

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2027

By: Maddux (Elmer)

AS INTRODUCED

An Act relating to agriculture; amending Section 2, Chapter 114, O.S.L. 1993 (2 O.S. Supp. 1993, Section 131.3A), which relates to fair association board of directors; specifying voter eligibility for fair association board of director elections; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 114, O.S.L. 1993 (2 O.S. Supp. 1993, Section 131.3A), is amended to read as follows:

Section 131-3A. 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 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 published in said county at least ten (10) days before the filing period for said election. The board of county commissioners, by 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 must 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 does not have a candidate or candidates for the position, the representative or representatives shall be appointed as provided herein:

1. The board of county commissioners shall appoint the representatives from the rural areas of the county; and

2. The mayor of the city shall appoint the representatives from the city.

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. Only registered voters of the county shall be allowed to vote.

F. 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.~~ G. When a tie vote occurs in the election of a fair association board of directors, the commissioner or commissioner's designee shall select the candidate by lot, pursuant to the procedures set forth in Section 8-105 of Title 26 of the Oklahoma Statutes.

~~G.~~ H. Initial 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.

The term of each director elected subsequent to the initial term shall be for a period of three (3) years.

~~H.~~ I. 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 as provided herein cause to be elected two directors to represent the city on the fair association board of directors as follows:

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

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, and

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 and the mayor of the city shall make the appointments for the two (2) city representatives.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-7721

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