

THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 2010

Committee Substitute for
ENGROSSED
Senate Bill No. 1597

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1597 - By:
STANISLAWSKI of the Senate and WRIGHT (JOHN) of the House.

An Act relating to state boards and commissions; stating legislative intent; limiting number of terms which may be served by members of state boards and commissions; providing for continuation of service for members currently serving; specifying eligibility for continuation of service; allowing reappointment for certain time period under certain conditions; specifying term of office; providing that service for partial term not count against limitation; prohibiting certain appointments to evade limitations; amending 29 O.S. 2001, Section 3-102, which relates to the Wildlife Conservation Commission; amending 43A O.S. 2001, Section 2-103, as last amended by Section 3, Chapter 401, O.S.L. 2008 (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 amended by Section 2, Chapter 68, O.S.L. 2005 (69 O.S. Supp. 2009, Section 1703), which relates to the Oklahoma Turnpike Authority; amending Section 1, Chapter 130, O.S.L. 2008 (70 O.S. Supp. 2009, Section 3431), which relates to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa; amending 70 O.S. 2001, Section 4451, as last amended by Section 2, Chapter 101, O.S.L. 2008 (70 O.S. Supp. 2009, Section 4451), which relates to the board of trustees for Quartz Mountain Arts and Conference

Center and Nature Park; amending 74 O.S. 2001, Section 150.3, as last amended by Section 7, Chapter 229, O.S.L. 2003 (74 O.S. Supp. 2009, Section 150.3), which relates to the Oklahoma State Bureau of Investigation Commission; amending Section 3, Chapter 459, O.S.L. 2003, as amended by Section 3, Chapter 524, O.S.L. 2004 (82 O.S. Supp. 2009, Section 863.2), which relates to the Grand River Dam Authority; amending 82 O.S. 2001, Section 1085.1, as amended by Section 24, Chapter 375, O.S.L. 2002 (82 O.S. Supp. 2009, Section 1085.1), which relates to the Oklahoma Water Resources Board; modifying terms of members of certain boards and 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:

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

4 It is the intent of the Legislature that members of state boards and commissions
5 serve for a limited period of time in order to provide opportunities for participation in
6 essential state governmental functions to the greatest possible number of citizens. To
7 this end, notwithstanding any other provision of state law, except as otherwise
8 specifically provided in the Oklahoma Constitution:

- 9 1. All members of state boards and commissions serving on November 1, 2010, shall
10 be allowed to serve until the expiration of their current term;
- 11 2. Upon such expiration:

- 1 a. if the member has served in that position for twelve (12) consecutive
2 years or more, the member shall not be eligible for reappointment to
3 his or her position on the board or commission, or
4 b. if the member has not served in that position for such time period, the
5 member shall be eligible to be reappointed to his or her position for a
6 full term if such reappointment would not result in the member
7 serving for twelve (12) consecutive years or more. If such
8 reappointment would result in the member serving in excess of such
9 time period, the member may be reappointed for a partial term of a
10 length which would not result in the member serving for twelve (12)
11 consecutive years or more;

12 3. Once a member of a board or commission is ineligible to be reappointed to a
13 position pursuant to the provisions of paragraph 2 of this section, the term of office for
14 the successor shall be no more than six (6) years and no person shall be appointed for a
15 number of full terms in succession which would result in service for twelve (12)
16 consecutive years or more;

17 4. For all initial appointments to boards and commissions made on or after
18 November 1, 2010, the term of office shall be no more than six (6) years and no person
19 shall be appointed for a number of full terms in succession which would result in service
20 for twelve (12) consecutive years or more. Except as otherwise provided in paragraph 2
21 of this section, service for a partial term shall not count against the limitation provided

1 herein, nor shall service after the expiration of a term pending appointment and
2 qualification of a successor; and

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

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

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

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

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

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

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

19 District No. 5: Logan, Oklahoma, Cleveland, McClain, Garvin, Murray and Payne
20 Counties.

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

5 B. Each Commissioner shall be appointed by the Governor of the State of
6 Oklahoma, by and with the consent of the State Senate of the State of Oklahoma, and
7 shall be removed only for cause, as provided by law for the removal of officers not subject
8 to impeachment, pursuant to Sections 1181 through 1197 of Title 22 of the Oklahoma
9 Statutes.

10 C. The term of office of each such member shall be ~~eight (8)~~ six (6) years, ~~except~~
11 ~~that the first appointed members shall hold office for terms as follows: the member~~
12 ~~appointed from District No. 1 shall hold office until July 1 following his appointment, and~~
13 ~~the members appointed from Districts 2, 3, 4, 5, 6, 7 and 8 shall hold office until July 1 of~~
14 ~~the second, third, fourth, fifth, sixth, seventh and eighth succeeding calendar years,~~
15 ~~respectively~~ subject to the provisions of Section 1 of this act. In the event the Governor
16 fails to fill a vacancy within thirty (30) days following such vacancy, the remaining
17 members of the Commission may appoint a qualified person to fill such vacancy for the
18 unexpired portion of the term.

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

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

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

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

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

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

18 4. Three members, qualified by education and experience in the area of substance
19 abuse recovery, who shall be appointed from a list of not less than ten names submitted
20 to the Governor by a state association of substance abuse recovery programs or
21 organizations for terms ending on December 31, 2002, December 31, 2004, and December
22 31, 2006, respectively; and

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

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

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

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

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

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

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

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

1 I. Members of the Board of Mental Health and Substance Abuse Services shall be
2 allowed to serve on the State Board of Medical Licensure and Supervision during
3 members' terms on the Board of Mental Health and Substance Abuse Services.

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

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

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

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

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

1 5. The membership shall consist of at least one person with a background in
2 engineering or geology; one person with a background in labor or workers' safety; one
3 person with a background in agriculture or soil conservation; one person with a
4 background in transportation; one person with a background in economic development or
5 banking; one person with a background in public utilities; one person with a background
6 in natural resources; and two persons selected at large. All persons appointed to the
7 Commission must be 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 U.S.C. Section 1267(g) and 30
9 C.F.R. Section 705.

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

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

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

20 D. The chair of the Commission or the Director may call a meeting of the
21 Commission at any time and at any place within the state. Only in case of a tie vote

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

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

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

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

1 member of the Board shall be a stockholder in or full-time salaried or full-time
2 geographic member of the faculty or board of trustees of any medical school.

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

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

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

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

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

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

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

13 2. Not less than four members shall hold a current license to practice medicine in
14 this state pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and
15 Supervision Act and the Oklahoma Osteopathic Medicine Act. At least one physician
16 member shall be a person licensed to practice medicine in this state by the State Board of
17 Osteopathic Examiners. Physician members licensed by the State Board of Medical
18 Licensure and Supervision shall be members of the Oklahoma State Medical Association.
19 One physician member shall be a diplomate of the American Board of Psychiatry and
20 Neurology or be similarly qualified.

21 B. 1. The term of office of one member shall expire on June 30, ~~1964~~ 2018, and
22 each ~~nine (9)~~ six (6) years thereafter, and such member shall be a resident of one of the

1 following counties and 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 appointment: Creek,
3 Lincoln, Okfuskee, Seminole, Pottawatomie, Pontotoc, Hughes, Johnston, and Coal.

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

9 3. The term of office of one member shall expire on June 30, ~~1966~~ 2011, and each
10 ~~nine (9)~~ six (6) years thereafter, and such member shall be a resident of one of the
11 following counties and 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 appointment: Le Flore,
13 Latimer, Pittsburg, Atoka, Pushmataha, McCurtain, Choctaw, Bryan, Marshall, Carter,
14 and Love.

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

21 5. The term of office of one member shall expire on June 30, ~~1968~~ 2013, and each
22 ~~nine (9)~~ six (6) years thereafter, and such member shall be a resident of one of the

1 following counties and 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 appointment: Adair,
3 Sequoyah, Cherokee, Wagoner, Muskogee, Haskell, McIntosh, and Okmulgee.

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

9 7. The term of office of one member shall expire on June 30, ~~1970~~ 2017, and each
10 ~~nine (9)~~ six (6) years thereafter, and such member shall be a resident of one of the
11 following counties and 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 appointment: Logan,
13 Oklahoma, Cleveland, McClain, Garvin, Murray, and Payne.

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

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

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

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

6 District 1. Wagoner, Cherokee, Adair, Sequoyah, Muskogee, Okmulgee, McIntosh
7 and Haskell Counties.

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

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

12 District 4. Payne, Logan, Canadian, Kingfisher, Garfield, Grant, Kay, Noble and
13 Oklahoma Counties.

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

16 District 6. Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Ellis, Major and
17 Woodward Counties.

18 District 7. Carter, Love, Murray, Grady, Comanche, Stephens, Cotton, Caddo and
19 Jefferson Counties.

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

1 ~~(b)~~ B. The members of the Commission shall be appointed by the Governor, by and
2 with the consent of the Senate, such appointment to have full force and effect and to be
3 submitted to the Senate for its confirmation at the first session of the Senate after such
4 appointment is made. No Commissioner shall be entitled to the payment of salary, or to
5 perform any service, until ~~his~~ the appointment is confirmed by the Senate, if the Senate
6 then be in session; if the Senate be not in session, then such Commissioner may serve
7 and draw ~~his~~ the salary until a special or regular session convenes; and if ~~his~~ the
8 appointment is not then confirmed within twenty (20) days, he or she shall cease to
9 perform such services and cease to draw ~~his~~ the salary. Each of the Commissioners thus
10 appointed shall, at the time of ~~his~~ appointment, be a citizen and resident of the district
11 for which he or she shall have been appointed for at least three (3) years prior to the date
12 of ~~his~~ appointment. Not more than one Commissioner shall reside in any one district, as
13 defined herein, at any time while serving on the Commission. Each Commissioner thus
14 appointed and confirmed shall, after the first term of office as herein provided, serve for a
15 term of ~~eight (8)~~ six (6) years, subject to the provisions of Section 1 of this act, and unless
16 ~~he is~~ reappointed by the Governor and confirmed by the Senate within twenty (20)
17 legislative days ~~his~~, the Commissioner's services are automatically terminated and he or
18 she shall cease to draw ~~his~~ the salary, or any perquisites or emoluments as a
19 Commissioner; provided, that in the event the Governor's appointee is not confirmed by
20 the Senate within ten (10) days from the date ~~his~~ the name is submitted, then the
21 Governor shall submit a further appointee for confirmation; and during ~~his~~ the term of
22 office may be removed by the Governor at ~~his~~ the Governor's pleasure. ~~The terms of~~

1 office shall be as follows: ~~Two Commissioners shall serve until the 15th day of February,~~
2 ~~1969; two Commissioners shall serve until the 15th day of February, 1971; two~~
3 ~~Commissioners shall serve until the 15th day of February, 1973; and two Commissioners~~
4 ~~shall serve until the 15th day of February, 1975; and the Governor, at the time of making~~
5 ~~the first appointment, shall, in his order of appointment, designate the term each~~
6 ~~Commissioner so appointed shall serve. Thereafter the~~

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

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

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

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

14 B. The Oklahoma Turnpike Authority shall consist of the Governor, who shall be a
15 member ex officio, and six (6) members to be appointed by the Governor, by and with the
16 consent of the Senate. The appointive members shall be residents of the state, and shall
17 have been qualified electors therein for a period of at least one (1) year next preceding
18 their appointment. One appointive member shall be appointed from each of six districts
19 of the state, such districts to include the area as follows:

20 District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin Counties.

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

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

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

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

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

13 The members of the Authority appointed shall continue in office for terms expiring
14 as follows: District 1, July 1, ~~1968~~ 2016; District 2, July 1, ~~1971~~ 2011; District 3, July 1,
15 ~~1972~~ 2012; District 4, July 1, ~~1973~~ 2013; District 5, July 1, ~~1974~~ 2014; and District 6,
16 July 1, ~~1975~~ 2015. ~~Provided, that appointive members serving on the Oklahoma~~
17 ~~Turnpike Authority created by 69 O.S. 1961, Section 653, when this act becomes effective~~
18 ~~shall continue to serve as members of the Oklahoma Turnpike Authority created by this~~
19 ~~section, for the terms for which they were appointed, unless sooner removed by the~~
20 ~~Governor.~~ The successor of each appointive member shall be appointed for a term of
21 ~~eight (8)~~ six (6) years, subject to the provisions of Section 1 of this act, except that any
22 person appointed to fill a vacancy shall be appointed to serve only for the unexpired

1 term, and a member of the Authority shall be eligible for reappointment. Each appointed
2 member of the Authority before entering upon the duties of office shall take an oath as
3 provided by Section 1 of Article XV of the Constitution of the State of Oklahoma. Any
4 appointive member of the Authority may be removed by the Governor at any time with or
5 without cause.

6 C. The Authority shall elect one of the appointed members as ~~chairperson~~ chair and
7 another as ~~vice-chairperson~~ vice-chair, and shall also elect a Secretary and Treasurer. A
8 majority of the members of the Authority shall constitute a quorum and the vote of a
9 majority of the members shall be necessary for any action taken by the Authority. No
10 vacancy in the membership of the Authority shall impair the right of a quorum to
11 exercise all the rights and perform all the duties of the Authority.

12 D. Before the issuance of any turnpike revenue bonds under the provisions of ~~this~~
13 ~~act~~ Section 1701 et seq. of this title, each appointed member of the Authority shall
14 execute a surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00)
15 and the secretary and treasurer shall execute a surety bond in the penal sum of One
16 Hundred Thousand Dollars (\$100,000.00), each such surety bond to be conditioned upon
17 the faithful performance of the duties of the office, to be executed by a surety company
18 authorized to transact business in the State of Oklahoma as surety and to be approved by
19 the Governor and filed in the office of the Secretary of State.

20 E. The members of the Authority shall not be entitled to compensation for their
21 services, but each member shall be reimbursed for actual expenses necessarily incurred
22 in the performance of the duties of such member. All expenses incurred in carrying out

1 the provisions of ~~this act~~ Section 1701 et seq. of this title shall be payable solely from
2 funds provided under the authority of ~~this act~~ Section 1701 et seq. of this title and no
3 liability or obligation shall be incurred by the Authority hereunder beyond the extent to
4 which monies shall have been provided under the authority of ~~this act~~ Section 1701 et
5 seq. of this title.

6 F. Whenever the terms “Oklahoma Transportation Authority”, “Transportation
7 Authority” or “Authority”, when used in reference to the Oklahoma Turnpike Authority,
8 appear in the Oklahoma Statutes, such terms shall mean the Oklahoma Turnpike
9 Authority.

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

12 Section 3431. A. On January 1, 2009, there shall be created the Board of Trustees
13 for Langston University-Oklahoma City and Langston University-Tulsa which shall
14 consist of seven members appointed by the Governor and two members of the Board of
15 Regents for the Oklahoma Agricultural and Mechanical Colleges, or their designees,
16 selected by the chair of the Board of Regents, who shall serve as voting, ex officio
17 members. For purposes of serving on the Board of Trustees, the members of the Board of
18 Regents for the Oklahoma Agricultural and Mechanical Colleges who are appointed to
19 the Board of Trustees shall not be subject to the dual-office-holding restrictions in
20 Section 6 of Title 51 of the Oklahoma Statutes. The Governor shall appoint the other
21 members of the Board of Trustees with the advice and consent of the Senate. The
22 members shall be appointed to numbered positions with staggered terms to expire as

1 provided in this section. Successors to the initial board members shall serve ~~seven-year~~
2 six-year terms that shall expire on June 30 of the ~~seventh~~ sixth year following
3 appointment, subject to the provisions of Section 1 of this act. Vacancies on the Board
4 shall be filled for the unexpired term by the Governor with the advice and consent of the
5 Senate. One member of the Board of Regents for the Oklahoma Agricultural and
6 Mechanical Colleges shall hold position number eight on the Board of Trustees. The
7 other member of the Board of Regents for the Oklahoma Agricultural and Mechanical
8 Colleges shall hold position number nine on the Board of Trustees. The numbered
9 positions and terms shall be as follows:

10 1. Position No. 1: The term of office of one member shall expire on June 30, ~~2010~~
11 2017, and each ~~seven (7)~~ six (6) years thereafter;

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

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

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

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

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

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

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

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

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

15 C. The Board of Trustees for Langston University-Oklahoma City and Langston
16 University-Tulsa shall advise the president of Langston University and the Board of
17 Regents for the Oklahoma Agricultural and Mechanical Colleges on the supervision and
18 management of the campus of Langston University-Oklahoma City and Langston
19 University-Tulsa and perform other functions as necessary. The Board of Trustees shall
20 promulgate rules and enact policies to govern the processes and procedures of the Board.
21 The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges and the
22 Board of Trustees shall appoint a joint committee of at least two members from each

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

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

16 E. The Board of Trustees shall establish the usual and customary accounts
17 established by higher education institutions within the Office of State Finance necessary
18 to carry out its duties.

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

- 15 1. Western Oklahoma State College;
- 16 2. Cameron University; and
- 17 3. Southwestern Oklahoma State University.

18 The remaining six members shall be appointed by the Governor with the advice and
19 consent of the Senate. The members appointed by the Governor shall hold numbered
20 positions with staggered terms to expire as provided in subsection C of this section.

21 Successors to the members initially appointed by the Governor shall serve ~~seven-year~~
22 six-year terms that shall expire on June 30 of the ~~seventh~~ sixth year following

1 appointment, subject to the provisions of Section 1 of this act. Appointed members may
2 serve successive terms unless otherwise provided in Section 1 of this act.

3 Position one shall be the president of an arts organization recognized as a nonprofit
4 organization pursuant to 26 U.S.C., Section 501(c)(3) that utilizes the Center facilities for
5 the fine arts institute and continuing education programs offered by the organization.

6 Positions two and three shall be individuals who are members of an arts organization
7 recognized as a nonprofit organization pursuant to 26 U.S.C., Section 501(c)(3) that
8 utilize the Center facilities for the fine arts institute and continuing education programs
9 offered by the organization. Position four shall be a resident of Kiowa County. Position
10 five shall be a resident of Greer County. Position six shall be a resident of Jackson
11 County.

12 C. The numbered positions and terms shall be as follows:

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

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

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

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

21 5. Position No. 5: the term of office of one member shall expire on June 30, ~~2010~~
22 2017, and each ~~seven (7)~~ six (6) years thereafter; and

1 6. Position No. 6: the term of office of one member shall expire on June 30, ~~2009~~
2 2016, and each ~~seven (7)~~ six (6) years thereafter.

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

6 E. ~~The terms of office of the members of the board of trustees serving on the~~
7 ~~effective date of this act shall expire July 1, 2008. Any member of the board of trustees~~
8 ~~serving prior to June 30, 2008, may be appointed to the board of trustees on or after July~~
9 ~~1, 2008, if the member is otherwise eligible to serve.~~

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

1 cultural conference center, arts park and natural area preserve; commission park
2 rangers as provided in subsection F of this section, and fulfill other duties and
3 responsibilities of the board. Board members shall receive no compensation for service
4 on the board but are to be reimbursed for reasonable and necessary expenses.

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

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

- 17 a. discharge fireworks in any posted areas of the Center,
18 b. possess any glass container in a designated and posted swim or beach
19 area within the Center premises,
20 c. build a fire on the Center premises in areas posted as prohibited by the
21 board of trustees,

1 be offered by the institutions which utilize and incorporate the facilities and resources of
2 the Center.

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

6 Section 150.3 A. There is hereby created an Oklahoma State Bureau of
7 Investigation Commission which shall consist of seven (7) members, not more than two of
8 whom shall be from the same congressional district. When congressional districts are
9 redrawn, each member appointed prior to July 1 of the year in which such modification
10 becomes effective shall complete the current term of office and appointments made after
11 July 1 of the year in which such modification becomes effective shall be based on the
12 redrawn districts. No appointments may be made after July 1 of the year in which such
13 modification becomes effective if such appointment would result in more than two
14 members serving from the same modified district. The members shall be appointed by
15 the Governor and confirmed by the Senate and shall be removable only for cause, as
16 provided by law for the removal of officers not subject to impeachment. The term of office
17 of each member shall be ~~seven (7)~~ six (6) years, subject to the provisions of Section 1 of
18 this act. ~~The first appointments shall be for the following terms as designated by the~~
19 ~~Governor: one member for a term of one (1) year; one member for a term of two (2) years;~~
20 ~~one member for a term of three (3) years; one member for a term of four (4) years; one~~
21 ~~member for a term of five (5) years; one member for a term of six (6) years; and one~~
22 ~~member for a term of seven (7) years.~~ A member may serve more than one term on the

1 Commission, subject to the provisions of Section 1 of this act. Each member shall
2 continue to serve so long as the member is qualified until a successor has been appointed
3 and confirmed by the Senate. Vacancies occurring during a term shall be filled for the
4 unexpired portion of the term by the same procedure used to make the regular
5 appointments.

6 B. Four of the members shall represent the lay citizenry, one member shall be a
7 district attorney while serving in that capacity, one member shall be a sheriff while
8 serving in that capacity, and one member shall be a chief of police while serving in that
9 capacity; provided that the sheriff and police chief members shall have successfully
10 completed an approved course of instruction for peace officers as required by law.

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

20 The Commission shall adopt rules of procedure for the orderly performance of its
21 functions.

1 D. Members of the Commission shall serve without salary but may be reimbursed
2 for travel and other expenses in attending meetings and performing their duties in the
3 manner provided for other state officers and employees under the State Travel
4 Reimbursement Act. The lay-citizen members shall be paid Thirty Dollars (\$30.00) per
5 diem for attendance at meetings of the Commission. No other provisions of law shall be
6 construed as prohibiting public officers from also serving as members of the Commission,
7 nor shall any other provisions of law be construed as prohibiting public officers or public
8 employees from performing services for the Commission without compensation. It is
9 further provided that no town, city, county or other subdivision or other agency of state
10 government shall be prohibited from receiving a grant or from benefiting from grants or
11 expenditures of the Commission for the reason that an officer or employee of such town,
12 city, county or other subdivision or agency of state government is a Commission member
13 or employee.

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

17 Section 863.2 A. The powers, rights and privileges and functions of the Grand
18 River Dam Authority, hereinafter referred to as the “district”, shall be exercised by a
19 seven-member Board of Directors, to be appointed according to the provisions of this
20 section.

21 B. The Board shall have rulemaking authority pursuant to the provisions of Section
22 861 et seq. of this title. By majority vote, the Board shall have the authority to grant

1 exemptions from any rules not promulgated pursuant to the Administrative Procedures
2 Act which deal with the waters of the Grand River and its tributaries. The Board shall
3 be responsible for approving business expenses of the district necessary to carry out the
4 business of the district. It shall be the duty of the Board of Directors to oversee the
5 functions of the district and ensure the operations of the district are in compliance with
6 all applicable state laws and that expenses of the district comply with state and federal
7 guidelines for business expense deductibility.

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

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

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

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

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

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

- 1 3. The Governor shall appoint an at-large director;
- 2 4. The President Pro Tempore of the Oklahoma State Senate shall appoint an at-
- 3 large director;
- 4 5. The Speaker of the House of Representatives shall appoint an at-large director;
- 5 6. The General Manager of the Oklahoma Association of Electric Cooperatives, or
- 6 designee, shall be a voting ex officio director; and
- 7 7. The Executive Director of the Municipal Electric Systems of Oklahoma, or
- 8 designee, shall be a voting ex officio director.
- 9 G. The initial term of office for the five directors appointed pursuant to subsection
- 10 F of this section shall be as follows:
- 11 1. The at-large director appointed by the President Pro Tempore of the Senate shall
- 12 serve for a term of ~~seven (7)~~ six (6) years;
- 13 2. The at-large director appointed by the Speaker of the House of Representatives
- 14 shall serve for a term of six (6) years;
- 15 3. The director appointed by the Governor representing economic development
- 16 interests, lake enthusiasts and property owners shall serve for a term of five (5) years;
- 17 4. The director appointed by the Governor to represent industrial and commercial
- 18 customers shall serve for a term of four (4) years; and
- 19 5. The at-large director appointed by the Governor shall serve for a term of three
- 20 (3) years.

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

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

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

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

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

15 ~~M.~~ Any director or designee may be removed for just cause by the Governor.

16 ~~N.~~ M. Each director shall be allowed actual and necessary expenses incurred by
17 such director for attending meetings of the Board and authorized business of the district
18 pursuant to the provisions of the State Travel Reimbursement Act. No director shall
19 hold any other position of employment within the Grand River Dam Authority at the
20 same time such director is serving on the Board.

21 ~~O.~~ N. The time and place of the regular meetings and the manner in which special
22 meetings may be called shall be set forth in the bylaws of the district. Four directors

1 shall constitute a quorum at any meeting, and, except as otherwise provided in ~~this act~~
2 Section 861 et seq. of this title or in the bylaws, all action may be taken by the
3 affirmative vote of the majority of the Board present at any such meeting, except that no
4 contracts which involve an amount greater than Fifty Thousand Dollars (\$50,000.00), or
5 which are to run for a longer period than one (1) year, and no bonds, notes or other
6 evidence of indebtedness, and no amendment of the bylaws, shall be valid unless
7 authorized or ratified by the affirmative vote of at least four directors.

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

12 O. The membership of the Board shall elect a chair-elect, at the first meeting of
13 each year and the previous chair-elect shall assume the position of chair for the ensuing
14 year. A member may serve more than one term as chair or chair-elect during their
15 tenure on the Board; provided, however, they may only serve one term in any three-year
16 period.

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

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

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

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

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

9 Section 1085.1 A. There is hereby created the Oklahoma Water Resources Board,
10 hereinafter referred to as the Board, consisting of nine (9) members to be appointed by
11 the Governor, by and with the advice and consent of the Senate. The Board shall
12 constitute a body corporate and politic and an instrumentality, agency and department of
13 the State of Oklahoma, and exercise by the Board of the powers conferred by ~~this act~~
14 Section 1084.1 et seq. of this title shall be deemed and shall be held to be an essential
15 governmental function of the State of Oklahoma. One member shall be appointed for a
16 term of one (1) year; one member shall be appointed for a term of two (2) years; one
17 member shall be appointed for a term of three (3) years; one member shall be appointed
18 for a term of four (4) years; one member shall be appointed for a term of five (5) years;
19 two members shall be appointed for a term of six (6) years; and two members shall be
20 appointed for a term of seven (7) years. Upon the expiration of said terms, their
21 successors shall be appointed for terms of ~~seven (7)~~ six (6) years, subject to the provisions
22 of Section 1 of this act. One member shall be appointed from each of the congressional

1 districts of this state and the remaining members shall be appointed at large. However,
2 when congressional districts are redrawn then each member appointed prior to July 1 of
3 the year in which such modification becomes effective shall complete the current term of
4 office and appointments made after July 1 of the year in which such modification
5 becomes effective shall be based on the redrawn districts. Appointments made after July
6 1 of the year in which such modification becomes effective shall be from any redrawn
7 districts which are not represented by a board member until such time as each of the
8 modified congressional districts are represented by a board member. Each member shall
9 be a qualified elector of this state. At all times the membership of the Board shall have
10 represented on it at least one member well versed in each of the following major types of
11 water use: recreational, industrial, irrigational, municipal, rural residential, agricultural
12 and soil conservation work. Not more than two members may be selected representing
13 any one of the major types of water use. The Board shall meet at least once each month.
14 The members of the Board may be removed only for cause. Whenever a vacancy shall
15 occur, the Governor shall appoint a qualified person to fill the unexpired term of the
16 vacant office. Each member of the Board upon entering upon his or her duties shall take
17 and subscribe to the constitutional and statutory oath of office and file the same with the
18 Secretary of State.

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

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

1 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION,
2 dated 03-23-10 - DO PASS, As Amended.