

1 ENGROSSED SENATE
2 BILL NO. 1022

By: David of the Senate

3 and

4 Boles of the House

5
6 An Act relating to waters and water rights; amending
7 82 O.S. 2011, Section 1085.12, which relates to the
8 powers and duties of the Executive Director of the
9 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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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

15 Section 1085.12. A. The Oklahoma Water Resources Board shall
16 appoint an Executive Director, who shall have had at least six (6)
17 years practical and administrative experience in water resource
18 management, and fix his or her duties and compensation. The
19 ~~Oklahoma Water Resources~~ Board is specifically authorized to
20 delegate to such Executive Director such of its powers and duties as
21 it may deem proper, including powers and duties involving the
22 exercise of official discretion. The authority hereby granted to
23 the ~~Oklahoma Water Resources~~ Board to delegate powers and duties to
24 the Executive Director shall extend to any powers and duties given

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

19 B. In addition to the powers and duties specified in subsection
20 A of this section, the Executive Director shall have the power and
21 duty to issue temporary permits and regular permits excluding all
22 permits from sensitive sole source aquifers meeting the requirement
23 of Sections 105.12 and 1020.9 of this title and that have not been
24 the subject of a protest from an interested party.

