

STATE OF OKLAHOMA

2nd Extraordinary Session of the 50th Legislature (2006)

SENATE BILL 110x

By: Corn of the Senate

and

Brannon of the House

AS INTRODUCED

An Act relating to higher education; amending 70 O.S. 2001, Section 3201, as amended by Section 2, Chapter 194, O.S.L. 2002 (70 O.S. Supp. 2005, Section 3201), which relates to institutions comprising The Oklahoma State System of Higher Education; modifying name of Carl Albert State College; amending 70 O.S. 2001, Sections 3302 and 3305, as last amended by Section 14, Chapter 218, O.S.L. 2005 (70 O.S. Supp. 2005, Section 3305), which relate to the Board of Regents of the University of Oklahoma; adding Carl Albert College to institutions governed by Board of Regents of the University of Oklahoma; amending 70 O.S. 2001, Sections 4423, 4423.1, and 4423.1A, which relate to authorization for two-year colleges; removing Board of Regents of Carl Albert State College; changing name of Carl Albert State College to Carl Albert College; specifying Carl Albert State College shall continue as a two-year college at same location; transferring governance of Carl Albert College and branch campus to Board of Regents of the University of Oklahoma; transferring all interests and obligations; 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 3201, as amended by Section 2, Chapter 194, O.S.L. 2002 (70 O.S. Supp. 2005, 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, 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 2. AMENDATORY 70 O.S. 2001, Section 3302, is amended to read as follows:

Section 3302. ~~(a)~~ A. The Board of Regents provided for by Section 8, Article XIII, Oklahoma Constitution, shall constitute a body corporate by the name of Regents of the University of Oklahoma and shall be the government of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College.

It shall consist of seven (7) members to be appointed by the Governor by and with the advice and consent of the Senate.

Provided, that persons now serving on such Board shall be members of and continue to serve on the Board for the terms for which they were appointed.

~~(b)~~ B. Appointments shall be to numbered positions on the Board, and terms of members of the Board shall be, as follows:

~~(1)~~ 1. Position No. 1. The term of office of one member shall expire on the 21st day of March, 1966, and each seven (7) years thereafter;i

~~(2)~~ 2. Position No. 2. The term of office of one member shall expire on the 21st day of March, 1967, and each seven (7) years thereafter;i

~~(3)~~ 3. Position No. 3. The term of office of one member shall expire on the 21st day of March, 1968, and each seven (7) years thereafter;i

~~(4)~~ 4. Position No. 4. The term of office of one member shall expire on the 21st day of March, 1969, and each seven (7) years thereafter~~;~~;

~~(5)~~ 5. Position No. 5. The term of office of one member shall expire on the 21st day of March, 1970, and each seven (7) years thereafter~~;~~;

~~(6)~~ 6. Position No. 6. The term of office of one member shall expire on the 21st day of March, 1971, and each seven (7) years thereafter~~;~~; and

~~(7)~~ 7. Position No. 7. The term of office of one member shall expire on the 21st day of March, 1972, and each seven (7) years thereafter.

~~(c)~~ C. No member of the Board shall be employed upon any work to be performed in connection with the University of Oklahoma, Cameron University, ~~or~~ Rogers State University, or Carl Albert College, nor shall any member of ~~said~~ the Board enter into any contract or business transaction involving a financial consideration with the University of Oklahoma, Cameron University, ~~or~~ Rogers State University, or Carl Albert College.

~~(d)~~ D. Members of the Board shall be subject to removal from office as provided by law for the removal of elective officers not liable to impeachment.

~~(e)~~ E. Vacancies on the Board shall be filled by the Governor, for the unexpired term, by and with the advice and consent of the Senate.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 3305, as last amended by Section 14, Chapter 218, O.S.L. 2005 (70 O.S. Supp. 2005, Section 3305), is amended to read as follows:

Section 3305. The Board of Regents of the University of Oklahoma shall have the supervision, management and control of the University of Oklahoma and all its integral parts, of Cameron

University, ~~and~~ of Rogers State University, and of Carl Albert College and shall have the following additional powers and duties:

~~(a)~~ 1. Adopt such rules and regulations as it deems necessary to govern the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College;

~~(b)~~ 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, for its operation and for the operation of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College. 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;

~~(c)~~ 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;

~~(d)~~ 4. Authorize officials of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College to act in its behalf in the making of contracts, or in carrying out the powers conferred upon it;

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

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

~~(g)~~ 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 the University of Oklahoma,

Cameron University, ~~and~~ Rogers State University, and Carl Albert College;

~~(h)~~ 8. Acquire and take title to real and personal property in its name, on behalf of the University of Oklahoma or any agency thereof, on behalf of Cameron University, ~~and~~ on behalf of Rogers State University, and on behalf of Carl Albert College and convey, exchange or dispose of, or otherwise manage or control, such property in the interest of the University of Oklahoma or agency thereof, Cameron University, ~~and~~ Rogers State University, and Carl Albert College, including the granting of leases, permits, easements and licenses over or upon such real property. The Board shall have the power to institute 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 the University of Oklahoma or any agency thereof, on behalf of Cameron University, ~~and~~ on behalf of Rogers State University, and on behalf of Carl Albert College;

~~(i)~~ 9. Have supervision and charge of the construction of all buildings at the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College;

~~(j)~~ 10. Determine the need for and cause to be constructed, dormitories and other buildings, on a self-liquidating basis, at the University of Oklahoma or any branch or facility thereof, at Cameron University, ~~and~~ at Rogers State University, and at Carl Albert College;

~~(k)~~ 11. Establish and maintain plans for tenure and retirement of employees of the Board and of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College 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 thereof for employees, 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;

~~(l)~~ 12. Audit all accounts against the funds appropriated for the use and maintenance of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College and the State Treasurer shall issue ~~his~~ a warrant for the amount of all accounts, including salaries and expenses of ~~said~~ the Board, which shall have been audited and allowed by the Board of Regents and attested by the President and Secretary of the University of Oklahoma, the President of Cameron University, ~~and~~ the President of Rogers State University, and the President of Carl Albert College;

~~(m)~~ 13. Provide penalties and forfeitures by way of damages and otherwise for the violation of rules and regulations of the Board, which may be sued for and collected in the name of the Board before any court having jurisdiction of such actions;

~~(n)~~ 14. Issue, on behalf of the University of Oklahoma, special and limited obligations for purposes of such capital projects as the Regents may deem to be proper; and

~~(o)~~ 15. Do all things necessary and convenient to carry out the powers expressly granted to it by the Constitution and the laws of the state, or to make the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and Carl Albert College effective for the purposes for which they are maintained and operated and the enumeration herein of certain powers and immunities of the Board of Regents of the University shall not be construed as in derogation or as a limitation of the powers and immunities properly belonging to the Board in the government of the University of Oklahoma, Cameron University, ~~and~~ Rogers State University, and

Carl Albert College by virtue of Section 8~~7~~ of Article XIII of the Oklahoma Constitution.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 4423, is amended to read as follows:

Section 4423. A. The Oklahoma State Regents for Higher Education are hereby authorized and directed to maintain two-year colleges at El Reno, which shall be known as the Redlands Community College, ~~at Poteau, which shall be known as the Carl Albert State College,~~ at Seminole, which shall be known as the Seminole State College, at Midwest City, which shall be known as the Rose State College, and in South Oklahoma City, which shall be known as the Oklahoma City Community College; and~~7~~ each of ~~said~~ the colleges shall be an integral and full-fledged part of The Oklahoma State System of Higher Education.

B. Each of ~~said~~ the colleges which at the time it became a member of the State System was operating a technical area school district program to carry out the function of postsecondary technical education for the people of the district shall continue to do so as then operated and in accordance with Section 4410 of ~~Title 70 of the Oklahoma Statutes~~ this title, and all property acquired by virtue of the technical area school district operation shall remain as property of the technical area school district and be maintained in the custody of the Board of Regents of the college acting as the governing board of the technical area school district for use by the postsecondary area district program.

C. For each of the colleges above named and identified, there shall be created a separate Board of Regents, and ~~said~~ such Board of Regents shall consist of seven (7) members to serve seven-year overlapping terms, with members of ~~said~~ such Board to be appointed by the Governor by and with the advice and consent of the State Senate. Each Board shall have the same powers and duties as the Board of Regents of Tulsa Junior College. Four members of the Board

of Regents for the colleges located at El Reno, ~~Poteau~~ and Seminole shall be from the county in which ~~said~~ the college is located. Four members of the Board of Regents for Rose State College and Oklahoma City Community College shall be residents of the original district of each of ~~said~~ the colleges. With respect to Rose State College and Oklahoma City Community College, it is further provided that the college and its governing Board of Regents shall continue to operate the technical area school district program to carry out the function of postsecondary technical education for the people of the technical education school district as now operated, and in accordance with Section 4410 of ~~Title 70 of the Oklahoma Statutes~~ this title.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 4423.1, is amended to read as follows:

Section 4423.1 A. The Until the effective date of this act, the state educational institution located at Poteau which is known as "Carl Albert Junior College" and is presently designated as "Carl Albert Junior College" shall continue at the same location and the official name of the institution shall be designated in all future references as "Carl Albert State College". Any reference in the statutes to Carl Albert Junior College shall be deemed a reference to Carl Albert State College.

B. The state educational institution located at Poteau which is known as "Carl Albert State College" and is presently designated as "Carl Albert State College" shall continue as a two-year college at the same location and the official name of the institution shall be designated in all future references as "Carl Albert College". Any reference in the statutes to Carl Albert State College shall be deemed a reference to Carl Albert College.

C. The governance, supervision, management and control of Carl Albert College is hereby transferred from the Board of Regents of Carl Albert State College to the Board of Regents of the University of Oklahoma, and all interests in real property, facilities,

equipment and appurtenances, state-appropriated monies and all duties, obligations and liabilities of Carl Albert College and any and all obligations of the Board of Regents of Carl Albert State College for and on behalf of Carl Albert College are transferred to the Board of Regents of the University of Oklahoma. Obligations for any and all plans for tenure or retirement of employees of Carl Albert College, either through Carl Albert College, or the Board of Regents of Carl Albert State College shall be assumed by the Board of Regents of the University of Oklahoma.

SECTION 6. AMENDATORY 70 O.S. 2001, Section 4423.1A, is amended to read as follows:

Section 4423.1A A. The Oklahoma State Regents for Higher Education shall make resident college credit courses and programs available to the people of Sallisaw.

B. The State Regents for Higher Education shall provide classes and programs through a branch of Carl Albert ~~State~~ College, which shall be established and located in Sallisaw. The branch campus of Carl Albert ~~State~~ College shall be governed by the Board of Regents of ~~Carl Albert State College~~ the University of Oklahoma and administered through Carl Albert ~~State~~ College. The Board of Regents of ~~Carl Albert State College~~ the University of Oklahoma may provide resources to the branch campus of Carl Albert ~~State~~ College to maintain its facilities in accordance with its function and mission as provided by law. The people locally shall provide suitable physical plant accommodations for the branch campus.

SECTION 7. This act shall become effective July 1, 2006.

SECTION 8. 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.

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