

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE JOINT
RESOLUTION 2

By: Dunlap

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to the Oklahoma Constitution by adding a new section to Article VI to be designated as Section 3.1 and by amending Sections 1, 4 and 23 of Article VI and Sections 15 and 16 of Article IX; providing for the Governor and Lieutenant Governor to be elected jointly; authorizing the Legislature to enact procedure; making offices of State Treasurer, Superintendent of Public Instruction, Commissioner of Labor, Commissioner of Insurance and Corporation Commissioner appointed offices; providing for appointment by the Governor; modifying residency requirement for Corporation Commissioners; providing ballot titles; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST 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 Article VI of the Constitution of the State of Oklahoma by adding a new Section 3.1 to read as follows:

Section 3.1 In the general election for Governor and Lieutenant Governor, one vote shall be cast for the candidates nominated by the same political party. The Legislature may provide by law for the joint nomination of candidates for Governor and Lieutenant Governor.

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

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It adds a new Section 3.1 to Article 6. It provides that a voter would cast one vote for the offices of Governor and Lieutenant Governor. The procedure for the joint nomination of candidates for said offices would be set by law.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

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 amendments to Sections 1, 4 and 23 of Article VI of the Constitution of the State of Oklahoma, and the following proposed amendments to Sections 15 and 16 of Article IX of the Constitution of the State of Oklahoma 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, Superintendent of Public Instruction, Commissioner of Labor, Commissioner of Insurance and other officers provided by law and this Constitution, each of whom shall keep his office and public records, books and papers at the seat of government, and shall perform such duties as may be designated in this Constitution or prescribed by law.

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

Section 4. The term of office of the Governor, Lieutenant Governor, State Auditor and Inspector, and 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. No person shall be elected Governor more than two times in succession.

Section 23. ~~There shall be elected by the qualified electors of the State, at the first general election, a~~ The chief administrative officer of ~~said department, who~~ the Insurance Department shall be styled "The Insurance Commissioner," ~~whose term of office shall be four years:~~ ~~Provided, That the first term of the Insurance Commissioner so elected, shall expire at the time of the expiration of the term of office of the first Governor elected.~~ Said Insurance Commissioner shall be at least twenty-five years of age and well versed in insurance matters.

Section 15. 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~~ appointed by the Governor. 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.~~

Section 16. The qualifications of such commissioners shall be as follows: To be resident citizens of this State for over two years ~~next preceding the election~~ prior to appointment, and

qualified voters under the Constitution and laws, and not less than thirty years of age; nor shall such commissioners, or either of them, be, directly or indirectly, interested in any railroad, street railway, traction line, canal, steam boat, pipe line, car line, sleeping car line, car association, express line, telephone or telegraph line, operated for hire, in this State, or out of it, or any stock, bond, mortgage, security, or earnings of any such railroad, street railway, traction line, canal, steam boat, pipe line, car line, sleeping car line, car association, express line, telephone or telegraph line, compress or elevator companies; and if such Commissioner shall voluntarily become so interested, his office shall become vacant; and if any Corporation Commissioner shall become so interested otherwise than voluntarily, he shall, within a reasonable time, divest himself of such interest; and failing to do this, his office shall become vacant. Nor shall any such commissioner hold any other office under the government of the United States, or of this State, or any other state government, and shall not, while such Commissioner, engage in any occupation or business inconsistent with ~~his~~ duties as such commissioner.

SECTION 4. The Ballot Title for the proposed Constitutional amendments as 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 Sections 1, 4, and 23 of Article 6. It also amends Sections 15 and 16 of Article 9. These sections deal with officers in the Executive Branch of government. The measure would provide that some of these state officials would be appointed. Now, these persons are elected by the

voters. The appointments would be made by the Governor. The Governor would appoint the State Treasurer, the Superintendent of Public Instruction, the Labor Commissioner, the Insurance Commissioner, and the Corporation Commissioners.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

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

48-1-302

JT

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