

ENROLLED HOUSE
BILL NO. 2143

By: Taylor of the House

and

Harrison, Cole, Maddox
and Shurden of the
Senate

An Act relating to the Oklahoma Sunset Law; amending 74 O.S. 1991, Section 3903, as amended by Section 1, Chapter 1, O.S.L. 1992 (74 O.S. Supp. 1995, Section 3903), which relates to the 1996 sunset list; modifying sunset date; modifying the list of sunset entities; amending 43A O.S. 1991, Section 3-407, which relates to the Advisory Council on Alcohol and Drug Abuse; recreating the Advisory Council on Alcohol and Drug Abuse; creating the Advisory Commission on Latin American and Hispanic Affairs; stating legislative declaration; stating legislative intent; providing for appointment, qualifications, terms, officers, reimbursement, meetings, staffing, quorums, powers, duties and responsibilities; providing for the submitting of formal written positions and issue papers; and providing for codification.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 3903, as amended by Section 1, Chapter 1, O.S.L. 1992 (74 O.S. Supp. 1995, Section 3903), is amended to read as follows:

Section 3903. The following statutory entities and their successors shall be terminated on July 1, ~~1996~~ 2002, and all powers, duties and functions shall be abolished one (1) year thereafter:

1. Oklahoma State Committee of Plumbing Examiners as created by Section 1004 of Title 59 of the Oklahoma Statutes;

2. ~~Water~~ Waterworks and ~~Sewage Works Operators Certification~~ Wastewater Works Advisory Council as created by Section 1103 of Title 59 of the Oklahoma Statutes;

3. Special Agency Account Board as created by Section 7.2 of Title 62 of the Oklahoma Statutes;

4. State Board of Examiners of ~~Official~~ Certified Shorthand Reporters as created by Section 1501 of Title 20 of the Oklahoma Statutes; ~~and~~

5. Oklahoma EMS Advisory Council as created by Section ~~1-2511~~ 1-2516 of Title 63 of the Oklahoma Statutes;

6. Advisory Council on Alcohol and Drug Abuse as created by Section 3-407 of Title 43A of the Oklahoma Statutes;

7. Oklahoma Educational Television Authority as created by Section 23-105 of Title 70 of the Oklahoma Statutes; and

8. Advisory Commission on Latin American and Hispanic Affairs as created by Section 3 of this act.

SECTION 2. AMENDATORY 43A O.S. 1991, Section 3-407, is amended to read as follows:

Section 3-407. A. The Therapeutic Advisory Council for Drug Abuse Prevention, as authorized under Sections 653.11 et seq. of Title 43A of the Oklahoma Statutes, and the Alcoholism Advisory Council, as authorized by Sections 2115 et seq. of Title 63 of the Oklahoma Statutes, are hereby abolished. The Advisory Council on Alcohol and Drug Abuse is hereby created, to continue until July 1, ~~1996~~ 2002, in accordance with the provisions of the Oklahoma Sunset Law.

1. The Advisory Council shall consist of fifteen (15) voting members, to be selected by the Board of Mental Health and Substance Abuse Services. Initial appointments shall be made from among the current appointive members of the two former councils;

2. For the initial appointment, the Board shall designate five members for a term of one (1) year, five members for a term of two (2) years, and five members for a term of three (3) years. Thereafter, all members shall be appointed for a term of three (3) years and vacancies shall be filled only to the expiration of the remaining term. Members shall be eligible for reappointment;

3. After the initial appointment, members shall be selected by the Board on a statewide basis to ensure geographical distribution and shall be representative of both professional and lay citizens interested in the problem of alcoholism, drug dependence and other substance abuse;

4. The Board may from time to time appoint permanent ex officio nonvoting members consisting of directors of public agencies or their designees, who shall serve at the pleasure of the Board; and

5. Members shall be reimbursed for their travel expenses in accordance with the provisions of the State Travel Reimbursement Act.

B. The Council shall meet monthly at a location designated by the Board.

C. The Council shall advise the Board relating to:

1. Facility certification policies and procedures;

2. Formulation of long-range plans for development of adequate services and facilities for the prevention and treatment of alcoholism, drug dependence and other forms of substance abuse;

3. The promotion, development, establishment, coordination and conduct of unified programs for prevention, diagnosis, treatment and rehabilitation in the field of alcoholism, drug dependence and other forms of substance abuse; and

4. The evaluation of existing or planned programs.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7006.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 2002, in accordance with the provisions of the Oklahoma Sunset Law, the Advisory Commission on Latin American and Hispanic Affairs. The Legislature declares that the public policy of this state is to ensure equal opportunity for all of its citizens. The purpose of the Advisory Commission is to expand opportunities for Oklahoma Hispanics in the areas of education, employment, health, housing, culture and recreation. The Advisory Commission shall also make concerted efforts towards increasing statewide public awareness of problems surrounding Hispanics by gathering and distributing relevant statistical data and other economic information, and by conducting special studies and programs as to the best methods of serving the needs of Hispanics in the labor market. It is the intent of the Legislature that the Advisory Commission cooperate in the efforts of

state departments and agencies, and with public and private organizations in understanding and serving the needs relevant to the Oklahoma Hispanic community.

B. The Advisory Commission shall be composed of fifteen (15) members:

1. Five members shall be appointed by the Governor, one appointed from Congressional District No. 3, one appointed from Congressional District No. 6, and three appointed at large, as follows:

- a. position 1, District No. 3, appointed until July 1, 1999,
- b. position 2, District No. 6, appointed until July 1, 1999,
- c. position 3, at large, appointed until July 1, 1998,
- d. position 4, at large, appointed until July 1, 1998, and
- e. position 5, at large, appointed until July 1, 1997;

2. Five members shall be appointed by the Speaker of the House of Representatives, one appointed from Congressional District No. 1, one appointed from Congressional District No. 4, and three appointed at large, as follows:

- a. position 1, District No. 1, appointed until July 1, 1999,
- b. position 2, District No. 4, appointed until July 1, 1999,
- c. position 3, at large, appointed until July 1, 1998,
- d. position 4, at large, appointed until July 1, 1997, and
- e. position 5, at large, appointed until July 1, 1997; and

3. Five members shall be appointed by the President Pro Tempore of the Senate, one appointed from Congressional District No. 2, one appointed from Congressional District No. 5, and three appointed at large, as follows:

- a. position 1, District No. 2, appointed until July 1, 1998,
- b. position 2, District No. 5, appointed until July 1, 1998,
- c. position 3, at large, appointed until July 1, 1999,
- d. position 4, at large, appointed until July 1, 1997, and
- e. position 5, at large, appointed until July 1, 1997.

The members so appointed shall be of Hispanic origin or have expertise in Latin American or Hispanic community concerns. It is the intent of the Legislature that the appointees be of diverse cultural background, education, employment and public service experience. After the initial appointments, the Advisory Commission members shall be appointed for three-year terms. The members shall elect a chairperson and vice-chairperson from among its membership. Such officer shall be elected for a two-year term. Any vacancies occurring within the Advisory Commission before the expiration of the term shall be filled by appointment by the appointing authority for the remainder of the term.

C. The first meeting shall be called by the Administrator of the Office of Personnel Management on or before September 1, 1996. After the initial meeting, meetings of the Commission shall be held at the call of the chairperson at least four times a year. A majority of the members present at a meeting shall constitute a quorum. Members shall receive no compensation for work on the Commission but shall receive travel reimbursement by their

appointing authority in accordance with the State Travel Reimbursement Act. The Commission shall be staffed by employees of the Office of Personnel Management designated by the Administrator.

D. The Advisory Commission shall have the following powers, duties and responsibilities:

1. Advise the Governor, the Legislature, state agencies, and the courts on the development and implementation of policies, plans and programs which relate to the special needs of Hispanics;
2. Gather and disseminate information and conduct public hearings, conferences and special studies on problems and programs concerning Hispanics;
3. Coordinate, assist and cooperate with the efforts of state departments and agencies to serve the needs of Hispanics especially in the areas of culture, education, employment, health, housing and recreation;
4. Develop, coordinate and assist other public and private organizations with understanding problems concerning Hispanics;
5. Propose new programs concerning Hispanics;
6. Evaluate existing programs and legislation and proposed legislation concerning Hispanics;
7. Stimulate public awareness of the problems of Hispanics by conducting programs of community education;
8. Conduct training programs for community leadership;
9. Accept private or public contributions to assist in the effectuation of this section and to seek and enlist the cooperation of public and private agencies and organizations for the purposes of this section;
10. Solicit, receive and expend federal funds to effectuate the purposes of this section and enter into contracts and agreements with any federal agency for such purposes;
11. Establish advisory committees on special subjects of concern to Hispanics;
12. Cooperate with the State Department of Education in advising and assisting school districts concerning Hispanic issues; and
13. Secure appropriate recognition of Hispanic accomplishments and contributions to this state.

E. On or before January 1 of each year, all advice, council and recommendations offered by the Advisory Commission shall be presented to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate in the form of formal written positions or issue papers signed by a majority of the members of the Advisory Commission or as informal written communiques signed by the chairperson with the written consent of the majority of the Advisory Commission.

Passed the House of Representatives the 20th day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 20th day of May, 1996.

President

of the Senate