

THE HOUSE OF REPRESENTATIVES
Tuesday, April 6, 2010

ENGROSSED

Senate Bill No. 1609

ENGROSSED SENATE BILL NO. 1609 - By: HALLIGAN of the Senate and DENNEY of the House.

An Act relating to state government; amending 74 O.S. 2001, Section 5060.6, as last amended by Section 1, Chapter 82, O.S.L. 2005 (74 O.S. Supp. 2009, Section 5060.6), which relates to the Oklahoma Science and Technology Research and Development Board; specifying certain acronyms; modifying authorization of certain member designees to vote at board meetings; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 74 O.S. 2001, Section 5060.6, as last amended by
2 Section 1, Chapter 82, O.S.L. 2005 (74 O.S. Supp. 2009, Section 5060.6), is amended to
3 read as follows:

4 Section 5060.6 A. The board of directors for the Oklahoma Center for the
5 Advancement of Science and Technology (OCAST) is hereby reconstituted as the
6 Oklahoma Science and Technology Research (OSTRaD) and Development Board and
7 shall be comprised as follows:

- 8 1. The Director of the Oklahoma Department of Commerce;
- 9 2. The Chancellor of the Oklahoma State Regents for Higher Education;
- 10 3. The president of the University of Oklahoma;

- 1 4. The president of Oklahoma State University;
- 2 5. The president of one of the regional universities in The State System of Higher
3 Education designated by the Chancellor;
- 4 6. The president of a private Oklahoma university classified by the Carnegie
5 Foundation as a national doctorate-granting institution offering graduate engineering
6 degrees to be appointed by the Governor;
- 7 7. The Governor's appointed cabinet Secretary of Agriculture;
- 8 8. A member of the House of Representatives, who shall serve as an ex officio
9 nonvoting member, appointed by the Speaker of the House of Representatives;
- 10 9. A member of the Senate, who shall serve as an ex officio nonvoting member,
11 appointed by the President Pro Tempore of the Senate;
- 12 10. Two members, appointed by the Governor, who shall be engineers or scientists
13 with extensive experience in managing basic or applied scientific or technological
14 research at Oklahoma institutions of higher education, who shall serve terms of four (4)
15 years; provided that, the two members who possess these qualifications and are serving
16 on the board of directors of the Center on July 1, 2002, shall fill these positions on the
17 Oklahoma Science and Technology Research and Development Board for initial terms to
18 expire on June 30, 2003;
- 19 11. Five members appointed by the Governor who are or who have served as chief
20 executive officers or senior executive officers of corporations engaged in information
21 technology, biotechnology, genetics, other emerging technologies, agriculture, oil and
22 natural gas, early stage high risk venture capital finance, other significant Oklahoma

1 industries, or Oklahoma industries that are potentially significant to the state economy
2 or who are or who have served as chief executive officers or senior executive officers of a
3 private nonprofit organization or who are or who have served as chief executive officers
4 or senior executive officers of foundations with a history of supporting research and
5 development. Two members appointed pursuant to this paragraph shall serve initial
6 terms to expire on June 30, 2005, and two shall serve initial terms to expire on June 30,
7 2006. For the position for which the initial appointment begins after July 1, 2005, the
8 initial term shall expire on June 30, 2009;

9 12. Four members appointed by the Governor who represent small business. One
10 appointee shall serve an initial term to expire on June 30, 2005, and one shall serve an
11 initial term to expire on June 30, 2006. For the two positions for which the initial
12 appointments begin after July 1, 2005, one appointee shall serve an initial term to expire
13 on June 30, 2008, and one appointee shall serve an initial term to expire on June 30,
14 2009;

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

17 14. Until June 30, 2004, or vacation of the offices, six members who, before the
18 effective date of this act, were appointed by the Governor and who are serving on the
19 board of directors of OCAST on July 1, 2002. These positions on the Oklahoma Science
20 and Technology Research and Development Board shall cease to exist on June 30, 2004,
21 or when the position is vacated if the vacancy occurs prior to June 30, 2004. A member of
22 the OCAST board who holds one of these positions may be appointed to a position

1 described in paragraphs 9 through 12 of this subsection on the Oklahoma Science and
2 Technology Research and Development Board if the member meets the qualifications for
3 such position.

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

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

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

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

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

- 1 1. Upon call of the chair;
- 2 2. Upon call of the chief executive officer of the Center or the Institute; or
- 3 3. Upon written request of a majority of the board members.

4 G. A majority of the voting members of the Board shall constitute a quorum. A
5 quorum of the Board shall be necessary to transact business. All actions of the board
6 members shall be made by a majority of the quorum present. A board member appointed
7 pursuant to paragraphs 3, 4, 5 or 6 of subsection A of this section may send a
8 predetermined designee as a representative to board meetings who may ~~vote;~~ participate
9 with full voting privileges. All other board members may send a predetermined designee
10 as a representative to board meetings who may vote; provided, the designee may vote at
11 no more than thirty percent (30%) of meetings during a fiscal year.

12 H. Members of the Board shall be entitled to compensation and expenses as may be
13 provided in the charter or bylaws of the Board. The members of the Board shall not be
14 subject to the dual-office-holding prohibitions set forth in Section 6 of Title 51 of the
15 Oklahoma Statutes.

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

22 SECTION 2. This act shall become effective July 1, 2010.

1 SECTION 3. It being immediately necessary for the preservation of the public
2 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
3 this act shall take effect and be in full force from and after its passage and approval.
4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
5 dated 04-05-10 - DO PASS.