

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1080

By: Steagall

COMMITTEE SUBSTITUTE

An Act relating to soldiers and sailors; amending 72 O.S. 2021, Section 63.2, which relates to the Oklahoma Veterans Commission; modifying appointment process for Commission members; deleting outdated appointment dates; removing requirement to submit performance and financial audits; specifying members serve at the pleasure of their appointing authority; providing for removal or replacement without cause; prohibiting members from voting on certain issues; providing for retention of current members; directing vacancies to be appointed by their appointing authority; providing an effective date; and declaring an emergency.

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:

1 1. The state executive board or committees of the veterans'
2 organizations named in this section shall each submit to ~~the~~
3 ~~Governor~~ its respective appointing authority a list of five persons
4 qualified to serve as members of the Oklahoma Veterans Commission.
5 All appointments shall be broadly representative of the veterans of
6 this state in terms of age, gender, and race or ethnicity. The list
7 shall be submitted to the ~~Governor~~ appointing authority not later
8 than three (3) months prior to the expiration of the terms of office
9 of the members of the Oklahoma Veterans Commission-;

10 2. The Governor shall name one member from ~~each of the~~
11 ~~following Veterans' groups: the American Legion; the Veterans of~~
12 ~~Foreign Wars; the Disabled American Veterans; the National Guard~~
13 Association of Oklahoma and one at-large member, one of which shall
14 be a veteran of the Persian Gulf Wars;

15 3. The Lieutenant Governor shall name one member from the
16 Paralyzed Veterans of America;

17 4. The Attorney General shall name one member from the Veterans
18 of Foreign Wars;

19 5. The Labor Commissioner shall name one member from the
20 Disabled American Veterans;

21 6. The Speaker of the Oklahoma House of Representatives shall
22 name one member from the Military Order of the Purple Heart-; and one
23 at-large member, one of which shall be a veteran of the Vietnam
24 Conflict; and

1 7. The President Pro Tempore of the Oklahoma State Senate shall
2 name one member of the National Guard Association of Oklahoma
3 American Legion and one at-large member, one of which shall be a
4 veteran of the Persian Gulf Wars. ~~The members representing the~~
5 ~~American Legion and the Paralyzed Veterans of America shall take~~
6 ~~office no later than July 1, 2015.~~ ~~The members representing the~~
7 ~~Veterans of Foreign Wars and the Military Order of the Purple Heart~~
8 ~~shall take office no later than July 1, 2016.~~ ~~The members~~
9 ~~representing the Disabled American Veterans and the National Guard~~
10 ~~Association of Oklahoma shall take office no later than July 1,~~
11 ~~2017.~~ ~~The Governor shall also appoint three members at large.~~

12 ~~The executive officer of each veterans' organization operating~~
13 ~~within this state shall, on or before January 1 of the year in which~~
14 ~~the organization's appointee's term expires, submit to the Secretary~~
15 ~~of State, the Governor, the President Pro Tempore of the Senate, and~~
16 ~~the Speaker of the House of Representatives a copy of the~~
17 ~~performance audit and the financial audit of the organization for~~
18 ~~the immediately preceding fiscal year of the organization.~~ ~~Such~~
19 ~~audits shall be conducted in accordance with auditing standards~~
20 ~~generally accepted in the United States and shall clearly show the~~
21 ~~total paid membership of the organization and shall be certified to~~
22 ~~by a certified public accountant.~~ ~~Failure to comply with this~~
23 ~~section shall render the organization ineligible to submit a nominee~~
24 ~~to the Governor.~~

1 B. The members of the Commission ~~shall be appointed by the~~
2 ~~Governor with advice and consent of the Senate, and shall serve at~~
3 ~~the pleasure of the Governor~~ their appointing authority and may be
4 removed or replaced without cause. When a vacancy on the Oklahoma
5 Veterans Commission occurs, the organization which is represented by
6 the vacant position shall submit a list of five names to ~~the~~
7 ~~Governor.~~ ~~The Governor~~ their appointing authority and the
8 appointing authority shall choose a replacement from that list. No
9 person shall be appointed ~~by the Governor~~ to the Commission who is
10 related by affinity or consanguinity within the third degree to any
11 person employed by the Oklahoma Department of Veterans Affairs. Any
12 member of the Commission shall be prohibited from voting on any
13 issue in which the member has a direct financial interest. Each
14 member appointed to the Commission shall submit a financial
15 disclosure form and military history records including discharge
16 records to the appointing authority within thirty (30) days of his
17 or her appointment to the Commission. Before any member appointed
18 as provided herein shall enter upon his or her duties as a member of
19 the Commission, he or she shall take and subscribe to the oath of
20 office as required by the Constitution of this state.

21 ~~Present~~

22 C. Terms for present members of the Commission ~~shall continue~~
23 ~~in office until the expiration of their terms and until their~~
24 ~~successors are appointed and enter upon the duties of their offices~~

1 terminate upon the effective date of this act. The veterans'
2 organizations named in this section shall have thirty (30) days
3 after the effective date of this act to submit lists of qualified
4 persons to the respective appointing authority, and the appointing
5 authority shall have thirty (30) days after receiving the list to
6 appoint a member to the Commission. Appointing authorities shall
7 have sixty (60) days to make appoint at-large members to the
8 Commission. Appointments shall be made for a three-year period.
9 Any vacancy on the Commission resulting from any cause shall be
10 filled by appointment by the ~~Governor~~ respective appointing
11 authority for the remainder of the term as provided in this section.

12 D. No member of the Oklahoma Veterans Commission shall be
13 employed by the Oklahoma Department of Veterans Affairs during the
14 time of his or her service on the Oklahoma Veterans Commission nor
15 shall any person who served as a member of the Oklahoma Veterans
16 Commission be employed by the Oklahoma Department of Veterans
17 Affairs subsequent to his or her service on the Commission for a
18 period of two (2) years.

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