

1 ENGROSSED HOUSE  
2 BILL NO. 2502

By: Watson of the House

3 and

4 David of the Senate

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6  
7 An Act relating to the Grand River Dam Authority;  
8 amending 82 O.S. 2011, Section 863.2, which relates  
9 to the Board of Directors; modifying terms of Board  
10 members; deleting obsolete language; and authorizing  
11 directors to serve multiple terms.

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. By majority vote,  
22 the Board shall have the authority to grant exemptions from any  
23 rules not promulgated pursuant to the Administrative Procedures Act  
24 which deal with the waters of the Grand River and its tributaries.

1 The Board shall be responsible for approving business expenses of  
2 the district necessary to carry out the business of the district.  
3 It shall be the duty of the Board of Directors to oversee the  
4 functions of the district and ensure the operations of the district  
5 are in compliance with all applicable state laws and that expenses  
6 of the district comply with state and federal guidelines for  
7 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:  
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- 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~~ Pro Tempore of the Oklahoma State  
7 Senate shall 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~~ ex officio  
12 director; and
- 13          7. The Executive Director of the Municipal Electric Systems of  
14 Oklahoma, or designee, shall be a voting ~~ex-officio~~ ex officio  
15 director.
- 16          G. The initial term of office for the five directors appointed  
17 pursuant to subsection F of this section shall be as follows:
- 18           1. The at-large director appointed by the President Pro Tempore  
19 of the Senate shall serve for a term of seven (7) years;
- 20           2. The at-large director appointed by the Speaker of the House  
21 of Representatives shall serve for a term of six (6) years;
- 22           3. The director appointed by the Governor representing economic  
23 development interests, lake enthusiasts and property owners shall  
24 serve for a term of five (5) years;

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)~~ five (5) years. Directors may be eligible to serve more  
9 than one term if so reappointed by the original appointing authority  
10 or a different or successor appointing authority.

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

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

19 ~~K.~~ J. Each director shall qualify by taking the official oath  
20 of office prescribed by general statute.

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

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

3       ~~N.~~ L. 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.~~ M. 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 or in the  
13 bylaws, all action may be taken by the affirmative vote of the  
14 majority of the Board present at any such meeting, except that no  
15 contracts which involve an amount greater than Fifty Thousand  
16 Dollars (\$50,000.00), or which are to run for a longer period than  
17 one (1) year, and no bonds, notes or other evidence of indebtedness,  
18 and no amendment of the bylaws, shall be valid unless authorized or  
19 ratified by the affirmative vote of at least four directors.

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

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

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

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

13 ~~S.~~ Q. The Board is authorized to adopt or amend the bylaws of  
14 the district as necessary to comply with the provisions of ~~this act~~  
15 Section 861 et seq. of this title.

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

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1 Passed the House of Representatives the 27th day of February,  
2 2012.

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5 Presiding Officer of the House of  
6 Representatives

7 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2012.

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10 Presiding Officer of the Senate

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