

An Act

ENROLLED HOUSE

BILL NO. 1471

By: Armes of the House

and

Justice of the Senate

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

SUBJECT: State Board of Veterinary Medical Examiners

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

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

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

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

2. Each veterinary member shall be a graduate of an approved school of veterinary medicine, shall be a currently licensed veterinarian and shall have held an active license for the three (3) years preceding appointment to the Board. ~~One member~~ For each congressional district, veterinary members shall be appointed from each nominated to serve by the veterinarians residing in that congressional district and any remaining members shall be appointed from the state at large. The names of the three veterinary members receiving the most nominations from each congressional district shall then be given to the Governor who shall appoint one veterinary member to represent each district. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified district.

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

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

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

6. Members must be residents of the State of Oklahoma and be persons of integrity and good reputation. No member shall be a registered lobbyist. No member shall be an officer, board member or employee of a statewide or national organization established for the purpose of advocating the interests of or conducting peer review of

veterinarians licensed pursuant to the Oklahoma Veterinary Practice Act.

B. ~~Members~~ 1. Nominations for veterinarian members of the Board shall be by secret ballot. The ballots may be sent by mail or electronic mail by the Board to those entitled to nominate at least thirty (30) days prior to the date of counting of the ballots and may be returned by mail or electronic mail to the office of the Board, then opened and counted at a meeting of the Board. In other respects, nominations shall be conducted as provided by rules promulgated by the Board.

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

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

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

1. Ceases to be qualified;
2. Is found guilty by a court of competent jurisdiction of a felony or unlawful act which involves moral turpitude;
3. Is found guilty of malfeasance, misfeasance or nonfeasance in relation to Board duties;
4. Is found mentally incompetent by a court of competent jurisdiction;
5. Is found in violation of the Oklahoma Veterinary Practice Act; or

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

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

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

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

Presiding Officer of the House of
Representatives

Passed the Senate the 18th day of April, 2011.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____