

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1471

By: Armes of the House

and

Justice of the Senate

8  
9                                   COMMITTEE SUBSTITUTE

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

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

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 698.4, as  
2 last amended by Section 2, Chapter 112, O.S.L. 2010 (59 O.S. Supp.  
3 2010, Section 698.4), is amended to read as follows:

4 Section 698.4 A. 1. The State Board of Veterinary Medical  
5 Examiners shall consist of ~~six (6) members, appointed by the~~  
6 ~~Governor with the advice and consent of the Senate. The Board shall~~  
7 ~~consist of~~ five licensed veterinarian members, the State  
8 Veterinarian and one lay person representing the general public.

9 2. Each veterinary member shall be a graduate of an approved  
10 school of veterinary medicine, shall be a currently licensed  
11 veterinarian and shall have held an active license for the three (3)  
12 years preceding appointment to the Board. ~~One member~~ For each  
13 congressional district, veterinary members shall be appointed from  
14 each nominated to serve by the veterinarians residing in that  
15 congressional district and any remaining members shall be appointed  
16 from the state at large. The names of the three veterinary members  
17 receiving the most nominations from each congressional district  
18 shall then be given to the Governor who shall appoint one veterinary  
19 member to represent each district. However, when congressional  
20 districts are redrawn each member appointed prior to July 1 of the  
21 year in which such modification becomes effective shall complete the  
22 current term of office and appointments made after July 1 of the  
23 year in which such modification becomes effective shall be based on

UNDERLINED language denotes Amendments to present Statutes.  
BOLD FACE CAPITALIZED language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 the redrawn districts. Appointments made after July 1 of the year  
2 in which such modification becomes effective shall be from any  
3 redrawn districts which are not represented by a board member until  
4 such time as each of the modified congressional districts are  
5 represented by a board member. No appointments may be made after  
6 July 1 of the year in which such modification becomes effective if  
7 such appointment would result in more than two members serving from  
8 the same modified district.

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

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

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

22 B. ~~Members~~ 1. Nominations for veterinarian members of the  
23 Board shall be by secret ballot. The ballots may be sent by mail or

1 electronic mail by the Board to those entitled to nominate at least  
2 thirty (30) days prior to the date of counting of the ballots and  
3 may be returned by mail or electronic mail to the office of the  
4 Board, then opened and counted at a meeting of the Board. In other  
5 respects, nominations shall be conducted as provided by rules  
6 promulgated by the Board.

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

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

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

- 1 1. Ceases to be qualified;
- 2 2. Is found guilty by a court of competent jurisdiction of a  
3 felony or unlawful act which involves moral turpitude;
- 4 3. Is found guilty of malfeasance, misfeasance or nonfeasance  
5 in relation to Board duties;
- 6 4. Is found mentally incompetent by a court of competent  
7 jurisdiction;
- 8 5. Is found in violation of the Oklahoma Veterinary Practice  
9 Act; or
- 10 6. Fails to attend three successive Board meetings without just  
11 cause as determined by the Board.

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

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

17  
18 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, WILDLIFE AND  
19 ENVIRONMENT, dated 02-23-2011 - DO PASS, PLACED ON CONSENT CALENDAR,  
20 As Amended and Coauthored.

21  
22  
23  
24