

1 **SENATE FLOOR VERSION**

2 February 28, 2012

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1877

By: Brinkley of the Senate

and

Martin (Scott) of the House

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

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

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

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

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

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

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

22 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-27-12
23 - DO PASS, As Amended and Coauthored.
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