

THE HOUSE OF REPRESENTATIVES  
Monday, February 25, 2008

Committee Substitute for  
House Bill No. 2205

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2205 - By: WRIGHT of the House and ALDRIDGE of the Senate.

An Act relating to sunset; amending 70 O.S. 2001, Section 23-105, as last amended by Section 82, Chapter 3, O.S.L. 2003 (70 O.S. Supp. 2007, Section 23-105), which relates to the Oklahoma Educational Television Authority; re-creating the Authority; and modifying termination date.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 23-105, as last amended by  
2 Section 82, Chapter 3, O.S.L. 2003 (70 O.S. Supp. 2007, Section 23-105), is amended to  
3 read as follows:  
4 Section 23-105. There is hereby re-created, to continue until July 1, ~~2008~~ 2012, in  
5 accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title  
6 74 of the Oklahoma Statutes, a body corporate and politic to be known as the "Oklahoma  
7 Educational Television Authority", and by that name the Authority may sue and be sued,  
8 and plead and be impleaded. The Authority is hereby constituted an instrumentality of  
9 the state, and the exercise by the Authority of the powers conferred by this article for the  
10 planning, construction, operation, and maintenance of educational television facilities  
11 shall be deemed and held to be an essential function of the state.

1 The Oklahoma Educational Television Authority shall consist of thirteen (13)  
2 members, including the President of the University of Oklahoma, the President of  
3 Oklahoma State University, the State Superintendent of Public Instruction, the  
4 Chancellor of the Oklahoma State Regents for Higher Education, the president of one of  
5 the state-supported four-year colleges to be chosen by the presidents of this group of  
6 institutions, the president of one of the state-supported two-year colleges to be chosen by  
7 the presidents of this group of institutions, and seven additional members to be  
8 appointed by the Governor with the consent of the Senate, to serve seven-year terms.

9 The appointed members shall have been residents of the state for at least five (5)  
10 years preceding the date of their appointment. The appointed members shall include one  
11 member from each of the Congressional Districts and any remaining members shall be  
12 appointed from the state at large. However, when congressional districts are redrawn  
13 each member appointed prior to July 1 of the year in which such modification becomes  
14 effective shall complete the current term of office and appointments made after July 1 of  
15 the year in which such modification becomes effective shall be based on the redrawn  
16 districts. Appointments made after July 1 of the year in which such modification  
17 becomes effective shall be from any redrawn districts which are not represented by a  
18 board member until such time as each of the modified congressional districts are  
19 represented by a board member. A majority of the appointed members shall be actively  
20 engaged in the profession of education. Each appointed member of the Authority, before  
21 entering upon the duties of the member, shall take the oath provided for by Section 1 of  
22 Article XV of the Constitution of the State of Oklahoma.

1           The seven original members appointed by the Governor shall continue in office for  
2 terms expiring on June 30, 1954; June 30, 1955; June 30, 1956; June 30, 1957; June 30,  
3 1958; June 30, 1959; and June 30, 1960, respectively. The terms of each of the original  
4 appointed members shall be designated by the Governor, and said members shall serve  
5 for their appointed terms and until their respective successors shall be appointed and  
6 qualified. The successor of each appointed member shall be appointed for a term of seven  
7 (7) years, except that any person appointed to fill a vacancy shall be appointed to serve  
8 only for the unexpired term in said vacancy.

9           The Authority shall elect from the membership of the Authority a chairman, a vice-  
10 chairman, and a secretary-treasurer. Any such officers elected by the Authority on or  
11 after July 1, 1984, shall be appointed to serve a term of one (1) year. Seven members of  
12 the Authority shall constitute a quorum, and the vote of seven members shall be  
13 necessary for any action taken by the Authority. No vacancy in the membership of the  
14 Authority shall impair the right of a quorum to exercise all the rights and perform all the  
15 duties of the Authority. The Authority shall meet at least quarterly.

16           The members of the Authority shall not be entitled to compensation for their  
17 services, but each member shall be reimbursed for travel expenses incurred in  
18 performing official duties in accordance with the provisions of the State Travel  
19 Reimbursement Act. No liability or obligation shall be incurred by the Authority beyond  
20 the extent to which monies shall have been provided pursuant to the authority of this  
21 article.

1 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT AND  
2 TRANSPORTATION, dated 02-21-08 - DO PASS, As Amended and Coauthored.