

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1142

By: Long

COMMITTEE SUBSTITUTE

An Act relating to the Grand River Dam Authority;

amending 82 O.S. 1991, Section 863, as amended by
Section 1, Chapter 240, O.S.L. 1997 (82 O.S. Supp.
1997, Section 863), which relates to the Board of
Directors; modifying eligibility requirements for
Nominating Committee and Board of Directors;
clarifying references; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 1991, Section 863, as
amended by Section 1, Chapter 240, O.S.L. 1997 (82 O.S. Supp. 1997,
Section 863), is amended to read as follows:

Section 863. A. There is hereby created the Grand River Dam
Authority Board of Directors Nominating Committee, hereinafter
referred to as the "Nominating Committee", which shall consist of
representatives from:

1. Each municipal customer of the Grand River Dam Authority. A
single representative shall be selected by the governing body of
each municipality to serve at the pleasure of that governing body;
2. Each rural electric cooperative customer of the Grand River
Dam Authority, including any rural electric cooperative receiving

its electricity from any wholesale cooperative. Each representative shall be selected by the governing body of the rural electric cooperative to serve at the pleasure of that governing body; and

3. The industrial customers of the Grand River Dam Authority. The industrial customers shall meet and select from among themselves five representatives to serve on the Nominating Committee and to serve at their pleasure. The five representatives shall be selected at a meeting of at least two-thirds (2/3) of the industrial customers of the Grand River Dam Authority who are located within the State of Oklahoma.

Only municipal, rural electric cooperatives and industrial customers located within the boundaries of the State of Oklahoma shall be eligible to serve on the Committee. All members of the Committee shall be residents of the State of Oklahoma.

B. Except as otherwise provided in this subsection, on and after ~~the effective date of this act~~ May 26, 1981, as vacancies occur on the Board of Directors of the district, the Nominating Committee shall meet and nominate three candidates to fill such vacancy by majority vote. The list of the three nominees shall be forwarded to the Governor within thirty (30) days of the meeting of the Nominating Committee. In making such nominations, the Nominating Committee shall consider the following regarding the composition of the Board of Directors:

1. Each director shall be a resident of the ~~district~~ State of Oklahoma;

2. One director shall be selected from the industrial customers of the district;

3. One director shall be an official or employee of a municipality or public trust having as its beneficiary a municipality served by the Grand River Dam Authority;

4. One director shall be an official of a rural electric cooperative served by the Grand River Dam Authority;

5. One director shall be selected by the Governor from a list of three nominees submitted by the Grand River Dam Authority Lakes Advisory Commission. The first at large vacancy occurring on the Board after ~~the effective date of this act~~ May 23, 1997, shall be filled in the manner provided for in this paragraph. Thereafter, nominations for such board position shall be submitted as provided for in this paragraph;

6. The remaining directors shall be selected at large; and

7. Each director shall have a demonstrated capability in business, finance or professional fields.

C. No member of the Nominating Committee shall serve on the Board nor receive any compensation or reimbursement for service on the Nominating Committee.

D. The powers, rights, privileges and functions of the district shall be exercised by a board of seven (7) directors, herein called the Board, to be appointed by the Governor with the advice and consent of the Senate from nominees supplied by the Nominating Committee.

E. No more than two directors shall be residents of the same county. No person shall be eligible for appointment if at any time during the three (3) years before the appointment the person has been employed by any investor-owned utility company of any kind or character whatsoever, or has held a federal, state or county office, elective or appointive. Each director shall have ~~lived in said district~~ been a resident of the State of Oklahoma for five (5) years prior to the appointment of that director.

F. 1. The terms of office of the directors first taking office after the approval of this act in 1965 shall expire as designated by the Governor at the time of nomination; one on the second Tuesday of January, 1966; one on the second Tuesday of January, 1967; one on the second Tuesday of January, 1968; one on the second Tuesday of January, 1969; one on the second Tuesday of January, 1970; one on

the second Tuesday of January, 1971; and one on the second Tuesday of January, 1972.

2. A successor to a director of the Board shall be appointed in the same manner as the original directors and shall have a term of office expiring seven (7) years from the date of the expiration of the term for which the predecessor was appointed.

3. Any director appointed to fill a vacancy in the Board occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.

G. Each director shall qualify by taking the official oath of office prescribed by general statute. Any director may be removed from office for just cause by majority vote of the Nominating Committee.

H. Each director shall be allowed actual and necessary expenses incurred by the director in attending the meetings of the Board and in attending to the authorized business of the district pursuant to the State Travel Reimbursement Act. No director shall, at the same time such director is serving on the Board, hold any other position with the Grand River Dam Authority.

I. The time and place of the regular meetings and the manner in which special meetings may be called shall be set forth in the bylaws of the said Authority. Four directors shall constitute a quorum at any meeting, and, except as otherwise provided in ~~this act~~ Section 861 et seq. of this title or in the bylaws, all action may be taken by the affirmative vote of the majority of the Board present at any such meeting, except that no contracts which involve an amount greater than Five Thousand Dollars (\$5,000.00), or which are to run for a longer period than one (1) year, and no bonds, notes or other evidence of indebtedness, and no amendment of the bylaws, shall be valid unless authorized or ratified by the affirmative vote of at least four directors.

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.

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