

SB 879

THE STATE SENATE
Tuesday, February 10, 2004

Senate Bill No. 879

SENATE BILL NO. 879 - By: CAPPS of the Senate and BONNY of the House.

An Act relating to rural water districts; amending 82 O.S. 2001, Section 1324.16, which relates to terms of office; providing for a maximum term of six years; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 1324.16, is amended to read as follows:

Section 1324.16 A. Except as otherwise provided by law:

1. The term of office of every member elected to an original board shall be until the date of the annual meeting of the participating members of either the first, second or third year following the year of the incorporation of the district and until their successors are elected and have qualified, and as nearly as possible the terms of an equal number of directors on any such board shall expire on each of said dates;

2. At the annual meeting of each year after the year of the election of the original board members, elections shall be held to elect directors to fill any position on the board, the term of office of which has expired, and any director so elected shall hold office for a term of three (3) years, for a maximum term of up to

1 six (6) years as determined by the district's bylaws, and until his
2 or her successor is elected and has qualified; and

3 3. For the purpose of election of board members and for such
4 other purposes as the bylaws may prescribe, annual meetings of
5 participating members shall be held by each district each year
6 following the year of incorporation of such district. The board of
7 directors shall cause notice of the time and place of each annual
8 meeting and the purpose thereof to be given to each of its
9 participating members. Each participating member shall be entitled
10 to a single vote, regardless of the number of benefit units to which
11 the member has subscribed.

12 B. 1. A requirement for qualification to serve as a board
13 member for a rural water district or a nonprofit rural water
14 corporation shall be a written pledge that upon election such board
15 member shall attend a minimum of six (6) hours of workshop training
16 to be offered periodically on a regional basis within twelve (12)
17 months following election of such board member, and to be organized
18 by the Oklahoma Water Resources Board in cooperation with the
19 Oklahoma Rural Water Association with the purpose of study and
20 instruction in areas of district financing, law, and the ethics,
21 duties and responsibilities of district board members. Beginning
22 July 1, 2001, all new and existing board members shall be required

1 to obtain continuing education by attending a minimum of six (6)
2 hours of workshop training every three (3) years.

3 2. The district or corporation shall reimburse all reasonable
4 expenses incurred by any board member for attending such training
5 workshop.

6 3. To avoid members having to interfere with their jobs or
7 employment, such training sessions may be divided into three-hour
8 segments, and insofar as possible be scheduled for evening sessions.
9 Technology center school facilities, college facilities or other
10 public facilities may be utilized in all parts of the state for
11 convenience of the members. Such workshops must be offered within
12 seventy-five (75) miles of the members' residences.

13 C. Should any pledging board member fail to attend the workshop
14 training as required in subsection B of this section, he or she
15 shall be deemed ineligible to serve as a board member commencing at
16 the next regularly scheduled meeting of the board following the
17 twelve-month period. The remaining board members shall select from
18 the membership, as provided by the district or corporation bylaws,
19 another qualified member to fill the vacancy and that person shall
20 pledge to attend the workshop training provided for in this section.
21 The appointed member shall only serve until the next regularly
22 scheduled election of board members and an election shall be held to
23 fill the unexpired term of the vacated position.

1 D. Upon the election of a board member, the provisions of
2 Sections 481 through 487 of Title 21 of the Oklahoma Statutes
3 relating to nepotism shall not prohibit any employee already in the
4 service of the district from continuing in such service or from
5 promotion therein. Provided, however, the board member related to
6 the employee shall excuse himself or herself from the board meeting
7 during any discussion of or action taken on any matter that could
8 affect the employment or compensation for employment of such
9 employee.

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

14 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, ENVIRONMENT &
15 COMMUNICATIONS, dated 2-5-04 - DO PASS, As Coauthored.