

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 487

 By: Pugh of the Senate

 and

 Nollan of the House

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Oklahoma Science and
13 Technology Research and Development Board; amending
14 74 O.S. 2011, Section 5060.6, which relates to board
15 of directors; modifying membership of board;
16 appointing chair; specifying member to serve at the
17 pleasure of the appointing authority; specifying
18 quorum; and providing an effective date.

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

19 SECTION 1. AMENDATORY 74 O.S. 2011, Section 5060.6, is
20 amended to read as follows:

21 Section 5060.6 A. The board of directors for ~~the Oklahoma~~
22 ~~Center for the Advancement of Science and Technology (OCAST) is~~
23 ~~hereby reconstituted as~~ the Oklahoma Science and Technology Research
24

1 ~~(OSTRaD)~~ and Development (OSTRaD) Board shall consist of nine (9)
2 members and shall be comprised as follows:

3 1. ~~The Director of the Oklahoma Department of Commerce~~ Four
4 members appointed by the Governor, one of whom represents the
5 University of Oklahoma and one of whom represents Oklahoma State
6 University, with the advice and consent of the Senate;

7 2. ~~The Chancellor of the Oklahoma State Regents for Higher~~
8 ~~Education~~ Two members appointed by the President Pro Tempore of the
9 Senate;

10 3. ~~The president of the University of Oklahoma~~ Two members
11 appointed by the Speaker of the House of Representatives; and

12 4. ~~The president of Oklahoma State University;~~

13 5. ~~The president of one of the regional universities in The~~
14 ~~State System of Higher Education designated by the Chancellor;~~

15 6. ~~The president of a private Oklahoma university classified by~~
16 ~~the Carnegie Foundation as a national doctorate-granting institution~~
17 ~~offering graduate engineering degrees to be appointed by the~~
18 ~~Governor;~~

19 7. ~~The Governor's appointed cabinet Secretary of Agriculture;~~

20 8. ~~A member of the House of Representatives, who shall serve as~~
21 ~~an ex officio nonvoting member, appointed by the Speaker of the~~
22 ~~House of Representatives;~~

1 ~~9. A member of the Senate, who shall serve as an ex officio~~
2 ~~nonvoting member, appointed by the President Pro Tempore of the~~
3 ~~Senate;~~

4 ~~10. Two members, appointed by the Governor, who shall be~~
5 ~~engineers or scientists with extensive experience in managing basic~~
6 ~~or applied scientific or technological research at Oklahoma~~
7 ~~institutions of higher education, who shall serve terms of four (4)~~
8 ~~years; provided that, the two members who possess these~~
9 ~~qualifications and are serving on the board of directors of the~~
10 ~~Center on July 1, 2002, shall fill these positions on the Oklahoma~~
11 ~~Science and Technology Research and Development Board for initial~~
12 ~~terms to expire on June 30, 2003;~~

13 ~~11. Five members appointed by the Governor who are or who have~~
14 ~~served as chief executive officers or senior executive officers of~~
15 ~~corporations engaged in information technology, biotechnology,~~
16 ~~genetics, other emerging technologies, agriculture, oil and natural~~
17 ~~gas, early stage high risk venture capital finance, other~~
18 ~~significant Oklahoma industries, or Oklahoma industries that are~~
19 ~~potentially significant to the state economy or who are or who have~~
20 ~~served as chief executive officers or senior executive officers of a~~
21 ~~private nonprofit organization or who are or who have served as~~
22 ~~chief executive officers or senior executive officers of foundations~~
23 ~~with a history of supporting research and development. Two members~~
24 ~~appointed pursuant to this paragraph shall serve initial terms to~~

1 ~~expire on June 30, 2005, and two shall serve initial terms to expire~~
2 ~~on June 30, 2006. For the position for which the initial~~
3 ~~appointment begins after July 1, 2005, the initial term shall expire~~
4 ~~on June 30, 2009;~~

5 ~~12. Four members appointed by the Governor who represent small~~
6 ~~business. One appointee shall serve an initial term to expire on~~
7 ~~June 30, 2005, and one shall serve an initial term to expire on June~~
8 ~~30, 2006. For the two positions for which the initial appointments~~
9 ~~begin after July 1, 2005, one appointee shall serve an initial term~~
10 ~~to expire on June 30, 2008, and one appointee shall serve an initial~~
11 ~~term to expire on June 30, 2009;~~

12 ~~13. One member appointed by the Governor who represents rural~~
13 ~~Oklahoma. The initial appointee shall serve a term to expire on~~
14 ~~June 30, 2004; and~~

15 ~~14. Until June 30, 2004, or vacation of the offices, six~~
16 ~~members who, before the effective date of this act, were appointed~~
17 ~~by the Governor and who are serving on the board of directors of~~
18 ~~OCAST on July 1, 2002. These positions on the Oklahoma Science and~~
19 ~~Technology Research and Development Board shall cease to exist on~~
20 ~~June 30, 2004, or when the position is vacated if the vacancy occurs~~
21 ~~prior to June 30, 2004. A member of the OCAST board who holds one~~
22 ~~of these positions may be appointed to a position described in~~
23 ~~paragraphs 9 through 12 of this subsection on the Oklahoma Science~~
24

1 ~~and Technology Research and Development Board if the member meets~~
2 ~~the qualifications for such position.~~

3 ~~B. The two legislatively appointed members of the Board shall~~
4 ~~be persons of demonstrated knowledge of and commitment to the~~
5 ~~advancement of science and technology in Oklahoma and shall serve at~~
6 ~~the pleasure of their respective appointing authority Secretary of~~
7 ~~Science and Innovation.~~

8 ~~B. The Secretary of Science and Innovation, or a designee of~~
9 ~~the Governor, shall serve as chair.~~

10 C. In making appointments to the Oklahoma Science and
11 Technology Research and Development Board, appropriate consideration
12 shall be given to representation upon the Board by race, gender and
13 geographical area.

14 ~~D. Gubernatorial appointees appointed after July 1, 2002, shall~~
15 ~~serve four-year terms except for initial terms as provided in this~~
16 ~~section. Terms shall expire on June 30. All gubernatorial~~
17 ~~appointees shall be subject to confirmation by the Senate. Except~~
18 ~~as otherwise provided in this section, any vacancy in board~~
19 ~~positions filled by appointment of the Governor shall be filled for~~
20 ~~the unexpired term in the same manner as the original appointment~~
21 ~~With the exception of the Secretary of Science and Innovation, all~~
22 ~~members shall serve at the pleasure of their appointing authority.~~

23 ~~E. The Board shall elect, annually, a chair who shall be from~~
24 ~~the private sector membership of the Board. A vice-chair shall be~~

1 ~~elected annually from among all the members of the Board. Persons~~
2 ~~elected to the position of chair or vice-chair shall not serve more~~
3 ~~than two consecutive terms in said position.~~

4 ~~F.~~ The Board shall meet at least once each calendar quarter and
5 at such other times:

6 1. Upon call of the chair;

7 2. Upon call of the chief executive officer of the ~~Center~~
8 OSTRaD or the Institute; or

9 3. Upon written request of a majority of the board members.

10 ~~G. A majority of the F. Five~~ voting members of the Board shall
11 constitute a quorum. A quorum of the Board shall be necessary to
12 transact business. All actions of the board members shall be made
13 by a majority of the quorum present. ~~A board member appointed~~
14 ~~pursuant to paragraphs 3, 4, 5 or 6 of subsection A of this section~~
15 ~~may send a predetermined designee as a representative to board~~
16 ~~meetings who may participate with full voting privileges. All other~~
17 ~~board members may send a predetermined designee as a representative~~
18 ~~to board meetings who may vote; provided, the designee may vote at~~
19 ~~no more than thirty percent (30%) of meetings during a fiscal year.~~

20 ~~H. Members of the Board shall be entitled to compensation and~~
21 ~~expenses as may be provided in the charter or bylaws of the Board.~~

22 G. The members of the Board shall not be subject to the dual-
23 office-holding prohibitions set forth in Section 6 of Title 51 of
24 the Oklahoma Statutes.

1 ~~I. The Board shall establish an executive committee composed of~~
2 ~~the chair, vice-chair, and three (3) additional voting members~~
3 ~~chosen by the chair from among the remaining board members. The~~
4 ~~executive committee, in intervals between board meetings, may~~
5 ~~transact any board business that has been delegated to the executive~~
6 ~~committee. A majority of the executive committee shall be necessary~~
7 ~~to transact business and all actions of the executive committee~~
8 ~~shall be by a majority vote of the committee.~~

9 SECTION 2. This act shall become effective November 1, 2021.

10
11 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER TECH,
12 dated 04/06/2021 - DO PASS, As Amended.