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**82 Okl.St. Ann. § 861**

**§ 861. District created and territory included--Governmental agency and body politic--Powers--Designation of land and water**

There is hereby created within the State of Oklahoma a conservation and reclamation district to be known as "Grand River Dam Authority", hereinafter called the district, and consisting of that part of the State of Oklahoma which is included within the boundaries of the Counties of Adair, Cherokee, Craig, Delaware, Mayes, Muskogee, Ottawa, Osage, Pawnee, Payne, Lincoln, Logan, Tulsa, Wagoner, Sequoyah, Haskell, Latimer, Pittsburg, McIntosh, Creek, Okmulgee, Nowata, Washington and Rogers. Such district shall be, and is hereby declared to be, a governmental agency of the State of Oklahoma, body politic and corporate, with powers of government and with the authority to exercise the rights, privileges and functions hereinafter specified, including the control, storing, preservation and distribution of the waters of the Grand River and its tributaries, for irrigation, power and other useful purposes and reclamation and irrigation of arid, semiarid and other lands needing irrigation, and the conservation and development of the forests, minerals, land, water and other resources and the conservation and development of hydroelectric power and other electrical energy, from whatever source derived, of the State of Oklahoma.

Nothing in this act or in any other act or law contained, however, shall be construed as authorizing the district to levy or collect taxes or assessments, or to create any indebtedness payable out of the taxes or assessments, or in any manner to pledge the credit of the State of Oklahoma, or any subdivision thereof.

All that body of land and the water impounded above the Pensacola Dam, Pensacola Project, shall be hereafter designated and known as "Grand Lake O' The Cherokees". All that body of land and the water impounded above Robert S. Kerr Dam, Markham Ferry Project, shall be hereafter designated and known as "Lake Hudson". All that body of land and the water impounded above Chimney Rock Dam, Salina Pumped-Storage Project, shall be designated and known as "W. R. Holway Reservoir".

**82 Okl.St. Ann. § 861A**

**§ 861A. Grand River Dam Authority--Designation as state agency**

A. The Grand River Dam Authority, created pursuant to the provisions of the Grand River Dam Authority Act, Section 861 et seq. of Title 82 of the Oklahoma Statutes, is a nonappropriated agency of the State of Oklahoma. The Grand River Dam Authority herein referred to as the "district" is subject to the laws of the state as they apply to state agencies except as specifically exempted by statute. All funds generated, received and expended by the district are public funds and subject to state laws and regulations governing the receipt and expenditure of public funds in the same manner as all other state agencies. The employees of the district are both classified and unclassified state employees subject to the same benefits and restrictions applicable to all state agencies except as otherwise provided by statute.

B. Recognizing that the district is a unique agency of this state, whose mission requires the ability of the district to function in competition with private industry within the competitive power market, the Legislature hereby requires the Grand River Dam Authority Board of Directors as the rulemaking authority for the district to:

1. Promulgate appropriate rules governing operations of the agency pursuant to the provisions of Article I of the
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Administrative Procedures Act,<sup>1</sup> with the exception of rules dealing with the waters of the Grand River and its tributaries; and

2. Develop written policies and procedures consistent with state laws governing the district's activities including marketing, consumer education, community relations and customer service functions performed by the district.

C. The district is required to document business expenses necessary to carry out the business of the district. Expenses shall meet current State of Oklahoma and Internal Revenue Service guidelines for business expense deductibility.

D. If necessary to comply with the provisions of this act,<sup>2</sup> the Board may, by majority vote, employ an independent audit firm to assist it in its duties. Funds required for this purpose shall be borne by the district with approval by the Board.

E. The Board of Directors or the management of the district may seek advice from the State Treasurer or the State Bond Advisor as it deems necessary.

F. After the effective date of this act,<sup>3</sup> the district shall not provide retail electric power or retail electric service to electric consuming facilities except to:

1. An existing electric consuming facility if such electric power was being provided by the district on the effective date of this act; and

2. Any entity located within the boundary of the Oklahoma Ordnance Works Authority/Mid-America Industrial Park or within a two-mile radius of the boundary.

Retail distribution of electric power shall be defined as any sale not for resale.

## 82 Okl.St.Ann. § 862

### § 862. Powers, rights and privileges of district

The district shall have and is hereby authorized to exercise the following powers, rights and privileges:

(a) To control, store and preserve, within the boundaries of the district, the waters of Grand River and its tributaries, for any useful purpose, and to use, distribute and sell the same within the boundaries of the district; provided, however, that any municipal corporation within the area included within the jurisdiction of the said Grand River Dam Authority shall be entitled to take water from the Grand River and any of its tributaries in any quantities that may be needed by such municipal corporation;

(b) To develop and generate water power, electric power and electric energy, from whatever source, within the boundaries of the district; to acquire coal or other minerals to be used for the purposes of providing energy sources for electrical generating

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plants; to acquire or lease any and all railroad connections, equipment, rolling stock, trackage and otherwise, necessary to the transporting of coal and other minerals to generating plant sites within the district; and to buy, sell, resell, interchange and distribute electric power and energy in order to carry forward the business and functions of the district now or hereafter authorized by law and may enter into contracts for such purposes, such contracts to run for a period of not to exceed fifty (50) years except those contracts provided for in paragraphs (f) and (g) of this section. All contracts may contain such reasonable provisions, limitations, qualifications, protective clauses and rights and obligations of purchase and sale, and such provisions for the dedication of the use of facilities and the construction of additional facilities to serve the load requirements of all the parties as may be deemed advisable by the district to safeguard the business and properties of all the parties to such contracts, all within the limits of sound business judgment and practice, good conscience, and not contrary to the public policy of the state;

(c) To prevent or aid in the prevention of damage to person or property from the waters of the Grand River and its tributaries;

(d) To forest and reforest and to aid in the foresting and reforesting of the watershed area of the Grand River and its tributaries and to prevent and to aid in the prevention of soil erosion and floods within said watershed area;

(e) To acquire by purchase, lease, gift, or in any other manner, and to maintain, use and operate or to contract for the maintenance, use and operation of any and all property of any kind, real, personal, or mixed, or any interest therein, including trucks of any size or weight and passenger vehicles and to own, construct, operate and maintain any project or works in conjunction or jointly with, as tenants in common, any public or private corporation duly authorized and qualified to do business within this state including, but not limited to, rural electric cooperatives of the State of Oklahoma or the United States of America, or any department, subdivision or agency of the State of Oklahoma or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes, within or without the boundaries of the district, necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by this act;<sup>1</sup>

(f) In addition to any other powers conferred, the district shall have power and authority to participate and enter into agreements with any public or private corporation duly authorized and qualified to do business within the State of Oklahoma including, but not limited to, rural electric cooperatives, the state or the United States of America or any department, subdivision or agency of the state or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes, for the purpose of planning, acquiring, financing, owning, operating and maintaining an undivided ownership of any steam, oil, gas, coal-fired, thermal, geothermal, solar, waste or refuse reclamation powered electric generating plant or plants or any facilities of every kind necessary, incidental or convenient for the production, generation and transmission of electric power and energy including, but not limited to, any and all related transmission facilities, which shall be used as common facilities. The agreements shall provide that the district and any participants therein shall have the incidents of tenant in common to any plant or facility. It shall also be provided in the agreements that the district and any participant in the project shall own a percentage of any common facility equal to the percentage of the money furnished or the value of property supplied by it for the acquisition and construction thereof and shall own and control a like percentage of the electrical output thereof.

Each participant shall defray its own interest payments and other payments required to be made or deposited in connection with any financing undertaken by it to pay its percentage of the money furnished or value of property supplied by it for the planning, acquisition and construction of any common facility, or any additions or betterments thereto. The agreement shall further provide a uniform method of determining and allocating operation and maintenance expenses of the common facility.

In carrying out the powers granted in this section, the district and each participant shall be severally liable only for its own acts and not jointly or severally liable for the acts, omissions or obligations of others. No money or property supplied by the district or any participant for the planning, financing, acquiring, constructing, operating or maintaining of any common plant or facility shall be credited or otherwise applied to the account of any other participant therein, nor shall the undivided share of the district or any participant therein be charged, directly or indirectly, with any debt or obligation of any other participant or be subject to any lien as a result thereof. No action in connection with a common facility shall be binding upon the district except as expressly authorized and provided for in the participation agreement;

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(g) In addition to the powers conferred in paragraph (f) of this section, the district shall have power and authority to participate and enter into agreements with any public or private corporation duly authorized and qualified to do business within this state including, but not limited to, rural electric cooperatives, the State of Oklahoma or the United States of America or any department, subdivision or agency of the State of Oklahoma or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes, for the purpose of planning, acquiring, financing, owning, operating and maintaining undivided ownership interests in any steam, oil, gas, coal-fired, thermal, geothermal, solar, waste or refuse reclamation powered electric generating plant or plants or any other facilities of every kind necessary, incidental or convenient for the production, generation and transmission of electric power and energy including, but not limited to, any and all related transmission or other facilities which are to be used as common facilities and to cooperate with other state agencies and public trusts to promote economic development in the state and to assist in attracting industry to the state. Such undivided ownership interests may be created by an agreement entered into with respect to property to be acquired by the district. Any such agreement may be a sale agreement, with the purchase price payable at one time or in installments at such time and over such period as shall be agreed to by the parties thereto, a lease agreement, with a nominal purchase option, or any other type of agreement. In addition to the purchase price, the district shall be fully indemnified as to operation, maintenance, administrative and other expenses incurred with respect to such undivided interest. Any payment received in respect to any such agreement shall be deemed revenues of the Authority. The district is hereby authorized to enter into any such agreement in order to sell, lease or otherwise convey undivided ownership interests in any such property. Any such agreement shall specify the undivided interest to be owned or acquired by each of the participants, provide for a waiver of partition, prescribe the time of vesting of such interest and the amount of electrical output to be owned and controlled by any participant.

Each participant shall defray its own interest and other payments required to be made or deposited in connection with any financing undertaken by it to pay its percentage of the money furnished or value of property supplied by it for the planning, acquisition and construction of any common facility, or any additions or betterments thereto. The agreement shall provide a uniform method of determining and allocating operation and maintenance expenses of the common facility.

In carrying out the powers granted in this section, the district and each participant shall be severally liable only for its own acts and not jointly or severally liable for the acts, omissions or obligations of others. No money or property supplied by the district or any participant for the planning, financing, acquiring, constructing, operating or maintaining of any common plant or facility shall be credited or otherwise applied to the account of any other participant therein, nor shall the undivided share of the district or any participant therein be charged, directly or indirectly, with any debt or obligation of any other participant or be subject to any lien as a result thereof. No action in connection with a common facility shall be binding upon the district except as expressly authorized and provided for in the participation agreement;

(h) To acquire by condemnation any and all property of any kind, real, personal, or mixed, or any interest therein, within or without the boundaries of the district, necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by this act, in the manner provided by general law with respect to condemnation; provided that nothing in this act shall ever be construed to authorize the district to acquire by condemnation any privately, municipally or publicly owned electric public utility system or any part thereof outside of the high-water mark of a reservoir area or outside a properly located damsite, except the districts may require the relocation of transmission lines and substations so owned where such relocation is necessary for the construction and maintenance of dams, reservoirs, levees, spillways and floodways, and in such event just compensation shall be paid. Provided that the Grand River Dam Authority shall have the right to cross transmission lines of other electric utility companies under proper engineering standards of construction as approved by the Corporation Commission;

(i) Subject to the provisions of this act, from time to time sell, which shall include, but not be limited to, an installment sale agreement, lease with nominal purchase options, or otherwise dispose of any property of any kind, real, personal or mixed, or any interest therein, which shall not be necessary to the carrying on of the business of the district;

(j) To overflow and inundate any public lands and public property and to require the relocation of roads and highways in the

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manner and to the extent necessary to carry out the purposes of this act; provided, that said district shall be liable in damages to the State of Oklahoma or any subdivision thereof for any injury occasioned or expense incurred by reason thereof;

(k) To construct, extend, improve, maintain and reconstruct, to cause to be constructed, extended, improved, maintained and reconstructed, and to use and operate any and all facilities of any kind necessary, incidental or convenient to the exercise of such powers, rights, privileges and functions;

(l) To sue and be sued in its corporate name in contracts, reverse condemnation, tort, equity, mandamus and similar actions and in its own name plead and be impleaded, provided, however, that any and all actions of law or in an equity against the district shall be brought in the county in which the principal office of the district shall be located or in the county where the cause of action arose;

(m) To adopt, use and alter a corporate seal;

(n) To make bylaws for the management and regulation of its affairs;

(o) To appoint officers, agents and employees, to prescribe their duties and to fix their compensation; and enter into contracts with labor unions, provided, that contracts with labor unions shall not abrogate the rights of the district to cooperate and carry out Veterans on the Job Training;

(p) To make contracts and to execute instruments necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by this act;

(q) To borrow money for its corporate purposes and, without limitation of the generality of the foregoing, to borrow money and accept grants from the United States of America, or from any corporation or agency created or designated by the United States of America, and, in connection with any such loan or grant, to enter into such agreements as the United States of America or such corporation or agency may require; and to make and issue its negotiable bonds for money borrowed, in the manner provided in this act. Nothing in this act shall authorize the issuance of any bonds, notes or other evidences of indebtedness of the district, except as specifically provided in this act;

(r) To prescribe and enforce rules for the use for recreational and commercial purposes of the lakes created by the district by impounding the waters of said lakes, and the shorelands of the district bordering thereon, including the use of firearms, the inspection of all boats of every character proposing to operate or operating on said lakes, the issuance of permits for the operation of boats, surfboards, aquaplanes, sea-skis or similar devices on said lakes for hire; the charging and collection of fees for the inspection or operation of such boats, surfboards, aquaplanes, sea-skis or other similar devices on said lakes for hire; preventing the launching or operation of any commercial or for-hire boat, surfboard, aquaplane, sea-ski or similar device for hire, on the waters of said lakes, without a certificate of inspection and a permit for such use; prescribing the type, style, location and equipment of all wharves, docks and anchorages along the shores and upon the water of said lakes; the issuance of permits for wharfage, dock or anchorage privileges and charging fees for such commercial or private permits; and the establishment and maintenance of public wharves, docks or anchorages and the charging and collection of fees for the use thereof by the public; to appoint or employ such persons as the district may deem proper and suitable for the purpose of enforcing such rules and regulations as may be issued hereunder, or as may be issued pursuant to the provisions of Sections 4200 et seq. of Title 63 of the Oklahoma Statutes, and for the enforcing of the provisions of this act, and all violations of criminal laws occurring within the boundaries of the counties where real property owned or leased by the Grand River Dam Authority is located, which employees shall have the power of peace officers during the performance of those duties, except in the serving or execution of civil process;

(s) To do any and all other acts or things necessary, incidental or convenient to the exercise of the powers, rights, privileges or functions conferred upon it by this act or any other act or law. Provided said district shall be liable for damage caused by

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said district, its agents, servants and employees in creating, constructing, maintaining or operating said district to any corporation, partnership, person or individual whose property, either real or personal, within or without said district, has been damaged and said damages may be determined by appropriate action as provided by law. Nothing in this act shall be construed as rendering the district liable for damage where it is not liable on general principles of law or statute or Constitutional provision.

Provided, however, that in the course of exercising its powers as herein enumerated, the said district shall at all times consider the rights and needs of the people living within and upon the land lying within the watershed of the rivers or streams developed by the district; provided, however, that nothing herein shall prevent the district from selling for irrigation purposes within the boundaries of the district any water impounded by it under authority of law, provided that nothing herein contained shall authorize the state to engage in agriculture except for educational and scientific purposes and for the support of its penal, charitable, and educational institutions; and

(t) To support and assist the efforts of state, regional and local development organizations, political subdivisions, industrial committees, chambers of commerce, tourism organizations, agricultural organizations, environmental organizations and other similar public and private agencies to obtain new and foster expansion of existing service, industrial and manufacturing facilities, businesses and enterprises to enhance the quality of life for the citizens of the district and the state. Provided, support and assistance shall be limited to an amount not to exceed a total of Twenty-five Thousand Dollars (\$25,000.00) per year for one or more projects or efforts that are for the benefit of or impact the quality of life for each city or community located within the boundaries of the district.

(u) Notwithstanding any other provision of law, the General Manager, department heads and other essential employees of the district, as designated by the General Manager, may be permitted to use a district owned vehicle to provide transportation between the employee's residence and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the employee's official duty.

## 82 Okl.St. Ann. § 862.1

### § 862.1. Grand River Dam Authority--Exemptions

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,<sup>1</sup> exclusively limited to customer proprietary information the Authority is contractually obligated to keep confidential;
  2. Oklahoma Open Meeting Act,<sup>2</sup> 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.<sup>3</sup>
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**82 Okl.St. Ann. § 862.2**

**§ 862.2. Contracts**

Contracts entered into by the Grand River Dam Authority prior to November 1, 2006, for construction, labor, equipment, materials, or repairs necessary for electric generation, administration, and transmission shall not be considered public construction contracts or be subject to the provisions of Title 61 of the Oklahoma Statutes.

**82 Okl.St. Ann. § 863.2**

**§ 863.2. Board of Directors**

A. The powers, rights and privileges and functions of the Grand River Dam Authority, hereinafter referred to as the “district”, shall be exercised by a seven-member Board of Directors, to be appointed according to the provisions of this section.

B. The Board shall have rulemaking authority pursuant to the provisions of Section 861 et seq. of this title. By majority vote, the Board shall have the authority to grant exemptions from any rules not promulgated pursuant to the Administrative Procedures Act<sup>1</sup> which deal with the waters of the Grand River and its tributaries. The Board shall be responsible for approving business expenses of the district necessary to carry out the business of the district. It shall be the duty of the Board of Directors to oversee the functions of the district and ensure the operations of the district are in compliance with all applicable state laws and that expenses of the district comply with state and federal guidelines for business expense deductibility.

C. Members appointed to the Board or who serve as designees shall be domiciled in the State of Oklahoma and shall have paid state income taxes for a minimum of one (1) year prior to the date of appointment.

D. No person shall be eligible to serve on the Board of Directors if the person, during the three (3) years prior to the appointment, has been employed by an investor-owned utility company, or has held a federal, state or county office, elective or appointive.

E. A member of the Board may be eligible to serve on the Oklahoma Ordnance Works Authority Board of Trustees, if appointed to that position by the Governor.

F. On July 1, 2003, or on the effective date of this act,<sup>2</sup> whichever occurs later, all positions of the current Board of Directors shall be deemed vacant, and the new members of the Board of Directors shall be appointed as follows:

1. The Governor shall appoint a director to represent the industrial and commercial customers of the district;

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2. The Governor shall appoint a director to represent economic development interests, lake enthusiasts and property owners;
  3. The Governor shall appoint an at-large director;
  4. The President Pro-Tempore of the Oklahoma State Senate shall appoint an at-large director;
  5. The Speaker of the House of Representatives shall appoint an at-large director;
  6. The General Manager of the Oklahoma Association of Electric Cooperatives, or designee, shall be a voting ex-officio director; and
  7. The Executive Director of the Municipal Electric Systems of Oklahoma, or designee, shall be a voting ex-officio director.
- G. The initial term of office for the five directors appointed pursuant to subsection F of this section shall be as follows:
1. The at-large director appointed by the President Pro Tempore of the Senate shall serve for a term of seven (7) years;
  2. The at-large director appointed by the Speaker of the House of Representatives shall serve for a term of six (6) years;
  3. The director appointed by the Governor representing economic development interests, lake enthusiasts and property owners shall serve for a term of five (5) years;
  4. The director appointed by the Governor to represent industrial and commercial customers shall serve for a term of four (4) years; and
  5. The at-large director appointed by the Governor shall serve for a term of three (3) years.
- H. A successor to a director of the Board shall be appointed in the same manner as the original director and shall serve a term of seven (7) years.
- I. Any director appointed to fill a vacancy on the Board occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.
- J. No director shall be appointed to more than one seven-year term; provided, however, a director may be appointed to fill the unexpired portion of a term and shall be eligible for reappointment to serve a full seven-year term.
- K. Each director shall qualify by taking the official oath of office prescribed by general statute.
- L. Any person serving on the Board of Directors on July 1, 2003, may serve on the Board as provided in this section if they are so appointed or designated and such person is eligible to serve under the provisions of this section.
- M. Any director or designee may be removed for just cause by the Governor.
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N. Each director shall be allowed actual and necessary expenses incurred by such director for attending meetings of the Board and authorized business of the district pursuant to the provisions of the State Travel Reimbursement Act.<sup>3</sup> No director shall hold any other position of employment within the Grand River Dam Authority at the same time such director is serving on the Board.

O. The time and place of the regular meetings and the manner in which special meetings may be called shall be set forth in the bylaws of the district. Four directors shall constitute a quorum at any meeting, and, except as otherwise provided in this act or in the bylaws, all action may be taken by the affirmative vote of the majority of the Board present at any such meeting, except that no contracts which involve an amount greater than Fifty Thousand Dollars (\$50,000.00), or which are to run for a longer period than one (1) year, and no bonds, notes or other evidence of indebtedness, and no amendment of the bylaws, shall be valid unless authorized or ratified by the affirmative vote of at least four directors.

P. At the first meeting of the Board following July 1, 2003, the members appointed pursuant to this section shall, by majority vote, elect a chair and chair-elect who shall serve as the vice-chair. The chair and the chair-elect shall serve a term of one (1) year. Thereafter, the membership of the Board shall elect a chair-elect, at the first meeting of each year and the previous chair-elect shall assume the position of chair for the ensuing year. A member may serve more than one term as chair or chair-elect during their tenure on the Board, provided, however, they may only serve one term in any three-year period.

Q. The Asset Committee shall be chaired by the director appointed to represent economic development interests, lake enthusiasts and property owners. Other members of the Committee may be selected by the Board.

R. The Board may appoint temporary or permanent subcommittees which may include employees of the district or other persons for any purpose it deems necessary or appropriate.

S. The Board is authorized to adopt or amend the bylaws of the district as necessary to comply with the provisions of this act.

T. For the purposes of Section 4254 of Title 74 of the Oklahoma Statutes, the directors of this board, appointed pursuant to this section, shall not be considered state officers or state employees.

### **82 Okl.St.Ann. § 863.3**

#### **§ 863.3. Joint Legislative Task Force on the Grand River Dam Authority--Members--Travel reimbursements**

A. There is hereby created the Joint Legislative Task Force on the Grand River Dam Authority for the purpose of studying the functions, activities, policies, procedures and expenditures performed by the district and any related issues the task force deems appropriate. Members of the task force shall be appointed in January of each year following a state general election by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Membership shall be made up of all Senate and House members whose legislative districts include a portion of the Grand River Dam Authority district. The President Pro Tempore and Speaker shall each designate one of their members to be cochairs of the task force. Meetings of the task force shall be called by the cochairs. A majority of the appointed members shall constitute a quorum for any meeting of the task force. Staffing assistance shall be provided by the staff of the Senate and House of Representatives.

B. The members of the task force created herein shall continue to serve until new members are appointed pursuant to the provisions of subsection A of this section. Such task force is authorized to adopt any recommendations or issue any report it

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deems necessary. Any recommendations or reports shall be approved by a majority of the appointed members. Copies of any recommendations or reports issued by the task force shall be distributed to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the members of the Grand River Dam Authority Board of Directors and the General Manager of the Grand River Dam Authority.

C. Members serving on this task force shall be entitled to travel reimbursement as provided by Section 456 of Title 74 of the Oklahoma Statutes.

## 82 Okl.St. Ann. § 864

### § 864. Appointment of secretary and other officers--Compensation of officers, agents and employees

A. 1. The Board of Directors of the Grand River Dam Authority shall select a secretary who shall keep true and complete records of all proceedings of the Board. Until the appointment of a secretary, or in the event of absence or inability to act, a secretary pro tempore shall be selected by the Board.

2. The Board shall also select a general manager, who shall be the chief executive officer of the district, and a treasurer, who may also hold the office of secretary.

3. All such officers shall have the powers and duties, and shall hold office for such term and be subject to removal in such manner as may be provided in the compensation of such officers. The Board may appoint such officers, fix their compensation and term of office and the method by which they may be removed and delegate to them such other powers and duties as it may deem appropriate.

4. Except for the purpose of inquiry, the Board and its members shall deal with the operations of the district solely through the general manager. The Board and its members shall not:

a. direct or request the general manager or other authority to appoint or remove officers or employees except as herein provided,

b. participate in any manner in the appointment or removal of officers and employees of the district, except as provided by law, or

c. give orders or ordinary administrative matters to any subordinate of the general manager either publicly or privately.

B. The general manager may appoint such other officers, agents, and employees, fix their compensation pursuant to the provisions of this section, and term of office and the method by which they may be removed, and delegate to them such of its power and duties as the general manager may deem proper.

C. Except as provided in subsection A of this section, the compensation of the classified employees of the Grand River Dam Authority shall be computed as follows:

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1. Beginning July 1, 1993, and biannually thereafter, the Office of Personnel Management shall conduct a comprehensive classification and compensation study of all classified positions in the Grand River Dam Authority. The study shall be limited to an analysis of prevailing rates of pay for all positions in electrical generating utilities for jobs comparable to those performed by employees of the Grand River Dam Authority. Such study shall compare all classified positions within the Grand River Dam Authority, including support and maintenance staff employees, with comparable positions within other similarly sized electrical generating utilities only. Each biannual report shall be provided to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Board of Directors of the Grand River Dam Authority. The report shall include an analysis of all classified positions and classifications and recommend an average comparable pay scale developed through the study. The Grand River Dam Authority shall bear the cost of the study;

2. Upon the issuance of any such report, the Board of Directors of the Grand River Dam Authority shall implement the classification and compensation recommendations as appropriate, if fiscal constraints and commitments to ratepayers permit; and

3. The Board of Directors of the Grand River Dam Authority may implement adjustments in compensation to correct inequities as determined by the Board of Directors. The total of these adjustments and those described in paragraph 2 of this subsection may increase the base payroll in excess of the recommendation in the Office of Personnel Management study.

## **82 Okl.St. Ann. § 864.1**

### **§ 864.1. Retired employees--Payment of health insurance premiums**

Except as otherwise provided for in this section, for the life of a retired employee, the Grand River Dam Authority shall pay not less than Sixty Dollars (\$60.00) of its retired member's, employee only, health insurance premiums as long as the retiree elects to continue participation in one of the plans offered by the State and Education Employees Group Insurance Board. Such payment made by the Grand River Dam Authority shall be in addition to any amount contributed by the Oklahoma Public Employees Retirement System pursuant to Section 1316.2 of Title 74 of the Oklahoma Statutes. At its discretion, the Board of Directors of the Grand River Dam Authority may elect to pay more than Sixty Dollars (\$60.00) toward the health insurance premium of a retired employee.

If the sum of the amount paid by the Grand River Dam Authority plus the medical supplement paid by the Oklahoma Public Employees Retirement System pursuant to Section 1316.2 of Title 74 of the Oklahoma Statutes exceeds the amount of the retired member's, employee only, health insurance premium, the Authority may reduce the amount it contributes.

## **82 Okl.St. Ann. § 867**

### **§ 867. Officers and employees to have no interest in contracts--Penalties**

No director, officer, agent, or employee of the district shall be directly or indirectly interested in any contract for the purchase of any property or construction of any work by or for the district, and if any such person shall be or become so interested in any such contract, he shall be guilty of a felony and, on conviction thereof shall be subject to a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00) or to confinement in the county jail for not less than one (1) year nor more than ten (10) years, or both.

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82 Okl.St. Ann. § 868

§ 868. Board authorized to fix and collect rates and charges--State's power to fix charges not to impair contracts

The Board shall establish and collect rates and other charges for the sale or use of water, water connections, power, electric energy or other services sold, furnished, or supplied by the district which fees and charges shall be reasonable and nondiscriminatory and sufficient to produce revenue adequate:

- (a) To pay all expenses necessary to the operation and maintenance of the properties and facilities of the district;
- (b) To pay the interest on and principal of all bonds issued under this act<sup>1</sup> when and as the same shall become due and payable;
- (c) To pay all sinking fund and/or reserve fund payments agreed to be made in respect of any such bonds, and payable out of such revenues, when and as the same shall become due and payable; and
- (d) To fulfill the terms of any agreements made with the holders of such bonds and/or with any person in their behalf. Out of the revenues which may be received in excess of those required for the purposes specified in subparagraphs (a), (b), (c) and (d) above, the Board shall establish a reasonable depreciation and emergency fund, and retire (by purchase and cancellation or redemption) bonds issued under this act, or apply the same to any corporate purpose. It is the intention of this act that the rates and charges of the district shall not be in excess of what may be necessary to fulfill the obligations imposed upon it by this act.

Nothing herein shall be construed as depriving the State of Oklahoma of its power to regulate and control fees and/or charges to be collected for the use of water, water connections, power, electric energy, or other services, provided, that the State of Oklahoma does hereby pledge to and agree with the purchasers and successive holders of the bonds issued hereunder that the state will not limit or alter the power hereby vested in the district to establish and collect such fees and charges as will produce revenues sufficient to pay the items specified in subparagraphs (a), (b), (c), and (d) of this Section 8.2 or in any way to impair the rights or remedies of the holders of the bonds, or of any person in their behalf, until the bonds, together with the interest thereon, with interest on unpaid installments of interest and all costs and expenses in connection with any action or proceedings by or on behalf of the bondholders and all other obligations of the district in connection with such bonds are fully met and discharged.

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**82 Okl.St. Ann. § 869**

**§ 869. Sources for payment of obligations of district**

A. Any and every indebtedness, liability or obligation of the district, for the payment of money, however entered into or incurred, and whether arising from contract, implied contract or otherwise, shall be payable solely (1) out of the revenues received by the district in respect of its properties, subject to any prior lien thereon conferred by any resolution or resolutions theretofore adopted as in this act<sup>1</sup> provided, authorizing the issuance of bonds or (2), if the Board shall so determine out of the proceeds of sale or issuance by the district of bonds or bond anticipation notes payable solely from such revenues.

B. Notwithstanding the provisions of this section, the district is hereby authorized to accept state appropriations to pay any lease-purchase obligations for property purchased from the sale of bonds as provided by law in Section 301 et seq. of Title 73 of the Oklahoma Statutes.

**82 Okl.St. Ann. § 870**

**§ 870. Bonds--Authorization to issue--Provisions of resolution and indenture or agreement--Approval by Attorney General--Registration--Notice of meetings and conference concerning certain coal plants**

The district shall have power and is hereby authorized to issue from time to time, as the need therefor arises, revenue bonds for its corporate purposes in such amount or amounts not to exceed One Billion Four Hundred Ten Million Dollars (\$1,410,000,000.00) outstanding at any time as are necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by this act,<sup>1</sup> or any other act or law, and without limitations of the generality of the powers, rights and privileges heretofore granted, for acquiring a steam generating plant or plants and related facilities, and to extend, improve and reconstruct the same; and for constructing, installing and acquiring dams, reservoirs, hydroelectric power plants, or any steam, oil, gas, coal-fired, thermal, geothermal, solar or waste or refuse reclamation powered electrical generating plant or plants or any other electrical power or generating facilities; or any plant or plants for the production of steam for heating and processing purposes; and all and any facilities of every kind necessary, incidental or convenient for the production and generation of electric power and energy; and for acquiring, constructing and installing transmission lines, substations and all facilities necessary, incidental or convenient to the sale, resale, interchange and distribution of electric power and energy; and for carrying on the business and functions of the district, as is now or hereafter may be authorized by law; and for acquiring additions and improvements to and extensions of facilities, at any time existing, of the district; and for the acquisition of lands and rights-of-way for such use as is now, or may be, authorized by law for the construction, replacement and repair of any dams, plants or other facilities of the district; and to enable it to finance, in cooperation with any "public agency", as defined under the Interlocal Cooperation Act, Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes, any other agency of government, rural electric co-op corporation, or any private or public corporation, the development and utilization of electrical energy or the water resources and rights in waters vested in said district for such purposes as are, or may be, authorized by the laws of Oklahoma, and for financing and refinancing present outstanding obligations of the district, including the payment of any claims, charges or interest on bonds required to be paid. The bonds herein authorized may either be (1) sold for cash, at public or private sale, at such price or prices as the Board shall determine, provided that the interest cost of the money received computed to maturity in accordance with standard bond tables in general use by banks and insurance companies shall not exceed fifteen percent (15%) per year, or (2) may be issued on such terms as the Board shall determine in exchange for property of any kind, real, personal or mixed, or any interest therein which the Board shall deem necessary, incidental or convenient for any such corporate purposes, or (3) may be issued in exchange for like principal amounts of other obligations of the district, matured or unmatured, or (4) may be issued in such principal amounts that when the proceeds thereof are invested in legal and qualified investment, the proceeds together with

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the resulting proceeds of such investments will be sufficient to retire the outstanding initial indebtedness or any portion thereof at maturity or at prior redemption. The proceeds of sale of such bonds shall be deposited in such bank or banks or trust company or trust companies, and shall be paid out pursuant to such terms and conditions as may be agreed upon between the district and the purchasers of such bonds. All such bonds shall be authorized by resolutions of the Board concurred in by at least four of the members thereof, and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, not exceeding fifteen percent (15%) per year payable annually or semiannually, be in such denominations, be in such form, either coupon or registered, carry such registration privileges as to principal only or as to both principal and interest, and as to exchange of coupon bonds for registered bonds or vice versa, and exchange of bonds of one denomination for bonds of other denomination, be executed in such manner and be payable at such place or places within or without the State of Oklahoma as such resolution or resolutions may provide. Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract between the district and the holders thereof from time to time (a) reserving the right to redeem such bonds at such time or times, in such amounts and at such prices, not exceeding one hundred five percent (105%) of the principal amount thereof, plus accrued interest, as may be provided, (b) providing for the setting aside of sinking funds or reserve funds and the regulation and disposition thereof, (c) pledging to secure the payment of the principal of and interest on such bonds and of the sinking fund or reserve fund payments agreed to be made in respect of such bonds all or any part of the gross or net revenues thereafter received by the district in respect of the property, real, personal or mixed, to be acquired or constructed with such bonds or the proceeds thereof, or all or any part of the gross or net revenues thereafter received by the district from whatever source derived, (d) prescribing the purposes to which such bonds or any bonds thereafter to be issued, or the proceeds thereof, may be applied, (e) agreeing to fix and collect rates and charges sufficient to produce revenues adequate to pay the items specified in subparagraphs (a), (b), (c) and (d) of Section 868 of this title and prescribing the use and disposition of all revenues, (f) prescribing limitations upon the issuance of additional bonds and upon the agreements which may be made with the purchasers and successive holders thereof, (g) with regard to the construction, extension, improvement, reconstruction, operation, maintenance and repair of the properties of the district, carrying of insurance upon all or any part of said properties covering loss or damage or loss of use and occupancy resulting from specified risk, (h) fixing the procedure, if any, by which, if the district shall so desire, the terms of any contract with the holders of such bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given, (i) for the execution and delivery by the district to a bank or trust company authorized by law to accept trusts, or to the United States of America or any office or agency thereof, of indentures and agreements for the benefit of the holders of such bonds setting forth any or all of the agreements herein authorized to be made with or from the benefit of the holders of such bonds and such other provisions as may be customary in such indentures or agreements, and (j) such other provisions, not inconsistent with the provisions of the act, as the Board may approve.

Any such resolution and any indenture or agreement entered into pursuant thereto may provide that in the event that (a) default shall be made in the payment of the interest on any or all bonds when and as the same shall become due and payable, or (b) default shall be made in the payment of the principal of any or all bonds when and as the same shall become due and payable, whether at the maturity thereof, by call for redemption or otherwise, or (c) default shall be made in the performance for any agreement made with the purchasers or successive holders of any bonds, and such default shall have continued such period, if any, as may be prescribed by said resolution in respect thereof, the trustee under the indenture or indentures entered into in respect of the bonds authorized thereby, or if there shall be no such indenture, a trustee appointed in the manner provided in such resolution or resolutions by the holders of twenty-five percent (25%) in aggregate principal amount of the bonds authorized thereby and at the time outstanding may, and, upon the written request of the holders of twenty-five percent (25%) in aggregate principal amount of the bonds authorized by such resolution or resolutions at the time outstanding, shall, in his or its own name, but for the equal and proportionate benefit of the holders of all of such bonds, and with or without possession thereof,

- (1) By mandamus or other suit, action or proceeding at law or in equity, enforce all rights of the holders of such bonds,
  - (2) Bring suit upon such bonds and/or the appurtenant coupons,
  - (3) By action or suit in equity, require the district to account as if it were the trustee of an express trust for the bondholders,
  - (4) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of
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such bonds, and/or

(5) After such notice to the district as such resolution may provide, declare the principal of all of such bonds due and payable, and if all defaults shall have been made good, then with the written consent of the holder or holders of twenty-five percent (25%) in aggregate principal amount of such bonds at the time outstanding annul such declaration and its consequence; provided, however, that the holders of more than a majority in principal amount of the bonds authorized thereby and at the time outstanding by instrument or instruments in writing delivered to such trustee have the right to direct and control any and all action taken or to be taken by such trustee under this paragraph. Any such resolution, indenture or agreement may provide that in any such suit, action or proceeding, any such trustee, whether or not all of such bonds shall have been declared due and payable, and with or without possession of any thereof, shall be entitled as of right to the appointment of a receiver who may enter and take possession of all or any part of the properties of the district and operate and maintain the same, and fix, collect and receive rates and charges sufficient to provide revenues adequate to pay the items set forth in subparagraphs (a), (b), (c) and (d) of Section 868 of this title and the costs and disbursements of such suit, action or proceeding, and to apply such revenues in conformity with the provisions of this act and the resolution or resolutions authorizing such bonds. In any suit, action or proceeding by any such trustee, the reasonable fees, counsel fees and expense of such trustee and of the receiver or receivers, if any, shall constitute taxable disbursements and all costs and disbursements, and all costs and disbursements allowed by the court shall be a first charge upon any revenues pledged to secure the payment of such bonds. Subject to the provisions of the Constitution of the State of Oklahoma, the courts of the County of Craig, or other county wherein the domicile may be situated, shall have jurisdiction of any such suit, action or proceeding by any such trustee on behalf of the bondholders and of all property involved therein. In addition to the powers hereinabove specifically provided for, each such trustee shall have and possess all powers necessary or appropriate for the exercise of any thereof, or incident to the general representation of the bondholders in the enforcement of their right.

Before any bonds shall be sold by the district, a certified copy of the proceedings for the issuance thereof, including the form of such bonds, together with any other information which the Attorney General of the State of Oklahoma may require, shall be submitted to the Attorney General and if he shall find that such bonds have been issued in accordance with law he shall approve such bonds and execute a certificate to that effect which shall be filed in the Office of the State Auditor and Inspector of the State of Oklahoma and be recorded in a record kept for that purpose. No bonds shall be issued until the same shall have been registered by the State Auditor and Inspector, who shall so register the same if the Attorney General shall have filed with the State Auditor and Inspector his certificate approving the bonds and the proceedings for the issuance thereof as hereinabove provided. All bonds approved by the Attorney General as aforesaid, and registered by the State Auditor and Inspector as aforesaid, and issued in accordance with the proceedings so approved shall be valid and binding obligations of the district and shall be incontestable for any cause from and after the time of such registration.

The Board shall advise the Attorney General of all meetings and conferences which concern the issuance of bonds by the Grand River Dam Authority for the Coal-Fired Plant No. 2. The Attorney General or his designee shall attend all such meetings and provide to the Speaker of the House of Representatives and the President Pro Tempore of the Senate a report on the progress of the bond issuance and any recommendations for legislative action necessary for the proper issuance of such bonds.

## 82 Okl.St. Ann. § 871

### § 871. Bonds negotiable

All bonds issued by the district pursuant to the provisions of this act<sup>1</sup> shall constitute negotiable instruments within the meaning of The Negotiable Instruments Law.<sup>2</sup>

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**82 Okl.St. Ann. § 872**

**§ 872. District to establish rules and regulations concerning labor and materials--Authority to request aid of United States engineers**

The district may, but without intending by this provision to limit any powers of the district as granted to it by this act,<sup>1</sup> enter into and carry out such contract, or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or projects as the district may deem desirable or as may be requested by the United States of America, or any corporation or agency created, designated or established thereby, which may assist in the financing of any such project or projects. The district shall have the authority to request engineering aid of the Corps of Engineers of the United States Army, the Federal Power Commission, or any other federal agency, in the designing and construction of any project authorized under the terms of this act and to use such aid, if and when offered, and to pay any reasonable cost therefor.

**82 Okl.St. Ann. § 874**

**§ 874. Mortgage, sale, lease or other disposition of property--Pledge of revenues--Exemption from forced sale--Section not applicable to certain agreements**

A. Nothing in Sections 861 through 890 of this title shall be construed as authorizing the district and it shall not be authorized to mortgage or otherwise encumber any of its property of any kind, real, personal or mixed, or any interest therein, or to acquire any property or interest subject to a mortgage or conditional sale, provided that this section shall not be construed as preventing the pledging of the revenues of the district as herein authorized.

B. Nothing in Sections 861 through 890 of this title shall be construed as authorizing the sale, lease or other disposition of any property or interest of the district by the district or any receiver of any of its properties or through any court proceeding or otherwise.

C. 1. The district may sell for cash, subject to competitive bidding as provided by the Board of Directors of the Grand River Dam Authority, any property or interest in an aggregate value not exceeding the sum of Five Hundred Thousand Dollars (\$500,000.00) in any one (1) year, except that the district may sell any or all surplus property that the district may have acquired without regard to the limitations herein, if the Board, by the affirmative vote of five or more of the members, shall have determined that the same is not necessary to the business of the district and shall have approved the terms of any sale.

2. Notwithstanding any other provision of law, the district may sell real and personal property used for an electrical substation, transformer station, switch station, or similar purpose to a rural electric cooperative corporation which has an ownership interest in an electricity generating station in which the district also has an ownership interest. Sales pursuant to this paragraph shall be exempt from the requirements and limitations of paragraph 1 of this subsection and from the requirements of Section 129.4 of Title 74 of the Oklahoma Statutes.

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D. The district may lease any of its lands if the Board, by the affirmative vote of five or more of the members, shall have determined that the same can be leased without injury to or without interference with the operations of the project, and shall have approved the terms of any lease. Except as otherwise provided, no shorelands (lands lying between the low and high water marks) shall be leased for a term longer than two (2) years and not more than one-fourth (1/4) mile of the lake front shall be leased to any one person, firm or corporation. The district may lease shorelands for a term longer than two (2) years and more than one-fourth (1/4) mile of lake front may be leased to any one person, firm, or corporation without regard to the limitations herein, if the Board, by the affirmative vote of a majority of the members, determines that the lease is necessary or beneficial to the business of the district. The district may lease shorelands to political subdivisions, agencies of the State of Oklahoma, or tax-exempt public trusts, for any public purpose, on such terms as are mutually satisfactory to the parties, notwithstanding the limitations herein. No lease shall deprive the owner of any land adjacent to the shorelands or lake front, or abutting thereon, of ingress or egress to and from the water of the lakes and shall not deprive the owner of any wharf, dock or boat anchorage privileges that would belong to the owner if the shorelands or lake front were not leased.

E. It is the intention of Sections 861 through 890 of this title that, except by sale, lease or agreement as expressly authorized in Sections 861 through 890 of this title, no property or interest of the district shall ever come into the ownership or control, directly or indirectly, of any person, firm or corporation other than a public authority created under the laws of the State of Oklahoma.

F. Nothing in this section shall be construed as preventing the district from contracting with the United States or any agency thereof for the temporary possession, control and use of properties by the United States or any agency thereof for the safety and defense of the United States in time of a national emergency or in anticipation thereof.

G. All property of the district shall be at all times exempted from forced sale, and nothing contained in Sections 861 through 890 of this title shall authorize the sale of any of the property of the district under any judgment rendered in any suit, and such sales are hereby prohibited and forbidden. The provisions of this subsection shall not apply to any property constructed on a lease or the interest in a lease of shoreland that has been entered into by the district pursuant to subsection B of this section for a term of longer than two (2) years, provided the provisions of the lease authorizing the mortgage and forced sale of the property or lease interest has been approved by an affirmative vote of a majority of the members of the Board.

H. The provisions of this section shall not apply to any sale agreement, lease agreement or other agreement entered into by the district pursuant to paragraphs (f) or (g) of Section 862 of this title, provided that the agreement is in compliance with any applicable provision restricting the sale or leasing of property by the district contained in any resolution of the district providing for the issuance of revenue bonds.

## 82 Okl.St. Ann. § 874.2

### § 874.2. Licenses for real property encroachment

The Grand River Dam Authority is hereby authorized in its discretion to issue licenses to encroach upon real property owned by the Authority to adjacent property owners for structures built upon the real property prior to June 1, 2005. The Authority shall receive from the licensee for any license issued pursuant to this section the fair market value of the unimproved land and any administrative costs, including appraisals or surveys, required by the Authority.

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**82 Okl.St. Ann. § 876**

**§ 876. Bonds exempted from taxation except inheritance tax--Bonds as securities**

All bonds and the interest thereon issued pursuant to the provisions of this act shall be exempt from taxation, except inheritance taxes, by the State of Oklahoma or by any municipal corporation, county or other political subdivision or taxing district of the state.

Bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies, agencies and instrumentalities of the state and its political subdivisions, all banks, trust companies, trust and loan associations, investment companies, and others carrying on a banking business, and all insurance companies and insurance associations, and others carrying on an insurance business, may legally and properly invest funds including capital in their control or belonging to them. Such bonds are also approved as collateral security for the deposit of any public funds and for the investment of trust funds.

**82 Okl.St. Ann. § 877**

**§ 877. Act to constitute only authority for bond issues--Other acts inapplicable**

This act without reference to other statutes of the State of Oklahoma shall constitute full authority for the authorization and issuance of bonds, hereunder, and no other act or law with regard to the authorization or issuance of obligations or the deposit of the proceeds thereof, or in any way impeding or restricting the carrying out of the acts herein authorized to be done shall be construed as applying to any proceedings taken hereunder or acts done pursuant hereto.

**82 Okl.St. Ann. § 878**

**§ 878. Construction of act**

This act and all of the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein.

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**82 Okl.St. Ann. § 879**

**§ 879. Partial invalidity**

If any provision of this act<sup>1</sup> or the application thereof to any person or circumstance shall be held to be invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

**82 Okl.St. Ann. § 880**

**§ 880. Short title**

This act<sup>1</sup> may be cited as the Grand River Dam Authority Act.

**82 Okl.St. Ann. § 882**

**§ 882. Judicial determination by Supreme Court of validity of bonds, contracts and other acts--Notice**

The district is authorized in its discretion to file an application with the Supreme Court of Oklahoma for approval by said court of any bonds to be issued under this act, or to file a petition for a judgment determining the validity of any proposed contract or action arising from the exercise of any of the powers, rights, privileges and functions conferred upon the district under this act; and exclusive original jurisdiction is hereby conferred upon the Supreme Court to hear and determine each such application or petition. It shall be the duty of the Court to give such applications and petitions precedence over the other civil business of the Court except habeas corpus proceedings, and to consider and pass upon the applications and petitions and any protests which may be filed thereto as speedily as possible. Notice of the hearing on each application and petition shall be given by a notice published in a newspaper of general circulation in the state that on a day named the district will ask the Court to hear its application and approve the bonds, or hear its petition and enter a declaratory judgment. Such notice shall inform property owners, taxpayers, ratepayers, citizens, and all persons having or claiming any right, title, or interest in such matter or properties or funds to be affected by the issuance of such bonds, or proposed contract or action, or affected in any way thereby, that they may file protests against the issuance of the bonds, or declaratory judgment, and be present at the hearings and contest the legality thereof. Such notice shall be published one time not less than ten (10) days prior to the date named for the hearing and the hearing may be adjourned from time to time in the discretion of the Court. If the Court shall be satisfied that the bonds have been properly authorized in accordance with this act and that, when issued, they will constitute valid obligations in accordance with their terms, the Court shall render its written opinion approving the bonds, and shall, upon application of the district, also issue an order permanently enjoining all persons described in the aforesaid notice from thereafter instituting any action or proceeding contesting the validity of such bonds, or of the rates, fees or charges authorized to be charged for the payment thereof, or the pledge of revenues to secure such payment, and shall fix the time within which a petition for rehearing may be filed. If the Court shall be satisfied that the proposed contract or action is in accordance with this act, the Court shall enter a judgment approving and declaring such contract or action to be valid, and shall, upon

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application of the district, also issue an order permanently enjoining all persons described in the aforesaid notice from thereafter instituting any action or proceeding contesting the validity of such contract or action, and shall fix the time within which the petition for rehearing may be filed. The decision of the Court shall be a judicial determination of the validity of the bonds, shall be conclusive as to the district, its officers and agents, and thereafter the bonds so approved and the revenues pledged to their payment shall be incontestable in any court in the State of Oklahoma, and any declaratory judgment on any contract or action of the district entered pursuant to this section shall have the force and effect of a final judgment or decree.

**82 Okl.St. Ann. § 887**

**§ 887. Waters of Grand River and reservoirs thereon as nonnavigable and waters of State of Oklahoma**

That the waters of Grand River in Oklahoma and the Pensacola and Markham Ferry Reservoirs, located thereon, be and are hereby determined and declared to be nonnavigable and waters of the State of Oklahoma.

**82 Okl.St. Ann. § 889**

**§ 889. Permits for maintaining docks, wharves, vessels, etc.--Limitation--Rules**

The Grand River Dam Authority shall issue no permit for any dock, wharf, landing, boathouse or for any houseboat, vessel or other floating structure of a stationary or semistationary nature and no permit heretofore issued shall be valid unless said dock, wharf, landing, boathouse or such stationary or semistationary houseboat, vessel or other floating structure of any nature shall be securely attached to the shorelands adjacent to the water's edge by means of suitable cables or metal stiff-arms as approved by the Authority. Said cables or stiff-arms and any walkway extending to the shorelands shall conform to the rules promulgated by the Authority.

**82 Okl.St. Ann. § 890**

**§ 890. Control of segment of Grand River downstream from Fort Gibson Dam**

The Grand River Dam Authority shall have no control over that portion of the Grand River downstream from Fort Gibson Dam to the point of confluence of the waters of the Grand River with those of the Arkansas River.

**82 Okl.St. Ann. § 895**

**§ 895. Certain municipal annexations prohibited**

Municipalities are prohibited from annexing property which is covered by any body of water subject to the control of the Grand River Dam Authority or from annexing any property located within one thousand (1,000) feet of the high water mark of such body of water, without prior approval of the Grand River Dam Authority Board of Directors. Provided, however, municipalities may annex property by crossing a body of water if the property has been improved with a bridge or similar permanent structure.

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