

An Act

ENROLLED SENATE
BILL NO. 1384

By: Stanley of the Senate

and

West (Josh) of the House

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

SUBJECT: Oklahoma Veterans Commission

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

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: The state executive board or committees of the veterans' organizations named in this section shall each submit to the Governor a list of five persons qualified to serve as members of the Oklahoma Veterans Commission. The members of the Commission shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor. All appointments shall be broadly representative of the veterans of this state in terms of age, gender, and race or ethnicity. The list shall be submitted to the Governor not later than three (3) months prior to the expiration of the terms of office of the members of the Oklahoma Veterans Commission. The Governor shall name 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 Military Order of the Purple Heart shall take office no later than July 1, 2016. The members representing the Disabled American Veterans and the National Guard Association of Oklahoma shall take office no later than July 1, 2017.~~

B. 1. Except as provided by paragraph 3 of subsection C of this section, the Governor shall appoint six of the members from lists of names provided by the executive officer of each of the following veterans' organizations in accordance with paragraph 1 of subsection C of this section:

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

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

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

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

~~1. On or before ~~January~~ March 1 of the year in which the term of the organization's appointee's term appointee expires, the executive officer of the organization shall submit to ~~the Secretary of State, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives~~ a copy of the performance audit and the financial audit of the organization for the immediately preceding fiscal year of the organization. Such audits shall be conducted in accordance with auditing standards generally accepted in the United States and shall clearly show the total paid membership of the organization and shall be certified to by a certified public accountant. Failure the following:~~

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

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

3. If the organization fails to comply with this section shall render the organization ineligible to submit a nominee to the Governor. The members of the Commission shall be appointed by the Governor with advice and consent of the Senate, and shall serve at the pleasure of the Governor paragraph 1 of this subsection, the Governor may appoint a member at large in lieu of a member representing the particular organization for the duration of the term. At the conclusion of the term, the appointment shall revert to an appointee representing the particular organization, subject to the requirements and process provided by this subsection.

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

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

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

3. For each veterans' organization that complies with paragraph 2 of this subsection, the Governor shall choose a replacement from that the list provided by the organization. If the organization fails to comply with paragraph 2 of this subsection, the Governor may appoint a member at large in lieu of a member representing the particular organization for the remainder of the unexpired term. At the conclusion of the term, the appointment shall revert to an appointee representing the particular organization, subject to the requirements and process provided by subsection C of this section.

E. Current 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.

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

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

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

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

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

this act and if the nominee meets the qualifications prescribed by this section.

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

Passed the Senate the 5th day of March, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____