

1 **SENATE FLOOR VERSION**

2 March 31, 2014

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 3198

6 By: Blackwell of the House

7 and

8 Treat of the Senate

9 An Act relating to sunset; amending 70 O.S. 2011,
10 Section 23-105, as amended by Section 1, Chapter 231,
11 O.S.L. 2012 (70 O.S. Supp. 2013, Section 23-105),
12 which relates to the Oklahoma Educational Television
13 Authority; re-creating the Authority; and modifying
14 termination date; requiring Authority to distribute
15 certain plan to legislators by certain date; stating
16 requirements of plan; and providing for
17 noncodification.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 23-105, as
20 amended by Section 1, Chapter 231, O.S.L. 2012 (70 O.S. Supp. 2013,
21 Section 23-105), is amended to read as follows:

22 Section 23-105. There is hereby re-created, to continue until
23 July 1, ~~2014~~ 2020, in accordance with the provisions of the Oklahoma
24 Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma
Statutes, a body corporate and politic to be known as the "Oklahoma
Educational Television Authority", and by that name the Authority
may sue and be sued, and plead and be impleaded. The Authority is

1 hereby constituted an instrumentality of the state, and the exercise
2 by the Authority of the powers conferred by this article for the
3 planning, construction, operation, and maintenance of educational
4 television facilities shall be deemed and held to be an essential
5 function of the state.

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

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

1 such modification becomes effective shall be based on the redrawn
2 districts. Appointments made after July 1 of the year in which such
3 modification becomes effective shall be from any redrawn districts
4 which are not represented by a board member until such time as each
5 of the modified congressional districts are represented by a board
6 member. A majority of the appointed members shall be actively
7 engaged in the profession of education. Each appointed member of
8 the Authority, before entering upon the duties of the member, shall
9 take the oath provided for by Section 1 of Article XV of the
10 Constitution of the State of Oklahoma.

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

22 The Authority shall elect from the membership of the Authority a
23 chairman, a vice-chairman, and a secretary-treasurer. Any such
24 officers elected by the Authority on or after July 1, 1984, shall be

1 appointed to serve a term of one (1) year. Seven members of the
2 Authority shall constitute a quorum, and the vote of seven members
3 shall be necessary for any action taken by the Authority. No
4 vacancy in the membership of the Authority shall impair the right of
5 a quorum to exercise all the rights and perform all the duties of
6 the Authority. The Authority shall meet at least quarterly.

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

14 **SECTION 2 NEW LAW A new section of law not to be**
15 **codified in the Oklahoma Statutes reads as follows:**

16 No later than January 15, 2015, the Executive Director of the
17 Oklahoma Educational Trust Authority shall distribute to every
18 legislator plans on how the Authority could operate without state
19 appropriations over a three-year, a five-year, or a seven-year
20 period. Plans shall include, but not necessarily be limited to:

- 21 1. Potential legal obstacles
- 22 2. Potential ramifications to licenses held by the Authority
- 23 3. Existing debt obligations of the Authority

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1 4. An analysis of any states/jurisdictions that have moved away
2 from appropriations for their respective authorities/organizations
3 that manage public television

4 5. Any legal or logistical impediments to the Foundation being
5 able to incur duties and responsibilities of funding

6 6. An exhaustive list of assets owned by the Authority.

7 7. An exhaustive list of assets leased or rented by the
8 Authority and any pertinent information on the details and lengths
9 of these contracts.

10 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
11 March 31, 2014 - DO PASS AS AMENDED

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