

1 **SENATE FLOOR VERSION**

2 February 11, 2021

3 **AS AMENDED**

4 SENATE BILL NO. 1022

By: David of the Senate

and

Boles of the House

8 An Act relating to waters and water rights; amending
9 82 O.S. 2011, Section 1085.12, which relates to the
10 powers and duties of the Executive Director of the
11 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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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

21 B. In addition to the powers and duties specified in subsection
22 A of this section, the Executive Director shall have the power and
23 duty to issue temporary permits and regular permits **excluding all**
24 **permits from sensitive sole source aquifers** meeting the requirement

1 of Sections 105.12 and 1020.9 of this title and that have not been
2 the subject of a protest from an interested party.

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

4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
5 February 11, 2021 - DO PASS AS AMENDED
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