

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2111

6 By: Cargill

7 COMMITTEE SUBSTITUTE

8 An Act relating to governmental entities; modifying  
9 and repealing sections related to unnecessary  
10 governmental entities; amending 63 O.S. 2001, Section  
11 1-237, which relates to the Joint Legislative  
12 Committee for Review of Coordination of Efforts for  
13 Prevention of Adolescent Pregnancy and Sexually  
14 Transmitted Diseases; terminating joint legislative  
15 committee; amending 63 O.S. 2001, Section 3224, which  
16 relates to the University Hospitals Trust Legislative  
17 Advisory Task Force; terminating task force;  
18 repealing 2 O.S. 2001, Section 5-93, as amended by  
19 Section 1, Chapter 22, O.S.L. 2002 (2 O.S. Supp.  
20 2006, Section 5-93), which relates to the Oklahoma  
21 International Trade Development Council; repealing 2  
22 O.S. 2001, Section 7-1.1, which relates to the  
23 Oklahoma Dairy Committee; repealing 56 O.S. 2001,  
24 Section 1010.7A, as amended by Section 1, Chapter  
121, O.S.L. 2002 (56 O.S. Supp. 2006, Section  
1010.7A), which relates to the Joint Legislative  
Oversight Committee for the Oklahoma Health Care  
Authority; repealing 62 O.S. 2001, Section 41.5k, as  
amended by Section 7, Chapter 266, O.S.L. 2006 (62  
O.S. Supp. 2006, Section 41.5k), which relates to the  
Joint Legislative Committee on Information Technology  
and Telecommunication; repealing 63 O.S. 2001,  
Section 1-879.1, as amended by Section 3, Chapter  
410, O.S.L. 2005 (63 O.S. Supp. 2006, Section 1-  
879.1), which relates to the Alzheimer's Research  
Advisory Council; repealing Section 1, Chapter 254,  
O.S.L. 2002 (63 O.S. Supp. 2006, Section 1-1952),  
which relates to the Joint Legislative Oversight  
Committee for Oklahoma Long-Term Care; repealing 63  
O.S. 2001, Section 683.29, which relates to Oklahoma  
Commission on Volunteerism; repealing 69 O.S. 2001,

1 Section 301.1, as amended by Section 31, Chapter 397,  
2 O.S.L. 2002 (69 O.S. Supp. 2006, Section 301.1),  
3 which relates to the Oklahoma Trucking Advisory  
4 Board; repealing 70 O.S. 2001, Section 18-154, which  
5 relates to the Common School Capital Improvement  
6 Needs Assessment Committee; repealing 74 O.S. 2001,  
7 Section 452.7, which relates to the Joint Committee  
8 on Federal Funds; repealing 74 O.S. 2001, Section  
9 840-3.8, as last amended by Section 16, Chapter 212,  
10 O.S.L. 2003 (74 O.S. Supp. 2006, Section 840-3.8),  
11 which relates to the Mentor Selection Advisory  
12 Committee; repealing 74 O.S. 2001, Section 5060.50,  
13 which relates to the Electronic Commerce Pilot  
14 Program Steering Committee; repealing 74 O.S. 2001,  
15 Section 8103, which relates to the Oklahoma Task  
16 Force on the Status of African-American Males;  
17 repealing Section 4, Chapter 485, O.S.L. 2002 (82  
18 O.S. Supp. 2006, Section 1C), which relates to the  
19 Joint Committee on Water Planning; repealing 82 O.S.  
20 2001, Section 110.20, which relates to the Cache  
21 Creek Water Supply and Flood Impact Task Force;  
22 repealing 82 O.S. 2001, Section 1801.3, which relates  
23 to the Oklahoma Weather Modification Advisory Board;  
24 repealing Section 6, Chapter 395, O.S.L. 2004, which  
relates to the Task Force on Men's Health; and  
providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-237, is  
amended to read as follows:

Section 1-237. ~~A. 1. There is hereby created the Joint  
Legislative Committee for Review of Coordination of Efforts for  
Prevention of Adolescent Pregnancy and Sexually Transmitted Diseases  
which shall:~~

~~a. meet with the Coordinating Council and with other  
state officials and employees responsible for~~

1 ~~providing services related to the prevention of~~  
2 ~~adolescent pregnancy and sexually transmitted diseases~~  
3 ~~at regular intervals as established by the Committee~~  
4 ~~and whenever otherwise necessary to ensure that the~~  
5 ~~purposes of the Act for Coordination of Efforts for~~  
6 ~~Prevention of Adolescent Pregnancy and Sexually~~  
7 ~~Transmitted Diseases are accomplished,~~

8 b. ~~evaluate programs throughout the nation that have been~~  
9 ~~successful in substantially reducing teen pregnancy.~~

10 ~~This will include programs that are abstinence only,~~

11 c. ~~recommend changes in proposed interagency agreements~~  
12 ~~and the State Plan as deemed advisable,~~

13 d. ~~review interagency agreements and the State Plan and~~  
14 ~~subsequent revisions of the agreements and State Plan,~~

15 e. ~~hold hearings regarding any matters related to the Act~~  
16 ~~for Coordination of Efforts for Prevention of~~  
17 ~~Adolescent Pregnancy and Sexually Transmitted~~  
18 ~~Diseases,~~

19 f. ~~monitor the implementation of the Act for Coordination~~  
20 ~~of Efforts for Prevention of Adolescent Pregnancy and~~  
21 ~~Sexually Transmitted Diseases, and~~

22 g. ~~recommend legislation to correct statutory provisions~~  
23 ~~that interfere with interagency agreements or~~  
24 ~~coordination or delivery of services, or that are~~

1 ~~otherwise necessary for the implementation of the Act~~  
2 ~~for Coordination of Efforts for Prevention of~~  
3 ~~Adolescent Pregnancy and Sexually Transmitted~~  
4 ~~Diseases.~~

5 ~~2. The Joint Legislative Committee for Review of Coordination~~  
6 ~~of Efforts for Prevention of Adolescent Pregnancy and Sexually~~  
7 ~~Transmitted Diseases shall have twelve (12) members, all of whom~~  
8 ~~shall be legislators, who shall serve at the pleasure of the~~  
9 ~~appointing authority. Six members shall be appointed by the~~  
10 ~~President Pro Tempore of the Senate and six members shall be~~  
11 ~~appointed by the Speaker of the House of Representatives. The~~  
12 ~~appointments made by the Speaker of the House of Representatives and~~  
13 ~~by the President Pro Tempore of the Senate shall consist of at least~~  
14 ~~one third (1/3) membership from the two major political parties of~~  
15 ~~Oklahoma. The chair shall be appointed by the President Pro Tempore~~  
16 ~~for odd numbered years and by the Speaker for even numbered years.~~  
17 ~~The vice chair shall be appointed by the Speaker for odd numbered~~  
18 ~~years and by the President Pro Tempore for even numbered years.~~  
19 ~~Staff support services shall be provided by the State Senate and the~~  
20 ~~House of Representatives.~~

21 ~~B.~~ 1. The Governor shall appoint an Interagency Coordinating  
22 Council for Coordination of Efforts for Prevention of Adolescent  
23 Pregnancy and Sexually Transmitted Diseases which shall be composed  
24 of thirty-one (31) members as follows:

1 a. the chief executive officers or their designees of  
2 the:

3 (1) Commission on Children and Youth,

4 (2) State Department of Education,

5 (3) Oklahoma Department of Career and Technology  
6 Education,

7 (4) Department of Human Services,

8 (5) Department of Mental Health and Substance Abuse  
9 Services,

10 (6) Office of Volunteerism,

11 (7) State Department of Health, and

12 (8) College of Public Health,

13 b. the Executive Director of the Office of Juvenile  
14 Affairs or designee,

15 c. two representatives from the Maternal and Infant  
16 Health Division, two representatives from the HIV/STD  
17 Division, two representatives from the Child Health  
18 and Guidance Division of the State Department of  
19 Health,

20 d. a superintendent of an independent school district,

21 e. a representative of a statewide association of medical  
22 doctors,

23 f. a representative of a statewide association of  
24 osteopathic physicians,

- 1 g. a representative of a statewide association of parents
- 2 and teachers,
- 3 h. a representative of a statewide association of
- 4 classroom teachers,
- 5 i. a representative of a statewide association of school
- 6 counselors,
- 7 j. a principal of an alternative education program,
- 8 k. a representative of business or industry,
- 9 l. a representative of a statewide association formed for
- 10 the purpose of developing leadership skills,
- 11 m. a representative of an ecumenical association,
- 12 n. two parents of ten- to twenty-year-old children,
- 13 o. a teenage girl,
- 14 p. a representative of a nonprofit statewide child
- 15 advocacy organization,
- 16 q. the Governor or the Governor's designee, who shall
- 17 chair the Coordinating Council.

18 Legal assistance shall be provided by the Office of the Attorney  
19 General. Staff support and assistance shall be provided by the  
20 State Department of Health as the legal agency.

21 2. The Coordinating Council shall:

- 22 a. on or before December 1, 1994, complete the State Plan
- 23 pursuant to the provisions of Section 1-238 of this
- 24

1 title and present it to the Committee for approval,  
2 and

3 b. after approval of the State Plan, monitor  
4 implementation of the plan, evaluate the plan, meet  
5 with the Committee concerning revisions whenever  
6 requested to do so, and on or before November 1, 1995,  
7 and November 1 of each subsequent year, submit a  
8 report on the implementation and evaluation of the  
9 State Plan to the Governor, the President Pro Tempore  
10 of the Senate and the Speaker of the House of  
11 Representatives.

12 SECTION 2. AMENDATORY 63 O.S. 2001, Section 3224, is  
13 amended to read as follows:

14 Section 3224. A. The State of Oklahoma expressly approves the  
15 creation of a public trust to be denominated the "University  
16 Hospitals Trust", of which the State of Oklahoma shall be the  
17 beneficiary, provided such approval shall be contingent upon the  
18 following conditions being satisfied:

- 19 1. Finalizing of the Declaration of Trust;
- 20 2. Adoption of the Declaration of Trust by an official action  
21 of the trustees of the Trust;
- 22 3. Submission of the Trust for acceptance of the beneficial  
23 interest and approval as required by Section 177 of Title 60 of the  
24 Oklahoma Statutes; and

1 4. The approved Declaration of Trust shall:

2 a. clearly state that the principal purpose of the  
3 University Hospitals Trust is to effectuate the  
4 purposes of the University Hospitals Authority as  
5 established in the University Hospitals Authority Act,

6 b. except as otherwise provided by law, provide that the  
7 fee simple title to real property held by the  
8 University Hospitals Authority shall not be  
9 transferred, conveyed, or assigned to the University  
10 Hospitals Trust without the express consent of the  
11 Legislature as the governing entity of the beneficiary  
12 pursuant to Section 176 of Title 60 of the Oklahoma  
13 Statutes,

14 c. provide that any indebtedness incurred by the  
15 University Hospitals Trust or the trustees of the  
16 Trust shall not be secured with or create a lien upon  
17 real property to which title is held by the University  
18 Hospitals Authority and shall not involve the bonding  
19 capacity of the University Hospitals Authority,

20 d. provide that the trust estate of the University  
21 Hospitals Trust shall not include fee simple title to  
22 real property owned by the University Hospitals  
23 Authority,

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- 1 e. clearly state that the creation of the University  
2 Hospitals Trust shall not in any way reduce, limit or  
3 interfere with the power granted to the University  
4 Hospitals Authority in the University Hospitals  
5 Authority Act,
- 6 f. provide that any lease or contractual agreement  
7 involving use of the real property to which title is  
8 held by the University Hospitals Authority and any  
9 improvements thereto shall contain a provision and  
10 covenants requiring the proper maintenance and upkeep  
11 of the real property and improvements,
- 12 g. provide that the trustees of the University Hospitals  
13 Trust shall be the acting members of the University  
14 Hospitals Authority as provided in the University  
15 Hospitals Authority Act, and
- 16 h. provide that the trustees of the University Hospitals  
17 Trust shall have the duty to submit an annual report  
18 to the Governor, the President Pro Tempore of the  
19 Senate, the Speaker of the House of Representatives  
20 and members of the Task Force created by subsection D  
21 of this section. The report shall be submitted by  
22 January 1 of each year and shall include an account of  
23 all operations, actions of the Trust, account of all  
24 revenue received and disbursed by the Trust for the

1 previous fiscal year. The report shall also provide a  
2 complete accounting of how the Trust meets its primary  
3 function of effectuating the purposes of the  
4 University Hospitals Authority, as established in the  
5 University Hospitals Authority Act. The Trust shall  
6 meet with the Task Force created in subsection D of  
7 this section to review the contents of the annual  
8 report.

9 B. The University Hospitals Trust shall require any agreements  
10 which it enters into with any entity pursuant to Section 3226 of  
11 this title for the operations of facilities leased by the University  
12 Hospitals Authority to the Trust to include, but not be limited to:

13 1. The inclusion of four of the five members of the Trust as  
14 four of the five members representing the State of Oklahoma as state  
15 appointees to the governing committee created pursuant to a proposed  
16 agreement;

17 2. Binding arbitration shall not be involved in such agreements  
18 for resolving issues under consideration by the governing committee;  
19 and

20 3. Major decisions shall be resolved by the governing  
21 committee, and approval of any major decision by the governing  
22 committee must include the approval of a majority of the state  
23 appointees and the approval of a majority of the members of the  
24

1 private entity appointees to the governing committee. Major  
2 decisions shall include:

- 3 a. approval of the annual operating and capital budgets,
- 4 b. sale or disposition of assets that individually have a  
5 fair market value over Two Hundred Fifty Thousand  
6 Dollars (\$250,000.00),
- 7 c. the termination or transfer or material addition or  
8 material diminution of medical services at the  
9 Oklahoma Medical Center related to and part of a  
10 teaching program of the University of Oklahoma Health  
11 Sciences Center, and
- 12 d. other major decisions as may be agreed upon by the  
13 Trust and the private entity.

14 C. To the extent it is determined by legislative enactment that  
15 the Trust has expended funds in contravention of its mission as set  
16 forth in this section, the Trust shall remit, upon thirty (30) days'  
17 written notice from the University Hospitals Authority, such sum or  
18 sums to the University Hospitals Authority.

19 ~~D. There is hereby created the "University Hospitals Trust~~  
20 ~~Legislative Advisory Task Force".~~

21 ~~1. The Speaker of the House of Representatives and the~~  
22 ~~President Pro Tempore of the Senate shall each appoint three~~  
23 ~~legislators from their respective legislative bodies, provided that~~  
24 ~~they shall each appoint one member from the minority party.~~

1       ~~2. The chair and vice chair position shall rotate between the~~  
2 ~~House of Representatives and Senate, provided that the Speaker shall~~  
3 ~~appoint the initial chair whose term shall expire on the first day~~  
4 ~~of the First Regular Session of the Forty sixth Oklahoma~~  
5 ~~Legislature. The chair and vice chair shall rotate on the first day~~  
6 ~~of the first regular sessions of subsequent legislatures.~~

7       ~~3. Members of the Task Force shall be reimbursed by their~~  
8 ~~respective legislative bodies for necessary duties related to the~~  
9 ~~Task Force pursuant to Section 456 of Title 74 of the Oklahoma~~  
10 ~~Statutes.~~

11       ~~4. The purpose of the Task Force is to provide a means of~~  
12 ~~communication between the Legislature and the University Hospitals~~  
13 ~~Trust. The Trust shall invite members to attend meetings of the~~  
14 ~~Trust. Task Force members shall be able to participate in~~  
15 ~~discussions of the Trust in an advisory capacity.~~

16       SECTION 3.       REPEALER       2 O.S. 2001, Section 5-93, as  
17 amended by Section 1, Chapter 22, O.S.L. 2002 (2 O.S. Supp. 2006,  
18 Section 5-93), is hereby repealed.

19       SECTION 4.       REPEALER       2 O.S. 2001, Section 7-1.1, is  
20 hereby repealed.

21       SECTION 5.       REPEALER       56 O.S. 2001, Section 1010.7A, as  
22 amended by Section 1, Chapter 121, O.S.L. 2002 (56 O.S. Supp. 2006,  
23 Section 1010.7A), is hereby repealed.

1 SECTION 6. REPEALER 62 O.S. 2001, Section 41.5k, as  
2 amended by Section 7, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2006,  
3 Section 41.5k), is hereby repealed.

4 SECTION 7. REPEALER 63 O.S. 2001, Section 1-879.1, as  
5 amended by Section 3, Chapter 410, O.S.L. 2005 (63 O.S. Supp. 2006,  
6 Section 1-879.1), is hereby repealed.

7 SECTION 8. REPEALER Section 1, Chapter 254, O.S.L. 2002  
8 (63 O.S. Supp. 2006, Section 1-1952), is hereby repealed.

9 SECTION 9. REPEALER 63 O.S. 2001, Section 683.29, is  
10 hereby repealed.

11 SECTION 10. REPEALER 69 O.S. 2001, Section 301.1, as  
12 amended by Section 31, Chapter 397, O.S.L. 2002 (69 O.S. Supp. 2006,  
13 Section 301.1), is hereby repealed.

14 SECTION 11. REPEALER 70 O.S. 2001, Section 18-154, is  
15 hereby repealed.

16 SECTION 12. REPEALER 74 O.S. 2001, Section 452.7, is  
17 hereby repealed.

18 SECTION 13. REPEALER 74 O.S. 2001, Section 840-3.8, as  
19 last amended by Section 16, Chapter 212, O.S.L. 2003 (74 O.S. Supp.  
20 2006, Section 840-3.8), is hereby repealed.

21 SECTION 14. REPEALER 74 O.S. 2001, Section 5060.50, is  
22 hereby repealed.

23 SECTION 15. REPEALER 74 O.S. 2001, Section 8103, is  
24 hereby repealed.

1 SECTION 16. REPEALER Section 4, Chapter 485, O.S.L. 2002  
2 (82 O.S. Supp. 2006, Section 1C), is hereby repealed.

3 SECTION 17. REPEALER 82 O.S. 2001, Section 110.20, is  
4 hereby repealed.

5 SECTION 18. REPEALER 82 O.S. 2001, Section 1801.3, is  
6 hereby repealed.

7 SECTION 19. REPEALER Section 6, Chapter 395, O.S.L.  
8 2004, is hereby repealed.

9 SECTION 20. This act shall become effective November 1, 2007.

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11 51-1-7359 LRB 02/23/07

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