

ENGROSSED HOUSE
BILL NO. 1196

By: Ervin, Deutschendorf,
Morgan, Ferguson, Reese and
Toure of the House

and

Fisher of the Senate

(economic development - Oklahoma Institute of
Technology - qualifications of trustees - Senate
confirmation - codification - effective date -
emergency)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5060.41 of Title 74, unless
there is created a duplication in numbering, reads as follows:

A. Recognizing the vast, underutilized human and capital
resources, both urban and rural, in the State of Oklahoma and the
opportunity for economic development through technological
advancement, the Legislature and the Governor hereby adopt the
following goals:

1. Establishing Oklahoma as a premier information technology
and biotechnology center for the twenty-first century; and

2. Enhancing the lives of, and expanding opportunities for, all
Oklahomans through growth of information technology and
biotechnology industries and infrastructure throughout the urban and
rural areas of the state.

B. To further the goals set forth in this act, there is hereby
created the Oklahoma Institute of Technology. The mission and
purposes of the Institute shall include:

1. Attracting and retaining outstanding faculty and graduate students at Oklahoma colleges and universities through public-private partnerships that will support the creation of endowed chairs, scholarships, and research grants in the fields of engineering, information technology, and biotechnology;

2. Partnering with the public and private universities of this state to set standards for a world-class curriculum for information technology and biotechnology disciplines;

3. Developing policies and structure for use of public funding to support joint public-private technology research and development projects using facilities of public higher education institutions;

4. Establishing a procedure for certifying courses and programs in information technology and biotechnology disciplines that meet the Institute's standards;

5. Coordinating and implementing through distance learning strategies the delivery of engineering and technology courses, to be provided by the University of Oklahoma, Oklahoma State University, and a private university located in Oklahoma that offers engineering degree programs, to public colleges and universities and technology center schools of this state;

6. Developing strategies for providing workforce training in technology;

7. Developing strategies for providing business development assistance and engineering assistance to small manufacturers and technology-based businesses located in the rural areas of this state;

8. Developing strategies for providing leadership development programs to prepare rural residents for leadership in a technologically enhanced economy;

9. Developing strategies for upgrading and enhancing rural technology infrastructure, including medical procedures, telemedicine capabilities, and emergency response capabilities; and

10. Providing incentives for the development and testing of technology-based disaster mitigation and prevention products.

C. The Institute shall be governed by a board of trustees appointed as follows:

1. One ranking research officer of the University of Oklahoma to be appointed by the president of the University of Oklahoma;

2. One ranking research officer of Oklahoma State University to be appointed by the president of Oklahoma State University;

3. One ranking research officer of a private Oklahoma university that offers engineering degrees to be appointed by the Governor;

4. One person representing a private foundation that has a history of providing grants for capital higher education funding and health research and delivery systems to be appointed by the Governor; and

5. Seven other persons appointed by the Governor who represent higher education or the information technology or biotechnology industries.

All gubernatorial appointees shall be subject to confirmation by the Senate. All appointees serve at the pleasure of the appointing authority. The Governor shall select members of the board to serve as chair and vice-chair of the board. The members of the board shall not be subject to the dual office holding prohibitions set forth in Section 6 of Title 51 of the Oklahoma Statutes.

D. The board of trustees shall determine the qualifications of, appoint, and set the compensation of a chief executive officer of the Institute. The qualifications shall include administrative experience. The board shall appoint such other research and support staff as the board deems appropriate. The chief executive officer and all other Institute staff shall be exempt from the Oklahoma Merit System of Personnel Administration.

E. The board of trustees shall be a body corporate and shall adopt and use an official seal. The board shall adopt rules as it deems necessary for the governing of the board and the discharge of its duties, and shall cause to be kept the minutes of all meetings and transactions considered at each meeting. The board shall have the following powers and duties:

1. To maintain an office at such place or places as it may designate;

2. To make and execute contracts with any individual, corporation, association or any other entity and all other instruments necessary or convenient for the performance of its duties and the exercise of its powers and functions under this act;

3. To receive funds from any source to carry out the purposes of this act, including, but not limited to, gifts or grants from any department, agency or instrumentality of the United States or of the state for any purpose consistent with the provisions of this act;

4. To acquire or sell, convey, lease, exchange, transfer or otherwise dispose of its property or any interest therein; and

5. Such other powers as are necessary to carry out its duties under this act.

F. There is hereby created a trust fund to be known as the "Oklahoma Institute of Technology Trust Fund". The Trust Fund shall be administered as follows:

1. The board of trustees of the Oklahoma Institute of Technology shall be the trustees of the Trust Fund;

2. The Trust Fund shall be utilized to implement the provisions of this act;

3. The Trust Fund principal shall consist of monies received from any monies the Legislature appropriates or transfers to the Oklahoma Institute of Technology for the Trust Fund and any monies or assets contributed to the Trust Fund from any other source, public or private. Notwithstanding other provisions of law, income

and investment return on Trust Fund principal shall accrue to the Trust Fund for use as provided by authorization of the trustees for the purposes provided in this act. The Trust Fund principal shall not be used for any purpose except upon express authorization of the Legislature;

4. The trustees shall adopt rules for accomplishing transfer of income and investment return to appropriate accounts set up in the Office of the State Treasurer for operation of the Institute; and

5. The Trust Fund may be dissolved upon an act approved by three-fourths (3/4) of both houses of the Legislature. Upon the Trust Fund's dissolution, any funds in the Trust Fund shall be placed in the General Revenue Fund of the State Treasury.

SECTION 2. This act shall become effective July 1, 2001.

SECTION 3. 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 6th day of March, 2001.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2001.

Presiding Officer of the Senate