

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1022

By: David of the Senate

and

Boles of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to waters and water rights; amending
11 82 O.S. 2011, Section 1085.12, which relates to the
12 powers and duties of the Executive Director of the
13 Oklahoma Water Resources Board; providing gender-
neutral language; modifying reference to Board;
authorizing Executive Director to issue certain
permits; and providing an effective date.

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

17 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1085.12, is
18 amended to read as follows:

19 Section 1085.12 A. The Oklahoma Water Resources Board shall
20 appoint an Executive Director, who shall have had at least six (6)
21 years practical and administrative experience in water resource
22 management, and fix his or her duties and compensation. The
23 ~~Oklahoma Water Resources~~ Board is specifically authorized to
24 delegate to such Executive Director such of its powers and duties as

1 it may deem proper, including powers and duties involving the
2 exercise of official discretion. The authority hereby granted to
3 the ~~Oklahoma Water Resources~~ Board to delegate powers and duties to
4 the Executive Director shall extend to any powers and duties given
5 or transferred to the ~~Oklahoma Water Resources~~ Board under this ~~act~~
6 title, or under any other law conferring powers or imposing duties
7 upon the ~~Oklahoma Water Resources~~ Board, and shall also extend to
8 any powers conferred or duties imposed upon the ~~Oklahoma Water~~
9 ~~Resources~~ Board by any future law, unless ~~such future laws shall any~~
10 law expressly negate negates the authority to make such delegation.
11 Any other part of this ~~act~~ title, or any other law granting
12 authority to the ~~Oklahoma Water Resources~~ Board to delegate any
13 powers or duties, shall not be deemed to be a limitation upon the
14 authority conferred by this section. The Executive Director shall
15 exercise any such delegated powers and perform such delegated
16 duties, in accordance with any rules, regulations or orders made by
17 the ~~Oklahoma Water Resources~~ Board which are applicable thereto.
18 Provided, however, the ~~Oklahoma Water Resources~~ Board shall not
19 delegate to such director any power of determining policy, the
20 execution of any contract or the final adjudication of any claims,
21 applications or controversies, all of which powers and duties shall
22 be exercised solely by the Oklahoma Water Resources Board.

23 B. In addition to the powers and duties specified in subsection
24 A of this section, the Executive Director shall have the power and

1 duty to issue temporary permits and regular permits excluding all
2 permits from sensitive sole source aquifers that meet all the
3 requirements of Titles 27A and 82 of the Oklahoma Statutes and other
4 considerations required by law and that have not been the subject of
5 a protest from an interested party.

6 SECTION 2. This act shall become effective November 1, 2021.

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