ENGROSSED HOUSE
BILL NO. 3020

By: Armes of the House

and

Adelson of the Senate

An Act relating to waters and water rights; amending 82 O.S. 2001, Section 1085.1, as amended by Section 24, Chapter 375, O.S.L. 2002 (82 O.S. Supp. 2005, Section 1085.1), which relates to the Oklahoma Water Resources Board; modifying requirements for membership on the Board; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 1085.1, as amended by Section 24, Chapter 375, O.S.L. 2002 (82 O.S. Supp. 2005, Section 1085.1), is amended to read as follows:

Section 1085.1 A. There is hereby created the Oklahoma Water Resources Board, hereinafter referred to as the Board, consisting of nine (9) members to be appointed by the Governor, by and with the advice and consent of the Senate. The Board shall constitute a body corporate and politic and an instrumentality, agency and department of the State of Oklahoma, and exercise by the Board of the powers conferred by this act shall be deemed and shall be held to be an essential governmental function of the State of Oklahoma. One member shall be appointed for a term of one (1) year; one member shall be appointed for a term of two (2) years; one member shall be appointed for a term of three (3) years; one member shall be appointed for a term of four (4) years; one member shall be appointed for a term of five (5) years; two members shall be appointed for a term of six (6) years; and two members shall be appointed for a term of seven (7) years. Upon the expiration of said terms, their successors shall be appointed for terms of seven

(7) years. One member shall be appointed from each of the ~~congressional districts of this state and the~~ four districts hereby created and shall consist of the following counties:

1. Atoka, Bryan, Choctaw, Coal, Haskell, Hughes, Johnston, Latimer, LeFlore, McCurtain, McIntosh, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole and Sequoyah;

2. Adair, Cherokee, Craig, Creek, Delaware, Kay, Lincoln, Logan, Mayes, Noble, Nowata, Oklahoma, Osage, Ottawa, Pawnee, Payne, Rogers, Tulsa, Wagoner and Washington;

3. Alfalfa, Beaver, Blaine, Cimarron, Dewey, Ellis, Garfield, Grant, Harper, Kingfisher, Major, Texas, Woods and Woodward; and

4. Beckham, Caddo, Canadian, Carter, Cleveland, Comanche, Cotton, Custer, Garvin, Grady, Greer, Harmon, Jackson, Jefferson, Kiowa, Love, Marshall, McClain, Murray, Roger Mills, Stephens, Tillman and Washita.

The remaining members shall be appointed at large with no more than three members appointed from one district. ~~However, when congressional districts are redrawn then each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member~~ All board members serving on the date this act becomes law shall serve the remainder of the term of office to which the board member was originally appointed. Thereafter, successor board members shall be appointed in accordance with this section. Each member shall be a qualified elector of this state. At all times the membership of

the Board shall have represented on it at least one member ~~well versed~~ engaged in each of the following major types of water use: recreational, industrial, irrigational, municipal, rural residential, agricultural, independent oil and gas production, thermal electrical generation, and soil conservation work. Not more than two members may be selected representing any one of the major types of water use. The Board shall meet at least once each month. The members of the Board may be removed only for cause. Whenever a vacancy shall occur, the Governor shall appoint a qualified person to fill the unexpired term of the vacant office. Each member of the Board upon entering upon his duties shall take and subscribe to the constitutional and statutory oath of office and file the same with the Secretary of State.

B. The Board shall organize annually by electing a chairman, vice-chairman, and secretary from the membership of the Board, who shall perform such duties as shall be prescribed by the Board.

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 13th day of March, 2006.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2006.

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Presiding Officer of the Senate