

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB435 \_\_\_\_\_ Of the printed Bill  
Page 2-5 Section 1 Lines \_\_\_\_\_ 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**

Adopted: \_\_\_\_\_

Amendment submitted by: Joe Dorman

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."

22 53-1-7429 KB 04/04/11  
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