

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 2ND CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 2290

By: Wright (John) of the House  
and  
Aldridge of the Senate

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8  
9 2ND CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to sunset; amending Section 4,  
11 Chapter 313, O.S.L. 2004 (59 O.S. Supp. 2009, Section  
12 1873), which relates to the Oklahoma Board of  
13 Licensed Alcohol and Drug Counselors; re-creating the  
14 Board; modifying termination date; amending Section  
15 1, Chapter 303, O.S.L. 2003 (74 O.S. Supp. 2009,  
16 Section 5401), which relates to the Oklahoma  
17 Strategic Military Planning Commission; re-creating  
18 the Commission; and modifying termination date.

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

19 SECTION 1. AMENDATORY Section 4, Chapter 313, O.S.L.  
20 2004 (59 O.S. Supp. 2009, Section 1873), is amended to read as  
21 follows:

22 Section 1873. A. There is hereby created, to continue until  
23 July 1, ~~2010~~ 2014, in accordance with the provisions of the Oklahoma  
24 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug

1 Counselors, consisting of seven (7) members, to be appointed by the  
2 Governor, with the advice and consent of the Senate, as follows:

3 1. a. Six members who shall be alcohol and drug counselors  
4 certified by an entity recognized to do professional  
5 alcohol and drug counseling certification in this  
6 state; provided, however, five of such members shall  
7 subsequently secure licensure and one such member  
8 shall subsequently secure certification, pursuant to  
9 the provisions of the Licensed Alcohol and Drug  
10 Counselors Act, no later than January 1, 2005.

11 b. Thereafter, five members shall be licensed alcohol and  
12 drug counselors at the time of appointment, and one  
13 member shall be certified as an alcohol and drug  
14 counselor at the time of appointment.

15 c. Pursuant to the provisions of this paragraph, the  
16 Governor shall appoint:

17 (1) four members from a list of names submitted by  
18 the Oklahoma Drug and Alcohol Professional  
19 Counselors Association,

20 (2) one member from a list of names submitted by the  
21 Oklahoma Substance Abuse Services Alliance, and

22 (3) one member from a list of names submitted by the  
23 Oklahoma Citizen Advocates for Recovery and  
24 Treatment Association.

1           d. One member shall be appointed from and shall represent  
2           the general public. Such member shall be a resident  
3           of this state who has attained the age of majority and  
4           shall not be, nor shall ever have been, a licensed or  
5           certified alcohol and drug counselor, or the spouse of  
6           a licensed or certified alcohol and drug counselor, or  
7           a person who has ever had any material financial  
8           interest in the provision of alcohol and drug  
9           counseling services or has engaged in any activity  
10          directly related to the practice of alcohol and drug  
11          counseling.

12          2. The composition of the Board shall include five members who  
13          hold a master's or higher degree and one member whose highest degree  
14          held is a bachelor's degree.

15          3. The Governor shall appoint the members to the Board no later  
16          than July 1, 2004.

17          B. Each member of the Board appointed as a licensed alcohol and  
18          drug counselor shall:

19            1. Be certified or licensed to engage in the practice of  
20            alcohol and drug counseling in this state and shall be in good  
21            standing; and

22            2. Have at least three (3) years of experience in the practice  
23            of alcohol and drug counseling in this state.

1 C. Two of the members initially appointed shall serve three-  
2 year terms; two shall serve four-year terms and three shall serve  
3 five-year terms, as designated by the Governor. Thereafter, the  
4 terms of all members shall be five (5) years.

5 D. A vacancy on the Board shall be filled in the same manner as  
6 the original appointment for the balance of the unexpired term.  
7 Members may succeed themselves but shall serve no more than two  
8 consecutive terms. Each member shall serve until a successor is  
9 appointed and qualified.

10 E. Members of the Board may be removed from office for one or  
11 more of the following reasons:

12 1. The refusal or inability for any reason to perform the  
13 duties of a Board member in an efficient, responsible and  
14 professional manner;

15 2. The misuse of office for pecuniary or material gain or for  
16 personal advantage for self or another;

17 3. A violation of the laws or rules governing the practice of  
18 alcohol and drug counseling; or

19 4. Conviction of a felony as verified by a certified copy of  
20 the record of the court of conviction.

21 F. Members of the Board shall serve without compensation, but  
22 shall be reimbursed for actual and necessary travel expenses as  
23 provided in the State Travel Reimbursement Act.

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1 SECTION 2. AMENDATORY Section 1, Chapter 303, O.S.L.  
2 2003 (74 O.S. Supp. 2009, Section 5401), is amended to read as  
3 follows:

4 Section 5401. A. There is hereby created the Oklahoma  
5 Strategic Military Planning Commission.

6 B. The Oklahoma Strategic Military Planning Commission shall  
7 consist of seven (7) members as follows:

8 1. Five persons to be appointed by the Governor, each of whom  
9 shall represent, respectively, the interests of communities that  
10 would be affected by realignment or closure of the following  
11 military installations:

- 12 a. Altus Air Force Base,
- 13 b. Vance Air Force Base,
- 14 c. Fort Sill,
- 15 d. the Army Ammunition Plant located near McAlester, and
- 16 e. Tinker Air Force Base; and

17 2. One person to be appointed by the Speaker of the House of  
18 Representatives from the membership of the House and one person to  
19 be appointed by the President Pro Tempore of the Senate from the  
20 membership of the Senate. The members appointed pursuant to this  
21 paragraph shall be ex officio and nonvoting members of the  
22 Commission.

23 C. The members of the Commission shall serve at the pleasure of  
24 the appointing authority. The members of the Commission shall

1 select from among their membership a chair and vice-chair. The  
2 chair and vice-chair shall serve for a period of one (1) year.

3 D. The Commission shall be subject to the provisions of the  
4 Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

5 E. The Commission shall be authorized to meet at such times as  
6 may be required in order to fulfill the duties and responsibilities  
7 imposed upon it by law.

8 F. The provisions of this section shall cease to have the force  
9 and effect of law and the Commission shall be dissolved by operation  
10 of law on December 31, ~~2010~~ 2014.

11 G. The members of the Commission shall not be deemed to be  
12 officers or to hold public office for purposes of Section 6 of Title  
13 51 of the Oklahoma Statutes.

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