

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE JOINT
4 RESOLUTION 1011

By: Lepak

7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection proposed amendments to Sections 1 and 4 of
11 Article VI of the Constitution of the State of
12 Oklahoma; making the office of Superintendent of
13 Public Instruction appointed; providing for
14 appointment by the Governor; providing for term of
15 office; providing ballot title; and directing filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
15 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

16 SECTION 1. The Secretary of State shall refer to the people for
17 their approval or rejection, as and in the manner provided by law,
18 the following proposed amendments to Sections 1 and 4 of Article VI
19 of the Constitution of the State of Oklahoma to read as follows:

20 Section 1. A. The Executive authority of the state shall be
21 vested in a Governor, Lieutenant Governor, Secretary of State, State
22 Auditor and Inspector, Attorney General, State Treasurer,
23 Superintendent of Public Instruction, Commissioner of Labor,
24 Commissioner of Insurance and other officers provided by law and

1 this Constitution, each of whom shall keep his or her office and
2 public records, books and papers at the seat of government, and
3 shall perform such duties as may be designated in this Constitution
4 or prescribed by law.

5 B. The Secretary of State shall be appointed by the Governor by
6 and with the consent of the Senate for a term of four (4) years to
7 run concurrently with the term of the Governor. Beginning with the
8 term of office of the Governor commencing in 2023, the
9 Superintendent of Public Instruction shall be appointed by the
10 Governor by and with the consent of the Senate and shall serve at
11 the pleasure of the Governor.

12 Section 4. A. The term of office of the Governor, Lieutenant
13 Governor, State Auditor and Inspector, Attorney General, State
14 Treasurer, and Commissioner of Labor ~~and Superintendent of Public~~
15 ~~Instruction~~ shall be four (4) years from the second Monday of
16 January next after their election. The said officers shall be
17 eligible to immediately succeed themselves except as otherwise
18 provided in this section.

19 B. 1. No person shall be eligible to serve as Governor for a
20 period of time in excess of eight (8) years. Such years need not be
21 consecutive. Any years served by a person serving as Governor for
22 less than a full term to fill a vacancy in such office shall not be
23 included in the eight-year limitation set forth herein.

24

1 2. Notwithstanding the provisions of this amendment, any person
2 serving as Governor ~~at the time of passage of this amendment on~~
3 November 2, 2010, shall be eligible to complete the term of office
4 to which he or she was elected but shall not be eligible to serve as
5 Governor for a period of time in excess of eight (8) years,
6 excluding years served for less than a full term to fill a vacancy
7 in such office. The provisions of this paragraph shall apply
8 regardless of whether such years were served prior to or after
9 ~~passage of this amendment~~ November 2, 2010.

10 C. No person shall be eligible to serve as Lieutenant Governor,
11 State Auditor and Inspector, Attorney General, State Treasurer, or
12 Commissioner of Labor ~~or Superintendent of Public Instruction~~ for a
13 period of time in excess of eight (8) years. Such years need not be
14 consecutive. Any years served by a person elected or appointed to
15 serve less than a full term to fill a vacancy in any such office
16 shall not be included in the limitations set forth herein. Any
17 person serving in such position ~~at the time of passage of this~~
18 ~~amendment~~ on November 2, 2010, shall be eligible to complete the
19 term for which he or she has been elected or appointed and shall be
20 eligible to serve an additional eight (8) years thereafter,
21 notwithstanding the provisions of this amendment.

22 D. The Legislature is hereby authorized to enact laws to
23 implement the provisions of subsections B and C of this section.
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1 SECTION 2. The Ballot Title for the proposed Constitutional
2 amendments as set forth in SECTION 1 of this resolution shall be in
3 the following form:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It proposes a
8 change in the method for selection of the Superintendent of
9 Public Instruction. Currently the Superintendent of Public
10 Instruction is elected by the voters of the state. The
11 amendment would change this and provide that the Superintendent
12 of Public Instruction would be appointed by the Governor. The
13 Superintendent of Public Instruction would serve at the pleasure
14 of the Governor. The changes proposed in this measure would
15 take place beginning with the term of office of the Governor
16 that is to start in 2023.

17 SHALL THE PROPOSAL BE APPROVED?

18 FOR THE PROPOSAL - YES _____

19 AGAINST THE PROPOSAL - NO _____

20 SECTION 3. The Chief Clerk of the House of Representatives,
21 immediately after the passage of this resolution, shall prepare and
22 file one copy thereof, including the Ballot Title set forth in
23
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1 SECTION 2 hereof, with the Secretary of State and one copy with the
2 Attorney General.

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4 57-1-5158 SD 01/06/19

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