

OKLAHOMA STATE SENATE  
GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Mr. President:

Date: 5-16-2011

Mr. Speaker:

The Conference Committee, to which was referred

SB 232

By: Marfatt and Johnson (Constance) of the Senate and Arnes et al of the House

Title: Healthier neighborhood living; creating the Task Force on Healthier Neighborhood Living.  
Effective date.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

SENATE CONFEREES:

Ballenger <u>[Signature]</u>	Mazzei _____
Branan _____	Myers <u>[Signature]</u>
Brinkley <u>[Signature]</u>	Newberry <u>[Signature]</u>
Burrage <u>[Signature]</u>	Nichols _____
Crain <u>[Signature]</u>	Paddack _____
Ford <u>[Signature]</u>	Rice <u>[Signature]</u>
Halligan <u>[Signature]</u>	Stanislowski _____
Ivester _____	Sykes _____
Jolley <u>[Signature]</u>	Wilson _____
Justice <u>[Signature]</u>	Wyrick <u>[Signature]</u>
Marfatt <u>[Signature]</u>	_____

HOUSE CONFEREES:

Conference Committee on Government Modernization and Rules

**ADOPTED & PASSED**

**MAY 19 2011**

Senate Action \_\_\_\_\_

Date \_\_\_\_\_

House Action \_\_\_\_\_

Date \_\_\_\_\_

**HOUSE CONFEREES**

Banz Gary W. Banz

Brumbaugh David Brumbaugh

Cockroft \_\_\_\_\_

Dorman \_\_\_\_\_

Faught George Faught

Hamilton Rebecca

Hilliard \_\_\_\_\_

Moore Jim H. Moore

Murphey Joan W. Murphey

Quinn \_\_\_\_\_

Stiles Alan Stiles

Walker Ermy D. Walker

Watson Bob Watson

Mr. Speaker Chris Steele

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 232

By: Marlatt and Johnson  
(Constance) of the Senate

6 and

Armes, Pittman and  
Vaughan of the House

7  
8  
9  
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to healthier neighborhood living;  
12 stating legislative findings; providing legislative  
13 intent; creating the Task Force on Healthier  
14 Neighborhood Living; providing expiration date;  
15 specifying duties; providing for membership;  
16 requiring appointments to be made by a certain date;  
17 designating person responsible for calling the first  
meeting; directing selection of chair and vice-chair;  
18 requiring quorum; requiring minimum number of  
meetings; providing for travel reimbursement;  
19 directing staff support; requiring certain report by  
20 certain date; providing for noncodification; and  
21 providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law not to be  
24 codified in the Oklahoma Statutes reads as follows:

A. The Legislature finds that:

1. Many Americans do not get the exercise they need to be  
healthy simply because they do not have places to be active.

1 Research shows that people who live near parks exercise thirty-eight  
2 percent (38%) more than those who do not have easy access to parks;

3 2. Shared-use partnerships between school districts and local  
4 governments or organizations can allow community members and groups  
5 to use playgrounds, athletic fields, pools, gymnasiums, and other  
6 recreational facilities after school hours. Shared-use partnerships  
7 can also be used to make community facilities available to schools  
8 at a free or reduced cost;

9 3. Obesity increases the risk of diabetes, heart disease,  
10 stroke, some cancers, and other health problems;

11 4. School facilities, especially those that are centered in the  
12 community, can be an excellent resource for recreation and exercise  
13 when there is limited availability or when private options are too  
14 expensive; and

15 5. The most innovative districts are maximizing shared-use of  
16 school facilities to address the educational and health needs of  
17 students and the community's need for recreational activity spaces.

18 B. It is the intent of the Legislature to remove barriers that  
19 could discourage schools from offering a variety of safe, clean  
20 facilities, including running tracks, pools, gymnasiums, fitness  
21 rooms, and playgrounds to the community.

22 SECTION 2. NEW LAW A new section of law not to be  
23 codified in the Oklahoma Statutes reads as follows:

24

1           A. There is hereby created until November 30, 2011, the Task  
2 Force on Healthier Neighborhood Living. The task force shall:

3           1. Examine the feasibility of amending laws relating to the use  
4 of school-owned recreational facilities by other government and  
5 nongovernmental entities for the purpose of physical activity by  
6 imposing liability for property damage and injury on the user, as  
7 well as providing that the school not be held liable;

8           2. As appropriate, hear testimony from industry experts and key  
9 leaders concerned with this issue, including, but not limited to,  
10 state public education officials, public health organizations,  
11 parent-teacher associations, physicians specializing in the area of  
12 obesity, and representatives from other states or municipalities  
13 that have instituted policies limiting liability in this manner; and

14           3. Recommend any actions or legislation which the task force  
15 deems necessary or appropriate.

16           B. The task force shall be composed of twelve (12) members as  
17 follows:

18           1. Six members appointed by the President Pro Tempore of the  
19 Senate as follows:

20           a. two members of the Senate, one of whom shall be the  
21 Chair of the Senate Health and Human Services  
22 Committee and one of whom shall be a member of the  
23 minority party,  
24

- b. one member representing an association that advocates for the prevention and cure of diabetes in the state,
- c. one member representing a nongovernmental community group,
- d. one member representing an association of physical activity professionals in the state, and
- e. one member-at-large representing an urban area of the state; and

2. Six members appointed by the Speaker of the House of Representatives as follows:

- a. two members of the House of Representatives, one of whom shall be the chair of the Judiciary Committee and one of whom shall be a member of the minority party,
- b. one member representing an association that advocates for the prevention of heart disease and stroke in the state,
- c. the State Commissioner of Health, or designee,
- d. one member-at-large representing a rural area of the state, and
- e. one member representing school boards across the state.

C. Appointments shall be made by September 15, 2011. The members of the task force shall serve at the pleasure of the appointing authority.

1 D. The Chair of the Senate Health and Human Services Committee  
2 shall call the first meeting.

3 E. The chair and vice-chair of the task force shall be selected  
4 by the task force from among the members.

5 F. A quorum of the task force shall be required in order for  
6 any final action by the task force.

7 G. The task force shall meet no less than two times.

8 H. Members of the task force shall receive no compensation or  
9 travel reimbursement for their service.

10 I. Staff support for the task force shall be provided by the  
11 State Department of Health.

12 J. The task force shall report its findings, including any  
13 legislative recommendations, to the President Pro Tempore of the  
14 Senate, the Speaker of the House of Representatives, and the  
15 Governor by November 30, 2011.

16 SECTION 3. This act shall become effective September 1, 2011.

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