

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2316

By: McCall of the House and Schulz of the Senate

Title: State government; power of the Governor appointments; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Schulz	_____
Fields	_____
Thompson	_____
Dahm	_____
Simpson	_____
Floyd	_____
Dossett	_____

House Action _____ Date _____ Senate Action _____ Date _____

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2316

By: McCall of the House

and

Schulz and Fields of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 2011, Section 2, which relates to power of the Governor; authorizing Governor to appoint or replace certain persons; authorizing President Pro Tempore of the Senate and the Speaker of the House of Representatives to appoint or replace certain persons; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 2, is amended to read as follows:

Section 2. ~~The A. Notwithstanding any other provisions of law, the Governor shall have power to remove any officers appointed by him, in case of incompetency, neglect of duty, or malfeasance in office; and may then fill the same as provided in cases of vacancy or her.~~

1 B. Notwithstanding any other provisions of law, in addition to
2 any appointments created by expiring terms or vacancies provided by
3 law, the Governor shall have the power to remove any gubernatorial
4 appointments on any agency, board or commission at any time, subject
5 to the provisions of this section. Nothing in this section shall
6 apply to appointments to any agency, board or commission if the
7 appointment authority is provided for in the Constitution. A
8 vacancy created pursuant to the provisions of this section shall be
9 filled as provided by law.

10 C. Provided, if a gubernatorial appointment requires
11 confirmation by the Senate, removal of the appointee shall also
12 require confirmation by the Senate. If the Governor removes such an
13 appointee when the Legislature is not in session, such appointee may
14 continue to serve pending confirmation by the Senate of the action
15 to remove the appointee.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 464.1 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 In addition to any appointments created by expiring terms or
20 vacancies provided by law, the President Pro Tempore of the Senate
21 and the Speaker of the House of Representatives shall have the power
22 to remove any of their respective appointments on any agency, board
23 or commission at any time, subject to the provisions of this
24 section. Nothing in this section shall apply to appointments to any

1 agency, board or commission if the appointment authority is provided
2 for in the Constitution. A vacancy created pursuant to the
3 provisions of this section shall be filled as provided by law.

4 SECTION 3. This act shall become effective November 1, 2017.

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