ENGROSSED HOUSE
BILL NO. 1984

By: Erwin of the House

and

Littlefield of the Senate

An Act relating to the Oklahoma Water Resources Board; amending 82 O.S. 2001, Section 1085.12, which relates to the powers and duties of the Executive Director; authorizing the Executive Director to approve transfer of certain funds for certain emergency purposes; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 1085.12, is amended to read as follows:

Section 1085.12 A. The Oklahoma Water Resources Board shall appoint an Executive Director, who shall have had at least six (6) years practical and administrative experience in water resource management, and fix ~~his~~ the duties and compensation of the Executive Director.

B. 1. The Oklahoma Water Resources Board is specifically authorized to delegate to such Executive Director such of its powers and duties as it may deem proper, including powers and duties involving the exercise of official discretion. The authority hereby granted to the Oklahoma Water Resources Board to delegate powers and duties to the Executive Director shall extend to any powers and duties given or transferred to the Oklahoma Water Resources Board ~~under~~ pursuant to this ~~act~~ title, or under any other law conferring powers or imposing duties upon the Oklahoma Water Resources Board, and shall also extend to any powers conferred or duties imposed upon the Oklahoma Water Resources Board by any future law, unless such future laws shall expressly negate the authority to make such delegation.

2. Any ~~other part of this act, or any other~~ law granting authority to the Oklahoma Water Resources Board to delegate any powers or duties, shall not be deemed to be a limitation upon the authority conferred by this section.

C. The Executive Director shall exercise any such delegated powers and perform such delegated duties, in accordance with any rules~~, regulations~~ or orders made by the Oklahoma Water Resources Board which are applicable thereto. Provided, however, the Oklahoma Water Resources Board shall not delegate to such director any power of ~~determining policy~~ promulgating rules of the Board, the ~~execution~~ approval of any contract that obligates funds of the Board or the final adjudication of any claims, applications or controversies not delegated in accordance with rules of the Board, all of which powers and duties shall be exercised solely by the Oklahoma Water Resources Board.

D. The Oklahoma Water Resources Board may, by rule, delegate authority to the Executive Director to transfer available monies from designated accounts under the jurisdiction of the Board for emergency purposes.

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.

Passed the House of Representatives the 20th day of March, 2002.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2002.

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Presiding Officer of the Senate