

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE JOINT  
RESOLUTION HJR1050

By: Webb

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Section 4 of Article VI, Sections 3 and 9 of Article VII, Section 15 of Article IX, and Section 2 of Article XVII of the Constitution of the State of Oklahoma and proposed amendments to the Constitution of the State of Oklahoma by adding a new section to Article XVIII to be designated as Section 1A and a new section to Article XIII to be designated as Section 5A; adding term limit requirements for certain state and local elected officers; providing ballot titles; and directing filings.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 48TH 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 amendment to Section 4 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 4. A. The term of office of the Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor and Superintendent of Public Instruction shall be four (4) years from the second Monday of January next after their election. The said officers shall be eligible to immediately succeed themselves.

B. No person shall be elected Governor more than two times in succession.

C. Any person elected to one of the offices specified in subsection A of this section, other than the Office of Governor,

after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that office. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 2. 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 Sections 3 and 9 of Article VII of the Constitution of the State of Oklahoma to read as follows:

Section 3. A. From each of the Supreme Court districts and Court of Criminal Appeals districts, the voters thereof shall elect a Justice of the Supreme Court and a Judge of the Court of Criminal Appeals at a non-partisan election, in a manner provided by statute. In the event intermediate appellate courts are created, the judges thereof shall be elected at a non-partisan election, in a manner provided by statute.

B. In the event of a vacancy the Governor shall, by appointment from said district, fill such vacancy until the next election for State Officers, and at such election the vacancy for the unexpired term shall be filled by a non-partisan election in a manner provided by statute.

C. Any person elected to one of the judicial positions specified in subsection A of this section after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that position. Years in that office need not be

consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

Section 9. A. District Judges and Associate District Judges shall be elected by the voters of the several respective districts or counties at a non-partisan election in the manner provided by statute.

B. Any person elected to one of the judicial positions specified in subsection A of this section after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that position. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 3. 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 amendment to Section 15 of Article IX of the Constitution of the State of Oklahoma to read as follows:

Section 15. A. A Corporation Commission is hereby created, to be composed of three persons, who shall be elected by the people at a general election for State officers, and their terms of office shall be six years: Provided, Corporation Commissioners first elected under this Constitution shall hold office as follows: One shall serve until the second Monday in January, nineteen hundred and nine; one until the second Monday in January, nineteen hundred and eleven; and one until the second Monday in January nineteen hundred and thirteen; their terms to be decided by lot immediately after they shall have qualified.

B. In case of a vacancy in said office, the Governor of the State shall fill such vacancy by appointment until the next general election, when a successor shall be elected to fill out any unexpired term.

C. Any person elected as a Corporation Commissioner after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that position. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 4. 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 amendment to the Constitution of the State of Oklahoma by adding a new Section 5A to Article XIII thereof, to read as follows:

Section 5A. Any person elected to a position on the board of education of a school district after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that office. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 5. 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 amendment to Section 2 of Article XVII of the Constitution of the State of Oklahoma to read as follows:

Section 2. A. There are hereby created, subject to change by the Legislature, in and for each organized county of this State, the offices of Judge of the County Court, County Attorney, Clerk of the District Court, County Clerk, Sheriff, County Treasurer, Register of Deeds, County Surveyor, Superintendent of Public Instruction, three County Commissioners, and such municipal township officers as are now provided for under the laws of the Territory of Oklahoma, except as in this Constitution otherwise provided.

B. Any person elected to a county office after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that county office. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no

person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 6. 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 amendment to the Constitution of the State of Oklahoma by adding a new Section 1A to Article XVIII thereof, to read as follows:

Section 1A. Any person elected to a municipal office after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that municipal office. Years in that office need not be consecutive. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in that office shall not be included in the twelve-year limitation, but no person who has completed twelve (12) years in that office shall thereafter be eligible to serve a partial term. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date of this amendment shall be entitled to complete the term and shall be eligible to serve an additional twelve (12) years thereafter in that office. This amendment shall be effective on January 1, 2003.

SECTION 7. 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 4 of Article 6. This measure provides that any person elected to the Office of Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor, or Superintendent of Public Instruction after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a 12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective on January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 8. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 2 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 Sections 3 and 9 of Article 7. This measure provides that any person elected as a Justice of the Supreme Court, the Court of Appeals, or the Court of Criminal Appeals or as a District Judge or an Associate District Judge after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a

12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 9. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 3 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 15 of Article 9. This measure provides that any person elected to the Corporation Commission after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a 12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective on January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 10. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 4 of this act 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 adds Section 5A of Article 13. This measure provides that any person elected to a board of education of a school district after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a 12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective on January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 11. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 5 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 2 of Article 17. This measure provides that any person elected to a county office after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a 12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been

elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective on January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 12. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 6 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 adds Section 1A of Article 18. This measure provides that any person elected to a municipal office after the effective date of this amendment be allowed to serve no more than 12 years in that office. The years of service need not be consecutive. Time served by a person elected or appointed to serve less than a full term shall not be counted. No person who has completed a 12-year term shall be allowed to serve a partial term. Persons serving on the effective date of this amendment or who have been elected or appointed to serve are allowed to serve an additional 12 years. This measure shall become effective on January 1, 2003.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 13. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in

SECTIONS 7, 8, 9, 10, 11 and 12 hereof, with the Secretary of State  
and one copy with the Attorney General.

48-2-7432      SCE      6/12/15