

1 ENGROSSED HOUSE
2 BILL NO. 1471

By: Armes of the House

3 and

4 Justice of the Senate
5
6

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2001, Section 698.4, as last amended
9 by Section 2, Chapter 112, O.S.L. 2010 (59 O.S. Supp.
10 2010, Section 698.4), which relates to the State
11 Board of Veterinary Medical Examiners; modifying
12 composition of the Board; requiring veterinarian
13 Board members to be nominated by fellow
14 veterinarians; specifying veterinarian Board members
15 to represent congressional districts; directing
16 Governor appoint veterinarian Board members from
17 nominations; directing lay member and registered
18 veterinarian technician member of Board to be
19 appointed by the Governor, subject to Senate
20 confirmation; describing nomination and appointment
21 processes; directing Board to promulgate additional
22 rules for nominating Board members; allowing existing
23 Board members to complete their terms; providing for
24 nominations as seats become vacant; and providing an
effective date.

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

20 SECTION 1. AMENDATORY 59 O.S. 2001, Section 698.4, as
21 last amended by Section 2, Chapter 112, O.S.L. 2010 (59 O.S. Supp.
22 2010, Section 698.4), is amended to read as follows:

23 Section 698.4 A. 1. The State Board of Veterinary Medical
24 Examiners shall consist of ~~six (6) members, appointed by the~~

1 ~~Governor with the advice and consent of the Senate. The Board shall~~
2 ~~consist of five licensed veterinarian members, the State~~
3 ~~Veterinarian, one registered veterinarian technician and one lay~~
4 ~~person representing the general public.~~

5 2. Each veterinary member shall be a graduate of an approved
6 school of veterinary medicine, shall be a currently licensed
7 veterinarian and shall have held an active license for the three (3)
8 years preceding appointment to the Board. ~~One member~~ For each
9 congressional district, veterinary members shall be appointed from
10 each nominated to serve by the veterinarians residing in that
11 congressional district and any remaining members shall be appointed
12 from the state at large. The names of the three veterinary members
13 receiving the most nominations from each congressional district
14 shall then be given to the Governor who shall appoint one veterinary
15 member to represent each district. However, when congressional
16 districts are redrawn each member appointed prior to July 1 of the
17 year in which such modification becomes effective shall complete the
18 current term of office and appointments made after July 1 of the
19 year in which such modification becomes effective shall be based on
20 the redrawn districts. Appointments made after July 1 of the year
21 in which such modification becomes effective shall be from any
22 redrawn districts which are not represented by a board member until
23 such time as each of the modified congressional districts are
24 represented by a board member. No appointments may be made after

1 July 1 of the year in which such modification becomes effective if
2 such appointment would result in more than two members serving from
3 the same modified district.

4 3. Of the five licensed veterinarian members, one must be an
5 equine practitioner and one must be a large animal practitioner.

6 4. The lay member shall be appointed by the Governor, subject
7 to confirmation by the Senate. The lay member shall have no
8 financial interest in the profession other than as a consumer or
9 potential consumer of its services.

10 5. The registered veterinarian technician member shall be
11 appointed by the Governor, subject to confirmation by the Senate.

12 6. Members must be residents of the State of Oklahoma and be
13 persons of integrity and good reputation. No member shall be a
14 registered lobbyist. No member shall be an officer, board member or
15 employee of a statewide or national organization established for the
16 purpose of advocating the interests of or conducting peer review of
17 veterinarians licensed pursuant to the Oklahoma Veterinary Practice
18 Act.

19 B. ~~Members~~ 1. Nominations for veterinarian members of the
20 Board shall be by secret ballot. The ballots may be sent by mail or
21 electronic mail by the Board to those entitled to nominate at least
22 thirty (30) days prior to the date of counting of the ballots and
23 may be returned by mail or electronic mail to the office of the
24 Board, then opened and counted at a meeting of the Board. In other

1 respects, nominations shall be conducted as provided by rules
2 promulgated by the Board.

3 2. Only veterinarians residing in a district shall be entitled
4 to nominate the Board member from that district.

5 C. Members of the Board shall be appointed for a term of five
6 (5) years. No member shall serve consecutively for more than two
7 (2) terms. Not more than two (2) terms shall expire in each year,
8 and vacancies for the remainder of an unexpired term shall be filled
9 by appointment by the Governor. Members shall serve beyond the
10 expiration of their term until a successor is appointed by the
11 Governor. The initial appointee for the Board position created on
12 November 1, 1999, shall be appointed for less than five (5) years to
13 abide by staggered term requirements. The Governor shall appoint to
14 a vacancy within ninety (90) days of the beginning of the vacancy.
15 Nominees considered by the Governor for appointment to the Board
16 must be free of pending disciplinary action or active investigation
17 by the Board.

18 ~~C.~~ D. A member may be removed from the Board by the Governor
19 for cause which shall include, but not be limited to, if a member:

20 1. Ceases to be qualified;

21 2. Is found guilty by a court of competent jurisdiction of a
22 felony or unlawful act which involves moral turpitude;

23 3. Is found guilty of malfeasance, misfeasance or nonfeasance
24 in relation to Board duties;

1 4. Is found mentally incompetent by a court of competent
2 jurisdiction;

3 5. Is found in violation of the Oklahoma Veterinary Practice
4 Act; or

5 6. Fails to attend three successive Board meetings without just
6 cause as determined by the Board.

7 E. Veterinarian members of the Board appointed by the Governor
8 prior to November 1, 2011, shall be allowed to serve out the
9 remainder of their terms, and nominations shall be collected as
10 seats become vacant.

11 SECTION 2. This act shall become effective November 1, 2011.

12 Passed the House of Representatives the 17th day of March, 2011.

15 _____
16 Presiding Officer of the House of
Representatives

17 Passed the Senate the ____ day of _____, 2011.

20 _____
21 Presiding Officer of the Senate