STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 675 By: Leftwich of the Senate

and

Braddock of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 2001, Sections 10.3, as amended by Section 1 of Enrolled Senate Bill No. 19 of the 1st Session of the 49th Oklahoma Legislature, and 10.5, which relate to the cabinet system and salaries; deleting requirement for minimum number of cabinet positions; deleting obsolete language; modifying certain cabinet Secretaries' positions; amending 74 O.S. 2001, Section 500.20, which relates to travel reimbursement; providing for travel expenses reimbursement for the Governor's personal assistant; repealing 74 O.S. 2001, Section 10.3, as amended by Section 1 of Enrolled Senate Bill No. 19 of the 1st Session of the 49th Oklahoma Legislature, which is a duplicate section relating to the cabinet system; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 10.3, as amended by Section 1 of Enrolled Senate Bill No. 19 of the 1st Session of the 49th Oklahoma Legislature, is amended to read as follows:

Section 10.3 A. Within forty-five (45) days of assuming office, each Governor may create a cabinet system for the executive branch of state government. The cabinet system ~~shall~~ may be an organizational framework created by executive order which includes all executive agencies, boards, commissions, or institutions and their assignments to specific cabinet areas. The cabinet system

shall consist of no ~~fewer than ten or~~ more than fifteen cabinet areas and each cabinet area shall consist of executive agencies, boards, commissions, or institutions with similar programmatic or administrative objectives; provided, one cabinet area shall consist of the Oklahoma Department of Veterans Affairs, its institutions and other executive agencies, boards, commissions and institutions which are related to veterans. The Governor's cabinet shall be in effect until the Legislature supersedes each cabinet area by providing by law for specific cabinet areas or departments, or removes by law the authority of the Governor to create a cabinet area.

B. The Governor shall appoint, with the advice and consent of the Senate, a Secretary to head each cabinet area. The Secretary appointee for the cabinet area consisting of the Oklahoma Department of Veterans Affairs and other related veterans entities shall be an honorably discharged veteran as defined by Title 72 of the Oklahoma Statutes. A cabinet Secretary may be appointed as a position funded by the Office of the Governor from funds available to that office, or appointed as a cabinet Secretary from among the agency heads within the cabinet area. The cabinet Secretaries shall:

1. Advise the Governor of any policy changes or problems within the area they represent;

2. Advise the entities represented of any policy changes or problems as directed by the Governor; and

3. Coordinate information gathering for the Legislature as requested.

C. The cabinet Secretaries shall serve at the pleasure of the Governor, however, the appointment or removal of a cabinet Secretary who is also an agency head shall not otherwise affect the status of the other duties of the agency head. Whenever a Secretary position becomes vacant, the Governor shall appoint a successor within thirty (30) calendar days pursuant to the provisions of subsection B of this section. If the Legislature is not in session at the time of

appointment it shall be subject to the advice and consent of the Senate upon convening of the next regular session of the Legislature.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 10.5, is amended to read as follows:

Section 10.5 Notwithstanding other limits established by law, ~~beginning July 1, 1997,~~ the following cabinet Secretaries may be annually compensated for their services, payable monthly, as follows:

1. The Secretary of Human Resources and Administration may receive a maximum salary of Seventy Five Thousand Dollars ($75,000.00);

2. The Secretary of Agriculture may receive a maximum salary of Seventy Thousand Dollars ($70,000.00);

3. The Secretary of Commerce and Tourism may receive a maximum salary of Seventy Thousand Dollars ($70,000.00);

4. The Secretary of Education may receive a maximum salary of Sixty-five Thousand Dollars ($65,000.00);

5. The Secretary of Energy may receive a maximum salary of Seventy Thousand Dollars ($70,000.00);

6. The Secretary of Finance and Administration may receive a maximum salary of Ninety Thousand Dollars ($90,000.00);

7. The Secretary of Health and the Secretary of Human Services may receive a maximum salary of Eighty Thousand Dollars ($80,000.00);

8. ~~The Secretary of Human Resources may receive a maximum salary of Sixty-five Thousand Dollars ($65,000.00);~~

~~9.~~ The Secretary of Safety and Security may receive a maximum salary of Eighty-five Thousand Dollars ($85,000.00);

~~10.~~ 9. The Secretary of State may receive a maximum salary of Sixty-five Thousand Dollars ($65,000.00). However, if the Secretary of State is designated as a cabinet Secretary, the salary of the

Secretary of State may be increased to an amount not to exceed the highest salary provided for a cabinet Secretary pursuant to this section; and

~~11. The Secretary of Tourism and Recreation may receive a maximum salary of Seventy Thousand Dollars ($70,000.00); and~~

~~12.~~ 10. The Secretary of Veterans Affairs may receive a maximum salary of Sixty-five Thousand Dollars ($65,000.00).

SECTION 3. AMENDATORY 74 O.S. 2001, Section 500.20, is amended to read as follows:

Section 500.20 The Governor of the State of Oklahoma is hereby authorized reimbursement for all actual and necessary travel expenses incurred when on official business of the state. Such actual and necessary expenses shall include the subsistence and transportation expenses of the Governor's spouse when accompanying the Governor on official business of the state, or when attending an official function at the request of the Governor. The provisions of this section shall also apply to the Lieutenant Governor ~~and~~, the Lieutenant Governor's spouse, and the Governor's personal assistant.

SECTION 4. REPEALER 74 O.S. 2001, Section 10.3, as amended by Section 1 of Enrolled Senate Bill No. 19 of the 1st Session of the 49th Legislature, is hereby repealed.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and 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.

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