

THE STATE SENATE
Monday, February 8, 2010

Senate Bill No. 1898
As Amended

SENATE BILL NO. 1898 - By: Bingman of the Senate and McNiel of the House.

[Grand River Dam Authority - Oklahoma Surplus Property Act
- exclusions - effective date]

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 862.1, as last amended by Section 2, Chapter 524, O.S.L. 2004 (82 O.S. Supp. 2009, Section 862.1), is amended to read as follows:

Section 862.1 In addition to the powers, rights and privileges enumerated in Section 862 of this title, the Grand River Dam Authority shall be exempt from the provisions of the:

1. Oklahoma Open Records Act, exclusively limited to customer proprietary information the Authority is contractually obligated to keep confidential;

2. Oklahoma Open Meeting Act, exclusively limited to authorizing the Grand River Dam Authority Board of Directors to confer on matters pertaining to:

a. coal or gas supply contracts, and

b. rail or truck transportation contracts; ~~and~~

3. Public Building Construction and Planning Act; and

1 4. Oklahoma Surplus Property Act, for purposes of disposal of
2 surplus property, provided the resulting revenue is retained by the
3 district solely for the benefit of its customers and the public.
4 The district shall implement procedures governing the disposal of
5 surplus property which shall be similar to the requirements of the
6 Oklahoma Surplus Property Act and in compliance with other state
7 laws governing public property and funds. The district shall
8 maintain records of surplus property which shall be approved by the
9 Board of Directors. The district is authorized to enter into an
10 agreement with the Department of Central Services to utilize the
11 Department's services in disposing of surplus property. The district
12 is authorized to pay a fee to the Department to cover the
13 administrative costs of such transactions.

14 SECTION 2. AMENDATORY 74 O.S. 2001, Section 62.3, as
15 last amended by Section 14, Chapter 454, O.S.L. 2009 (74 O.S. Supp.
16 2009, Section 62.3), is amended to read as follows:

17 Section 62.3 A. The Director of the Department of Central
18 Services shall promulgate rules for use by state agencies and the
19 Department of Central Services to dispose of surplus property. The
20 rules shall include standards for recordkeeping, methods for removal
21 or disposal of surplus property, and acquisition by state agencies
22 and authorized entities of surplus property, and for Department
23 management of surplus property programs.

1 B. A state agency selling, trading, redistributing or otherwise
2 disposing of surplus property shall comply with the rules
3 promulgated by the Director.

4 C. The Department shall make surplus property available to
5 state agencies and authorized entities, which shall include
6 political subdivisions, school districts, and nonprofit entities of
7 this state.

8 D. The provisions of the Oklahoma Surplus Property Act shall
9 not apply to institutions of higher education in this state, the
10 Grand River Dam Authority, or the Northeast Oklahoma Public
11 Facilities Authority. ~~The Grand River Dam Authority shall be exempt~~
12 ~~from the provisions of the Oklahoma Surplus Property Act for any~~
13 ~~surplus property disposed of prior to November 1, 2006.~~ CompSource
14 Oklahoma shall be exempt from the provisions of the Oklahoma Surplus
15 Property Act if CompSource Oklahoma is operating pursuant to a pilot
16 program authorized by Sections ~~±~~ 3316 and ~~2~~ 3317 of this ~~act~~ title.

17 E. Notwithstanding the provisions of the Oklahoma Surplus
18 Property Act, the Oklahoma State Bureau of Investigation may,
19 pursuant to rules promulgated by the Oklahoma State Bureau of
20 Investigation Commission for that purpose, donate any surplus
21 property, as defined in Section 62.2 of this title, to any law
22 enforcement agency of any political subdivision of the State of
23 Oklahoma. The use of such donated equipment shall be limited to

1 valid and authorized law enforcement efforts by the receiving
2 agency.

3 SECTION 3. This act shall become effective November 1, 2010.

4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY & ENVIRONMENT, dated 2-4-10
5 - DO PASS, As Amended and Coauthored.