

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1871

By: Covey, Blackburn, Braddock,
Bonny, Dunegan, Matlock,
Stites and Wells of the
House

and

Helton of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to veterans; amending 72 O.S. 1991, Section 67.13a, as last amended by Section 4, Chapter 192, O.S.L. 1998 (72 O.S. Supp. 1999, Section 67.13a), which relates to definition of war veterans; modifying definition; providing for on-the-job employee safety program; authorizing expenditure of funds to provide incentive awards for safety-related job performance; limiting value of such awards; amending 72 O.S. 1991, Section 222, which relates to the Oklahoma Department of Veterans Affairs Revolving Fund; modifying purpose of such revolving fund; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 72 O.S. 1991, Section 67.13a, as last amended by Section 4, Chapter 192, O.S.L. 1998 (72 O.S. Supp. 1999, Section 67.13a), is amended to read as follows:

Section 67.13a The words "war veterans" used in Section 67.13 of this title shall be construed to mean such honorably discharged persons as served:

1. In the Armed Forces of the United States at any time during the period from April 6, 1917, to November 11, 1918, both dates inclusive;

2. In the Armed Forces of the United States as members of the 45th Division at any time during the period from September 16, 1940, to December 7, 1941, both dates inclusive;

3. In the Armed Forces of the United States at any time during the period from December 7, 1941, to December 31, 1946, both dates inclusive;

4. In the Armed Forces of the United States at any time during the period from June 27, 1950, to January 31, 1955, both dates inclusive;

5. For a period of ninety (90) days or more, unless discharged from active duty for a service-connected disability, in the Armed Forces of the United States during the period of time in which the United States participated in a war, campaign or battle, but excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability;

6. In the Armed Forces of the United States at any time during the period which began on:

- a. February 28, 1961, and ended on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and
- b. August 5, 1964, and ended on May 7, 1975, in all other cases,

except that such period shall be deemed to have ended on December 31, 1976, when determining eligibility for education and training benefits; or

7. In the Armed Forces of the United States on or after August 1, 1990, ~~and ended on December 31, 1991,~~ during the period of time in which the United States participates in a war, military or naval campaign, or expedition, excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability.

The term "war veterans" shall include only those persons who shall have served during the times or in the areas prescribed in this section, and those persons who were awarded service medals, as

authorized by the United States Department of Defense as reflected in the veteran's Defense Department Form 214, related to the Vietnam Conflict who served prior to August 5, 1964. Any honorably discharged war veteran of any of the Armed Forces of the United States shall be entitled to such tax exemptions to include but not be limited to tax-exempt veterans' benefits as provided in paragraph 12 of Section 2887 of Title 68 of the Oklahoma Statutes, special permits and veterans' preferences for state employment; provided, that any person who shall have served on active duty for training purposes only shall not be entitled to any such tax exemptions, special permits or veterans' preferences.

The provisions of this act shall include military retirees, whose retirement was based only on active service, that have been rated as having twenty percent (20%) or greater service-connected disability by the Veterans Administration or the Armed Forces of the United States.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 63.10a of Title 72, unless there is created a duplication in numbering, reads as follows:

It is the intent of the Legislature that the promotion of safety in the workplace is a legitimate public purpose. In order to establish a public employee benefit program to encourage safety in the workplace, the Department of Veterans Affairs is hereby directed to establish an on-the-job employee safety program which encourages work unit safety and reduces lost productivity and compensation costs. In order to promote job safety in work units and provide recognition for work units with exceptional safety records, the Department of Veterans Affairs is authorized to expend from monies available in the State Department of Veterans Affairs Revolving Fund so much thereof as may be necessary to provide incentive awards for safety-related job performance. However, no employee shall be

recognized more than once per calendar year, and the award shall not exceed the value of One Hundred Dollars (\$100.00).

SECTION 3. AMENDATORY 72 O.S. 1991, Section 222, is amended to read as follows:

Section 222. A. There is hereby created in the State Treasury a Revolving Fund for the Oklahoma Department of Veterans Affairs to be known as the Oklahoma Department of Veterans Affairs Revolving Fund. The said Revolving Fund shall consist of all funds and monies received by the Oklahoma Department of Veterans Affairs, its constituent institutions, and/or, the War Veterans Commission of Oklahoma, from any gifts, contributions, bequests, individual reimbursements except as otherwise provided by law, and other sources of revenue, for the care or support of war veterans discharged other than under dishonorable conditions, who have been admitted and cared for at the Oklahoma Department of Veterans Affairs Centers, at Ardmore, Claremore, Clinton, Norman, Sulphur or Talihina. Provided no grants-in-aid, reimbursements, or other revenue from the United States government or any instrumentality of the United States government shall be deposited in said fund. Provided further, nothing contained herein prohibits the establishment and utilization of special agency accounts by the Department of Veterans Affairs and its constituent institutions, as may be approved by the Special Agency Account Board, for receipt and disbursement of the personal funds of Veteran Center patients and members and/or for receipt and disbursement of charitable contributions and donations for use by and for patients and members.

B. The Revolving Fund herein created shall be used by the Oklahoma Department of Veterans Affairs to pay for the care of war veterans discharged other than under dishonorable conditions, in said Veterans Centers, to pay the general operating expenses of the Veterans Centers, including the payment of salaries and wages of officials and employees, to pay for the employee safety programs and

incentive awards provided for in Section 2 of this act, and to remodel, repair, construct, build additions, modernize, or add improvements of domiciliary or hospital buildings necessary for the care of veterans, including tuberculosis, mentally ill or neuropsychiatric patients, but not excluding others; and architectural plans, specifications, or other costs pertinent thereto.

C. The Department of Veterans Affairs may transfer monies from the revolving fund created in this section to the W.V.C. Revolving Fund in the State Treasury.

D. All expenditures from said Revolving Fund shall be made upon warrants issued by the State Treasurer based upon claims approved by the Department of Veterans Affairs, as provided by law, and filed with the Director of State Finance for approval and payment.

SECTION 4. This act shall become effective July 1, 2000.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-2-9363 MCD 6/11/15