

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 2502

By: Watson

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to the Grand River Dam Authority;
9 amending 82 O.S. 2011, Section 863.2, which relates
10 to the Board of Directors; modifying terms of Board
11 members; deleting obsolete language; authorizing
12 directors to serve multiple terms; and declaring an
13 emergency.

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

16 SECTION 1. AMENDATORY 82 O.S. 2011, Section 863.2, is
17 amended to read as follows:

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

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

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

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

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

20 ~~E.~~ A member of the Board may be eligible to serve on the
21 Oklahoma Ordnance Works Authority Board of Trustees, if appointed to
22 that position by the Governor.
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1 ~~F. On July 1, 2003, or on the effective date of this act,~~
2 ~~whichever occurs later, all positions of the current Board of~~
3 ~~Directors shall be deemed vacant, and the new members~~

4 E. Members of the Board of Directors shall be appointed as
5 follows:

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

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

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

11 4. The President ~~Pro Tempore~~ Pro Tempore of the Oklahoma State
12 Senate shall appoint an at-large director;

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

15 6. The General Manager of the Oklahoma Association of Electric
16 Cooperatives, or designee, shall be a voting ~~ex-officio~~ ex officio
17 director; and

18 7. The Executive Director of the Municipal Electric Systems of
19 Oklahoma, or designee, shall be a voting ~~ex-officio~~ ex officio
20 director.

21 ~~G.~~ F. The initial term of office for the five directors
22 appointed pursuant to subsection ~~F~~ E of this section shall be as
23 follows:

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

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

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

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

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

13 ~~H.~~ G. A successor to a director of the Board shall be appointed
14 in the same manner as the original director and shall serve a term
15 of ~~seven (7)~~ five (5) years. Directors may be eligible to serve
16 more than one term if so reappointed by the original appointing
17 authority or a different or successor appointing authority.

18 ~~I.~~ H. Any director appointed to fill a vacancy on the Board
19 occurring prior to the expiration of the term for which the
20 predecessor was appointed shall be appointed for the remainder of
21 such term.

22 ~~J.~~ ~~No director shall be appointed to more than one seven-year~~
23 ~~term; provided, however, a director may be appointed to fill the~~
24

1 ~~unexpired portion of a term and shall be eligible for reappointment~~
2 ~~to serve a full seven-year term.~~

3 ~~K.~~ I. Each director shall qualify by taking the official oath
4 of office prescribed by general statute.

5 ~~L.~~ ~~Any person serving on the Board of Directors on July 1,~~
6 ~~2003, may serve on the Board as provided in this section if they are~~
7 ~~so appointed or designated and such person is eligible to serve~~
8 ~~under the provisions of this section.~~

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

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

17 ~~O.~~ L. The time and place of the regular meetings and the manner
18 in which special meetings may be called shall be set forth in the
19 bylaws of the district. Four directors shall constitute a quorum at
20 any meeting, and, except as otherwise provided in this act or in the
21 bylaws, all action may be taken by the affirmative vote of the
22 majority of the Board present at any such meeting, except that no
23 contracts which involve an amount greater than Fifty Thousand
24 Dollars (\$50,000.00), or which are to run for a longer period than

1 one (1) year, and no bonds, notes or other evidence of indebtedness,
2 and no amendment of the bylaws, shall be valid unless authorized or
3 ratified by the affirmative vote of at least four directors.

4 ~~P.~~ M. At the first meeting of the Board following July 1, 2003,
5 the members appointed pursuant to this section shall, by majority
6 vote, elect a chair and chair-elect who shall serve as the vice-
7 chair. The chair and the chair-elect shall serve a term of one (1)
8 year. Thereafter, the membership of the Board shall elect a chair-
9 elect, at the first meeting of each year and the previous chair-
10 elect shall assume the position of chair for the ensuing year. A
11 member may serve more than one term as chair or chair-elect during
12 their tenure on the Board; provided, however, they may only serve
13 one term in any three-year period.

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

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

21 ~~S.~~ P. The Board is authorized to adopt or amend the bylaws of
22 the district as necessary to comply with the provisions of ~~this act~~
23 Section 861 et seq. of this title.

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

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

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