

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB435 _____
Page 2-5 Section 1 Lines _____
Of the printed Bill
Of the Engrossed Bill

By deleting all of Section 1 and inserting in lieu thereof a new Section 1
to read as follows:

SEE ATTACHED

And by renumbering the subsequent section.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Joe Dorman

Adopted: _____

Reading Clerk

1 "SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-101, as
2 amended by Section 15, Chapter 375, O.S.L. 2002 (70 O.S. Supp. 2010,
3 Section 3-101), is amended to read as follows:

4 Section 3-101. A. 1. The State Board of Education shall be
5 the governing board of the State Department of Education and shall
6 consist of ~~seven (7)~~ twelve (12) members.

7 2. The State Superintendent of Public Instruction shall be a
8 member and the chairperson of ~~said the~~ Board. ~~The remaining six~~

9 3. Six members of the Board shall be appointed by the Governor
10 by and with the advice and consent of the Senate. Except as
11 otherwise provided for in subsection B of this section, upon
12 assuming office each Governor shall appoint one member from each
13 congressional district and one member from the state at-large. Each
14 appointment shall be made to take effect on April 2. The terms of
15 each appointed member shall be four (4) years. Appointed members
16 shall serve until a successor is appointed. Appointed members shall
17 serve at the pleasure of the Governor. Upon the occurrence of a
18 vacancy the same shall be filled by the Governor, subject to
19 confirmation by the Senate at the next session of the Legislature.
20 The appointment to fill a vacancy shall be made for the unexpired
21 term.

22 4. Five members of the Board shall be elected, one from each
23 congressional district. Beginning at the next general election
24 after the effective date of this act two members shall be elected,

1 one from each even-numbered congressional district. The members
2 elected to serve from the even-numbered congressional districts
3 shall serve an initial term of two (2) years. Thereafter the
4 members elected to serve from the even-numbered congressional
5 districts shall serve four-year terms. Beginning at the second
6 general election held after the effective date of this act, three
7 members shall be elected, one from each odd-numbered congressional
8 district. The members elected to serve from the odd-numbered
9 congressional districts shall serve an initial term of four (4)
10 years. Thereafter the members elected to serve from the odd-
11 numbered congressional districts shall serve four-year terms. The
12 Governor shall appoint members with the advice and consent of the
13 Senate to fill any vacancy that may occur prior to a general
14 election held to elect a position.

15 5. When congressional districts are redrawn each member
16 appointed or elected prior to July 1 of the year in which the
17 modification becomes effective shall complete the current term of
18 office and appointments or elections made after July 1 of the year
19 in which the modification becomes effective shall be based on the
20 redrawn districts. Appointments or elections made after July 1 of
21 the year in which the modification becomes effective shall be from
22 any redrawn districts which are not represented by a board member
23 until the time each of the modified congressional districts is
24 represented by a board member. No appointments or elections may be

1 made after July 1 of the year in which the modification becomes
2 effective if it would result in more than two members serving from
3 the same modified district.

4 B. The terms of persons serving as members of the State Board
5 of Education on the effective date of this act shall be terminated
6 on July 1, 2011. By August 1, 2011, the Governor shall make
7 appointments to fill the vacancies, with one member appointed from
8 each congressional district and one member appointed from the state
9 at-large. The appointments shall be subject to confirmation by the
10 Senate at the next session of the Legislature. The terms for
11 members appointed pursuant to this subsection shall terminate on
12 April 2, 2015. Thereafter, members shall be appointed as provided
13 for in paragraph 3 of subsection A of this section.

14 C. No person shall be eligible to be appointed or elected to
15 serve on the State Board unless ~~said~~ the person has been awarded a
16 high school diploma or certificate of high school equivalency. Any
17 member appointed or elected to the State Board ~~after the effective~~
18 ~~date of this act~~ shall complete the workshop requirements of a new
19 school board member pursuant to Section 5-110 of this title within
20 thirteen (13) months following or preceding the appointment or the
21 election of the member. Notwithstanding any provision of law to the
22 contrary, the State Department of Education shall not charge any
23 member of the State Board of Education a fee for any workshop
24 provided by the Department for board members pursuant to Section 5-

1 110 of this title and shall not pay a fee to any organization or
2 institution of higher education on behalf of a member of the State
3 Board of Education, or reimburse any member of the Board for a fee
4 paid to any organization or institution of higher education, for
5 attendance at a workshop or courses to satisfy the requirements of
6 Section 5-110 of this title.

7 ~~The Governor shall appoint one member to serve for one (1) year;~~
8 ~~one member to serve for two (2) years; one member to serve for three~~
9 ~~(3) years; one member to serve for four (4) years; one member to~~
10 ~~serve for five (5) years; and one member to serve for six (6) years.~~
11 ~~Said members shall serve until their successors are duly appointed~~
12 ~~and qualified. Their successors shall be appointed for a term of~~
13 ~~six (6) years, and thereafter the term of each member of said Board~~
14 ~~shall be six (6) years. An appointment shall be made to take effect~~
15 ~~on April 2 of each year. Except for the State Superintendent of~~
16 ~~Public Instruction, a member shall be appointed from each~~
17 ~~congressional district, and any remaining members shall be appointed~~
18 ~~from the state at large, not to exceed more than one member from any~~
19 ~~one county, city or town. However, when congressional districts are~~
20 ~~redrawn each member appointed prior to July 1 of the year in which~~
21 ~~such modification becomes effective shall complete the current term~~
22 ~~of office and appointments made after July 1 of the year in which~~
23 ~~such modification becomes effective shall be based on the redrawn~~
24 ~~districts. Appointments made after July 1 of the year in which such~~

1 ~~modification becomes effective shall be from any redrawn districts~~
2 ~~which are not represented by a board member until such time as each~~
3 ~~of the modified congressional districts are represented by a board~~
4 ~~member. No appointments may be made after July 1 of the year in~~
5 ~~which such modification becomes effective if such appointment would~~
6 ~~result in more than two members serving from the same modified~~
7 ~~district. Upon the occurrence of a vacancy the same shall be filled~~
8 ~~by the Governor, subject to confirmation by the Senate at the next~~
9 ~~session of the Legislature, such appointments to be made for the~~
10 ~~unexpired term.~~

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

13 D. Members of the Board shall receive necessary traveling
14 expenses while in the performance of ~~his~~ their duties in accordance
15 with the State Travel Reimbursement Act, ~~Section 500.1 et seq. of~~
16 ~~Title 74 of the Oklahoma Statutes.~~

17 ~~Provided, that persons serving as members of the State Board of~~
18 ~~Education on the effective date of this act shall continue to serve~~
19 ~~as members of the State Board of Education for the terms for which~~
20 ~~they were appointed."~~

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