

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 2ND CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 1118

6 By: Turner and Covey of the
7 House

8 and

9 Rozell of the Senate

10 2ND CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 1991,
12 Section 14-108, which relates to area vocational-
13 technical school districts; allowing an area school
14 district to transfer personal property to certain
15 school districts or public schools; authorizing
16 school districts to transfer surplus personal
17 property to another school district effected by the
18 storm of May 3, 1999; providing for certain
19 exemption; providing for noncodification; providing
20 an effective date; and declaring an emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 1991, Section 14-108, is
23 amended to read as follows:

24 Section 14-108. A. The State Board of Vocational and Technical
25 Education shall prescribe criteria and procedures for establishing
26 area vocational-technical school districts and the government
27 thereof, as provided by Section 9B, Article X, Oklahoma
28 Constitution, and such districts so established shall be operated in
29 accordance with rules and regulations of the State Board of
30 Vocational and Technical Education, except as otherwise provided in
31 this title.

32 B. An area vocational-technical school district shall be a body
corporate and shall possess the usual powers of a corporation for
public purposes. Its official name shall be designated by the State
Board of Vocational and Technical Education, in which name it may

1 sue and be sued, and be capable of contracting and being contracted
2 with, and holding real and personal estate. Its governing board
3 shall be a board of education consisting of not less than five (5)
4 nor more than seven (7) members elected in a manner prescribed by
5 the State Board of Vocational and Technical Education. Such board
6 of education shall have the same powers and duties that boards of
7 education of independent school districts have. It may require
8 nonresident students to pay reasonable tuition fees, which may be
9 paid for a student by the independent or elementary school district
10 in which the student resides.

11 C. An election to vote on the question of making a levy of not
12 to exceed five (5) mills on the dollar valuation of the taxable
13 property in an area school district under the provisions of
14 subsection A, Section 9B, Article X, Oklahoma Constitution, shall be
15 called by the board of education and conducted by the county
16 election board of such district in the same manner that elections
17 for emergency levies in school districts under the provisions of
18 Section 9(d), Article X, Oklahoma Constitution, are called and
19 conducted. When such levy is approved by a majority of the electors
20 of the area school district voting on the question at such election,
21 the levy shall be made each fiscal year thereafter until repealed by
22 a majority of the electors of the district voting on the question at
23 an election called for such purpose. An election to vote on the
24 question of making a local incentive levy of not to exceed five (5)
25 mills on the dollar valuation of the taxable property in an area
26 school district under the provisions of subsection B of Section 9B
27 of Article X of the Oklahoma Constitution, may be called by the
28 board of education; and elections on a levy for a building fund for
29 an area school district under the provisions of Section 10, Article
30 X, Oklahoma Constitution, shall be called by the board of education
31 of such district and conducted by the county election board in the
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1 same manner that elections for similar levies are called and
2 conducted in independent school districts.

3 D. Annual estimates of needs of area school districts shall be
4 made and approved in the same manner that those of independent
5 school districts are made and approved. Provided, that the State
6 Board of Vocational and Technical Education shall prescribe a list
7 of appropriation accounts by which the funds of area school
8 districts shall be budgeted, accounted for and expended. Any such
9 estimate of needs may include an estimate of federal funds as
10 probable income from sources other than ad valorem tax of the
11 district and other than any excise or other tax assessed by
12 legislative enactment and distributed in lieu of ad valorem taxes.
13 If an area school district lies in more than one county, the
14 district's estimate of needs shall be filed with and approved by the
15 county excise board of the county designated by the school district
16 board of education.

17 E. Territory may be annexed to or detached from an area school
18 district, in accordance with rules and regulations prescribed by the
19 State Board of Vocational and Technical Education. If the State
20 Board of Vocational and Technical Education requires the submission
21 of a petition in order for an election to be called for the purpose
22 of annexation or deannexation of territory to an area school
23 district, such petition shall not be required to bear a number of
24 school district electors' signatures which exceed fifty percent
25 (50%) of the number of school district electors who voted in the
26 last school board election in the territory proposed to be annexed
27 or deannexed. Provided, the period of time from which the petition
28 is initiated to its time of filing with the State Board shall not
29 exceed ninety (90) days.

30 F. Schools of area school districts shall be subject to
31 classification, inspection and accreditation by the State Board of
32 Education.

1 G. The area vocational and technical school board of education
2 may designate a county treasurer to serve as treasurer of the school
3 district or may appoint an independent treasurer.

4 H. Within four (4) years after the creation of an area school
5 district, such area school district may, at its discretion, permit a
6 teacher to transfer any or all accrued benefits upon employment
7 including credit for years of service in the previous school
8 district by the area school district, if the teacher at the time of
9 hiring is employed as a teacher by an independent or elementary
10 school district which is all or partly within the boundaries of the
11 area school district or is employed as a teacher in a skills center
12 within the boundaries of the area school district.

13 I. For the 1991-92 school year the formula used to distribute
14 state equalization funds to area vocational-technical schools shall
15 be the same formula that was used to distribute equalization funds
16 in the 1989-90 school year. Provided, for the 1991-92 school year
17 any area vocational-technical school given special designation by
18 the State Board of Vocational and Technical Education prior to
19 January 1, 1990, for funding purposes due to location, partially or
20 entirely, within the boundary of a college area vocational-technical
21 district shall receive state vocational-technical program formula
22 and equalization formula funding. Provided, such designated
23 district's participation in equalization formula funding shall be
24 limited to funds used in the state equalization formula program for
25 the 1991-92 school year above the level of funds used in the 1989-90
26 school year.

27 J. The board of education of an area vocational-technical
28 school district may convey personal property without consideration
29 to a school district that is within the boundary of the area
30 vocational-technical school district or a public school offering
31 secondary level education which was created and is operated by the
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1 State of Oklahoma and that is within the boundary of the area
2 vocational-technical school district.

3 SECTION 2. NEW LAW A new section of law not to be
4 codified in the Oklahoma Statutes reads as follows:

5 The board of education of any school district in this state is
6 authorized until January 1, 2000, to transfer without compensation
7 surplus personal property to a local school district within any area
8 in Oklahoma devastated by the storm of May 3, 1999. Such transfer
9 shall be exempt from any provisions in law relating to the sale or
10 transfer of surplus school property.

11 SECTION 3. Section 1 of this act shall become effective July 1,
12 1999.

13 SECTION 4. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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