

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1313

By: Richardson

4  
5 AS INTRODUCED

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; removing  
12 Governor's power to appoint veterinarian Board  
13 members; adding State Veterinarian to serve on Board;  
14 requiring veterinarian Board members to be elected by  
15 fellow veterinarians; specifying veterinarian Board  
16 members to represent congressional districts;  
17 directing lay member of Board to be appointed by the  
18 Governor; describing nomination and voting processes;  
19 directing Board to promulgate additional rules for  
20 electing Board members; allowing existing Board  
21 members to complete their terms; providing for  
22 elections as seats become vacant; and providing an  
23 effective date.  
24

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~~

1 ~~consist of~~ five licensed veterinarian members, the State  
2 Veterinarian and one lay person representing the general public.

3       2. Each veterinary member shall be a graduate of an approved  
4 school of veterinary medicine, shall be a currently licensed  
5 veterinarian and shall have held an active license for the three (3)  
6 years preceding ~~appointment~~ election to the Board. One veterinary  
7 member shall be ~~appointed from~~ elected by the veterinarians residing  
8 in each congressional district and any remaining members shall be  
9 ~~appointed from the state at large~~. However, when congressional  
10 districts are redrawn each member ~~appointed~~ elected prior to July 1  
11 of the year in which such modification becomes effective shall  
12 complete the current term of office and ~~appointments made~~ elections  
13 held after July 1 of the year in which such modification becomes  
14 effective shall be based on the redrawn districts. ~~Appointments~~  
15 ~~made~~ Elections held after July 1 of the year in which such  
16 modification becomes effective shall be from any redrawn districts  
17 which are not represented by a board member until such time as each  
18 of the modified congressional districts are represented by a board  
19 member. No ~~appointments~~ elections may be ~~made~~ held after July 1 of  
20 the year in which such modification becomes effective if such  
21 ~~appointment~~ elections would result in more than two members serving  
22 from the same modified district.

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

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

5       5. Members must be residents of the State of Oklahoma and be  
6 persons of integrity and good reputation. No member shall be a  
7 registered lobbyist. No member shall be an officer, board member or  
8 employee of a statewide or national organization established for the  
9 purpose of advocating the interests of or conducting peer review of  
10 veterinarians licensed pursuant to the Oklahoma Veterinary Practice  
11 Act.

12       B. ~~Members~~ 1. Nominations for veterinarian members of the  
13 Board shall be by petition signed by at least ten veterinarians  
14 residing in the district to be represented by the nominee.

15       2. The elections shall be by secret ballot. The ballots shall  
16 be mailed by the Board to those entitled to vote at least thirty  
17 (30) days prior to the date of counting of the ballots and shall be  
18 returned by mail to the office of the Board, then opened and counted  
19 at a meeting of the Board. In other respects, elections shall be  
20 conducted as provided by rules promulgated by the Board.

21       3. Only veterinarians residing in a district shall be entitled  
22 to vote to elect the Board member from that district.

23       C. Veterinarian members of the Board shall be elected and lay  
24 members appointed for a term of five (5) years. No member shall

1 | serve consecutively for more than two (2) terms. Not more than two  
2 | (2) terms shall expire in each year, and vacancies for the remainder  
3 | of an unexpired term shall be filled by appointment by the Governor.  
4 | Members shall serve beyond the expiration of their term until a  
5 | successor is appointed by the Governor. The initial appointee for  
6 | the Board position created on November 1, 1999, shall be appointed  
7 | for less than five (5) years to abide by staggered term  
8 | requirements. The Governor shall appoint to a vacancy within ninety  
9 | (90) days of the beginning of the vacancy. Nominees considered by  
10 | the Governor for appointment and nominees for election to the Board  
11 | must be free of pending disciplinary action or active investigation  
12 | by the Board.

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

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

24 |

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

3       E. Veterinarian members of the Board appointed by the Governor  
4 prior to November 1, 2011, shall be allowed to serve out the  
5 remainder of their terms, and elections shall be held as seats  
6 become vacant.

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

8

9       53-1-5712       EK       01/06/11

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24