

ENROLLED SENATE
JOINT
RESOLUTION NO. 22

By: Gustafson of the Senate

and

Ferguson of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Section 34 of Article VI and Section 10 of Article XXIII of the Constitution of the State of Oklahoma, which relate to compensation of public officials; providing an exception for compensation increases during the term of office of certain public officials; adding gender neutral language; correcting language; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendments to Section 34 of Article VI and Section 10 of Article XXIII of the Constitution of the State of Oklahoma, to read as follows:

Section 34. Each of the officers in this article named shall, at stated times, during the officer's continuance in office, receive for his or her services a compensation, which shall not be increased or diminished during the term for which the officer shall have been elected or appointed; nor shall the officer receive to his or her use, any fees, cost, or perquisites of office or other compensation. Provided, the Corporation Commissioners and the members of the Oklahoma Tax Commission may receive an increase in compensation during their term of office in an amount necessary to equalize the current commissioners' or members' compensation to that of a newly elected or appointed commissioner or member.

Section 10. Except wherein otherwise provided in this Constitution, in no case shall the salary or emoluments of any public official be changed after the official's election or appointment, or during his or her term of office, unless by operation of law enacted prior to such election or appointment; nor shall the term of any public official be extended beyond the period for which the official was elected or appointed: Provided, That all officers within this State shall continue to perform the duties of their offices until their successors shall be duly qualified. Provided, the Corporation Commissioners and the members of the Oklahoma Tax Commission may receive an increase in compensation during their term of office in an amount necessary to equalize the current commissioners' or members' compensation to that of a newly elected or appointed commissioner or member.

SECTION 2. The Ballot Title for the proposed Constitutional amendments 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 seeks to change Sections 34 and 10 of Articles 6 and 23, respectively, of the State Constitution. Unlike other public officials, the Corporation Commissioners and the members of the Oklahoma Tax Commission share the same power in their offices. These persons hold office beginning in different years. These persons may only receive an increase in pay if that pay increase has been written into law before they take office. The current law allows these persons to receive different pay but share equal power. Because the current law does not allow these persons' pay to increase while holding office, they may serve at the same time but have different pay levels. This measure seeks to give equal compensation levels to these persons.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

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.