

3 Senate Bill No. 1609
4 As Amended

5 SENATE BILL NO. 1609 - By: Halligan of the Senate and Denney of the
6 House.

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

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

16 SECTION 1. AMENDATORY 74 O.S. 2001, Section 5060.6, as
17 last amended by Section 1, Chapter 82, O.S.L. 2005 (74 O.S. Supp.
18 2009, Section 5060.6), is amended to read as follows:

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

- 23 1. The Director of the Oklahoma Department of Commerce;
24 2. The Chancellor of the Oklahoma State Regents for Higher
25 Education;
26 3. The president of the University of Oklahoma;
27 4. The president of Oklahoma State University;

1 5. The president of one of the regional universities in The
2 State System of Higher Education designated by the Chancellor;

3 6. The president of a private Oklahoma university classified by
4 the Carnegie Foundation as a national doctorate-granting institution
5 offering graduate engineering degrees to be appointed by the
6 Governor;

7 7. The Governor's appointed cabinet Secretary of Agriculture;

8 8. A member of the House of Representatives, who shall serve as
9 an ex officio nonvoting member, appointed by the Speaker of the
10 House of Representatives;

11 9. A member of the Senate, who shall serve as an ex officio
12 nonvoting member, appointed by the President Pro Tempore of the
13 Senate;

14 10. Two members, appointed by the Governor, who shall be
15 engineers or scientists with extensive experience in managing basic
16 or applied scientific or technological research at Oklahoma
17 institutions of higher education, who shall serve terms of four (4)
18 years; provided that, the two members who possess these
19 qualifications and are serving on the board of directors of the
20 Center on July 1, 2002, shall fill these positions on the Oklahoma
21 Science and Technology Research and Development Board for initial
22 terms to expire on June 30, 2003;

1 11. Five members appointed by the Governor who are or who have
2 served as chief executive officers or senior executive officers of
3 corporations engaged in information technology, biotechnology,
4 genetics, other emerging technologies, agriculture, oil and natural
5 gas, early stage high risk venture capital finance, other
6 significant Oklahoma industries, or Oklahoma industries that are
7 potentially significant to the state economy or who are or who have
8 served as chief executive officers or senior executive officers of a
9 private nonprofit organization or who are or who have served as
10 chief executive officers or senior executive officers of foundations
11 with a history of supporting research and development. Two members
12 appointed pursuant to this paragraph shall serve initial terms to
13 expire on June 30, 2005, and two shall serve initial terms to expire
14 on June 30, 2006. For the position for which the initial
15 appointment begins after July 1, 2005, the initial term shall expire
16 on June 30, 2009;

17 12. Four members appointed by the Governor who represent small
18 business. One appointee shall serve an initial term to expire on
19 June 30, 2005, and one shall serve an initial term to expire on June
20 30, 2006. For the two positions for which the initial appointments
21 begin after July 1, 2005, one appointee shall serve an initial term
22 to expire on June 30, 2008, and one appointee shall serve an initial
23 term to expire on June 30, 2009;

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

4 14. Until June 30, 2004, or vacation of the offices, six
5 members who, before the effective date of this act, were appointed
6 by the Governor and who are serving on the board of directors of
7 OCAST on July 1, 2002. These positions on the Oklahoma Science and
8 Technology Research and Development Board shall cease to exist on
9 June 30, 2004, or when the position is vacated if the vacancy occurs
10 prior to June 30, 2004. A member of the OCAST board who holds one
11 of these positions may be appointed to a position described in
12 paragraphs 9 through 12 of this subsection on the Oklahoma Science
13 and Technology Research and Development Board if the member meets
14 the qualifications for such position.

15 B. The two legislatively appointed members of the Board shall
16 be persons of demonstrated knowledge of and commitment to the
17 advancement of science and technology in Oklahoma and shall serve at
18 the pleasure of their respective appointing authority.

19 C. In making appointments to the Oklahoma Science and
20 Technology Research and Development Board, appropriate consideration
21 shall be given to representation upon the Board by race, gender and
22 geographical area.

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

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

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

15 1. Upon call of the chair;

16 2. Upon call of the chief executive officer of the Center or
17 the Institute; or

18 3. Upon written request of a majority of the board members.

19 G. A majority of the voting members of the Board shall
20 constitute a quorum. A quorum of the Board shall be necessary to
21 transact business. All actions of the board members shall be made
22 by a majority of the quorum present. A board member appointed
23 pursuant to paragraphs 3, 4, 5 or 6 of subsection A of this section

1 may send a predetermined designee as a representative to board
2 meetings who may ~~vote~~, participate with full voting privileges. All
3 other board members may send a predetermined designee as a
4 representative to board meetings who may vote; provided, the
5 designee may vote at no more than thirty percent (30%) of meetings
6 during a fiscal year.

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

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

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

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-8-10 - DO PASS,
4 As Amended and Coauthored.