

1                                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2   STATE OF OKLAHOMA

3   2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2834

By: Martin (Scott)

7  
8   COMMITTEE SUBSTITUTE

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

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

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

17                   Section 10.3 A. Within forty-five (45) days of assuming  
18                   office, each Governor may create a cabinet system for the executive  
19                   branch of state government. The cabinet system may be an  
20                   organizational framework created by executive order which includes  
21                   all executive agencies, boards, commissions, or institutions and  
22                   their assignments to specific cabinet areas. The cabinet system  
23                   shall consist of no more than fifteen cabinet areas and each cabinet  
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UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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

17 B. The Governor shall appoint, with the advice and consent of  
18 the Senate, a Secretary to head each cabinet area. ~~The Secretary~~  
19 ~~appointee for the cabinet area consisting of the Oklahoma Department~~  
20 ~~of Veterans Affairs and other related veterans entities shall be an~~  
21 ~~honorably discharged veteran and be eligible to receive benefits~~  
22 ~~from the United States Department of Veterans Affairs. The~~  
23 ~~Secretary for the cabinet area consisting of the Information~~

1 ~~Services Division of the Office of State Finance and all related~~  
2 ~~information technology and telecommunications functions of state~~  
3 ~~government shall be the Chief Information Officer who shall be~~  
4 ~~appointed pursuant to Section 2 of this act.~~ A cabinet Secretary  
5 may be appointed as a position funded by the Office of the Governor  
6 from funds available to that office, or appointed as a cabinet  
7 Secretary from among the agency heads within the cabinet area. The  
8 cabinet Secretaries shall:

- 9 1. Advise the Governor of any policy changes or problems within  
10 the area they represent;
- 11 2. Advise the entities represented of any policy changes or  
12 problems as directed by the Governor; and
- 13 3. Coordinate information gathering for the Legislature as  
14 requested.

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

3 SECTION 2. This act shall become effective November 1, 2012.  
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5 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated  
6 02/23/2012 - DO PASS, As Amended.  
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