

1 **SENATE FLOOR VERSION**

2 March 31, 2011

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 1050

6 By: Sanders of the House

7 and

8 Ballenger of the Senate

9 [agriculture - association elections - effective
10 date]

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

12 SECTION 1. AMENDATORY 2 O.S. 2001, Section 15-113, is
13 amended to read as follows:

14 Section 15-113. A. Within thirty (30) days of the
15 establishment of a fair association, the board of county
16 commissioners shall, by resolution, call for an election of the fair
17 association board of directors. Notice of the elections shall be
18 given in a newspaper published in the county at least ten (10) days
19 before election. Notice of the filing period for the elections
20 shall be given in a newspaper published in the county at least ten
21 (10) days before the filing period for the election. The board of
22 county commissioners, by resolution, shall set forth the following
23 conditions concerning the election:
24

- 1 1. The filing period shall consist of five (5) consecutive
2 business days;
- 3 2. Only registered voters of the county are eligible to file as
4 a candidate;
- 5 3. Any person so filing must reside in the commissioner's
6 district or city they seek to represent;
- 7 4. Prospective candidates must file with the county ~~clerk~~
8 election board;
- 9 5. The board of county commissioners shall prescribe a form to
10 be used by prospective candidates filing for the position of
11 director of the fair board association; and
- 12 6. The date of the election for the fair association board of
13 directors shall be no later than three (3) weeks from the date of
14 the final day of the filing period.
- 15 B. If a district or city does not have a candidate or
16 candidates for the position, the representative or representatives
17 shall be appointed as follows:
- 18 1. The board of county commissioners shall appoint the
19 representatives from the rural areas of the county;
- 20 2. The mayor of the city shall appoint the representatives from
21 the city; and
- 22 3. In the event there is not a candidate for election to the
23 fair association board of directors the appointment will be
24

1 announced no later than two (2) weeks from the closing of the filing
2 period.

3 C. The site of the elections shall be determined by the board
4 of county commissioners. Elections shall be held at a convenient
5 place in each district or city, on the same day and at the same
6 time. The county commissioner representing the district or an
7 official designee of the commissioner shall preside at the election.

8 D. The election shall be by secret ballot.

9 E. Only registered voters of the county shall be allowed to
10 vote.

11 F. The results of the election shall be tabulated at the site
12 of the election and announced prior to the adjournment of the
13 election meeting.

14 G. When a tie vote occurs in the election of a fair association
15 board of directors, the commissioner or commissioner's designee
16 shall select the candidate by lot, pursuant to the procedures set
17 forth in Section 8-105 of Title 26 of the Oklahoma Statutes.

18 H. Initial terms of the directors:

19 1. The director from commissioner's district one shall be
20 elected for a term of one (1) year;

21 2. The director from commissioner's district two shall be
22 elected for a term of two (2) years; and

23 3. The director from commissioner's district three shall be
24 elected for a term of three (3) years.

1 The term of each director elected subsequent to the initial term
2 shall be for a period of three (3) years.

3 I. If there is a city in the county with a population of more
4 than twenty thousand (20,000) according to the latest federal
5 census, the board of county commissioners shall in the following
6 manner cause to be elected two directors to represent the city on
7 the fair association board of directors:

8 1. The county ~~clerk~~ election board or an official designee of
9 the ~~clerk~~ county election board shall preside at election in the
10 city;

11 2. The candidate receiving the highest number of the ballots
12 cast shall be elected for a three-year term;

13 3. The candidate receiving the second highest number of votes
14 shall be elected for a two-year term; and

15 4. If, by the close of the filing period, a district or city is
16 without a candidate for the position of fair board director, the
17 board of county commissioners shall appoint a person to serve on the
18 fair association board of directors to represent the respective
19 district and the mayor of the city shall make the appointments for
20 the two city representatives.

21 SECTION 2. This act shall become effective November 1, 2011.

22 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 3-30-11 - DO PASS, As
23 Amended.

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