

1 **SENATE FLOOR VERSION**

2 February 12, 2014

3 **AS AMENDED**

4 SENATE BILL NO. 1970

5 By: Simpson and Shortey of the
6 Senate

7 and

8 Hardin of the House

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

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

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

21 Section 63.1. There is hereby created the ~~War~~ Oklahoma Veterans
22 Commission ~~of Oklahoma~~, and the Oklahoma Department of Veterans
23 Affairs, which shall be a cabinet-level department pursuant to the
24 provisions of Section 10.3 of Title 74 of the Oklahoma Statutes.
The Department shall consist of a departmental headquarters and such
Veterans Centers as are operated by the Department. The Department
shall be administered under such rules, regulations and policies as

1 may be prescribed by the ~~War~~ Oklahoma Veterans Commission. ~~All~~ Any
2 reference in any law of this state referring to or naming the
3 Soldiers Relief Commission shall be construed to refer to and name
4 the ~~War~~ Oklahoma Veterans Commission ~~of Oklahoma~~.

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

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

1 ~~Commission from the lists submitted by the Veterans of Foreign Wars~~
2 ~~and two members of the War Veterans Commission from lists submitted~~
3 ~~by the Disabled American Veterans. Provided, that only those~~
4 ~~veterans' organizations recognized to present claims before the~~
5 ~~Veterans Administration, or its successor, and maintaining a~~
6 ~~headquarters within the State of Oklahoma shall be eligible to~~
7 ~~submit a list of names to the Governor as provided above one member~~
8 ~~from each of the following Veterans' groups: the American Legion;~~
9 ~~the Veterans of Foreign Wars; the Disabled American Veterans; the~~
10 ~~Paralyzed Veterans of America; the Military Order of the Purple~~
11 ~~Heart; and the National Guard Association of Oklahoma. The members~~
12 ~~representing the American Legion and the Paralyzed Veterans of~~
13 ~~America shall take office no later than July 1, 2015. The members~~
14 ~~representing the Veterans of Foreign Wars and the Order of the~~
15 ~~Purple Heart shall take office no later than July 1, 2016. The~~
16 ~~members representing the Disabled American Veterans and the Oklahoma~~
17 ~~National Guard shall take office no later than July 1, 2017. The~~
18 ~~Governor shall also appoint three members at large, **one of whom may**~~
19 ~~**be a nonveteran and shall have a family member residing in the state**~~
20 ~~**veteran center, one to be appointed in 2015, one to be appointed in**~~
21 ~~**2016, and one to be appointed in 2017.**~~

22 The executive officer of each veterans' organization operating
23 within the State of Oklahoma shall, on or before January 1 of each
24 year, submit to the Secretary of State a copy of the annual audit of

1 the organization for the immediate preceding fiscal year of the
2 organization. Such audit shall clearly show the total paid
3 membership of the organization and shall be certified to by a
4 certified public accountant. The members of the Commission shall be
5 appointed by the Governor with advice and consent of the Senate.
6 ~~Each organization qualifying for membership on the Oklahoma State~~
7 ~~War Veterans Commission shall submit a list of ten names to the~~
8 ~~Governor to choose from when,~~ and shall serve at the pleasure of the
9 Governor. When a vacancy on the War Oklahoma Veterans Commission
10 occurs the organization which is represented by the vacant position
11 shall submit a list of up to ten names to the Governor. The
12 Governor shall choose a replacement from that list.

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

17 Present members of the Commission shall continue in office until
18 the expiration of their terms and until their successors are
19 appointed and enter upon the duties of their offices. Appointments
20 shall be made for a three-year period. Any vacancy on the
21 Commission resulting from any cause shall be filled by appointment
22 by the Governor for the remainder of the term as provided in this
23 section.

24

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

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

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

23 2. To appoint the Director of the Department of Veterans
24 Affairs and provide for the employment of all such other personnel

1 as may be necessary to carry out the provisions of Sections 63.1
2 through 63.4 of this title, and any other duties prescribed by law.
3 The salary and tenure of the Director of the Department shall be
4 determined by the Commission; and

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
10 February 12, 2014 - DO PASS AS AMENDED

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