

1 ENGROSSED SENATE
2 BILL NO. 1384

By: Stanley of the Senate

and

West (Josh) of the House

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6 An Act relating to the Oklahoma Veterans Commission;
7 amending 72 O.S. 2021, Section 63.2, which relates to
8 members of the Commission; eliminating certain
9 limitations on membership; modifying procedures for
10 appointment of members representing veterans'
11 organizations; modifying qualifications of at-large
12 members; decreasing required number of appointee
13 submissions; modifying requirements for submission of
14 certain information by veterans' organization;
15 establishing certain appointment procedure in case of
16 noncompliance by veterans' organizations; specifying
17 and modifying certain procedures for filling of
18 vacancies; specifying beginning and expiration date
19 of terms; imposing term limit on membership;
20 clarifying language; authorizing acting or interim
21 appointments under certain conditions; and declaring
22 an emergency.

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

24 SECTION 1. AMENDATORY 72 O.S. 2021, Section 63.2, is
amended to read as follows:

Section 63.2. A. The Oklahoma Veterans Commission shall
consist of nine (9) members, all of whom shall be honorably
discharged veterans; ~~provided, one of the members shall be a veteran~~
~~of the Vietnam Conflict and two shall be veterans of the Persian~~
~~Gulf Wars. The members shall be selected in the following manner:~~

1 ~~The state executive board or committees of the veterans'~~
2 ~~organizations named in this section shall each submit to the~~
3 ~~Governor a list of five persons qualified to serve as members of the~~
4 ~~Oklahoma Veterans Commission. The members of the Commission shall~~
5 ~~be appointed by the Governor with the advice and consent of the~~
6 ~~Senate and shall serve at the pleasure of the Governor. All~~
7 ~~appointments shall be broadly representative of the veterans of this~~
8 ~~state in terms of age, gender, and race or ethnicity. ~~The list~~~~
9 ~~shall be submitted to the Governor not later than three (3) months~~
10 ~~prior to the expiration of the terms of office of the members of the~~
11 ~~Oklahoma Veterans Commission. The Governor shall name one member~~
12 ~~from each of the following Veterans' groups: the American Legion;~~
13 ~~the Veterans of Foreign Wars; the Disabled American Veterans; the~~
14 ~~Paralyzed Veterans of America; the Military Order of the Purple~~
15 ~~Heart; and the National Guard Association of Oklahoma. The members~~
16 ~~representing the American Legion and the Paralyzed Veterans of~~
17 ~~America shall take office no later than July 1, 2015. The members~~
18 ~~representing the Veterans of Foreign Wars and the Military Order of~~
19 ~~the Purple Heart shall take office no later than July 1, 2016. The~~
20 ~~members representing the Disabled American Veterans and the National~~
21 ~~Guard Association of Oklahoma shall take office no later than July~~
22 ~~1, 2017.~~

23 B. 1. Except as provided by paragraph 3 of subsection C of
24 this section, the Governor shall appoint six of the members from

1 lists of names provided by the executive officer of each of the
2 following veterans' organizations in accordance with paragraph 1 of
3 subsection C of this section:

- 4 a. the American Legion,
- 5 b. the Veterans of Foreign Wars of the United States,
- 6 c. the Disabled American Veterans,
- 7 d. the Paralyzed Veterans of America,
- 8 e. the Military Order of the Purple Heart, and
- 9 f. the National Guard Association of Oklahoma.

10 2. The Governor shall also appoint three members at large, at
11 least one of whom shall have completed his or her military service
12 on or after September 11, 2001.

13 ~~The executive officer of each veterans' organization operating~~
14 ~~within this state shall, on~~

15 C. Appointments to the Commission for the six members
16 representing veterans' organizations shall be made as prescribed by
17 this subsection.

18 1. On or before ~~January~~ March 1 of the year in which the term
19 of the organization's ~~appointee's term~~ appointee expires, the
20 executive officer of the organization shall submit to ~~the Secretary~~
21 of State, the Governor, ~~the President Pro Tempore of the Senate, and~~
22 ~~the Speaker of the House of Representatives~~ a copy of the
23 ~~performance audit and the financial audit of the organization for~~
24 ~~the immediately preceding fiscal year of the organization. Such~~

1 ~~audits shall be conducted in accordance with auditing standards~~
2 ~~generally accepted in the United States and shall clearly show the~~
3 ~~total paid membership of the organization and shall be certified to~~
4 ~~by a certified public accountant. Failure the following:~~

- 5 a. a list of three persons qualified to serve as members
6 of the Commission,
- 7 b. a certificate of good standing for the organization
8 issued by the Secretary of State,
- 9 c. a copy of the organization's state and federal tax
10 returns for the immediately preceding tax year
11 including but not limited to the federal Return of
12 Organization Exempt From Income Tax (Form 990), and
- 13 d. a statement that describes the mission of the
14 organization and the services provided by the
15 organization and estimates to the best of the
16 executive officer's knowledge the total number of
17 veterans the organization served in the preceding
18 calendar year.

19 2. For each veterans' organization that complies with paragraph
20 1 of this subsection, the Governor shall appoint a member to the
21 Commission from the list of names provided by the organization.

22 3. If the organization fails to comply with this section shall
23 render the organization ineligible to submit a nominee to the
24 Governor. The members of the Commission shall be appointed by the

1 ~~Governor with advice and consent of the Senate, and shall serve at~~
2 ~~the pleasure of the Governor~~ paragraph 1 of this subsection, the
3 Governor may appoint a member at large in lieu of a member
4 representing the particular organization for the duration of the
5 term. At the conclusion of the term, the appointment shall revert
6 to an appointee representing the particular organization, subject to
7 the requirements and process provided by this subsection.

8 D. Any vacancy on the Commission resulting from any cause shall
9 be filled by appointment by the Governor for the remainder of the
10 term as provided by this subsection.

11 1. When a vacancy of one of the three at-large members on the
12 Commission occurs, the Governor shall promptly appoint a member at
13 large to fill the vacancy.

14 2. When a vacancy of one of the six members representing
15 veterans' organizations on the ~~Oklahoma Veterans~~ Commission occurs,
16 the executive officer of the organization which is represented by
17 the vacant position shall, not later than thirty (30) days after the
18 vacancy occurs, submit a list of ~~five~~ three names of qualified
19 persons and all other information required by paragraph 1 of
20 subsection C of this section to the Governor. The

21 3. For each veterans' organization that complies with paragraph
22 2 of this subsection, the Governor shall choose a replacement from
23 that the list provided by the organization. If the organization
24 fails to comply with paragraph 2 of this subsection, the Governor

1 may appoint a member at large in lieu of a member representing the
2 particular organization for the remainder of the unexpired term. At
3 the conclusion of the term, the appointment shall revert to an
4 appointee representing the particular organization, subject to the
5 requirements and process provided by subsection C of this section.

6 E. Current members of the Commission shall continue in office
7 until the expiration of their terms and until their successors are
8 appointed and enter upon the duties of their offices.

9 F. Appointments shall be made for terms of three (3) years.
10 Terms shall begin and expire on July 1 of the respective years. No
11 member shall serve for more than two consecutive full terms.

12 G. 1. No person shall be appointed by the Governor who is
13 related by affinity or consanguinity within the third degree to any
14 person employed by the Oklahoma Department of Veterans Affairs.

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

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

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

3 3. No member of the ~~Oklahoma Veterans~~ Commission shall be
4 employed by the ~~Oklahoma Department of Veterans Affairs~~ Department
5 during the time of his or her service on the ~~Oklahoma Veterans~~
6 Commission nor shall any person who served as a member of the
7 ~~Oklahoma Veterans~~ Commission be employed by the ~~Oklahoma Department~~
8 ~~of Veterans Affairs~~ Department subsequent to his or her service on
9 the Commission for a period of two (2) years.

10 H. Notwithstanding any other provision of law, a person whose
11 nomination has been submitted to the Legislature to fill a vacancy
12 on the Commission that existed as of the effective date of this act
13 may be appointed to the Commission on an acting or interim basis,
14 may assume the duties of the office, and may receive any
15 compensation or travel reimbursement allowed by law for the position
16 pending confirmation by the Senate if the term of the former member
17 whose position is vacant has expired as of the effective date of
18 this act and if the nominee meets the qualifications prescribed by
19 this section.

20 SECTION 2. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

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