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OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 3, 2011

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 435

By: Bingman et al of the Senate and Steele et al of the House

Title: Education Board - modifying appointments to the Board.

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 Senate recedes from all Amendments.

2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES:

Bingman

Jeffey

Ford

Eason McIntyre

Stanislawski

Sparks

HOUSE CONFEREES:

Conference Committee on Education

ADOPTED & PASSED MAY 16 2011

Senate Action_____Date_____House Action_____Date_____

HOUSE CONFEREES

Blackwell _____

Cannaday _____

Casey _____

Coody _____

Cooksey _____

Denney _____

Hall _____

Holland _____

Kouplen _____

McDaniel (Jeannie) _____

Nollan _____

Shumate _____

Thomsen _____

Mr. Speaker _____

STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 435 By: Bingman, Ford, David, Shortey and Holt of the Senate

and

Steele, Nelson and Wright of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the State Board of Education; amending 70 O.S. 2001, Section 3-101, as last amended by Section 3 of Enrolled House Bill No. 2139 of the 1st Session of the 53rd Oklahoma Legislature, which relates to the membership of the State Board of Education; modifying appointments to the State Board; setting effective date of a term; providing for term of membership; providing for appointments to fill vacancies; providing for termination of the terms of certain persons; providing for appointments to fill certain vacancies; deleting certain appointment requirements; and deleting provision for the continuation of certain terms.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-101, as last amended by Section 3 of Enrolled House Bill No. 2139 of the 1st Session of the 53rd Oklahoma Legislature, is amended to read as follows:

Section 3-101. A. The State Board of Education shall consist of seven (7) members. The State Superintendent of Public Instruction shall be a member and the chairperson of ~~said~~ the Board. The remaining six members shall be appointed by the Governor by and with the advice and consent of the Senate. Except as otherwise provided for in subsection B of this section, upon assuming office each Governor shall appoint one member from each congressional district and one member from the state at-large. Each appointment shall be made to take effect on April 2. The terms of each appointed member shall be four (4) years. Appointed members shall serve until a successor is appointed. Appointed members shall serve at the pleasure of the Governor. Upon the occurrence of a vacancy the same shall be filled by the Governor, subject to confirmation by the Senate at the next session of the Legislature. The appointment to fill a vacancy shall be made for the unexpired term.

B. On the effective date of this act, all appointed positions of the current State Board of Education shall be deemed vacant and the terms of persons serving on the Board shall be deemed terminated. The Governor shall make initial appointments pursuant to the provisions of this subsection within thirty (30) days of the effective date of this act, with one member appointed from each congressional district and one member appointed from the state at-large. The appointments shall be subject to confirmation by the Senate at the next session of the Legislature. The terms for

members appointed pursuant to this subsection shall terminate on April 2, 2015. Thereafter, members shall be appointed as provided for in subsection A of this section.

C. No person shall be eligible to be appointed to serve on the State Board unless ~~said~~ the person has been awarded a high school diploma or certificate of high school equivalency. Any member appointed to the State Board ~~after May 20, 1994,~~ shall complete the workshop requirements of a new school board member pursuant to Section 5-110 of this title within thirteen (13) months following or preceding the appointment of the member. Notwithstanding any provision of law to the contrary, the State Department of Education shall not charge any member of the State Board of Education a fee for any workshop provided by the Department for board members pursuant to Section 5-110 of this title and shall not pay a fee to any organization or institution of higher education on behalf of a member of the State Board of Education, or reimburse any member of the Board for a fee paid to any organization or institution of higher education, for attendance at a workshop or courses to satisfy the requirements of Section 5-110 of this title.

~~The Governor shall appoint one member to serve for one (1) year; one member to serve for two (2) years; one member to serve for three (3) years; one member to serve for four (4) years; one member to serve for five (5) years; and one member to serve for six (6) years. Said members shall serve until their successors are duly appointed~~

~~and qualified. Their successors shall be appointed for a term of six (6) years, and thereafter the term of each member of the Board shall be six (6) years. An appointment shall be made to take effect on April 2 of each year. Except for the State Superintendent of Public Instruction, a member shall be appointed from each congressional district, and any remaining members shall be appointed from the state at large, not to exceed more than one member from any one county, city or town. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified district. Upon the occurrence of a vacancy the same shall be filled by the Governor, subject to confirmation by the Senate at the next session of the Legislature, such appointments to be made for the unexpired term.~~

~~Terms of the members shall be staggered so that only one term expires each year.~~

D. Members of the Board shall receive necessary traveling expenses while in the performance of their duties in accordance with the State Travel Reimbursement Act.

~~Provided, that persons serving as members of the State Board of Education on May 20, 1994, shall continue to serve as members of the State Board of Education for the terms for which they were appointed.~~

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