

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 1597

By: Stanislawski of the Senate

and

Wright (John) of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to state boards and commissions;
11 stating legislative intent; limiting number of terms
12 which may be served by members of state boards and
13 commissions; providing for continuation of service
14 for members currently serving; specifying eligibility
15 for continuation of service; allowing reappointment
16 for certain time period under certain conditions;
17 specifying term of office; providing that service for
18 partial term not count against limitation;
19 prohibiting certain appointments to evade
20 limitations; amending 29 O.S. 2001, Section 3-102,
21 which relates to the Wildlife Conservation
22 Commission; amending 43A O.S. 2001, Section 2-103, as
23 last amended by Section 3, Chapter 401, O.S.L. 2008
24 (43A O.S. Supp. 2009, Section 2-103), which relates
to the Board of Mental Health and Substance Abuse
Services; amending 45 O.S. 2001, Section 1, which
relates to the Oklahoma Mining Commission; amending
59 O.S. 2001, Section 482, which relates to the State
Board of Medical Licensure and Supervision; amending
59 O.S. 2001, Section 624, as amended by Section 1,
Chapter 22, O.S.L. 2005 (59 O.S. Supp. 2009, Section
624), which relates to the State Board of Osteopathic
Examiners; amending 63 O.S. 2001, Section 1-103, as
amended by Section 1, Chapter 230, O.S.L. 2002 (63
O.S. Supp. 2009, Section 1-103), which relates to the
State Board of Health; amending 69 O.S. 2001, Section
302, which relates to the State Transportation
Commission; amending 69 O.S. 2001, Section 1703, as

1 amended by Section 2, Chapter 68, O.S.L. 2005 (69
2 O.S. Supp. 2009, Section 1703), which relates to the
3 Oklahoma Turnpike Authority; amending Section 1,
4 Chapter 130, O.S.L. 2008 (70 O.S. Supp. 2009, Section
5 3431), which relates to the Board of Trustees for
6 Langston University-Oklahoma City and Langston
7 University-Tulsa; amending 70 O.S. 2001, Section
8 4451, as last amended by Section 2, Chapter 101,
9 O.S.L. 2008 (70 O.S. Supp. 2009, Section 4451), which
10 relates to the board of trustees for Quartz Mountain
11 Arts and Conference Center and Nature Park; amending
12 74 O.S. 2001, Section 150.3, as last amended by
13 Section 7, Chapter 229, O.S.L. 2003 (74 O.S. Supp.
14 2009, Section 150.3), which relates to the Oklahoma
15 State Bureau of Investigation Commission; amending
16 Section 3, Chapter 459, O.S.L. 2003, as amended by
17 Section 3, Chapter 524, O.S.L. 2004 (82 O.S. Supp.
18 2009, Section 863.2), which relates to the Grand
19 River Dam Authority; amending 82 O.S. 2001, Section
20 1085.1, as amended by Section 24, Chapter 375, O.S.L.
21 2002 (82 O.S. Supp. 2009, Section 1085.1), which
22 relates to the Oklahoma Water Resources Board;
23 modifying terms of members of certain boards and
24 commissions; subjecting terms to certain provisions;
deleting obsolete language; updating and clarifying
references; providing for codification; and providing
an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2.5 of Title 74, unless there is
created a duplication in numbering, reads as follows:

It is the intent of the Legislature that members of state boards
and commissions serve for a limited period of time in order to
provide opportunities for participation in essential state
governmental functions to the greatest possible number of citizens.

1 To this end, notwithstanding any other provision of state law,
2 except as otherwise specifically provided in the Oklahoma
3 Constitution:

4 1. All members of state boards and commissions serving on
5 November 1, 2010, shall be allowed to serve until the expiration of
6 their current term;

7 2. Upon such expiration:

8 a. if the member has served in that position for twelve
9 (12) consecutive years or more, the member shall not
10 be eligible for reappointment to his or her position
11 on the board or commission, or

12 b. if the member has not served in that position for such
13 time period, the member shall be eligible to be
14 reappointed to his or her position for a full term if
15 such reappointment would not result in the member
16 serving for twelve (12) consecutive years or more. If
17 such reappointment would result in the member serving
18 in excess of such time period, the member may be
19 reappointed for a partial term of a length which would
20 not result in the member serving for twelve (12)
21 consecutive years or more;

22 3. Once a member of a board or commission is ineligible to be
23 reappointed to a position pursuant to the provisions of paragraph 2
24 of this section, the term of office for the successor shall be no

1 more than six (6) years and no person shall be appointed for a
2 number of full terms in succession which would result in service for
3 twelve (12) consecutive years or more;

4 4. For all initial appointments to boards and commissions made
5 on or after November 1, 2010, the term of office shall be no more
6 than six (6) years and no person shall be appointed for a number of
7 full terms in succession which would result in service for twelve
8 (12) consecutive years or more. Except as otherwise provided in
9 paragraph 2 of this section, service for a partial term shall not
10 count against the limitation provided herein, nor shall service
11 after the expiration of a term pending appointment and qualification
12 of a successor; and

13 5. A member of a board or commission shall not be appointed to
14 a different position on the board or commission in order to evade
15 the limits on the length of service imposed pursuant to the
16 provisions of this section.

17 SECTION 2. AMENDATORY 29 O.S. 2001, Section 3-102, is
18 amended to read as follows:

19 Section 3-102. A. The Wildlife Conservation Commission shall
20 consist of one member from each of eight districts of the state,
21 such districts to include the areas as follows:

22 District No. 1: Ottawa, Delaware, Craig, Mayes, Nowata, Rogers,
23 Washington, Tulsa, Pawnee and Osage Counties.

24

1 District No. 2: Adair, Sequoyah, Cherokee, Wagoner, Muskogee,
2 Haskell, McIntosh and Okmulgee Counties.

3 District No. 3: LeFlore, Latimer, Pittsburg, Atoka, Pushmataha,
4 McCurtain, Choctaw, Bryan, Marshall, Carter and Love Counties.

5 District No. 4: Creek, Lincoln, Okfuskee, Seminole,
6 Pottawatomie, Pontotoc, Hughes, Johnston and Coal Counties.

7 District No. 5: Logan, Oklahoma, Cleveland, McClain, Garvin,
8 Murray and Payne Counties.

9 District No. 6: Blaine, Kingfisher, Canadian, Caddo, Grady,
10 Comanche, Stephens, Jefferson and Cotton Counties.

11 District No. 7: Ellis, Dewey, Roger Mills, Custer, Beckham,
12 Washita, Kiowa, Greer, Jackson, Harmon and Tillman Counties.

13 District No. 8: Cimarron, Texas, Beaver, Harper, Woodward,
14 Woods, Major, Alfalfa, Grant, Garfield, Kay and Noble Counties.

15 B. Each Commissioner shall be appointed by the Governor of the
16 State of Oklahoma, by and with the consent of the State Senate of
17 the State of Oklahoma, and shall be removed only for cause, as
18 provided by law for the removal of officers not subject to
19 impeachment, pursuant to Sections 1181 through 1197 of Title 22 of
20 the Oklahoma Statutes.

21 C. The term of office of each such member shall be ~~eight (8)~~
22 six (6) years, ~~except that the first appointed members shall hold~~
23 ~~office for terms as follows: the member appointed from District No.~~
24 ~~1 shall hold office until July 1 following his appointment, and the~~

1 ~~members appointed from Districts 2, 3, 4, 5, 6, 7 and 8 shall hold~~
2 ~~office until July 1 of the second, third, fourth, fifth, sixth,~~
3 ~~seventh and eighth succeeding calendar years, respectively~~ subject
4 to the provisions of Section 1 of this act. In the event the
5 Governor fails to fill a vacancy within thirty (30) days following
6 such vacancy, the remaining members of the Commission may appoint a
7 qualified person to fill such vacancy for the unexpired portion of
8 the term.

9 D. The members of the Commission shall be allowed travel
10 expenses as provided in the State Travel Reimbursement Act.

11 SECTION 3. AMENDATORY 43A O.S. 2001, Section 2-103, as
12 last amended by Section 3, Chapter 401, O.S.L. 2008 (43A O.S. Supp.
13 2009, Section 2-103), is amended to read as follows:

14 Section 2-103. A. The Board of Mental Health and Substance
15 Abuse Services shall be composed of eleven (11) members, appointed
16 by the Governor, with the advice and consent of the Senate, as
17 follows:

18 1. One member, who shall be a physician licensed to practice in
19 this state, and one member, who shall be a psychiatrist certified as
20 a diplomate of the American Board of Psychiatry and Neurology, shall
21 both be appointed from a list containing the names of not less than
22 three physicians and not less than three psychiatrists submitted to
23 the Governor by the Oklahoma State Medical Association;

24

1 2. One member, who shall be an attorney licensed to practice in
2 this state and shall be appointed from a list of not less than three
3 names submitted to the Governor by the Board of Governors of the
4 Oklahoma Bar Association;

5 3. One member, who shall be a psychologist, licensed to
6 practice in this state, who shall be appointed from a list of not
7 less than three names submitted to the Governor by the Oklahoma
8 State Psychological Association;

9 4. Three members, qualified by education and experience in the
10 area of substance abuse recovery, who shall be appointed from a list
11 of not less than ten names submitted to the Governor by a state
12 association of substance abuse recovery programs or organizations
13 for terms ending on December 31, 2002, December 31, 2004, and
14 December 31, 2006, respectively; and

15 5. Four members who shall be citizens of this state, at least
16 one of whom shall be either a current or former consumer of mental
17 health services.

18 B. Upon expiration of the initial terms of each of the four
19 members, a successor shall be appointed for a full term of ~~seven (7)~~
20 six (6) years, subject to the provisions of Section 1 of this act.

21 C. No person shall be appointed a member of the Board who has
22 been a member of the Legislature of this state within the preceding
23 five (5) years.

1 D. The Board shall elect from among its members a chair and a
2 vice-chair. The chair may call meetings at any time.

3 E. All regularly scheduled meetings of the Board shall be held
4 at the Central Office of the Department of Mental Health and
5 Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise
6 scheduled. Six members shall constitute a quorum at any meeting, and
7 all action may be taken by an affirmative vote of the majority of
8 the members present at any such meeting.

9 F. The action taken by the Board on any matter, or any document
10 passed by the Board, shall be considered official when such action
11 is placed in writing and signed by the chair or vice-chair.

12 G. The duties of the Board shall pertain to the care,
13 treatment, and hospitalization of persons with mental illness, or
14 alcohol- or drug-dependent persons.

15 H. Members of the Board of Mental Health and Substance Abuse
16 Services shall be allowed their necessary travel expenses pursuant
17 to the provisions of the State Travel Reimbursement Act.

18 I. Members of the Board of Mental Health and Substance Abuse
19 Services shall be allowed to serve on the State Board of Medical
20 Licensure and Supervision during members' terms on the Board of
21 Mental Health and Substance Abuse Services.

22 SECTION 4. AMENDATORY 45 O.S. 2001, Section 1, is
23 amended to read as follows:

24

1 Section 1. A. 1. There is hereby created the Oklahoma Mining
2 Commission. The Commission shall be composed of nine (9) members to
3 be appointed by the Governor with the advice and consent of the
4 Senate.

5 2. The Commission shall constitute a body corporate of the
6 State of Oklahoma, and exercise by the Commission of the powers
7 conferred by this ~~act~~ title shall be deemed and shall be held to be
8 an essential governmental function of the State of Oklahoma.

9 3. Beginning January 1, 1986, one member shall be appointed for
10 a term of one (1) year (Position One); one member shall be appointed
11 for a term of two (2) years (Position Two); one member shall be
12 appointed for a term of three (3) years (Position Three); one member
13 shall be appointed for a term of four (4) years (Position Four); one
14 member shall be appointed for a term of five (5) years (Position
15 Five); two members shall be appointed for a term of six (6) years
16 (Positions Six and Seven); and two members shall be appointed for a
17 term of seven (7) years (Positions Eight and Nine).

18 4. After the initial terms, appointments shall be made for
19 ~~seven (7)~~ six (6) years, subject to the provisions of Section 1 of
20 this act. ~~All appointments made for seven year terms commencing~~
21 ~~prior to June 1, 1995, are hereby ratified.~~ Each member shall be a
22 qualified elector of this state.

23 5. The membership shall consist of at least one person with a
24 background in engineering or geology; one person with a background

1 in labor or workers' safety; one person with a background in
2 agriculture or soil conservation; one person with a background in
3 transportation; one person with a background in economic development
4 or banking; one person with a background in public utilities; one
5 person with a background in natural resources; and two persons
6 selected at large. All persons appointed to the Commission must be
7 able to meet, at the time they take the constitutional and statutory
8 oath of office, the provisions in Section 767 of this title, 30
9 U.S.C. Section 1267(g) and 30 C.F.R. Section 705.

10 B. The Commission shall meet at least six times annually. A
11 majority of the Commission shall constitute a quorum. Commission
12 members may be removed only for cause.

13 Whenever a vacancy shall occur, the Governor shall appoint a
14 person to fill the unexpired term of the vacant office. Each member
15 of the Commission shall take and subscribe to the constitutional and
16 statutory oath of office prior to the performance of any duties as a
17 Commission member.

18 C. The Commission shall reorganize annually by electing a
19 chair, vice-chair and secretary from the membership of the
20 Commission who shall perform, for one (1) year from the date of
21 their election, such duties as shall be prescribed by the
22 Commission.

23 D. The chair of the Commission or the Director may call a
24 meeting of the Commission at any time and at any place within the

1 state. Only in case of a tie vote shall the Director have the right
2 to vote. Prior to all meetings of the Commission, notice of such
3 meetings shall be in accordance with the applicable state meeting
4 laws.

5 E. The term "State Mining Board" appearing in the Oklahoma
6 Statutes shall mean the "Oklahoma Mining Commission". The term
7 "Chief Mine Inspector" appearing in the Oklahoma Statutes shall mean
8 "Director of the Department of Mines" in the absence of an appointed
9 Chief Mine Inspector.

10 SECTION 5. AMENDATORY 59 O.S. 2001, Section 482, is
11 amended to read as follows:

12 Section 482. Physician members of the State Board of Medical
13 Licensure and Supervision shall be appointed for terms of ~~seven (7)~~
14 six (6) years, subject to the provisions of Section 1 of this act.
15 The lay members of the Board shall serve terms coterminous with that
16 of the Governor and until a qualified successor has been duly
17 appointed and shall serve at the pleasure of the Governor. No
18 member shall be appointed to serve more than two complete
19 consecutive terms. Each physician member shall hold office until
20 the expiration of the term for which appointed or until a qualified
21 successor has been duly appointed. An appointment shall be made by
22 the Governor within ninety (90) days after the expiration of the
23 term of any member or the occurrence of a vacancy on the Board due
24 to resignation, death, or any cause resulting in an unexpired term.

1 The appointment of allopathic physicians shall be made from a list
2 of three names submitted to the Governor by the Oklahoma State
3 Medical Association. The Association may submit names of members or
4 nonmembers of the Association. No member of the Board shall be a
5 stockholder in or full-time salaried or full-time geographic member
6 of the faculty or board of trustees of any medical school.

7 SECTION 6. AMENDATORY 59 O.S. 2001, Section 624, as
8 amended by Section 1, Chapter 22, O.S.L. 2005 (59 O.S. Supp. 2009,
9 Section 624), is amended to read as follows:

10 Section 624. A. There is hereby re-created the State Board of
11 Osteopathic Examiners to continue until July 1, 2011, in accordance
12 with the provisions of the Oklahoma Sunset Law.

13 B. The State Board of Osteopathic Examiners shall consist of
14 eight (8) examiners appointed by the Governor, two of whom shall be
15 lay persons. The remaining examiners shall be regularly licensed
16 osteopathic physicians in good standing in this state who have been
17 so engaged for a period of at least five (5) years immediately prior
18 to their appointment. The osteopathic physician examiners shall be
19 appointed by the Governor from a list of not less than six names
20 submitted to the Governor by the Oklahoma Osteopathic Association
21 annually, and any present member of the Board of Examiners shall be
22 appointed to fill out the unexpired term. All appointments made to
23 the Board shall be for terms of ~~seven (7)~~ six (6) years, subject to
24 the provisions of Section 1 of this act. In the event of a vacancy

1 brought about for any reason, the post so vacated shall be filled
2 from a list of not less than six names submitted by the Oklahoma
3 Osteopathic Association.

4 C. The Board shall have and use a common seal, and make and
5 adopt all necessary rules relating to the enforcement of the
6 provisions of the Oklahoma Osteopathic Medicine Act.

7 D. Examinations may be held at the discretion of the Board, at
8 the time and place fixed by the Board, and all applicants shall be
9 notified in writing.

10 SECTION 7. AMENDATORY 63 O.S. 2001, Section 1-103, as
11 amended by Section 1, Chapter 230, O.S.L. 2002 (63 O.S. Supp. 2009,
12 Section 1-103), is amended to read as follows:

13 Section 1-103. A. 1. There is hereby created the State Board
14 of Health, which shall consist of nine (9) members appointed by the
15 Governor and confirmed by the Senate for regular terms of ~~nine (9)~~
16 six (6) years, subject to the provisions of Section 1 of this act,
17 except as hereinafter otherwise indicated.

18 2. Not less than four members shall hold a current license to
19 practice medicine in this state pursuant to the Oklahoma Allopathic
20 Medical and Surgical Licensure and Supervision Act and the Oklahoma
21 Osteopathic Medicine Act. At least one physician member shall be a
22 person licensed to practice medicine in this state by the State
23 Board of Osteopathic Examiners. Physician members licensed by the
24 State Board of Medical Licensure and Supervision shall be members of

1 the Oklahoma State Medical Association. One physician member shall
2 be a diplomate of the American Board of Psychiatry and Neurology or
3 be similarly qualified.

4 B. 1. The term of office of one member shall expire on June
5 30, ~~1964~~ 2018, and each ~~nine (9)~~ six (6) years thereafter, and such
6 member shall be a resident of one of the following counties and
7 shall have been a resident of one or more of such counties for not
8 less than five (5) years immediately preceding such member's
9 appointment: Creek, Lincoln, Okfuskee, Seminole, Pottawatomie,
10 Pontotoc, Hughes, Johnston, and Coal.

11 2. The term of office of one member shall expire on June 30,
12 ~~1965~~ 2019, and each ~~nine (9)~~ six (6) years thereafter, and such
13 member shall be a resident of one of the following counties and
14 shall have been a resident of one or more of such counties for not
15 less than five (5) years immediately preceding such member's
16 appointment: Blaine, Kingfisher, Canadian, Caddo, Grady, Comanche,
17 Stephens, Jefferson, and Cotton.

18 3. The term of office of one member shall expire on June 30,
19 ~~1966~~ 2011, and each ~~nine (9)~~ six (6) years thereafter, and such
20 member shall be a resident of one of the following counties and
21 shall have been a resident of one or more of such counties for not
22 less than five (5) years immediately preceding such member's
23 appointment: Le Flore, Latimer, Pittsburg, Atoka, Pushmataha,
24 McCurtain, Choctaw, Bryan, Marshall, Carter, and Love.

1 4. The term of office of one member shall expire on June 30,
2 ~~1967~~ 2012, and each ~~nine (9)~~ six (6) years thereafter, and such
3 member shall be a resident of one of the following counties and
4 shall have been a resident of one or more of such counties for not
5 less than five (5) years immediately preceding such member's
6 appointment: Cimarron, Texas, Beaver, Harper, Woodward, Woods,
7 Major, Alfalfa, Grant, Garfield, Kay, and Noble.

8 5. The term of office of one member shall expire on June 30,
9 ~~1968~~ 2013, and each ~~nine (9)~~ six (6) years thereafter, and such
10 member shall be a resident of one of the following counties and
11 shall have been a resident of one or more of such counties for not
12 less than five (5) years immediately preceding such member's
13 appointment: Adair, Sequoyah, Cherokee, Wagoner, Muskogee, Haskell,
14 McIntosh, and Okmulgee.

15 6. The term of office of one member shall expire on June 30,
16 ~~1969~~ 2014, and each ~~nine (9)~~ six (6) years thereafter, and such
17 member shall be a resident of one of the following counties and
18 shall have been a resident of one or more of such counties for not
19 less than five (5) years immediately preceding such member's
20 appointment: Ottawa, Delaware, Craig, Mayes, Nowata, Rogers,
21 Washington, Tulsa, Pawnee, and Osage.

22 7. The term of office of one member shall expire on June 30,
23 ~~1970~~ 2017, and each ~~nine (9)~~ six (6) years thereafter, and such
24 member shall be a resident of one of the following counties and

1 shall have been a resident of one or more of such counties for not
2 less than five (5) years immediately preceding such member's
3 appointment: Logan, Oklahoma, Cleveland, McClain, Garvin, Murray,
4 and Payne.

5 8. The term of office of one member shall expire on June 30,
6 ~~1971~~ 2016, and each ~~nine (9)~~ six (6) years thereafter, and such
7 member shall be a resident of one of the following counties and
8 shall have been a resident of one or more of such counties for not
9 less than five (5) years immediately preceding such member's
10 appointment: Ellis, Dewey, Roger Mills, Custer, Beckham, Washita,
11 Kiowa, Greer, Jackson, Harmon, and Tillman.

12 9. The term of office of one member shall expire on June 30,
13 ~~1972~~ 2015, and each ~~nine (9)~~ six (6) years thereafter, and such
14 member shall be appointed from the State of Oklahoma at large, and
15 shall have been a resident of the state for not less than five (5)
16 years immediately preceding such member's appointment.

17 SECTION 8. AMENDATORY 69 O.S. 2001, Section 302, is
18 amended to read as follows:

19 Section 302. ~~(a)~~ A. The State Transportation Commission shall
20 consist of one (1) member from each of eight districts of the state,
21 such districts to serve as the maintenance districts and to include
22 the area as follows:

23 District 1. Wagoner, Cherokee, Adair, Sequoyah, Muskogee,
24 Okmulgee, McIntosh and Haskell Counties.

1 District 2. Pittsburg, Latimer, LeFlore, McCurtain, Pushmataha,
2 Atoka, Choctaw, Bryan and Marshall Counties.

3 District 3. Lincoln, Cleveland, McClain, Garvin, Pottawatomie,
4 Okfuskee, Seminole, Hughes, Pontotoc, Coal and Johnston Counties.

5 District 4. Payne, Logan, Canadian, Kingfisher, Garfield,
6 Grant, Kay, Noble and Oklahoma Counties.

7 District 5. Roger Mills, Dewey, Custer, Washita, Beckham,
8 Greer, Kiowa, Harmon, Jackson, Blaine, and Tillman Counties.

9 District 6. Cimarron, Texas, Beaver, Harper, Woods, Alfalfa,
10 Ellis, Major and Woodward Counties.

11 District 7. Carter, Love, Murray, Grady, Comanche, Stephens,
12 Cotton, Caddo and Jefferson Counties.

13 District 8. Osage, Pawnee, Nowata, Creek, Craig, Ottawa,
14 Rogers, Mayes, Delaware, Washington and Tulsa Counties.

15 ~~(b)~~ B. The members of the Commission shall be appointed by the
16 Governor, by and with the consent of the Senate, such appointment to
17 have full force and effect and to be submitted to the Senate for its
18 confirmation at the first session of the Senate after such
19 appointment is made. No Commissioner shall be entitled to the
20 payment of salary, or to perform any service, until ~~his~~ the
21 appointment is confirmed by the Senate, if the Senate then be in
22 session; if the Senate be not in session, then such Commissioner may
23 serve and draw ~~his~~ the salary until a special or regular session
24 convenes; and if ~~his~~ the appointment is not then confirmed within

1 twenty (20) days, he or she shall cease to perform such services and
2 cease to draw ~~his~~ the salary. Each of the Commissioners thus
3 appointed shall, at the time of ~~his~~ appointment, be a citizen and
4 resident of the district for which he or she shall have been
5 appointed for at least three (3) years prior to the date of ~~his~~
6 appointment. Not more than one Commissioner shall reside in any one
7 district, as defined herein, at any time while serving on the
8 Commission. Each Commissioner thus appointed and confirmed shall,
9 after the first term of office as herein provided, serve for a term
10 of ~~eight (8)~~ six (6) years, subject to the provisions of Section 1
11 of this act, and unless ~~he is~~ reappointed by the Governor and
12 confirmed by the Senate within twenty (20) legislative days ~~his,~~ the
13 Commissioner's services are automatically terminated and he or she
14 shall cease to draw ~~his~~ the salary, or any perquisites or emoluments
15 as a Commissioner; provided, that in the event the Governor's
16 appointee is not confirmed by the Senate within ten (10) days from
17 the date ~~his~~ the name is submitted, then the Governor shall submit a
18 further appointee for confirmation; and during ~~his~~ the term of
19 office may be removed by the Governor at ~~his~~ the Governor's
20 pleasure. ~~The terms of office shall be as follows: Two~~
21 ~~Commissioners shall serve until the 15th day of February, 1969; two~~
22 ~~Commissioners shall serve until the 15th day of February, 1971; two~~
23 ~~Commissioners shall serve until the 15th day of February, 1973; and~~
24 ~~two Commissioners shall serve until the 15th day of February, 1975;~~

1 ~~and the Governor, at the time of making the first appointment,~~
2 ~~shall, in his order of appointment, designate the term each~~
3 ~~Commissioner so appointed shall serve. Thereafter the~~

4 C. The term of each Commissioner appointed and confirmed shall
5 expire the ~~15th~~ fifteenth day of February in the ~~eighth~~ sixth year
6 after ~~his~~ appointment, and in case of death, resignation, or
7 removal, the place shall be filled by appointment by the Governor
8 for the remainder of the term. Such appointments also shall be
9 confirmed by the Senate. The members of the Commission each shall
10 receive an annual salary of Four Thousand Eight Hundred Dollars
11 (\$4,800.00), payable monthly, and each shall be entitled to receive
12 travel expenses pursuant to the State Travel Reimbursement Act,
13 Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. The
14 Governor shall be an ex officio member of the Commission, but shall
15 be entitled to vote only in case of a tie vote.

16 ~~(c) Provided, that persons serving as members of the State~~
17 ~~Highway Commission created by Section 301 of this title, when this~~
18 ~~Code becomes effective shall serve as members of the State~~
19 ~~Transportation Commission created by this Code for the remainder of~~
20 ~~the terms for which they were appointed, in the positions on the~~
21 ~~latter Commission having corresponding terms of office, or until~~
22 ~~such positions are filled as herein provided. Future Gubernatorial~~
23 ~~appointments shall be made from districts as directed by this act.~~

1 SECTION 9. AMENDATORY 69 O.S. 2001, Section 1703, as
2 amended by Section 2, Chapter 68, O.S.L. 2005 (69 O.S. Supp. 2009,
3 Section 1703), is amended to read as follows:

4 Section 1703. A. There is hereby created a body corporate and
5 politic to be known as the "Oklahoma Turnpike Authority" and by that
6 name the Authority may sue and be sued, and plead and be impleaded.
7 The Authority is hereby constituted an instrumentality of the state,
8 and the exercise by the Authority of the powers conferred by ~~this~~
9 ~~act~~ Section 1701 et seq. of this title in the construction,
10 operation, and maintenance of turnpike projects shall be deemed and
11 held to be an essential governmental function of the state with all
12 the attributes thereof. Provided, however, the ~~Turnpike~~ Authority
13 is authorized to carry and shall carry liability insurance to the
14 same extent and in the same manner as the Transportation Commission,
15 and in addition thereto it shall be subject to the workers'
16 compensation laws of the state the same as a private construction
17 project.

18 B. The Oklahoma Turnpike Authority shall consist of the
19 Governor, who shall be a member ex officio, and six (6) members to
20 be appointed by the Governor, by and with the consent of the Senate.
21 The appointive members shall be residents of the state, and shall
22 have been qualified electors therein for a period of at least one
23 (1) year next preceding their appointment. One appointive member
24

1 shall be appointed from each of six districts of the state, such
2 districts to include the area as follows:

3 District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin
4 Counties.

5 District 2. Washington, Nowata, Craig, Ottawa, Rogers, Mayes,
6 Delaware, Wagoner, Cherokee, Adair, Okmulgee, Osage, Muskogee,
7 Sequoyah, McIntosh and Haskell Counties.

8 District 3. Coal, Logan, Payne, Lincoln, Creek, Okfuskee,
9 Pottawatomie, Seminole, Hughes and Pontotoc Counties.

10 District 4. Kay, Pawnee, Garfield, Noble, Tulsa, Woods,
11 Woodward, Major, Alfalfa and Grant Counties.

12 District 5. Cimarron, Grady, Texas, Beaver, Harper, Ellis,
13 Roger Mills, Dewey, Custer, Caddo, Washita, Beckham, Harmon,
14 Stephens, Jefferson, Greer, Kiowa, Jackson, Tillman, Comanche,
15 Cotton, Kingfisher and Blaine Counties.

16 District 6. Carter, Love, Murray, Johnston, Marshall, Atoka,
17 Bryan, Pittsburg, Latimer, Le Flore, Pushmataha, Choctaw and
18 McCurtain Counties.

19 The members of the Authority appointed shall continue in office
20 for terms expiring as follows: District 1, July 1, ~~1968~~ 2016;
21 District 2, July 1, ~~1971~~ 2011; District 3, July 1, ~~1972~~ 2012;
22 District 4, July 1, ~~1973~~ 2013; District 5, July 1, ~~1974~~ 2014; and
23 District 6, July 1, ~~1975~~ 2015. ~~Provided, that appointive members~~
24 ~~serving on the Oklahoma Turnpike Authority created by 69 O.S. 1961,~~

1 ~~Section 653, when this act becomes effective shall continue to serve~~
2 ~~as members of the Oklahoma Turnpike Authority created by this~~
3 ~~section, for the terms for which they were appointed, unless sooner~~
4 ~~removed by the Governor.~~ The successor of each appointive member
5 shall be appointed for a term of ~~eight (8)~~ six (6) years, subject to
6 the provisions of Section 1 of this act, except that any person
7 appointed to fill a vacancy shall be appointed to serve only for the
8 unexpired term, and a member of the Authority shall be eligible for
9 reappointment. Each appointed member of the Authority before
10 entering upon the duties of office shall take an oath as provided by
11 Section 1 of Article XV of the Constitution of the State of
12 Oklahoma. Any appointive member of the Authority may be removed by
13 the Governor at any time with or without cause.

14 C. The Authority shall elect one of the appointed members as
15 ~~chairperson~~ chair and another as ~~vice-chairperson~~ vice-chair, and
16 shall also elect a Secretary and Treasurer. A majority of the
17 members of the Authority shall constitute a quorum and the vote of a
18 majority of the members shall be necessary for any action taken by
19 the Authority. No vacancy in the membership of the Authority shall
20 impair the right of a quorum to exercise all the rights and perform
21 all the duties of the Authority.

22 D. Before the issuance of any turnpike revenue bonds under the
23 provisions of ~~this act~~ Section 1701 et seq. of this title, each
24 appointed member of the Authority shall execute a surety bond in the

1 penal sum of Twenty-five Thousand Dollars (\$25,000.00) and the
2 secretary and treasurer shall execute a surety bond in the penal sum
3 of One Hundred Thousand Dollars (\$100,000.00), each such surety bond
4 to be conditioned upon the faithful performance of the duties of the
5 office, to be executed by a surety company authorized to transact
6 business in the State of Oklahoma as surety and to be approved by
7 the Governor and filed in the office of the Secretary of State.

8 E. The members of the Authority shall not be entitled to
9 compensation for their services, but each member shall be reimbursed
10 for actual expenses necessarily incurred in the performance of the
11 duties of such member. All expenses incurred in carrying out the
12 provisions of ~~this act~~ Section 1701 et seq. of this title shall be
13 payable solely from funds provided under the authority of ~~this act~~
14 Section 1701 et seq. of this title and no liability or obligation
15 shall be incurred by the Authority hereunder beyond the extent to
16 which monies shall have been provided under the authority of ~~this~~
17 ~~act~~ Section 1701 et seq. of this title.

18 F. Whenever the terms "Oklahoma Transportation Authority",
19 "Transportation Authority" or "Authority", when used in reference to
20 the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes,
21 such terms shall mean the Oklahoma Turnpike Authority.

22 SECTION 10. AMENDATORY Section 1, Chapter 130, O.S.L.
23 2008 (70 O.S. Supp. 2009, Section 3431), is amended to read as
24 follows:

1 Section 3431. A. On January 1, 2009, there shall be created
2 the Board of Trustees for Langston University-Oklahoma City and
3 Langston University-Tulsa which shall consist of seven members
4 appointed by the Governor and two members of the Board of Regents
5 for the Oklahoma Agricultural and Mechanical Colleges, or their
6 designees, selected by the chair of the Board of Regents, who shall
7 serve as voting, ex officio members. For purposes of serving on the
8 Board of Trustees, the members of the Board of Regents for the
9 Oklahoma Agricultural and Mechanical Colleges who are appointed to
10 the Board of Trustees shall not be subject to the dual-office-
11 holding restrictions in Section 6 of Title 51 of the Oklahoma
12 Statutes. The Governor shall appoint the other members of the Board
13 of Trustees with the advice and consent of the Senate. The members
14 shall be appointed to numbered positions with staggered terms to
15 expire as provided in this section. Successors to the initial board
16 members shall serve ~~seven-year~~ six-year terms that shall expire on
17 June 30 of the ~~seventh~~ sixth year following appointment, subject to
18 the provisions of Section 1 of this act. Vacancies on the Board
19 shall be filled for the unexpired term by the Governor with the
20 advice and consent of the Senate. One member of the Board of
21 Regents for the Oklahoma Agricultural and Mechanical Colleges shall
22 hold position number eight on the Board of Trustees. The other
23 member of the Board of Regents for the Oklahoma Agricultural and
24

1 Mechanical Colleges shall hold position number nine on the Board of
2 Trustees. The numbered positions and terms shall be as follows:

3 1. Position No. 1: The term of office of one member shall
4 expire on June 30, ~~2010~~ 2017, and each ~~seven (7)~~ six (6) years
5 thereafter;

6 2. Position No. 2: The term of office of one member shall
7 expire on June 30, 2011, and each ~~seven (7)~~ six (6) years
8 thereafter;

9 3. Position No. 3: The term of office of one member shall
10 expire on June 30, 2012, and each ~~seven (7)~~ six (6) years
11 thereafter;

12 4. Position No. 4: The term of office of one member shall
13 expire on June 30, 2013, and each ~~seven (7)~~ six (6) years
14 thereafter;

15 5. Position No. 5: The term of office of one member shall
16 expire on June 30, 2014, and each ~~seven (7)~~ six (6) years
17 thereafter;

18 6. Position No. 6: The term of office of one member shall
19 expire on June 30, 2015, and each ~~seven (7)~~ six (6) years
20 thereafter;

21 7. Position No. 7: The term of office of one member shall
22 expire on June 30, 2016, and each ~~seven (7)~~ six (6) years
23 thereafter;

24

1 8. Position No. 8: The term of office shall coincide with the
2 member's term on the Board of Regents for the Oklahoma Agricultural
3 and Mechanical Colleges; and

4 9. Position No. 9: The term of office shall coincide with the
5 member's term on the Board of Regents for the Oklahoma Agricultural
6 and Mechanical Colleges.

7 B. The Board of Trustees shall be a body corporate and shall
8 adopt and use an official seal. The Board of Trustees shall elect a
9 chair, vice-chair, and secretary annually, each of whom shall serve
10 for a term of one (1) fiscal year and until a successor is elected
11 and qualified, and who shall perform all duties as directed by the
12 Board of Trustees. The Board of Trustees shall adopt rules which it
13 deems necessary for the operation of the Board and the discharge of
14 its duties and shall cause the minutes of all meetings to be kept.
15 The Board of Trustees shall comply with the Oklahoma Open Meeting
16 Act and the Oklahoma Open Records Act.

17 C. The Board of Trustees for Langston University-Oklahoma City
18 and Langston University-Tulsa shall advise the president of Langston
19 University and the Board of Regents for the Oklahoma Agricultural
20 and Mechanical Colleges on the supervision and management of the
21 campus of Langston University-Oklahoma City and Langston University-
22 Tulsa and perform other functions as necessary. The Board of
23 Trustees shall promulgate rules and enact policies to govern the
24 processes and procedures of the Board. The Board of Regents for the

1 Oklahoma Agricultural and Mechanical Colleges and the Board of
2 Trustees shall appoint a joint committee of at least two members
3 from each board and at least two members of the staff of each
4 institution to develop and propose mutually agreed-upon rules and
5 policies to formalize the review and oversight procedures and the
6 relationships between the Board of Regents for the Oklahoma
7 Agricultural and Mechanical Colleges, Langston University, Langston
8 University-Oklahoma City and Langston University-Tulsa. It is the
9 intent of the Legislature that in the interests of immediate
10 responsiveness to the needs of students, employees, and the business
11 community that the decision or approval process be expedited.

12 D. On or after January 1, 2009, the Board of Regents for the
13 Oklahoma Agricultural and Mechanical Colleges may assign and
14 delineate roles and responsibilities for the Board of Trustees for
15 Langston University-Oklahoma City and Langston University-Tulsa.
16 The responsibilities may include, but are not limited to, student
17 services, facility operations, student financial services, budget
18 preparations, endowed chairs at Langston University-Oklahoma City
19 and Langston University-Tulsa, and administrative operations as
20 specified by the Board of Regents for the Oklahoma Agricultural and
21 Mechanical Colleges.

22 E. The Board of Trustees shall establish the usual and
23 customary accounts established by higher education institutions
24

1 within the Office of State Finance necessary to carry out its
2 duties.

3 SECTION 11. AMENDATORY 70 O.S. 2001, Section 4451, as
4 last amended by Section 2, Chapter 101, O.S.L. 2008 (70 O.S. Supp.
5 2009, Section 4451), is amended to read as follows:

6 Section 4451. A. There is hereby created a board of trustees
7 to act as the administrative agency for the Quartz Mountain Arts and
8 Conference Center and Nature Park ("Center"). The board shall
9 represent a consortium of higher education institutions within The
10 Oklahoma State System of Higher Education with an interest in the
11 administration of the Center, residents of southwest Oklahoma and a
12 nonprofit arts organization which operates a fine arts institute and
13 continuing education programs with an interest in the administration
14 of the Center. The Quartz Mountain Arts and Conference Center and
15 Nature Park shall be an integral part of The Oklahoma State System
16 of Higher Education.

17 B. Beginning July 1, 2008, the board shall consist of nine (9)
18 members, three of whom shall be the presidents of each of the
19 following higher education institutions or shall be individuals who
20 meet the qualifications set forth in subsection D of this section
21 and represent and are selected by the president of each of the
22 following higher education institutions:

- 23 1. Western Oklahoma State College;
- 24 2. Cameron University; and

1 3. Southwestern Oklahoma State University.

2 The remaining six members shall be appointed by the Governor
3 with the advice and consent of the Senate. The members appointed by
4 the Governor shall hold numbered positions with staggered terms to
5 expire as provided in subsection C of this section. Successors to
6 the members initially appointed by the Governor shall serve ~~seven-~~
7 year six-year terms that shall expire on June 30 of the ~~seventh~~
8 sixth year following appointment, subject to the provisions of
9 Section 1 of this act. Appointed members may serve successive terms
10 unless otherwise provided in Section 1 of this act.

11 Position one shall be the president of an arts organization
12 recognized as a nonprofit organization pursuant to 26 U.S.C.,
13 Section 501(c)(3) that utilizes the Center facilities for the fine
14 arts institute and continuing education programs offered by the
15 organization. Positions two and three shall be individuals who are
16 members of an arts organization recognized as a nonprofit
17 organization pursuant to 26 U.S.C., Section 501(c)(3) that utilize
18 the Center facilities for the fine arts institute and continuing
19 education programs offered by the organization. Position four shall
20 be a resident of Kiowa County. Position five shall be a resident of
21 Greer County. Position six shall be a resident of Jackson County.

22 C. The numbered positions and terms shall be as follows:
23
24

1 1. Position No. 1: the term of office of one member shall
2 expire on June 30, 2014, and each ~~seven (7)~~ six (6) years
3 thereafter;

4 2. Position No. 2: the term of office of one member shall
5 expire on June 30, 2013, and each ~~seven (7)~~ six (6) years
6 thereafter;

7 3. Position No. 3: the term of office of one member shall
8 expire on June 30, 2012, and each ~~seven (7)~~ six (6) years
9 thereafter;

10 4. Position No. 4: the term of office of one member shall
11 expire on June 30, 2011, and each ~~seven (7)~~ six (6) years
12 thereafter;

13 5. Position No. 5: the term of office of one member shall
14 expire on June 30, ~~2010~~ 2017, and each ~~seven (7)~~ six (6) years
15 thereafter; and

16 6. Position No. 6: the term of office of one member shall
17 expire on June 30, ~~2009~~ 2016, and each ~~seven (7)~~ six (6) years
18 thereafter.

19 D. Any member selected by a president of a higher education
20 institution to serve on the board shall be employed as an
21 administrator at the vice-president level or higher or as a provost
22 at the higher education institution which the member is
23 representing.

24

1 ~~E. The terms of office of the members of the board of trustees~~
2 ~~serving on the effective date of this act shall expire July 1, 2008.~~
3 ~~Any member of the board of trustees serving prior to June 30, 2008,~~
4 ~~may be appointed to the board of trustees on or after July 1, 2008,~~
5 ~~if the member is otherwise eligible to serve.~~

6 F. The Chancellor of Higher Education shall call the first
7 meeting of the board. The board of trustees shall be a body
8 corporate and shall adopt and use an official seal. The board shall
9 elect a chair, vice-chair, and secretary annually. The board shall
10 comply with the Oklahoma Open Meeting Act and the Oklahoma Open
11 Records Act. The board shall have the authority to submit a budget
12 annually to the Oklahoma State Regents for Higher Education,
13 administer monies allocated by the Oklahoma State Regents for Higher
14 Education, select and employ a chief executive officer and other
15 employees, and to expend all monies allocated to the Center as may
16 be necessary to perform the duties and responsibilities of the
17 board. The board shall have the supervision, management and control
18 of the Center. The board shall be authorized to adopt rules and
19 regulations it deems necessary to govern the Center; enter into
20 contracts for taking title to real and personal property; lease
21 Center facilities for programs and institutes; accept private funds
22 and gifts of real or personal property for joint development of the
23 Center as a cultural conference center, arts park and natural area
24 preserve; commission park rangers as provided in subsection F of

1 this section, and fulfill other duties and responsibilities of the
2 board. Board members shall receive no compensation for service on
3 the board but are to be reimbursed for reasonable and necessary
4 expenses.

5 ~~G.~~ F. The board may commission any officer or employee who is
6 certified pursuant to Section 3311 of this title as a park ranger as
7 the board deems necessary to secure the Center and to maintain law
8 and order. Park rangers, when commissioned, shall have all the
9 powers of peace officers except the serving or execution of civil
10 process and shall have in all parts of the state the same powers
11 with respect to criminal matters and enforcement of the laws
12 relating thereto as sheriffs, highway patrol troopers, and police
13 officers in their respective jurisdictions and shall possess all
14 immunities and matters of defense now available or hereafter made
15 available to sheriffs, highway patrol troopers, and police officers
16 in any suit brought against them in consequence of acts done in the
17 course of their employment, provided that the rangers shall comply
18 with the provisions of Section 3311 of this title.

19 ~~H.~~ G. 1. Notwithstanding any other provisions of law, no
20 person may:

- 21 a. discharge fireworks in any posted areas of the Center,
- 22 b. possess any glass container in a designated and posted
23 swim or beach area within the Center premises,

24

- 1 c. build a fire on the Center premises in areas posted as
2 prohibited by the board of trustees,
3 d. solicit or demand gifts, money, goods or services on
4 the Center premises, or
5 e. sell, hawk, or peddle on the Center premises any
6 goods, wares, merchandise, liquids, edibles, or any
7 item of value, without having a contract or lease
8 agreement approved by the board of trustees.

9 2. Any person convicted of violating the provisions of this
10 subsection shall be punished by a fine of not less than Fifty
11 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), or
12 imprisonment in the county jail for not more than thirty (30) days,
13 or by both such fine and imprisonment.

14 3. Fifty percent (50%) of all monies collected pursuant to this
15 subsection shall be deposited in a fund designated by the State
16 Regents and fifty percent (50%) shall be remitted to the county in
17 which the violation is made.

18 ~~F.~~ H. The Center is authorized to employ seasonal employees
19 throughout the calendar year who work fewer than one thousand two
20 hundred (1,200) hours in any twelve-month period. These employees
21 shall not be entitled to paid leave, paid holidays, retirement,
22 health, dental or life insurance, and shall be exempt from any laws,
23 rules, or practices providing for these benefits.

1 ~~J.~~ I. It is the intent of the Legislature that the State
2 Regents shall provide staffing and travel reimbursement for staff
3 and the board, in accordance with the State Travel Reimbursement
4 Act.

5 ~~K.~~ J. The board of trustees shall work with the three
6 consortium higher education institutions and the State Regents to
7 establish or provide courses or programs of study to be offered by
8 the institutions which utilize and incorporate the facilities and
9 resources of the Center.

10 SECTION 12. AMENDATORY 74 O.S. 2001, Section 150.3, as
11 last amended by Section 7, Chapter 229, O.S.L. 2003 (74 O.S. Supp.
12 2009, Section 150.3), is amended to read as follows:

13 Section 150.3 A. There is hereby created an Oklahoma State
14 Bureau of Investigation Commission which shall consist of seven (7)
15 members, not more than two of whom shall be from the same
16 congressional district. When congressional districts are redrawn,
17 each member appointed prior to July 1 of the year in which such
18 modification becomes effective shall complete the current term of
19 office and appointments made after July 1 of the year in which such
20 modification becomes effective shall be based on the redrawn
21 districts. No appointments may be made after July 1 of the year in
22 which such modification becomes effective if such appointment would
23 result in more than two members serving from the same modified
24 district. The members shall be appointed by the Governor and

1 confirmed by the Senate and shall be removable only for cause, as
2 provided by law for the removal of officers not subject to
3 impeachment. The term of office of each member shall be ~~seven (7)~~
4 six (6) years, subject to the provisions of Section 1 of this act.
5 ~~The first appointments shall be for the following terms as~~
6 ~~designated by the Governor: one member for a term of one (1) year;~~
7 ~~one member for a term of two (2) years; one member for a term of~~
8 ~~three (3) years; one member for a term of four (4) years; one member~~
9 ~~for a term of five (5) years; one member for a term of six (6)~~
10 ~~years; and one member for a term of seven (7) years. A member may~~
11 ~~serve more than one term on the Commission, subject to the~~
12 provisions of Section 1 of this act. Each member shall continue to
13 serve so long as the member is qualified until a successor has been
14 appointed and confirmed by the Senate. Vacancies occurring during a
15 term shall be filled for the unexpired portion of the term by the
16 same procedure used to make the regular appointments.

17 B. Four of the members shall represent the lay citizenry, one
18 member shall be a district attorney while serving in that capacity,
19 one member shall be a sheriff while serving in that capacity, and
20 one member shall be a chief of police while serving in that
21 capacity; provided that the sheriff and police chief members shall
22 have successfully completed an approved course of instruction for
23 peace officers as required by law.

24

1 C. Annually the Commission shall select one of the Commission
2 members to serve as chair and one member to serve as vice-chair.
3 The Commission shall meet at least quarterly. The chair shall
4 preside at all meetings of the Commission and shall have the power
5 to call meetings of the Commission. In addition, meetings of the
6 Commission may be called by a majority of the members. The vice-
7 chair shall perform these functions in the absence or incapacity of
8 the chair. A quorum of four members of the Commission shall be
9 necessary to conduct any official business. All actions taken by
10 the Commission shall be by a simple majority vote of a quorum. In
11 the event of a tie vote, the measure being voted upon shall be
12 deemed to have failed.

13 The Commission shall adopt rules of procedure for the orderly
14 performance of its functions.

15 D. Members of the Commission shall serve without salary but may
16 be reimbursed for travel and other expenses in attending meetings
17 and performing their duties in the manner provided for other state
18 officers and employees under the State Travel Reimbursement Act.
19 The lay-citizen members shall be paid Thirty Dollars (\$30.00) per
20 diem for attendance at meetings of the Commission. No other
21 provisions of law shall be construed as prohibiting public officers
22 from also serving as members of the Commission, nor shall any other
23 provisions of law be construed as prohibiting public officers or
24 public employees from performing services for the Commission without

1 compensation. It is further provided that no town, city, county or
2 other subdivision or other agency of state government shall be
3 prohibited from receiving a grant or from benefiting from grants or
4 expenditures of the Commission for the reason that an officer or
5 employee of such town, city, county or other subdivision or agency
6 of state government is a Commission member or employee.

7 SECTION 13. AMENDATORY Section 3, Chapter 459, O.S.L.
8 2003, as amended by Section 3, Chapter 524, O.S.L. 2004 (82 O.S.
9 Supp. 2009, Section 863.2), is amended to read as follows:

10 Section 863.2 A. The powers, rights and privileges and
11 functions of the Grand River Dam Authority, hereinafter referred to
12 as the "district", shall be exercised by a seven-member Board of
13 Directors, to be appointed according to the provisions of this
14 section.

15 B. The Board shall have rulemaking authority pursuant to the
16 provisions of Section 861 et seq. of this title. By majority vote,
17 the Board shall have the authority to grant exemptions from any
18 rules not promulgated pursuant to the Administrative Procedures Act
19 which deal with the waters of the Grand River and its tributaries.
20 The Board shall be responsible for approving business expenses of
21 the district necessary to carry out the business of the district.
22 It shall be the duty of the Board of Directors to oversee the
23 functions of the district and ensure the operations of the district
24 are in compliance with all applicable state laws and that expenses

1 of the district comply with state and federal guidelines for
2 business expense deductibility.

3 C. Members appointed to the Board or who serve as designees
4 shall be domiciled in the State of Oklahoma and shall have paid
5 state income taxes for a minimum of one (1) year prior to the date
6 of appointment.

7 D. No person shall be eligible to serve on the Board of
8 Directors if the person, during the three (3) years prior to the
9 appointment, has been employed by an investor-owned utility company,
10 or has held a federal, state or county office, elective or
11 appointive.

12 E. A member of the Board may be eligible to serve on the
13 Oklahoma Ordnance Works Authority Board of Trustees, if appointed to
14 that position by the Governor.

15 F. ~~On July 1, 2003, or on the effective date of this act,~~
16 ~~whichever occurs later~~ August 29, 2003, all positions of the current
17 Board of Directors shall be deemed vacant, and the new members of
18 the Board of Directors shall be appointed as follows:

19 1. The Governor shall appoint a director to represent the
20 industrial and commercial customers of the district;

21 2. The Governor shall appoint a director to represent economic
22 development interests, lake enthusiasts and property owners;

23 3. The Governor shall appoint an at-large director;

24

1 4. The President Pro Tempore of the Oklahoma State Senate shall
2 appoint an at-large director;

3 5. The Speaker of the House of Representatives shall appoint an
4 at-large director;

5 6. The General Manager of the Oklahoma Association of Electric
6 Cooperatives, or designee, shall be a voting ex officio director;
7 and

8 7. The Executive Director of the Municipal Electric Systems of
9 Oklahoma, or designee, shall be a voting ex officio director.

10 G. The initial term of office for the five directors appointed
11 pursuant to subsection F of this section shall be as follows:

12 1. The at-large director appointed by the President Pro Tempore
13 of the Senate shall serve for a term of ~~seven (7)~~ six (6) years;

14 2. The at-large director appointed by the Speaker of the House
15 of Representatives shall serve for a term of six (6) years;

16 3. The director appointed by the Governor representing economic
17 development interests, lake enthusiasts and property owners shall
18 serve for a term of five (5) years;

19 4. The director appointed by the Governor to represent
20 industrial and commercial customers shall serve for a term of four
21 (4) years; and

22 5. The at-large director appointed by the Governor shall serve
23 for a term of three (3) years.

24

1 H. A successor to a director of the Board shall be appointed in
2 the same manner as the original director and shall serve a term of
3 ~~seven (7)~~ six (6) years, subject to the provisions of Section 1 of
4 this act.

5 I. Any director appointed to fill a vacancy on the Board
6 occurring prior to the expiration of the term for which the
7 predecessor was appointed shall be appointed for the remainder of
8 such term.

9 J. No director shall be appointed to more than one ~~seven-year~~
10 term; provided, however, a director may be appointed to fill the
11 unexpired portion of a term and shall be eligible for reappointment
12 to serve a full ~~seven-year~~ term.

13 K. Each director shall qualify by taking the official oath of
14 office prescribed by general statute.

15 L. ~~Any person serving on the Board of Directors on July 1,~~
16 ~~2003, may serve on the Board as provided in this section if they are~~
17 ~~so appointed or designated and such person is eligible to serve~~
18 ~~under the provisions of this section.~~

19 M. Any director or designee may be removed for just cause by
20 the Governor.

21 N. M. Each director shall be allowed actual and necessary
22 expenses incurred by such director for attending meetings of the
23 Board and authorized business of the district pursuant to the
24 provisions of the State Travel Reimbursement Act. No director shall

1 hold any other position of employment within the Grand River Dam
2 Authority at the same time such director is serving on the Board.

3 ~~Q.~~ N. The time and place of the regular meetings and the manner
4 in which special meetings may be called shall be set forth in the
5 bylaws of the district. Four directors shall constitute a quorum at
6 any meeting, and, except as otherwise provided in ~~this act~~ Section
7 861 et seq. of this title or in the bylaws, all action may be taken
8 by the affirmative vote of the majority of the Board present at any
9 such meeting, except that no contracts which involve an amount
10 greater than Fifty Thousand Dollars (\$50,000.00), or which are to
11 run for a longer period than one (1) year, and no bonds, notes or
12 other evidence of indebtedness, and no amendment of the bylaws,
13 shall be valid unless authorized or ratified by the affirmative vote
14 of at least four directors.

15 ~~P. At the first meeting of the Board following July 1, 2003,~~
16 ~~the members appointed pursuant to this section shall, by majority~~
17 ~~vote, elect a chair and chair-elect who shall serve as the vice-~~
18 ~~chair. The chair and the chair-elect shall serve a term of one (1)~~
19 ~~year. Thereafter, the~~

20 O. The membership of the Board shall elect a chair-elect, at
21 the first meeting of each year and the previous chair-elect shall
22 assume the position of chair for the ensuing year. A member may
23 serve more than one term as chair or chair-elect during their tenure
24

1 on the Board; provided, however, they may only serve one term in
2 any three-year period.

3 ~~Q.~~ P. The Asset Committee shall be chaired by the director
4 appointed to represent economic development interests, lake
5 enthusiasts and property owners. Other members of the Committee may
6 be selected by the Board.

7 ~~R.~~ Q. The Board may appoint temporary or permanent
8 subcommittees which may include employees of the district or other
9 persons for any purpose it deems necessary or appropriate.

10 ~~S.~~ R. The Board is authorized to adopt or amend the bylaws of
11 the district as necessary to comply with the provisions of ~~this act~~
12 Section 861 et seq. of this title.

13 ~~T.~~ S. For the purposes of Section 4254 of Title 74 of the
14 Oklahoma Statutes, the directors of this board, appointed pursuant
15 to this section, shall not be considered state officers or state
16 employees.

17 SECTION 14. AMENDATORY 82 O.S. 2001, Section 1085.1, as
18 amended by Section 24, Chapter 375, O.S.L. 2002 (82 O.S. Supp. 2009,
19 Section 1085.1), is amended to read as follows:

20 Section 1085.1 A. There is hereby created the Oklahoma Water
21 Resources Board, hereinafter referred to as the Board, consisting of
22 nine (9) members to be appointed by the Governor, by and with the
23 advice and consent of the Senate. The Board shall constitute a body
24 corporate and politic and an instrumentality, agency and department

1 of the State of Oklahoma, and exercise by the Board of the powers
2 conferred by ~~this act~~ Section 1084.1 et seq. of this title shall be
3 deemed and shall be held to be an essential governmental function of
4 the State of Oklahoma. One member shall be appointed for a term of
5 one (1) year; one member shall be appointed for a term of two (2)
6 years; one member shall be appointed for a term of three (3) years;
7 one member shall be appointed for a term of four (4) years; one
8 member shall be appointed for a term of five (5) years; two members
9 shall be appointed for a term of six (6) years; and two members
10 shall be appointed for a term of seven (7) years. Upon the
11 expiration of said terms, their successors shall be appointed for
12 terms of ~~seven (7)~~ six (6) years, subject to the provisions of
13 Section 1 of this act. One member shall be appointed from each of
14 the congressional districts of this state and the remaining members
15 shall be appointed at large. However, when congressional districts
16 are redrawn then each member appointed prior to July 1 of the year
17 in which such modification becomes effective shall complete the
18 current term of office and appointments made after July 1 of the
19 year in which such modification becomes effective shall be based on
20 the redrawn districts. Appointments made after July 1 of the year
21 in which such modification becomes effective shall be from any
22 redrawn districts which are not represented by a board member until
23 such time as each of the modified congressional districts are
24 represented by a board member. Each member shall be a qualified

1 elector of this state. At all times the membership of the Board
2 shall have represented on it at least one member well versed in each
3 of the following major types of water use: recreational,
4 industrial, irrigational, municipal, rural residential, agricultural
5 and soil conservation work. Not more than two members may be
6 selected representing any one of the major types of water use. The
7 Board shall meet at least once each month. The members of the Board
8 may be removed only for cause. Whenever a vacancy shall occur, the
9 Governor shall appoint a qualified person to fill the unexpired term
10 of the vacant office. Each member of the Board upon entering upon
11 his or her duties shall take and subscribe to the constitutional and
12 statutory oath of office and file the same with the Secretary of
13 State.

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

18 SECTION 15. This act shall become effective November 1, 2010.

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20 52-2-10341 LRB 03/23/10
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