

1 ENGROSSED SENATE
2 BILL NO. 1405

By: Dahm of the Senate

3 and

4 Ortega of the House

5
6 [appointment powers - the Governor - President Pro
7 Tempore - Speaker of the House of Representatives -
8 codification -
9 emergency]

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

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

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

18 B. Notwithstanding any other provision of law, in addition to
19 any appointments created by expiring terms or vacancies provided by
20 law, the Governor shall have the power to remove any gubernatorial
21 appointments on any agency, board or commission at any time, subject
22 to the provisions of this section. Nothing in this section shall
23 apply to appointments to any agency, board or commission if the
24 appointing authority is provided for in the Constitution. A vacancy

1 created pursuant to the provisions of this section shall be filled
2 as provided by law.

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

6 Notwithstanding any other provision of law, in addition to any
7 appointments created by expiring terms or vacancies provided by law,
8 the President Pro Tempore of the Senate and the Speaker of the House
9 of Representatives shall have the power to remove any of their
10 respective appointments on any agency, board or commission at any
11 time, subject to the provisions of this section. Nothing in this
12 section shall apply to appointments to any agency, board or
13 commission if the appointing authority is provided for in the
14 Constitution. A vacancy created pursuant to the provisions of this
15 section shall be filled as provided by law.

16 ~~SECTION 3. It being immediately necessary for the preservation~~
17 ~~of the public peace, health or safety, an emergency is hereby~~
18 ~~declared to exist, by reason whereof this act shall take effect and~~
19 ~~be in full force from and after its passage and approval.~~

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