

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 6

By: Stanislawski

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 a proposed amendment to Sections 1 and 4 of
10 Article VI and Section 2 of Article XIII-A of the
11 Oklahoma Constitution; requiring the Governor to
12 appoint the State Superintendent of Public
13 Instruction and the Chancellor of Higher Education
14 with the advice and consent of the Senate; providing
15 that such persons serve at pleasure of Governor;
16 deleting Superintendent from list of offices subject
17 to certain term limits; providing ballot title; and
18 directing filing.

19 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
20 1ST SESSION OF THE 57TH 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 amendment to Sections 1 and 4 of Article VI
24 and Section 2 of Article XIII-A of the Oklahoma Constitution to read
25 as follows:

26 Section 1. A. The Executive authority of the state shall be
27 vested in a Governor, Lieutenant Governor, Secretary of State, State
28 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 office and public
4 records, books and papers at the seat of government, and shall
5 perform such duties as may be designated in this Constitution or
6 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. The Superintendent
10 of Public Instruction shall be appointed by the Governor by and with
11 the consent of the Senate, and shall serve at the pleasure of the
12 Governor.

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

20 B. 1. No person shall be eligible to serve as Governor 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 serving as Governor for
23 less than a full term to fill a vacancy in such office shall not be
24 included in the eight-year limitation set forth herein.

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

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

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

23 Section 2. A. There is hereby established the Oklahoma State
24 Regents for Higher Education, consisting of nine (9) members, whose

1 qualifications may be prescribed by law. The Board shall consist of
2 nine (9) members appointed by the Governor, confirmed by the Senate,
3 and who shall be removable only for cause, as provided by law for
4 the removal of officers not subject to impeachment. Upon the taking
5 effect of this Article, the Governor shall appoint the said Regents
6 for terms of office as follows: one for a term of one year, one for
7 a term of two years, one for a term of three years, one for a term
8 of four years, one for a term of five years, one for a term of six
9 years, one for a term of seven years, one for a term of eight years,
10 and one for a term of nine years. Any appointment to fill a vacancy
11 shall be for the balance of the term only. Except as above
12 designated, the term of office of said Regents shall be nine years
13 or until their successors are appointed and qualified.

14 B. The Regents shall constitute a co-ordinating board of
15 control for all State institutions described in Section 1 hereof,
16 with the following specific powers: (1) it shall prescribe
17 standards of higher education applicable to each institution; (2) it
18 shall determine the functions and courses of study in each of the
19 institutions to conform to the standards prescribed; (3) it shall
20 grant degrees and other forms of academic recognition for completion
21 of the prescribed courses in all of such institutions; (4) it shall
22 recommend to the State Legislature the budget allocations to each
23 institution, and; (5) it shall have the power to recommend to the
24 Legislature proposed fees for all of such institutions, and any such

1 fees shall be effective only within the limits prescribed by the
2 Legislature.

3 C. The Chancellor of Higher Education shall be appointed by the
4 Governor, with the advice and consent of the Senate, and shall serve
5 at the pleasure of the Governor.

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

9 BALLOT TITLE

10 Legislative Referendum No. _____ State Question No. _____

11 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

12 This measure amends Sections 1 and 4 of Article 6 and Section 2
13 of Article 13-A of the Oklahoma Constitution. Under current
14 law, the office of State Superintendent of Public Instruction is
15 an elective office. This measure would require the Governor to
16 appoint the State Superintendent of Public Instruction, with the
17 advice and consent of the Senate. The Superintendent would
18 serve at the pleasure of the Governor. The office would be
19 deleted from the list of offices subject to certain term limits.
20 This measure would also require the Governor to appoint the
21 Chancellor of Higher Education, with the advice and consent of
22 the Senate. The Chancellor would serve at the pleasure of the
23 Governor.

24 SHALL THE PROPOSAL BE APPROVED?
25

1 FOR THE PROPOSAL - YES _____

2 AGAINST THE PROPOSAL - NO _____

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

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