HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

ENGROSSED SENATE
BILL NO. 1970 By: Simpson and Shortey of the Senate

and

Hardin of the House

An Act relating to soldiers and sailors; amending 72 O.S. 2011, Section 63.1, which relates to the War Veterans Commission; updating language; amending 72 O.S. 2011, Section 63.2, which relates to membership of the Commission; changing requirements; providing for the filling of vacancies; amending 72 O.S. 2011, Section 63.3, which relates to duties of the Commission; updating language; and providing an effective date.

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

SECTION 1. AMENDATORY 72 O.S. 2011, Section 63.1, is amended to read as follows:

Section 63.1. There is hereby created the ~~War~~ <u>Oklahoma</u> Veterans Commission ~~of Oklahoma~~, and the Oklahoma Department of Veterans Affairs, which shall be a cabinet-level department pursuant to the provisions of Section 10.3 of Title 74 of the Oklahoma Statutes. The Department shall consist of a departmental headquarters and such

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Veterans Centers as are operated by the Department. The Department shall be administered under such rules, regulations and policies as may be prescribed by the ~~War~~ Oklahoma Veterans Commission. ~~All~~ Any reference in any law of this state referring to or naming the Soldiers Relief Commission shall be construed to refer to and name the ~~War~~ Oklahoma Veterans Commission ~~of Oklahoma~~.

SECTION 2. AMENDATORY 72 O.S. 2011, Section 63.2, is amended to read as follows:

Section 63.2. The ~~War~~ Oklahoma Veterans Commission ~~of Oklahoma~~ shall consist of nine (9) members. ~~Members~~ At least eight (8) members shall be honorably discharged veterans; ~~of any war or conflict in which the United States participated as a belligerent~~ provided, three of the members shall be veterans of the Vietnam Conflict and one shall be a veteran of the Persian Gulf Wars. The members shall be selected in the following manner: The state executive board or committees of the veterans' organizations ~~in Oklahoma who have had accredited representatives at the Veterans Administration Regional Office in Oklahoma for at least ten (10) previous consecutive years~~ named in this section shall each submit to the Governor of Oklahoma a list of ~~ten~~ five (5) persons qualified to serve as members of the ~~War~~ Oklahoma Veterans Commission ~~of Oklahoma~~. ~~Said~~ The list shall be submitted to the Governor not later than ~~one (1) month~~ three (3) months prior to the expiration of the terms of office of the members of the ~~War~~ Oklahoma Veterans

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Commission. The Governor shall name ~~four members of the War Veterans Commission from lists submitted by the American Legion, three members of the War Veterans Commission from the lists submitted by the Veterans of Foreign Wars and two members of the War Veterans Commission from lists submitted by the Disabled American Veterans. Provided, that only those veterans' organizations recognized to present claims before the Veterans Administration, or its successor, and maintaining a headquarters within the State of Oklahoma shall be eligible to submit a list of names to the Governor as provided above~~ one member from each of the following Veterans' groups: the American Legion; the Veterans of Foreign Wars; the Disabled American Veterans; the Paralyzed Veterans of America; the Military Order of the Purple Heart; and the National Guard Association of Oklahoma. The members representing the American Legion and the Paralyzed Veterans of America shall take office no later than July 1, 2015. The members representing the Veterans of Foreign Wars and the Order of the Purple Heart shall take office no later than July 1, 2016. The members representing the Disabled American Veterans and the Oklahoma National Guard shall take office no later than July 1, 2017. The Governor shall also appoint three members at large, one of whom may be a nonveteran and shall have a family member residing in the state veteran center, one to be appointed in 2015, one to be appointed in 2016, and one to be appointed in 2017.

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The executive officer of each veterans' organization operating within the State of Oklahoma shall, on or before January 1 of each year, submit to the Secretary of State a copy of the annual audit of the organization for the immediate preceding fiscal year of the organization. Such audit shall clearly show the total paid membership of the organization and shall be certified to by a certified public accountant. The members of the Commission shall be appointed by the Governor with advice and consent of the Senate~~.~~ ~~Each organization qualifying for membership on the Oklahoma State War Veterans Commission shall submit a list of ten names to the Governor to choose from when~~, and shall serve at the pleasure of the Governor. When a vacancy on the ~~War~~ Oklahoma Veterans Commission occurs the organization which is represented by the vacant position shall submit a list of five (5) names to the Governor. The Governor shall choose a replacement from that list.

Before any member appointed as provided herein shall enter upon his or her duties as a member of the Commission he or she shall take and subscribe to the oath of office as required by the Constitution of this state.

Present members of the Commission shall continue in office until the expiration of their terms and until their successors are appointed and enter upon the duties of their offices. Appointments shall be made for a three-year period. Any vacancy on the Commission resulting from any cause shall be filled by appointment

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by the Governor for the remainder of the term as provided in this section.

SECTION 3. AMENDATORY 72 O.S. 2011, Section 63.3, is amended to read as follows:

Section 63.3. The ~~War~~ Oklahoma Veterans Commission shall perform all acts necessary or proper to afford emergency, temporary and permanent relief and assistance to all honorably discharged ex-service persons of all wars of the United States of America and to their dependents, and shall perform such other duties as may be prescribed by law. The Commission ~~is authorized to~~ shall promulgate rules and regulations, in accordance with the Administrative Procedures Act, for the operation and maintenance of the Department of Veterans Affairs; provided, however, in all cases priority and preference shall always be given to disabled or diseased ex-service persons. The members of ~~said~~ the Commission shall be reimbursed for necessary travel as provided in the State Travel Reimbursement Act. In addition to its other powers and duties as herein provided, the Commission shall have the following specific powers and duties which shall, however, not be deemed to be exclusive:

1. To organize itself by the election of a Chairman, Vice Chairman and Secretary, who shall perform the duties required of them by the rules and regulations, but shall receive no extra compensation therefor, and to provide for the time and place of meetings of the Commission;

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2. To appoint the Director of the Department of Veterans Affairs and provide for the employment of all such other personnel as may be necessary to carry out the provisions of Sections 63.1 through 63.4 of this title, and any other duties prescribed by law. The salary and tenure of the Director of the Department shall be determined by the Commission; and

3. To approve all claims or expenditures from such appropriations as may be made to the Commission prior to the payment thereof except as may be otherwise provided by law.

SECTION 4. This act shall become effective November 1, 2014.

COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS, dated 04/02/2014 - DO PASS.

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