

An Act

ENROLLED HOUSE
BILL NO. 3198

By: Blackwell of the House

and

Treat of the Senate

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

SUBJECT: Oklahoma Educational Television Authority

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

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

Section 23-105. There is hereby re-created, to continue until July 1, ~~2014~~ 2020, in accordance with the provisions of the Oklahoma 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 hereby constituted an instrumentality of the state, and the exercise by the Authority of the powers conferred by this article for the planning, construction, operation, and maintenance of educational television facilities shall be deemed and held to be an essential function of the state.

The Oklahoma Educational Television Authority shall consist of thirteen (13) members, including the President of the University of

Oklahoma, the President of Oklahoma State University, the State Superintendent of Public Instruction, the Chancellor of the Oklahoma State Regents for Higher Education, the president of one of the state-supported four-year colleges to be chosen by the presidents of this group of institutions, the president of one of the state-supported two-year colleges to be chosen by the presidents of this group of institutions, and seven additional members to be appointed by the Governor with the consent of the Senate, to serve seven-year terms.

The appointed members shall have been residents of the state for at least five (5) years preceding the date of their appointment. The appointed members shall include one member from each of the congressional districts and any remaining members shall be appointed from the state at large. 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. A majority of the appointed members shall be actively engaged in the profession of education. Each appointed member of the Authority, before entering upon the duties of the member, shall take the oath provided for by Section 1 of Article XV of the Constitution of the State of Oklahoma.

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

The Authority shall elect from the membership of the Authority a chairman, a vice-chairman, and a secretary-treasurer. Any such officers elected by the Authority on or after July 1, 1984, shall be appointed to serve a term of one (1) year. Seven members of the

Authority shall constitute a quorum, and the vote of seven members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. The Authority shall meet at least quarterly.

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

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

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

1. Potential legal obstacles;
2. Potential ramifications to licenses held by the Authority;
3. Existing debt obligations of the Authority;
4. An analysis of any states/jurisdictions that have moved away from appropriations for their respective authorities/organizations that manage public television;
5. Any legal or logistical impediments to the Authority being able to incur duties and responsibilities of funding;
6. An exhaustive list of assets owned by the Authority; and
7. An exhaustive list of assets leased or rented by the Authority and any pertinent information on the details and lengths of these contracts.

Passed the House of Representatives the 7th day of May, 2014.

Joe R. Dancy

Presiding Officer of the House
of Representatives

Passed the Senate the 10th day of April, 2014.

Bob Brown

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 8th

day of May, 20 14, at 1:38 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 13th

day of May, 20 14, at 3:29 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 13th

day of May, 20 14, at 4:07 o'clock P M.

By: Chris Berger