

1 ENGROSSED SENATE
2 BILL NO. 1877

By: Brinkley of the Senate

3 and

4 Martin (Scott) of the House

5
6 An Act relating to state government; amending 74 O.S.
7 2011, Section 10.3, which relates to the Executive
8 Branch Reform Act of 1986; modifying the cabinet
9 system of the Governor; and providing an effective
10 date.

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

12 SECTION 1. AMENDATORY 74 O.S. 2011, Section 10.3, is
13 amended to read as follows:

14 Section 10.3. A. Within forty-five (45) days of assuming
15 office, each Governor may create a cabinet system for the executive
16 branch of state government. The cabinet system may be an
17 organizational framework created by executive order which includes
18 all executive agencies, boards, commissions, or institutions and
19 their assignments to specific cabinet areas. The cabinet system
20 shall consist of no more than fifteen cabinet areas and each cabinet
21 area shall consist of executive agencies, boards, commissions, or
22 institutions with similar programmatic or administrative objectives.
23 One cabinet area shall consist of the Oklahoma Department of
24 Veterans Affairs, its institutions and other executive agencies,

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

13 B. The Governor shall appoint, with the advice and consent of
14 the Senate, a Secretary to head each cabinet area. The Secretary
15 appointee for the cabinet area consisting of the Oklahoma Department
16 of Veterans Affairs and other related veterans entities shall be an
17 honorably discharged veteran and be eligible to receive benefits
18 from the United States Department of Veterans Affairs. The
19 Secretary for the cabinet area consisting of the Information
20 Services Division of the Office of State Finance and all related
21 information technology and telecommunications functions of state
22 government shall be the Chief Information Officer who shall be
23 appointed pursuant to Section ~~2 of this act~~ 34.11.1 of Title 62 of
24 the Oklahoma Statutes. A cabinet Secretary may be appointed as a

1 position funded by the Office of the Governor from funds available
2 to that office, or appointed as a cabinet Secretary from among the
3 agency heads within the cabinet area. The cabinet Secretaries
4 shall:

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

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

9 3. Coordinate information gathering for the Legislature as
10 requested.

11 C. The cabinet Secretaries shall serve at the pleasure of the
12 Governor, however, the appointment or removal of a cabinet Secretary
13 who is also an agency head shall not otherwise affect the status of
14 the other duties of the agency head. Whenever a Secretary position
15 becomes vacant, the Governor shall appoint a successor within thirty
16 (30) calendar days pursuant to the provisions of subsection B of
17 this section. If the Legislature is not in session at the time of
18 appointment it shall be subject to the advice and consent of the
19 Senate upon convening of the next regular session of the
20 Legislature.

21 SECTION 2. This act shall become effective November 1, 2012.
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