ENROLLED HOUSE
BILL NO. 1832

By: Jett of the House

and

Laster of the Senate

An Act relating to higher education; amending 74 O.S. 2001, Section 5060.6, as last amended by Section 1, Chapter 217, O.S.L. 2004 (74 O.S. Supp. 2004, Section 5060.6), which relates to the board of directors for the Oklahoma Science and Technology Research and Development Board; adding the Chancellor of the Oklahoma State Regents for Higher Education to the Board; modifying membership; providing for the initial terms of certain members; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 5060.6, as last amended by Section 1, Chapter 217, O.S.L. 2004 (74 O.S. Supp. 2004, Section 5060.6), is amended to read as follows:

Section 5060.6 A. The board of directors for the Oklahoma Center for the Advancement of Science and Technology is hereby reconstituted as the Oklahoma Science and Technology Research and Development Board and shall be comprised as follows:

1. The Director of the Oklahoma Department of Commerce;

2. The Chancellor of the Oklahoma State Regents for Higher Education;

3. The president of the University of Oklahoma;

~~3.~~ 4. The president of Oklahoma State University;

~~4.~~ 5. The president of one of the regional universities in The State System of Higher Education designated by the Chancellor;

~~5.~~ 6. The president of a private Oklahoma university classified by the Carnegie Foundation as a national doctorate-granting institution offering graduate engineering degrees to be appointed by the Governor;

~~6.~~ 7. The Governor's appointed cabinet Secretary of Agriculture;

~~7.~~ 8. A member of the House of Representatives, who shall serve as an ex officio nonvoting member, appointed by the Speaker of the House of Representatives;

~~8.~~ 9. A member of the Senate, who shall serve as an ex officio nonvoting member, appointed by the President Pro Tempore of the Senate;

~~9.~~ 10. Two members, appointed by the Governor, who shall be engineers or scientists with extensive experience in managing basic or applied scientific or technological research at Oklahoma institutions of higher education, who shall serve terms of four (4) years; provided that, the two members who possess these qualifications and are serving on the board of directors of the Center on July 1, 2002, shall fill these positions on the Oklahoma Science and Technology Research and Development Board for initial terms to expire on June 30, 2003;

~~10. Four~~ 11. Five members appointed by the Governor who are or who have served as chief executive officers or senior executive officers of corporations engaged in information technology, biotechnology, genetics, other emerging technologies, agriculture, oil and natural gas, early stage high risk venture capital finance, other significant Oklahoma industries, or Oklahoma industries that are potentially significant to the state economy or who are or who have served as chief executive officers or senior executive officers of a private nonprofit organization or who are or who have served as chief executive officers or senior executive officers of foundations with a history of supporting research and development. Two members appointed pursuant to this paragraph shall serve initial terms to expire on June 30, 2005, and two shall serve initial terms to expire on June 30, 2006. For the position for which the initial appointment begins after July 1, 2005, the initial term shall expire on June 30, 2009;

~~11. Two~~ 12. Four members appointed by the Governor who represent small business. One appointee shall serve an initial term to expire on June 30, 2005, and one shall serve an initial term to expire on June 30, 2006. For the two positions for which the initial appointments begin after July 1, 2005, one appointee shall serve an initial term to expire on June 30, 2008, and one appointee shall serve an initial term to expire on June 30, 2009;

~~12.~~ 13. One member appointed by the Governor who represents rural Oklahoma. The initial appointee shall serve a term to expire on June 30, 2004; and

~~13.~~ 14. Until June 30, 2004, or vacation of the offices, six members who, before the effective date of this act, were appointed by the Governor and who are serving on the board of directors of OCAST on July 1, 2002. These positions on the Oklahoma Science and Technology Research and Development Board shall cease to exist on June 30, 2004, or when the position is vacated if the vacancy occurs prior to June 30, 2004. A member of the OCAST board who holds one of these positions may be appointed to a position described in paragraphs 9 through 12 of this subsection on the Oklahoma Science and Technology Research and Development Board if the member meets the qualifications for such position.

B. The two legislatively appointed members of the Board shall be persons of demonstrated knowledge of and commitment to the advancement of science and technology in Oklahoma and shall serve at the pleasure of their respective appointing authority.

C. In making appointments to the Oklahoma Science and Technology Research and Development Board, appropriate consideration shall be given to representation upon the Board by race, gender and geographical area.

D. Gubernatorial appointees appointed after July 1, 2002, shall serve four-year terms except for initial terms as provided in this section. Terms shall expire on June 30. All gubernatorial appointees shall be subject to confirmation by the Senate. Except as otherwise provided in this section, any vacancy in board positions filled by appointment of the Governor shall be filled for the unexpired term in the same manner as the original appointment.

E. The Board shall elect, annually, a chair who shall be from the private sector membership of the Board. A vice-chair shall be elected annually from among all the members of the Board. Persons elected to the position of chair or vice-chair shall not serve more than two consecutive terms in said position.

F. The Board shall meet at least once each calendar quarter and at such other times:

1. Upon call of the chair;

2. Upon call of the chief executive officer of the Center or the Institute; or

3. Upon written request of a majority of the board members.

G. A majority of the voting members of the Board shall constitute a quorum. A quorum of the Board shall be necessary to transact business. All actions of the board members shall be made by a majority of the quorum present. A board member may send a predetermined designee as a representative to board meetings who may vote; provided, the designee may vote at no more than thirty percent (30%) of meetings during a fiscal year.

H. Members of the Board shall be entitled to compensation and expenses as may be provided in the charter or bylaws 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.

I. The Board shall establish an executive committee composed of the chair, vice-chair, and three (3) additional voting members chosen by the chair from among the remaining board members. The executive committee, in intervals between board meetings, may transact any board business that has been delegated to the executive committee. A majority of the executive committee shall be necessary to transact business and all actions of the executive committee shall be by a majority vote of the committee.

SECTION 2. This act shall become effective July 1, 2005.

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 16th day of March, 2005.

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Presiding Officer of the House of Representatives

Passed the Senate the 12th day of April, 2005.

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Presiding Officer of the Senate