

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 995

By: Robinson and Morgan of
the Senate

and

Ericson of the House

An Act relating to higher education; amending 70 O.S. 2001, Section 3201, which relates to institutions comprising The Oklahoma State System of Higher Education; modifying name of certain institution; amending 70 O.S. 2001, Sections 3405 and 3405.1, which relate to Connors State College of Agriculture and Applied Science; changing name to Connors State College; amending 70 O.S. 2001, Section 3412, which relates to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges; modifying name of certain institution; providing an effective date; and declaring an emergency.

AUTHORS: Add the following House Coauthors: Cargill and Steele

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"An Act relating to higher education; amending 70 O.S. 2001, Section 3103, which relates to agencies of state educational institutions; modifying name of certain agency; amending 70 O.S. 2001, Section 3201, which relates to institutions comprising The Oklahoma State System of Higher Education; modifying name of certain institution; amending 70 O.S. 2001, Sections 3405 and 3405.1, which relate to Connors State College of Agriculture and Applied Science; changing name to Connors State College; amending 70 O.S. 2001, Section 3412, which relates to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges; modifying name of certain institution; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3103, is amended to read as follows:

Section 3103. For the purposes of this Code, each of the following shall be deemed an agency and an integral part of the University of Oklahoma: the Health Sciences Center, the Law Center, and the Oklahoma Geological Survey; and each of the following shall be deemed an agency and an integral part of Oklahoma State University: the College of Veterinary Medicine, the College of Osteopathic Medicine, the Agricultural Experiment Station, the Agricultural Extension Division, the ~~Technical Branch~~ campus located at Oklahoma City, and the Technical Branch located at Okmulgee.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 3201, is amended to read as follows:

Section 3201. The following state educational institutions shall be members of The Oklahoma State System of Higher Education: University of Oklahoma, Oklahoma State University, Langston University, Oklahoma Panhandle State University, Murray State College, Connors State College ~~of Agriculture and Applied Science~~, Cameron University, Eastern Oklahoma State College, Northeastern Oklahoma Agricultural and Mechanical College, University of Central Oklahoma, East Central University, Northeastern State University, Northwestern Oklahoma State University, Southeastern Oklahoma State University, Southwestern Oklahoma State University, University of Science and Arts of Oklahoma, Rogers State University, Carl Albert State College, Redlands Community College, Northern Oklahoma College, Oklahoma City Community College, Rose State College, Seminole State College, Tulsa Community College, and Western Oklahoma State College.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 3405, is amended to read as follows:

Section 3405. The state educational institution located at Warner shall continue at the same location and its official name shall be Connors State College ~~of Agriculture and Applied Science~~.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 3405.1, is amended to read as follows:

Section 3405.1 A. The Oklahoma State Regents for Higher Education shall make resident college credit courses and programs available to the people of Muskogee.

B. The Oklahoma State Regents for Higher Education shall provide lower division classes and programs through a branch of Connors State College ~~of Agriculture and Applied Science~~, which shall be established and located in Muskogee. The branch campus of Connors State College shall be governed by the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges and administered through Connors State College.

C. The Oklahoma State Regents for Higher Education shall provide upper division classes and programs and graduate classes at the Masters level through a branch of Northeastern State University, which shall be established and located at Muskogee. The branch campus of Northeastern State University shall be governed by the Board of Regents of Oklahoma Colleges and administered through Northeastern State University.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 3412, is amended to read as follows:

Section 3412. The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges shall have the supervision, management and control of Oklahoma State University, Panhandle State University, Langston University, Connors State College ~~of Agriculture and Applied Science~~, and Northeastern Oklahoma Agricultural and Mechanical College; and shall have the following additional powers and duties:

1. Adopt such rules and regulations as it deems necessary to govern each of the institutions under its jurisdiction;

2. Employ and fix the compensation and duties of such personnel as it deems necessary, including architects, attorneys, engineers, and other professional and technical persons deemed necessary by the Board, for its operation and for the operation of the institutions under its jurisdiction. Any of such personnel having custody of

public funds or other public property may be required to furnish corporate surety bonds in such amounts as may be deemed necessary by the Board, payable to the State of Oklahoma and conditioned upon a faithful accounting of all such funds and property;

3. Enter into contracts, purchase supplies, materials and equipment, and incur such other expenses as may be necessary to make any of its powers effective;

4. Authorize officials at the several institutions under its jurisdiction to act in its behalf in the making of contracts, or in carrying out the powers conferred upon it;

5. Receive and make disposition of monies, grants and property from federal agencies, and administer the same in accordance with federal requirements;

6. Accept gifts of real and personal property, money and other things, and use or dispose of the same in accordance with the directions of the donors or grantors thereof;

7. Direct the disposition of all monies appropriated by the Legislature or by the Congress or derived from the sale of bonds or received from any other source by institutions under its jurisdiction;

8. Acquire and take title to real and personal property in its name, on behalf of any of the institutions under its jurisdiction, and convey, exchange or dispose of, or otherwise manage or control, such property in the interest of such institutions, including the granting of leases, permits, easements and licenses over or upon any such real property. The Board shall have the power to institute any legal action in the name of the Board before any court having jurisdiction of such actions. The Board shall have the custody and control of abstracts of title and instruments affecting the ownership of or title to real property belonging to the Board, and being held by the Board on behalf of a particular state educational institution;

9. Have supervision and charge of the construction of all buildings at the institutions under its jurisdiction;

10. Determine the need for and cause to be constructed, dormitories and other buildings, on a self-liquidating basis, at any institution under its jurisdiction;

11. Establish and maintain plans for tenure and retirement of employees of the Board and of the institutions under its jurisdiction, and for payment of deferred compensation of such employees; and provide hospital and medical benefits, accident, health and life insurance, and annuity contracts, for such employees and their dependents. The Board may pay for all or a part of the cost for employees thereof with funds available for the operation of the institution. Amounts payable by an employee for such insurance or annuity contracts may, with the consent of the employee, be deducted from ~~his~~ the employee's salary;

12. The ~~said~~ Board shall cause a complete inventory to be made of all properties belonging to each of the ~~said~~ agricultural colleges or universities within the State of Oklahoma before the last Monday in December, next preceding each biennial session of the State Legislature, and accompanying ~~said~~ the inventories shall be a financial statement showing in detail the condition of all funds appropriated for the use of said agricultural colleges and experimental stations, also the money expended and the purposes for which the same were expended and the condition of the institution; and, the results of experiments carried on, together with their recommendations concerning remedial legislation or rules for the betterment of ~~said~~ the institution;

13. The Board shall audit all accounts against the funds appropriated for the use and maintenance of the Oklahoma State University and the other state agricultural colleges, including experimental stations, and the State Treasurer shall issue ~~his~~ a warrant for the amount of all accounts, including salaries and expenses;

14. Provide penalties and forfeitures by way of damages and otherwise for the violation of rules of the Board, which may be sued for and collected in the name of the Board before any court having jurisdiction of such actions; and

15. The Legislature further recognizes and confirms, that the Oklahoma State University is an institution corporate under the constitution and statutes of Oklahoma with full power and authority, acting through its constitutional Board of Regents, to do all things necessary or convenient to accomplish the corporate objects of ~~said~~ the institution, and ~~said~~ the institution, acting through its ~~said~~ constitutional Board of Regents, is hereby recognized to be such public corporation and to have such powers.

Without limiting the generality of the foregoing, the powers of ~~said~~ the board of regents to control and use monies accruing to the institutions under their jurisdiction and control, from nontax sources, including institutional earnings, and proceeds of sales of surplus properties heretofore authorized to be sold, and revenues derived by way of bonuses and rentals from oil and gas leases, for any lawful institutional purpose, is hereby specifically confirmed.

The enumeration herein of certain powers and immunities of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges shall not be construed as in derogation or as a limitation of other powers and immunities properly belonging to ~~said~~ the Board by virtue of any provisions of the Constitution of Oklahoma or of any provision of law. ~~Said~~ The Board, is hereby, expressly granted every power necessary or convenient to make institutions under its jurisdiction effective for the purposes for which they were created and are maintained and operated.

Nothing in this section shall be construed as in derogation of the constitutional powers and responsibilities of ~~said~~ the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, acting as the Board of Regents for Connors State College ~~of Agriculture and~~

~~Applied Science~~, Northeastern Oklahoma Agricultural and Mechanical College, Panhandle State University, and Langston University.

SECTION 6. This act shall become effective July 1, 2002.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 17th day of April, 2002.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2002.

Presiding Officer of the Senate