

1 ENGROSSED HOUSE
2 BILL NO. 3597

By: McCall, Osburn (Mike),
McDugle, West (Tammy) and
Baker of the House

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4 and

5 Bice of the Senate
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9 An Act relating to state government; amending 74 O.S.
10 2011, Section 10.3, as amended by Section 1, Chapter
11 127, O.S.L. 2012 (74 O.S. Supp. 2017, Section 10.3),
12 which relates to cabinet system of the Governor;
13 prohibiting certain persons from appointment to
14 cabinet Secretary; and providing an effective date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 10.3, as
17 amended by Section 1, Chapter 127, O.S.L. 2012 (74 O.S. Supp. 2017,
18 Section 10.3), is amended to read as follows:

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

1 shall consist of no more than fifteen cabinet areas and each cabinet
2 area shall consist of executive agencies, boards, commissions, or
3 institutions with similar programmatic or administrative objectives.
4 One cabinet area shall consist of the Oklahoma Department of
5 Veterans Affairs, its institutions and other executive agencies,
6 boards, commissions and institutions which are related to veterans.
7 The Governor's cabinet shall be in effect until the Legislature
8 supersedes each specific cabinet area or department by providing by
9 law for 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. A cabinet
20 Secretary may be appointed as a position funded by the Office of the
21 Governor from funds available to that office, ~~or appointed as a~~
22 ~~cabinet Secretary from among the agency heads within the cabinet~~
23 ~~area.~~ No chief executive officer of any board, commission,
24 department or program in the executive branch of state government

1 shall be eligible for appointment as a cabinet Secretary. The
2 cabinet Secretaries shall:

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

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

7 3. Coordinate information gathering for the Legislature as
8 requested.

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

19 SECTION 2. This act shall become effective November 1, 2018.
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1 Passed the House of Representatives the 14th day of March, 2018.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2018.

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8 Presiding Officer of the Senate