

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 366

By: Stanislawski

4  
5  
6 AS INTRODUCED

7 An Act relating to state agency governance; amending  
8 63 O.S. 2011, Section 5007, which relates to the  
9 Oklahoma Health Care Authority Board; amending 70  
10 O.S. 2011, Section 14-103, which relates to State  
11 Board of Career and Technology Education; requiring  
12 that certain personnel be appointed by Governor with  
13 advice and consent of the Senate and serve at the  
14 pleasure of the Governor; modifying powers and duties  
15 of boards; clarifying language; updating statutory  
16 references; and providing an effective date.

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

18 SECTION 1. AMENDATORY 63 O.S. 2011, Section 5007, is  
19 amended to read as follows:

20 Section 5007. A. There is hereby created the Oklahoma Health  
21 Care Authority Board. On and after July 1, 1994, as the terms of  
22 the initially appointed members expire, the Board shall be composed  
23 of seven appointed members who shall serve for terms of four (4)  
24 years and shall be appointed as follows:

25 1. Two members shall be appointed by the President Pro Tempore  
26 of the Senate;

1           2. Two members shall be appointed by the Speaker of the House  
2 of Representatives; and

3           3. Three members shall be appointed by the Governor. Two of  
4 the members appointed by the Governor shall be consumers.

5           B. Members appointed pursuant to this paragraph, with the  
6 exception of the consumer members, shall include persons having  
7 experience in medical care, health care services, health care  
8 delivery, health care finance, health insurance and managed health  
9 care. Consumer members shall have no financial or professional  
10 interest in medical care, health care services, health care  
11 delivery, health finance, health insurance or managed care. In  
12 making the appointments, the appointing authority shall also give  
13 consideration to urban, rural, gender and minority representation.

14           C. 1. As the terms of office of members appointed before July  
15 1, 1995, expire, appointments made on or after July 1, 1995, shall  
16 be subject to the following requirements:

17           a. One member appointed by the Governor shall be a  
18 resident of the First Congressional District. The  
19 term of office of the member appointed by the Governor  
20 and serving as of ~~the effective date of this act~~ July  
21 1, 1998, shall expire on September 1, 2003;

22           b. One member appointed by the President Pro Tempore of  
23 the Senate shall be a resident of the Second  
24 Congressional District and a consumer. The term of

1 office of the member appointed by the President Pro  
2 Tempore of the Senate and serving as of ~~the effective~~  
3 ~~date of this act~~ July 1, 1998, shall expire on  
4 September 1, 1999;

5 c. One member appointed by the President Pro Tempore of  
6 the Senate shall be a resident of the Third  
7 Congressional District. The term of office of the  
8 member appointed by the President Pro Tempore of the  
9 Senate and serving as of ~~the effective date of this~~  
10 ~~act~~ July 1, 1998, shall expire on September 1, 2004;

11 d. One member appointed by the Speaker of the House of  
12 Representatives shall be a resident of the Fourth  
13 Congressional District. The term of office of the  
14 member appointed by the Speaker of the House of  
15 Representatives and serving as of ~~the effective date~~  
16 ~~of this act~~ July 1, 1998, shall expire on September 1,  
17 2001;

18 e. One member appointed by the Speaker of the House of  
19 Representatives shall be a resident of the Fifth  
20 Congressional District and a consumer. The term of  
21 office of the member appointed by the Speaker of the  
22 House of Representatives and serving as of ~~the~~  
23 ~~effective date of this act~~ July 1, 1998, shall expire  
24 on September 1, 1998;

1 f. One member appointed by the Governor shall be a  
2 resident of the Sixth Congressional District and a  
3 consumer. The term of office of the member appointed  
4 by the Governor and serving as of ~~the effective date~~  
5 ~~of this act~~ July 1, 1998, shall expire on September 1,  
6 2000; and

7 g. The second consumer member appointed by the Governor  
8 shall be appointed at large. The term of office of  
9 the member appointed by the Governor and serving as of  
10 ~~the effective date of this act~~ July 1, 1998, shall  
11 expire on September 1, 2002.

12 2. Appointments made subsequent to ~~the effective date of this~~  
13 ~~act~~ November 5, 2002, shall not be restricted to any particular  
14 congressional district. Appointments made after July 1 of the year  
15 in which a redrawing of a congressional district becomes effective  
16 shall be from the state at large. However, no appointments may be  
17 made after July 1 of the year in which such modification becomes  
18 effective if such appointment would result in more than two members  
19 serving from the same modified district.

20 D. The terms of the members serving on the Board as of ~~the~~  
21 ~~effective date of this act~~ July 1, 1998, shall expire on September 1  
22 of the year in which the respective terms expire. Thereafter, as  
23 new terms begin, members shall be appointed to four-year staggered  
24 terms which shall expire on September 1. Should a member serve less

1 than a four-year term, the term of office of the member subsequently  
2 appointed shall be for the remainder of the four-year term.

3 ~~E. On and after July 1, 1994, any subsequently appointed~~  
4 ~~administrator of the Authority shall be appointed by the Board~~ The  
5 administrator of the Authority shall be appointed by the Governor,  
6 with the advice and consent of the Senate, and shall serve at the  
7 pleasure of the Governor. The administrator shall have the training  
8 and experience necessary for the administration of the Authority, as  
9 determined by the Board, including, but not limited to, prior  
10 experience in the administration of managed health care. ~~The~~  
11 ~~administrator shall serve at the pleasure of the Board.~~

12 F. The Board shall have the power and duty to advise the  
13 administrators with respect to:

14 1. ~~Establish~~ Establishment of the policies of the Oklahoma  
15 Health Care Authority;

16 2. ~~Appoint the Administrator of the Authority;~~

17 3. ~~Adopt and promulgate~~ Promulgation of rules as necessary and  
18 appropriate to carry out the duties and responsibilities of the  
19 Authority. The Board shall be the rulemaking body for the  
20 Authority; and

21 4. ~~Adopt, publish and submit~~ 3. Preparation of appropriate  
22 administrative policies and the business plan for the year, to be  
23 submitted by January 1 of each year to the Governor, the President  
24 Pro Tempore of the Senate, and the Speaker of the House of

1 ~~Representatives appropriate administrative policies and the business~~  
2 ~~plan for that year.~~ All actions governed by ~~said~~ the administrative  
3 policies and annual business plan shall be examined annually in an  
4 independent audit.

5 G. 1. A vacancy in a position shall be filled in the same  
6 manner as provided in subsection A of this section.

7 2. A majority of the members of the Board shall constitute a  
8 quorum for the transaction of business and for taking any official  
9 action. Official action of the Board must have a favorable vote by  
10 a majority of the members present.

11 3. Members appointed pursuant to subsection A of this section  
12 shall serve without compensation but shall be reimbursed for  
13 expenses incurred in the performance of their duties in accordance  
14 with the State Travel Reimbursement Act.

15 H. The Board and the Authority shall act in accordance with the  
16 provisions of the Oklahoma Open Meeting Act, the Oklahoma Open  
17 Records Act and the Administrative Procedures Act.

18 SECTION 2. AMENDATORY 70 O.S. 2011, Section 14-103, is  
19 amended to read as follows:

20 Section 14-103. A. The State Board of Career and Technology  
21 Education shall have the following powers and duties:

22 1. Have the supervision of the Oklahoma Department of Career  
23 and Technology Education of the State Board of Career and Technology  
24 Education, which department shall keep its principal offices at

1 Stillwater, and ~~appoint and~~ fix the compensation and duties of the  
2 Director and appoint and fix the compensation and duties of other  
3 personnel of such Department;

4 2. Have the supervision of the technology center schools and  
5 colleges of Oklahoma, except Oklahoma State University Institute of  
6 Technology-Okmulgee and the Oklahoma State University Technical  
7 Institutes at Oklahoma City and Stillwater, which, however, shall be  
8 eligible to participate in federal programs administered by the  
9 State Board of Career and Technology Education as hereinafter  
10 provided;

11 3. Cooperate with, and enter into agreements with, and  
12 administer programs of, and receive federal funds from, the United  
13 States Department of Education and other federal agencies in matters  
14 relating to vocational and technical education, youth apprenticeship  
15 programs, and manpower training, and be the sole state agency for  
16 such purposes. Provided that, programs and funds made available  
17 through the Job Training Partnership Act, or its successor programs,  
18 shall be excluded;

19 4. Provide for the formulation and adoption of curricula,  
20 courses of study, and other instructional aids necessary for the  
21 adequate instruction of students in the technology center schools  
22 and colleges of this state. It is the intent of the Legislature  
23 that instructional models for vocational students should include  
24

1 higher standards of academic work with increased emphasis on  
2 communication, computation and applied science;

3 5. Develop a plan to provide adequate vocational offerings  
4 accessible to all students having the ability to benefit;

5 6. Purchase or otherwise acquire equipment, materials, supplies  
6 and other property, real or personal, as may be necessary for the  
7 operation of the technology center schools of this state, and  
8 provide for the maximum utilization of such property through a  
9 coordinated and cooperative use thereof, including transfer of title  
10 to real and personal property to a technology center school district  
11 for a reasonable cash consideration if ~~said~~ the property is to be  
12 utilized in a vocational-technical program administered by the  
13 technology center district board of education. Any conveyance of  
14 real property for a reasonable consideration shall contain a  
15 reversionary clause by which the real property shall revert to the  
16 State Board of Career and Technology Education if the property  
17 ceases to be used in a vocational-technical program administered by  
18 the technology center district board of education;

19 7. Enter into such agreements and contracts with the State  
20 Board of Education, boards of trustees of community junior colleges,  
21 boards of education of independent and elementary school districts,  
22 boards of education of school districts for technology center  
23 schools, private educational or training institutions, public or  
24 private industry, and boards of directors of community action

1 programs, as may be necessary or feasible for the furtherance of  
2 vocational and technical training within this state;

3 8. Cooperate and enter into agreements with the Oklahoma State  
4 Regents for Higher Education;

5 9. Cooperate with the State Department of Education in  
6 developing hands-on career exploration activities for students in  
7 grades 6 through 10, integrating academic competencies into  
8 vocational instruction, and ensuring counseling of all students in  
9 order to minimize the number of students graduating from high school  
10 without having completed either a vocational-technical program or  
11 college preparation;

12 10. Develop and periodically update a plan to allow teacher  
13 training and the purchase and installation of technological  
14 equipment necessary to modernize vocational educational programs;

15 11. Accept and provide for the administration of any land,  
16 money, buildings, gifts, funds, donations or other things of value  
17 which may be offered or bequeathed to the schools or colleges under  
18 the supervision or control of ~~said~~ the Board;

19 12. Enter into cooperative arrangements with one or more other  
20 states for the conduct and administration of programs, services and  
21 activities;

22 13. Cooperate whenever possible, to avoid any duplication of  
23 training programs with any established training program registered  
24

1 by the Bureau of Apprenticeship and Training, United States  
2 Department of Labor;

3 14. Accept and expend funds from any source in order to market,  
4 advertise or promote programs and services available through the  
5 Career and Technology Education system; and

6 15. Participate in activities pertaining to the recruitment of  
7 companies to locate or expand operations in the state, and  
8 participate in activities that will increase the competitiveness of  
9 companies with headquarters or branch operations located in the  
10 state. These activities may require agency staff to travel, train,  
11 or provide technical assistance outside the State of Oklahoma.

12 B. The Director of the Department shall be appointed by the  
13 Governor, with the advice and consent of the Senate, and shall serve  
14 at the pleasure of the Governor.

15 SECTION 3. This act shall become effective November 1, 2019.

16  
17 57-1-872 CD 1/16/2019 9:03:06 AM  
18  
19  
20  
21  
22  
23  
24  
25