

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2235

By: Wells

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 1991, Section 104c, as last amended by Section 1, Chapter 114, O.S.L. 1993 (2 O.S. Supp. 1997, Section 104c), which relates to free county fair board of directors; modifying time and place of meeting of county free fair board of directors; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 1991, Section 104c, as last amended by Section 1, Chapter 114, O.S.L. 1993 (2 O.S. Supp. 1997, Section 104c), is amended to read as follows:

Section 104c. A. There is hereby constituted a board of directors for ~~said~~ the free fair association, to be composed of nine (9) members, who shall be elected by written ballot for a term of three (3) years, three from each county commissioner's district of ~~said~~ the counties, to be elected at a mass meeting or convention of the qualified electors of each of ~~said~~ the commissioner's district in ~~said~~ the counties. Notice of which election shall be given by publication in some newspaper published in each of ~~said~~ the counties, for ten (10) days before ~~said~~ the election. Notice of the

filing period for ~~said~~ the elections shall be given in some newspaper published in ~~said~~ the county at least ten (10) days before the filing period for ~~said~~ the election.

B. The board of county commissioners shall, by resolution, set forth the following conditions concerning the election:

1. The filing period shall consist of five (5) consecutive business days and commence in January;
2. The date and time when the filing period will commence and end;
3. The date, time and place of ~~said~~ the election;
4. Only registered voters of the county are eligible to file as a candidate;
5. Any person so filing must reside in the commissioner's district or city they seek to represent;
6. Prospective candidates must file with the county clerk; and
7. 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.

C. 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.

In the event there is not a candidate or candidates for the election to the fair association board of directors, the county commissioners shall appoint a director for each position for which no candidates have filed by the close of the filing period. The appointment or appointments will be announced no later than two (2) weeks from the closing of the filing period.

D. At ~~said~~ the election there shall be elected from each commissioner's district three persons who are qualified electors of ~~said~~ the district, as directors of ~~said~~ the association, who shall serve for a term of three (3) years, and until their successors are elected or appointed and qualified. The commissioner or

commissioner's designee shall preside at ~~said~~ the meeting and the voting may be viva voce, or otherwise, as may at ~~said~~ the meeting be determined by the electors there assembled. The commissioner or commissioner's designee presiding at ~~said~~ the meeting shall have the authority to appoint a secretary of ~~said~~ the meeting and the commissioner and secretary shall certify to the county clerk of each of ~~said~~ the counties the 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.

E. 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.

F. The directors so elected shall meet ~~on the second Saturday of March of each year at the county seat of each of said~~ at the next regularly scheduled monthly meeting immediately following the elections at the regular meeting place of the counties for the purpose of organization, and shall elect a president, a vice-president, a secretary and a treasurer; provided, that the secretary need not be a member of the board of directors. The treasurer shall furnish surety bond executed with a qualified surety company doing business in this state, in such amount as the directors of ~~said~~ the board may determine to be necessary to indemnify against any loss which may arise by reason of failure to perform the necessary duties of ~~his~~ the office or other misconduct in office for which ~~he~~ the director shall be held liable.

Meetings of the directors may be called by the president of the board or fixed by the board at any time convenient; ~~provided.~~ However, the first election held under this act shall be on the first Saturday of June, and the board so elected at ~~said~~ the election shall meet for organization purposes on the second Saturday of June of such year.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8347

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