STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2834 By: Martin (Scott)

COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 2011, Section 10.3, which relates to the Executive Branch Reform Act of 1986; modifying the cabinet system of the Governor; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 10.3, 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 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 more than fifteen cabinet areas and each cabinet area shall consist of executive agencies, boards, commissions, or institutions with similar programmatic or administrative objectives.

~~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. One cabinet area shall consist of the Information Services Division of the Office of State Finance and all the functions of all executive agencies, boards, commissions and institutions related to information technology and telecommunications.~~ The Governor's cabinet shall be in effect until the Legislature supersedes each specific cabinet area or department by providing by law for specific cabinet areas or departments, or removes by law the authority of the Governor to create a cabinet area. At any time during the Governor's term of office, the cabinet may be modified at the sole discretion of the Governor subject to Senate confirmation as provided by subsection B of this section.

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 and be eligible to receive benefits from the United States Department of Veterans Affairs. The Secretary for the cabinet area consisting of the Information Services Division of the Office of State Finance and all related information technology and telecommunications functions of state government shall be the Chief Information Officer who shall be~~

~~appointed pursuant to Section 2 of this act.~~ 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. This act shall become effective November 1, 2012.

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