

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT  
4 RESOLUTION 27

By: Treat

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection proposed amendments to Sections 1, 3, 4,  
10 and 23 of Article VI and Section 15 of Article IX of  
11 the Oklahoma Constitution, which relate to executive  
12 officers; directing the Governor to appoint the State  
13 Treasurer, Superintendent of Public Instruction,  
14 Commissioner of Labor, Commissioner of Insurance and  
15 members of the Corporation Commission; removing  
16 eligibility and term limit provisions for such  
17 officers; providing ballot title; and directing  
18 filing.

19 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
20 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for  
22 their approval or rejection, as and in the manner provided by law,  
23 the following proposed amendments to Sections 1, 3, 4, and 23 of  
24 Article VI, and Section 15 of Article IX of the Oklahoma  
Constitution to read as follows:

Section 1. A. The Executive authority of the state shall be  
vested in a Governor, Lieutenant Governor, Secretary of State, State  
Auditor and Inspector, Attorney General, State Treasurer,

1 Superintendent of Public Instruction, Commissioner of Labor,  
2 Commissioner of Insurance, and other officers provided by law and  
3 this Constitution, each of whom shall keep his or her office and  
4 public records, books, and papers at the seat of government, and  
5 shall perform such duties as may be designated in this Constitution  
6 or prescribed by law.

7 B. The Secretary of State shall be appointed by the Governor by  
8 and with the consent of the Senate for a term of four (4) years to  
9 run concurrently with the term of the Governor.

10 C. The State Treasurer, Superintendent of Public Instruction,  
11 Commissioner of Labor and Commissioner of Insurance shall be  
12 appointed by the Governor by and with the consent of the Senate for  
13 a term of four (4) years to run concurrently with the term of the  
14 Governor.

15 Section 3. No person shall be eligible to the office of  
16 Governor, Lieutenant Governor, Secretary of State, State Auditor and  
17 Inspector, or Attorney General, ~~State Treasurer or Superintendent of~~  
18 ~~Public Instruction~~ except a citizen of the United States of the age  
19 of not less than thirty-one (31) years and who shall have been ten  
20 (10) years next preceding his or her election, or appointment, a  
21 qualified elector of this state.

22 Section 4. A. The term of office of the Governor, Lieutenant  
23 Governor, State Auditor and Inspector, and Attorney General, ~~State~~  
24 ~~Treasurer, Commissioner of Labor and Superintendent of Public~~

1 ~~Instruction~~ shall be four (4) years from the second Monday of  
2 January next after their election. The ~~said~~ officers shall be  
3 eligible to immediately succeed themselves except as otherwise  
4 provided in this section.

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

10 2. Notwithstanding the provisions of this amendment, any person  
11 serving as Governor at the time of passage of this amendment shall  
12 be eligible to complete the term of office to which he or she was  
13 elected but shall not be eligible to serve as Governor for a period  
14 of time in excess of eight (8) years, excluding years served for  
15 less than a full term to fill a vacancy in such office. The  
16 provisions of this paragraph shall apply regardless of whether such  
17 years were served prior to or after passage of this amendment.

18 C. No person shall be eligible to serve as Lieutenant Governor,  
19 State Auditor and Inspector, or Attorney General, ~~State Treasurer,~~  
20 ~~Commissioner of Labor or Superintendent of Public Instruction~~ for a  
21 period of time in excess of eight (8) years. Such years need not be  
22 consecutive. Any years served by a person elected or appointed to  
23 serve less than a full term to fill a vacancy in any such office  
24 shall not be included in the limitations set forth herein. Any

1 person serving in such position at the time of passage of this  
2 amendment shall be eligible to complete the term for which he or she  
3 has been elected and shall be eligible to serve an additional eight  
4 (8) years thereafter, notwithstanding the provisions of this  
5 amendment.

6 D. The Legislature is hereby authorized to enact laws to  
7 implement the provisions of subsections B and C of this section.

8 Section 23. ~~A. There shall be elected by the qualified~~  
9 ~~electors of the State, at the first general election, a chief~~  
10 ~~officer of the Insurance Department, who shall be styled the~~  
11 ~~"Insurance Commissioner", whose term of office shall be four years:~~  
12 ~~Provided, That the first term of the Insurance Commissioner so~~  
13 ~~elected, shall expire at the time of the expiration of the term of~~  
14 ~~office of the first Governor elected~~ The Commissioner of Insurance  
15 shall be appointed by the Governor by and with the consent of the  
16 Senate for a term of four (4) years to run concurrently with the  
17 term of the Governor. The ~~Insurance~~ Commissioner of Insurance shall  
18 be at least twenty-five (25) years of age and well versed in  
19 insurance matters.

20 ~~B. No person shall be eligible to serve as Insurance~~  
21 ~~Commissioner for a period of time in excess of eight (8) years.~~  
22 ~~Such years need not be consecutive. Any years served by a person~~  
23 ~~elected or appointed to serve less than a full term to fill a~~  
24 ~~vacancy in such office shall not be included in the limitation set~~

1 ~~forth herein. Any person serving in such position at the time of~~  
2 ~~passage of this amendment shall be eligible to complete the term for~~  
3 ~~which he or she has been elected and shall be eligible to serve an~~  
4 ~~additional eight (8) years thereafter, notwithstanding the~~  
5 ~~provisions of this amendment. The Legislature is hereby authorized~~  
6 ~~to enact laws to implement the provisions of this subsection.~~

7       Section 15. ~~A.~~ A Corporation Commission is hereby created, to  
8 be composed of three persons, who shall be elected ~~by the people at~~  
9 ~~a general election for State officers, and their terms of office~~  
10 ~~shall be six (6) years. In case of a vacancy in said office, the~~  
11 ~~Governor of the State shall fill such vacancy by appointment until~~  
12 ~~the next general election, when a successor shall be elected to fill~~  
13 ~~out any unexpired term~~ appointed by the Governor by and with the  
14 consent of the Senate for a term of four (4) years to run  
15 concurrently with the term of the Governor.

16       ~~B. No person shall be eligible to serve as Corporation~~  
17 ~~Commissioner for a period of time in excess of twelve (12) years.~~  
18 ~~Such years need not be consecutive. Any years served by a person~~  
19 ~~elected or appointed to serve less than a full term to fill a~~  
20 ~~vacancy in such office shall not be included in the limitation set~~  
21 ~~forth herein. Any person serving in such position at the time of~~  
22 ~~passage of this amendment shall be eligible to complete the term for~~  
23 ~~which he or she has been elected and shall be eligible to serve an~~  
24 ~~additional twelve (12) years thereafter, notwithstanding the~~

~~provisions of this amendment. The Legislature is hereby authorized to enact laws to implement the provisions of this subsection.~~

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 1 of Article 6. It directs the Governor to appoint the State Treasurer, Superintendent of Public Instruction, Commissioner of Labor and Commissioner of Insurance. The appointment would be for a four-year term concurrent with that of the Governor. It amends Section 3 of Article 6. It removes eligibility requirements for the State Treasurer and Superintendent of Public Instruction. It amends Section 4 of Article 6. It removes term limits for the State Treasurer, Commissioner of Labor and Superintendent of Public Instruction. It amends Section 23 of Article 6. It removes term limits and eligibility requirements for the Commissioner of Insurance. It amends Section 15 of Article 9. It amends term limits and eligibility requirements for members of the Corporation Commission.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES \_\_\_\_\_

AGAINST THE PROPOSAL — NO \_\_\_\_\_

SECTION 3. The President Pro Tempore of the Senate shall,  
immediately after the passage of this resolution, prepare and file  
one copy thereof, including the Ballot Title set forth in SECTION 2  
hereof, with the Secretary of State and one copy with the Attorney  
General.

55-1-908 CD 1/22/2015 6:00:15 PM