

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2205

By: Wright

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5
6 AS INTRODUCED

7 An Act relating to sunset; amending 70 O.S. 2001,
8 Section 23-105, as last amended by Section 82,
9 Chapter 3, O.S.L. 2003 (70 O.S. Supp. 2007, Section
10 23-105), which relates to the Oklahoma Educational
11 Television Authority; re-creating the Authority; and
12 modifying termination date.

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

14 SECTION 1. AMENDATORY 70 O.S. 2001, Section 23-105, as
15 last amended by Section 82, Chapter 3, O.S.L. 2003 (70 O.S. Supp.
16 2007, Section 23-105), is amended to read as follows:

17 Section 23-105. There is hereby re-created, to continue until
18 ~~July 1, 2008~~ _____, in accordance with the provisions of the
19 Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the
20 Oklahoma Statutes, a body corporate and politic to be known as the
21 "Oklahoma Educational Television Authority", and by that name the
22 Authority may sue and be sued, and plead and be impleaded. The
23 Authority is hereby constituted an instrumentality of the state, and
24 the exercise by the Authority of the powers conferred by this
article for the planning, construction, operation, and maintenance

1 of educational television facilities shall be deemed and held to be
2 an essential function of the state.

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

14 The appointed members shall have been residents of the state for
15 at least five (5) years preceding the date of their appointment.
16 The appointed members shall include one member from each of the
17 Congressional Districts and any remaining members shall be appointed
18 from the state at large. However, when congressional districts are
19 redrawn each member appointed prior to July 1 of the year in which
20 such modification becomes effective shall complete the current term
21 of office and appointments made after July 1 of the year in which
22 such modification becomes effective shall be based on the redrawn
23 districts. Appointments made after July 1 of the year in which such
24 modification becomes effective shall be from any redrawn districts

1 which are not represented by a board member until such time as each
2 of the modified congressional districts are represented by a board
3 member. A majority of the appointed members shall be actively
4 engaged in the profession of education. Each appointed member of
5 the Authority, before entering upon the duties of the member, shall
6 take the oath provided for by Section 1 of Article XV of the
7 Constitution of the State of Oklahoma.

8 The seven original members appointed by the Governor shall
9 continue in office for terms expiring on June 30, 1954; June 30,
10 1955; June 30, 1956; June 30, 1957; June 30, 1958; June 30, 1959;
11 and June 30, 1960, respectively. The terms of each of the original
12 appointed members shall be designated by the Governor, and said
13 members shall serve for their appointed terms and until their
14 respective successors shall be appointed and qualified. The
15 successor of each appointed member shall be appointed for a term of
16 seven (7) years, except that any person appointed to fill a vacancy
17 shall be appointed to serve only for the unexpired term in said
18 vacancy.

19 The Authority shall elect from the membership of the Authority a
20 chairman, a vice-chairman, and a secretary-treasurer. Any such
21 officers elected by the Authority on or after July 1, 1984, shall be
22 appointed to serve a term of one (1) year. Seven members of the
23 Authority shall constitute a quorum, and the vote of seven members
24 shall be necessary for any action taken by the Authority. No

1 vacancy in the membership of the Authority shall impair the right of
2 a quorum to exercise all the rights and perform all the duties of
3 the Authority. The Authority shall meet at least quarterly.

4 The members of the Authority shall not be entitled to
5 compensation for their services, but each member shall be reimbursed
6 for travel expenses incurred in performing official duties in
7 accordance with the provisions of the State Travel Reimbursement
8 Act. No liability or obligation shall be incurred by the Authority
9 beyond the extent to which monies shall have been provided pursuant
10 to the authority of this article.

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