

ENROLLED HOUSE
BILL NO. 2290

By: Wright (John) of the House

and

Aldridge of the Senate

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

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

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

Section 1873. A. There is hereby created, to continue until July 1, ~~2010~~ 2014, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug Counselors, consisting of seven (7) members, to be appointed by the Governor, with the advice and consent of the Senate, as follows:

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

- b. Thereafter, five members shall be licensed alcohol and drug counselors at the time of appointment, and one member shall be certified as an alcohol and drug counselor at the time of appointment.
- c. Pursuant to the provisions of this paragraph, the Governor shall appoint:
 - (1) four members from a list of names submitted by the Oklahoma Drug and Alcohol Professional Counselors Association,
 - (2) one member from a list of names submitted by the Oklahoma Substance Abuse Services Alliance, and
 - (3) one member from a list of names submitted by the Oklahoma Citizen Advocates for Recovery and Treatment Association.
- d. One member shall be appointed from and shall represent the general public. Such member shall be a resident of this state who has attained the age of majority and shall not be, nor shall ever have been, a licensed or certified alcohol and drug counselor, or the spouse of a licensed or certified alcohol and drug counselor, or a person who has ever had any material financial interest in the provision of alcohol and drug counseling services or has engaged in any activity directly related to the practice of alcohol and drug counseling.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C. The members of the Commission shall serve at the pleasure of the appointing authority. The members of the Commission shall select from among their membership a chair and vice-chair. The chair and vice-chair shall serve for a period of one (1) year.

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

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

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

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

Passed the House of Representatives the 24th day of May, 2010.

Presiding Officer of the House of
Representatives

Passed the Senate the 26th day of May, 2010.

Presiding Officer of the Senate