

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1500

6 By: Fields

7 COMMITTEE SUBSTITUTE

8 [Grand River Dam Authority - requiring certain board
9 meeting attendance -

10 emergency]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

20 B. The Board shall have rulemaking authority pursuant to the
21 provisions of ~~Section 861 et seq. of this title~~ the Grand River Dam
22 Authority Act. By majority vote, the Board shall have the authority
23 to grant exemptions from any rules not promulgated pursuant to the
24 Administrative Procedures Act which deal with the waters of the

1 Grand River and its tributaries. The Board shall be responsible for
2 approving business expenses of the district necessary to carry out
3 the business of the district. It shall be the duty of the Board of
4 Directors to oversee the functions of the district and ensure the
5 operations of the district are in compliance with all applicable
6 state laws and that expenses of the district comply with state and
7 federal guidelines for business expense deductibility.

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

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

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

20 F. ~~On July 1, 2003, or on the effective date of this act,~~
21 ~~whichever occurs later, all positions of the current Board of~~
22 ~~Directors shall be deemed vacant, and the new members~~ Members of the
23 Board of Directors shall be appointed as follows:
24

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

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

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

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

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

10 6. The General Manager of the Oklahoma Association of Electric
11 Cooperatives, or designee, shall be a voting ex-officio director;
12 and

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

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

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

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

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

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

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

6 H. A successor to a director of the Board shall be appointed in
7 the same manner as the original director and shall serve a term of
8 seven (7) years.

9 I. Any director appointed to fill a vacancy on the Board
10 occurring prior to the expiration of the term for which the
11 predecessor was appointed shall be appointed for the remainder of
12 such term.

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

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

19 ~~L. Any person serving on the Board of Directors on July 1,~~
20 ~~2003, may serve on the Board as provided in this section if they are~~
21 ~~so appointed or designated and such person is eligible to serve~~
22 ~~under the provisions of this section.~~

23 ~~M.~~ Any director or designee may be removed for just cause by
24 the Governor. Additionally, the Governor may remove any member who

1 fails to attend a total of three (3) regularly scheduled board
2 meetings in one (1) calendar year.

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

9 ~~O.~~ N. The time and place of the regular meetings and the manner
10 in which special meetings may be called shall be set forth in the
11 bylaws of the district. Four directors shall constitute a quorum at
12 any meeting, and, except as otherwise provided in ~~this act~~ the Grand
13 River Dam Authority Act or in the bylaws, all action may be taken by
14 the affirmative vote of the majority of the Board present at any
15 such meeting, except that no contracts which involve an amount
16 greater than Fifty Thousand Dollars (\$50,000.00), or which are to
17 run for a longer period than one (1) year, and no bonds, notes or
18 other evidence of indebtedness, and no amendment of the bylaws,
19 shall be valid unless authorized or ratified by the affirmative vote
20 of at least four directors.

21 ~~P.~~ O. At the first meeting of the Board following July 1, 2003,
22 the members appointed pursuant to this section shall, by majority
23 vote, elect a chair and chair-elect who shall serve as the vice-
24 chair. The chair and the chair-elect shall serve a term of one (1)

1 year. Thereafter, the membership of the Board shall elect a chair-
2 elect, at the first meeting of each year and the previous chair-
3 elect shall assume the position of chair for the ensuing year. A
4 member may serve more than one term as chair or chair-elect during
5 their tenure on the Board, provided, however, they may only serve
6 one term in any three-year period.

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

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

14 ~~S.~~ R. The Board is authorized to adopt or amend the bylaws of
15 the district as necessary to comply with the provisions of ~~this act~~
16 the Grand River Dam Authority Act.

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

21 SECTION 2. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby
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24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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