care and
20 Assisted Living Act, four shall be for one-year terms,
21 four shall be for two-year terms, and four shall be
22 for three-year terms; provided that representatives
23 for each of the terms shall include one individual
24 representing facilities subject to the provisions of

1 the Nursing Home Care Act, one individual representing
2 residential care homes subject to the Residential Care
3 Act, one individual representing facilities subject to
4 the provisions of the Adult Day Care Act, and one
5 individual representing continuum of care facilities
6 and assisted living centers subject to the provisions
7 of the Continuum of Care and Assisted Living Act, and
8 g. the initial terms for the six members of the general
9 public over the age of sixty-five (65) shall be for
10 one-, two-, three-, four-, five- and six-year terms
11 respectively; and

12 4. After the initial designations or appointments, the
13 designated representative from the Office of the State Fire Marshal,
14 the designated representative of the Oklahoma Health Care Authority,
15 the designated representative of the Department of Human Services
16 and the designated representative of the Department of Mental Health
17 and Substance Abuse Services shall each serve at the pleasure of
18 their designators. All other terms shall be for a three-year
19 period. In case of a vacancy, the Governor shall appoint
20 individuals to fill the remainder of the term.

21 B. The State Department of Health shall provide a clerical
22 staff worker to perform designated duties of the Advisory Board.
23 The Department shall also provide space for meetings of the Advisory
24 Board.

1 C. The Advisory Board shall annually elect a chair, vice-chair
2 and secretary-treasurer, shall meet at least quarterly, and may hold
3 such special meetings as may be necessary. The members of the
4 Advisory Board shall be reimbursed as provided for by the State
5 Travel Reimbursement Act.

6 D. The Advisory Board shall have the power and duty to:

7 1. Serve as an advisory body to the Department for the
8 development and improvement of services to and care and treatment of
9 residents of facilities subject to the provisions of the Nursing
10 Home Care Act, homes subject to the provisions of the Residential
11 Care Act and facilities subject to the provisions of the Adult Day
12 Care Act;

13 2. Review, make recommendations regarding, and approve in its
14 advisory capacity the system of standards developed by the
15 Department;

16 3. Evaluate and review the standards, practices, and procedures
17 of the Department regarding the administration and enforcement of
18 the provisions of the Nursing Home Care Act, the Residential Care
19 Act and the Adult Day Care Act, and the quality of services and care
20 and treatment provided to residents of facilities and residential
21 care homes and participants in adult day care centers. The Board
22 may make recommendations to the Department as necessary and
23 appropriate;

24

1 4. Evaluate and review financial accountability standards,
2 policies and practices of residential care facilities regarding
3 residents' funds for which the facility is the payee, and evaluate
4 and review expenditures made on behalf of the resident by the
5 facility to ensure that such funds are managed appropriately and in
6 the best interests of the resident; and

7 5. Publish and distribute an annual report of its activities
8 and any recommendations for the improvement of services and care and
9 treatment to residents of facilities and residential care homes and
10 participants in adult day care centers on or before January 1 of
11 each year to the Governor, the State Commissioner of Health, the
12 State Board of Health, the Speaker of the House of Representatives,
13 the President Pro Tempore of the Senate, and the chief
14 administrative officer of each agency affected by the report.

15 SECTION 19. AMENDATORY 63 O.S. 2011, Section 91, as last
16 amended by Section 1, Chapter 48, O.S.L. 2016 (63 O.S. Supp. 2019,
17 Section 91), is amended to read as follows:

18 Section 91. A. There is hereby re-created, to continue until
19 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
20 Sunset Law, an oversight Board to be known as the State Anatomical
21 Board, to be composed of the following members:

22 1. The Deans or their designee of each accredited medical
23 school and osteopathic medical school within the State of Oklahoma;
24

1 2. The persons heading the Department of Anatomy, or comparable
2 department, in the medical and osteopathic medical schools or their
3 designee;

4 3. Two persons appointed jointly by the presidents of
5 institutions of higher education within the state which have
6 educational programs other than medical which require on a regular
7 basis human anatomical materials, provided that these programs have
8 been approved by the State Regents for Higher Education; and

9 4. One at-large member appointed by the Governor to represent
10 the interests of the citizens of this state.

11 B. It shall be the duty of the State Anatomical Board to
12 register all anatomical donor programs and non-transplant tissue
13 banks and to designate agents to provide for the collection,
14 preservation, storage, distribution, delivery, recovery from users,
15 cremation and final disposition of all dead human bodies used for
16 health science education and research in the State of Oklahoma.

17 C. The Board shall elect from its membership a chairperson who
18 shall perform such other duties as the Board may prescribe by rule.
19 The Board shall have full power to establish rules for its
20 government, to appoint and remove officers, and to appoint an
21 executive director who shall keep full and complete minutes of its
22 transactions and manage the affairs of the Board. The expenditures
23 authorized in this section shall not be a charge against the state,
24 but shall be paid by the agent designated by the Board to receive,

1 store, issue, and cremate human anatomical materials. Records shall
2 also be kept by the agent of all bodies received and distributed for
3 the period of time authorized by the Records Disposition Schedule.
4 The name of the oversight Board shall be the State Anatomical Board,
5 hereinafter called the Anatomical Board. The Anatomical Board may,
6 in its discretion, exempt any county, district, or institution from
7 the provisions of this act in any calendar year for any length of
8 time.

9 SECTION 20. AMENDATORY 70 O.S. 2011, Section 3-173, as
10 last amended by Section 1, Chapter 131, O.S.L. 2014 (70 O.S. Supp.
11 2019, Section 3-173), is amended to read as follows:

12 Section 3-173. A. There is hereby ~~created~~ re-created to
13 continue until July 1, ~~2020~~ 2023, in accordance with the provisions
14 of the Oklahoma Sunset Law, the Oklahoma Advisory Council on Indian
15 Education.

16 B. The Council shall:

17 1. Make recommendations to the State Board of Education and the
18 Superintendent of Public Instruction in educational matters
19 affecting the education of Native American students;

20 2. Promote educational opportunities and improvement of the
21 quality of education provided to Native American students throughout
22 the state;

23 3. Advocate for Native American students in the state; and
24

1 4. Monitor and evaluate how the public education system of the
2 state impacts Native American students.

3 C. The Council shall be composed of eighteen (18) members as
4 follows:

5 1. Five members who shall each represent an Indian tribe in the
6 state, of which at least one shall represent an Indian tribe which
7 has an enrollment of less than ten thousand (10,000) members who
8 reside in the state, appointed by the Governor from a list of
9 nominations submitted by the different Indian tribes in the state;

10 2. Four members who shall each represent the tribal education
11 departments of an Indian tribe in the state, appointed by the
12 Governor from a list of nominations submitted by the different
13 Indian tribes in the state;

14 3. One member who shall represent the Oklahoma Council on
15 Indian Education, appointed by the Governor;

16 4. Two members who shall represent two different statewide
17 organizations representing public school teachers, appointed by the
18 President Pro Tempore of the Senate;

19 5. One member who shall represent a statewide organization
20 representing public school superintendents appointed by the Speaker
21 of the House of Representatives;

22 6. One member who shall represent Oklahoma tribal colleges,
23 appointed by the Chancellor of Higher Education;

24

1 7. The Director of the Native American Cultural and Educational
2 Authority, or designee;

3 8. The Chancellor of Higher Education, or designee;

4 9. The Director of the Oklahoma Department of Career and
5 Technology Education, or designee; and

6 10. The Superintendent of Public Instruction, or designee.

7 D. Appointments to the Council shall be made by September 1,
8 2010. The first meeting of the Council shall be called by the
9 Superintendent of Public Instruction. At the first meeting, the
10 members of the Council shall elect a chair and vice-chair from among
11 the members. Meetings of the Council shall be held at least
12 quarterly at the call of the chair. Members shall serve at the
13 pleasure of their appointing authorities. A majority of the members
14 of the Council shall constitute a quorum to transact business, but
15 no vacancy shall impair the right of the remaining members to
16 exercise all of the powers of the Council. A vacancy on the Council
17 shall be filled by the original appointing authority. The State
18 Department of Education, Oklahoma Department of Career and
19 Technology Education, and the Oklahoma State Regents for Higher
20 Education shall provide staff, support and information as requested
21 by the Council.

22 E. Members of the Council shall receive no compensation for
23 serving on the Council, but shall receive travel reimbursement as
24 follows:

1 1. State employees who are members of the Council shall be
2 reimbursed for travel expenses incurred in the performance of their
3 duties by their respective agencies in accordance with the State
4 Travel Reimbursement Act; and

5 2. All other members of the Council shall be reimbursed by the
6 Office of Management and Enterprise Services for travel expenses
7 incurred in the performance of their duties in accordance with the
8 State Travel Reimbursement Act.

9 F. The Council shall act in accordance with the provisions of
10 the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

11 G. Members who serve on the Council shall be exempt from the
12 dual-office-holding prohibitions of Section 6 of Title 51 of the
13 Oklahoma Statutes.

14 H. The Council shall have the following duties:

15 1. Identify strategies for developing an efficient and reliable
16 process of communications between Oklahoma education entities,
17 educators, tribal organizations and other interested parties;

18 2. Identify and disseminate research-based, measurable
19 criteria, both behavioral and academic, by which the success and
20 efficacy of the education offered to Native American students in
21 Oklahoma may be measured;

22 3. Analyze data to ensure that education agencies in Oklahoma
23 continue to address the education needs of Native American students;

24

1 4. Encourage and promote Native American educational leadership
2 at all levels of the education system; and

3 5. Make recommendations to the State Board of Education for
4 programs that will help achieve the purposes of the Oklahoma
5 Advisory Council on Indian Education Act.

6 I. The Council shall evaluate and make an annual report on the
7 effectiveness of the public education system in Oklahoma in meeting
8 the needs of Native American students in Oklahoma. The report shall
9 be submitted to the State Board of Education. The report shall also
10 contain a summary of the findings made by the Council pursuant to
11 subsection H of this section, a summary of all data collected by the
12 Council, a summary of the means by which all data was collected by
13 the Council, and any other information deemed necessary by the
14 Council.

15 SECTION 21. AMENDATORY 70 O.S. 2011, Section 23-105, as
16 last amended by Section 1, Chapter 290, O.S.L. 2014 (70 O.S. Supp.
17 2019, Section 23-105), is amended to read as follows:

18 Section 23-105. There is hereby re-created, to continue until
19 July 1, ~~2020~~ 2023, in accordance with the provisions of the Oklahoma
20 Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma
21 Statutes, a body corporate and politic to be known as the "Oklahoma
22 Educational Television Authority", and by that name the Authority
23 may sue and be sued, and plead and be impleaded. The Authority is
24 hereby constituted an instrumentality of the state, and the exercise

1 by the Authority of the powers conferred by this article for the
2 planning, construction, operation, and maintenance of educational
3 television facilities shall be deemed and held to be an essential
4 function of the state.

5 The Oklahoma Educational Television Authority shall consist of
6 thirteen (13) members, including the President of the University of
7 Oklahoma, the President of Oklahoma State University, the State
8 Superintendent of Public Instruction, the Chancellor of the Oklahoma
9 State Regents for Higher Education, the president of one of the
10 state-supported four-year colleges to be chosen by the presidents of
11 this group of institutions, the president of one of the state-
12 supported two-year colleges to be chosen by the presidents of this
13 group of institutions, and seven additional members to be appointed
14 by the Governor with the consent of the Senate, to serve seven-year
15 terms.

16 The appointed members shall have been residents of the state for
17 at least five (5) years preceding the date of their appointment.
18 The appointed members shall include one member from each of the
19 congressional districts and any remaining members shall be appointed
20 from the state at large. However, when congressional districts are
21 redrawn each member appointed prior to July 1 of the year in which
22 such modification becomes effective shall complete the current term
23 of office and appointments made after July 1 of the year in which
24 such 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. A majority of the appointed members shall be actively
6 engaged in the profession of education. Each appointed member of
7 the Authority, before entering upon the duties of the member, shall
8 take the oath provided for by Section 1 of Article XV of the
9 Constitution of the State of Oklahoma.

10 The seven original members appointed by the Governor shall
11 continue in office for terms expiring on June 30, 1954; June 30,
12 1955; June 30, 1956; June 30, 1957; June 30, 1958; June 30, 1959;
13 and June 30, 1960, respectively. The terms of each of the original
14 appointed members shall be designated by the Governor, and said
15 members shall serve for their appointed terms and until their
16 respective successors shall be appointed and qualified. The
17 successor of each appointed member shall be appointed for a term of
18 seven (7) years, except that any person appointed to fill a vacancy
19 shall be appointed to serve only for the unexpired term in said
20 vacancy.

21 The Authority shall elect from the membership of the Authority a
22 chairman, a vice-chairman, and a secretary-treasurer. Any such
23 officers elected by the Authority on or after July 1, 1984, shall be
24 appointed to serve a term of one (1) year. Seven members of the

1 Authority shall constitute a quorum, and the vote of seven members
2 shall be necessary for any action taken by the Authority. No
3 vacancy in the membership of the Authority shall impair the right of
4 a quorum to exercise all the rights and perform all the duties of
5 the Authority. The Authority shall meet at least quarterly.

6 The members of the Authority shall not be entitled to
7 compensation for their services, but each member shall be reimbursed
8 for travel expenses incurred in performing official duties in
9 accordance with the provisions of the State Travel Reimbursement
10 Act. No liability or obligation shall be incurred by the Authority
11 beyond the extent to which monies shall have been provided pursuant
12 to the authority of this article.

13 SECTION 22. AMENDATORY 74 O.S. 2011, Section 245, as
14 last amended by Section 1, Chapter 57, O.S.L. 2014 (74 O.S. Supp.
15 2019, Section 245), is amended to read as follows:

16 Section 245. A. The Climate Office of the State of Oklahoma
17 located at Norman, Oklahoma, shall be under the direction and
18 supervision of the Board of Regents of the University of Oklahoma
19 and shall be known as the Oklahoma Climatological Survey. The
20 Oklahoma Climatological Survey is hereby re-created, to continue
21 until July 1, ~~2020~~ 2023, in accordance with the provisions of the
22 Oklahoma Sunset Law.

23 B. The director of the Oklahoma Climatological Survey shall be
24 appointed by the Board and shall either serve as the state

1 climatologist or appoint another current employee of the Survey to
2 serve as state climatologist. The salary of the director shall be
3 determined by the Board.

4 C. The Oklahoma Climatological Survey shall have for its object
5 and duties the following:

6 1. To acquire, archive, process and disseminate, in the most
7 cost-effective way possible, all climate and weather information
8 which is or could be of value to policy and decision makers in the
9 state;

10 2. To act as the representative of the state in all
11 climatological and meteorological matters both within and outside
12 the state when requested to do so by the legislative or executive
13 branches of the state government;

14 3. To prepare, publish and disseminate periodic regular climate
15 summaries for those individuals, agencies and organizations whose
16 activities are related to the welfare of the state and are affected
17 by climate and weather;

18 4. To conduct and report on studies of climate and weather
19 phenomena of significant socioeconomic importance to the state;

20 5. To evaluate the significance of natural and man-made,
21 deliberate and inadvertent changes or modifications in important
22 features of the climate and weather affecting the state, and to
23 report this information to those agencies and organizations in the
24

1 state who are likely to be affected by such changes or
2 modifications; and

3 6. To maintain and operate the Oklahoma Mesonet, a
4 statewide environmental monitoring network which is overseen by the
5 Mesonet Steering Committee, comprised of representatives of the
6 University of Oklahoma and Oklahoma State University according to
7 its Memorandum of Agreement. The director of the Oklahoma
8 Climatological Survey shall be accountable for executing the
9 policies of the Mesonet Steering Committee.

10 D. The director is authorized to certify copies as being
11 authentic reproductions of weather records held in the state.

12 E. The director of the Oklahoma Climatological Survey shall
13 present a report each year to the Board of Regents of the University
14 of Oklahoma showing the progress, condition and all other
15 information which the Board may deem necessary.

16 SECTION 23. This act shall become effective July 1, 2020.

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

21

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23

24

1 Passed the Senate the 12th day of May, 2020.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2020.

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

1 ENGROSSED HOUSE
2 BILL NO. 2823

By: Gann of the House

3 and

4 Dahm of the Senate
5
6

7 An Act relating to sunset; amending 20 O.S. 2011,
8 Section 1501, as last amended by Section 1, Chapter
9 15, O.S.L. 2016 (20 O.S. Supp. 2019, Section 1501),
10 which relates to the State Board of Examiners of
11 Certified Shorthand Reporters; re-creating the Board;
12 and modifying termination date.

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

14 SECTION 25. AMENDATORY 20 O.S. 2011, Section 1501, as
15 last amended by Section 1, Chapter 15, O.S.L. 2016 (20 O.S. Supp.
16 2019, Section 1501), is amended to read as follows:

17 Section 1501. There is hereby re-created, to continue until
18 July 1, ~~2020~~ 2021, in accordance with the provisions of the Oklahoma
19 Sunset Law, Section 3901 of Title 74 of the Oklahoma Statutes, the
20 State Board of Examiners of Certified Shorthand Reporters which
21 shall consist of five (5) members, all of whom shall be certified
22 shorthand reporters. The members shall be persons who have been,
23 for at least five (5) years prior to their appointment to the Board,
24 residents of this state and certified shorthand reporters. All

1 members shall be appointed by the Chief Justice of the Supreme Court
2 and shall serve in staggered terms, each for a period of five (5)
3 years except for the initial appointees. No member may serve more
4 than one term in succession. The Board shall elect from its
5 membership a chair and a secretary. Three members shall constitute
6 a quorum. The Board may adopt a seal for its official use. All
7 actions of the Board shall be supervised by the Supreme Court and be
8 subject to approval by the Court.

9 Passed the House of Representatives the 19th day of February,
10 2020.

11
12 _____
13 Presiding Officer of the House
of Representatives

14 Passed the Senate the ___ day of _____, 2020.

15
16 _____
17 Presiding Officer of the Senate
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