

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 2743

By: Perryman

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Sections 10.3, as amended by Section 1, Chapter
9 127, O.S.L. 2012 and 10.5 (74 O.S. Supp. 2017,
10 Section 10.3), which relates to the cabinet system of
the Governor; prohibiting certain persons from
receiving additional compensation for appointment;
and providing an effective date.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 10.3, as
15 amended by Section 1, Chapter 127, O.S.L. 2012 (74 O.S. Supp. 2017,
16 Section 10.3), is 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
24 area shall consist of executive agencies, boards, commissions, or

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

12 B. The Governor shall appoint, with the advice and consent of
13 the Senate, a Secretary to head each cabinet area. The Secretary
14 appointee for the cabinet area consisting of the Oklahoma Department
15 of Veterans Affairs and other related veterans entities shall be an
16 honorably discharged veteran and be eligible to receive benefits
17 from the United States Department of Veterans Affairs. ~~A~~ Except as
18 provided by subsection D, a cabinet Secretary may be appointed as a
19 position funded by the Office of the Governor from funds available
20 to that office, or appointed as a cabinet Secretary from among the
21 agency heads within the cabinet area. The cabinet Secretaries
22 shall:

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

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

3 3. Coordinate information gathering for the Legislature as
4 requested.

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

15 D. A full-time chief executive officer or full-time employee
16 from an agency, board, commission, department or program in the
17 executive branch of state government shall not receive any
18 additional compensation if appointed as a cabinet Secretary.

19 SECTION 2. AMENDATORY 74 O.S. 2011, Section 10.5, is
20 amended to read as follows:

21 Section 10.5 ~~Notwithstanding other limits established by law~~
22 Except as provided by subsection D of Section 10.3 of this title,
23 the following cabinet Secretaries may be annually compensated for
24 their services, payable monthly, as follows:

- 1 1. The Secretary of Human Resources and Administration may
2 receive a maximum salary of Seventy Five Thousand Dollars
3 (\$75,000.00);
- 4 2. The Secretary of Agriculture may receive a maximum salary of
5 Seventy Thousand Dollars (\$70,000.00);
- 6 3. The Secretary of Commerce and Tourism may receive a maximum
7 salary of Seventy Thousand Dollars (\$70,000.00);
- 8 4. The Secretary of Education may receive a maximum salary of
9 Sixty-five Thousand Dollars (\$65,000.00);
- 10 5. The Secretary of Energy may receive a maximum salary of
11 Seventy Thousand Dollars (\$70,000.00);
- 12 6. The Secretary of Finance and Administration may receive a
13 maximum salary of Ninety Thousand Dollars (\$90,000.00);
- 14 7. The Secretary of Health and the Secretary of Human Services
15 may receive a maximum salary of Eighty Thousand Dollars
16 (\$80,000.00);
- 17 8. The Secretary of Safety and Security may receive a maximum
18 salary of Eighty-five Thousand Dollars (\$85,000.00);
- 19 9. The Secretary of State may receive a maximum salary of
20 Sixty-five Thousand Dollars (\$65,000.00). However, if the Secretary
21 of State is designated as a cabinet Secretary, the salary of the
22 Secretary of State may be increased to an amount not to exceed the
23 highest salary provided for a cabinet Secretary pursuant to this
24 section; and

1 10. The Secretary of Veterans Affairs may receive a maximum
2 salary of Sixty-five Thousand Dollars (\$65,000.00).

3 SECTION 3. This act shall become effective November 1, 2018.
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