

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1103

By Maddux (Elmer) of the
House

and

Muegge of the Senate

COMMITTEE SUBSTITUTE

An Act relating to agriculture; amending 2 O.S. 1991, Section 131.4, which relates to election and terms of successors of members of free county fair board; providing for election of fair board association board of directors; specifying certain conditions concerning the election; providing for date of election; allowing appointments to fair association board of directors; providing for voting procedures; requiring tabulation and announcement of results at a certain time and place; providing terms of directors; allowing certain cities to elect directors; providing terms of certain directors; allowing appointment of certain directors; providing filing period for election or appointment of successors; repealing 2 O.S. 1991, Section 131.3, which relates to election and terms of initial members of free county fair association board of directors; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 131.3A of Title 2, unless there is created a duplication in numbering, reads as follows:

A. Within thirty (30) days of the establishment of a fair association, the board of county commissioners shall, by resolution, call for an election of the fair association board of directors. Notice of said elections shall be given in some newspaper printed and published in said county at least ten (10) days before said election. Notice of said filing period for said elections shall be given in some newspaper printed and published in said county at least ten (10) days before the filing period for

said election. The resolution shall set forth the following conditions concerning the election:

1. The filing period shall consist of five (5) consecutive business days;

2. Only registered voters of the county are eligible to file as a candidate;

3. Any person so filing must reside in the commissioner's district or city they seek to represent;

4. Prospective candidates shall file with the county clerk;
and

5. The board of county commissioners shall prescribe a form to be used by prospective candidates filing for the position of director of the fair board association.

B. The date of the election for the fair association board of directors shall be no later than three (3) weeks from the date of the final day of the filing period.

If a district or city fails to receive a candidate for the position, the representative shall be appointed as provided herein.

In the event there is not a candidate for election to the fair association board of directors the appointment will be announced no later than two (2) weeks from the closing of the filing period.

C. The site of the elections shall be determined by the board of county commissioners. Elections shall be held at a convenient place in each district or city, on the same day and at the same time. The county commissioner representing the district or an official designee of the commissioner shall preside at the election.

D. The election shall be by secret ballot.

E. The results of the election shall be tabulated at the site of the election and announced prior to the adjournment of the election meeting.

F. Terms of the directors:

1. The director from commissioner's district one shall be elected for a term of one (1) year;

2. The director from commissioner's district two shall be elected for a term of two (2) years; and

3. The director from commissioner's district three shall be elected for a term of three (3) years.

G. If there is a city in the county with a population of more than twenty thousand (20,000) according to the latest federal census, the board of county commissioners shall in the manner provided herein cause to be elected two directors to represent the city on the fair association board of directors.

1. The county clerk or an official designee of the clerk shall preside at election in the city.

2. Two directors shall be elected to represent the city.

a. The candidate receiving the highest number of the ballots cast shall be elected for a three-year term.

b. The candidate receiving the second highest number of votes shall be elected for a two-year term.

Provided, if, by the close of the filing period, a district or city is without a candidate for the position of fair board director, the board of county commissioners shall appoint a person to serve on the fair association board of directors to represent the respective district or city.

SECTION 2. AMENDATORY 2 O.S. 1991, Section 131.4, is amended to read as follows:

Section 131.4 Thereafter, upon the expiration of the term to which each director has been elected, ~~there shall be an election held on the first Saturday of March in said commissioners district or city by the commissioner of said district, or by all jointly in case of a city election, in like manner with the same notice as above provided, at which election a~~ or appointed, the board of county commissioners shall cause the filing period for the position of director to the fair board association to commence on the first business day of February and provide for the election or appointment of the director in accordance with the provisions as set forth in Section 1 of this act. The director shall be elected or appointed to said board of directors for a term of three (3) years. The commissioner or county clerk presiding at such meeting

shall certify and file in the office of the county clerk the name or names of the directors elected, and the county clerk shall keep a record thereof and shall issue to each person elected a certificate of election. The board of directors shall, within ten (10) days after appointment and taking oath of office, organize by electing a president, vice-president, and secretary-treasurer, who shall hold office at the pleasure of the board; provided, that the secretary shall not be a member of the board of directors.

SECTION 3. REPEALER 2 O.S. 1991, Section 131.3, is hereby repealed.

SECTION 4. This act shall become effective September 1, 1993.

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