

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE JOINT

RESOLUTION HJR1022:

O'Neal

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Sections 1, 3, 4, 20, 21, 23 and 24 of Article VI of the Constitution of the State of Oklahoma; designating the cabinet of the Governor; providing for appointment and term of office of cabinet members; making certain elective offices appointive; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 49TH 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 1 of Article VI 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, the~~ members of the cabinet of the Governor, the State Auditor and Inspector, the 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.~~ They shall keep ~~his~~ their 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 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~~ The cabinet of the Governor shall consist of the following members:

1. Lieutenant Governor;
2. Secretary of State;
3. Secretary of Education;
4. Secretary of Treasury and Finance;
5. Secretary of Labor;
6. Secretary of Insurance;
7. Secretary of Health and Human Services;
8. Secretary of Agriculture and Environment;
9. Secretary of Safety, Security, and Transportation; and
10. Secretary of Energy and Science and Technology.

C. The members of the cabinet 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 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 amendment to Section 3 of Article VI of the Constitution of the State of Oklahoma to read as follows:

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

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 4 of Article VI of the Constitution of the State of Oklahoma to read as follows:

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 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 Section 20 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 20. A Department of Labor is hereby created to be under the control of a ~~Commissioner~~ Secretary of Labor whose duties shall be prescribed by law.

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 21 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 21. The Legislature shall create a Board of Arbitration and Conciliation in the Department of Labor and the ~~Commissioner~~ Secretary of Labor shall be ex-officio chairman.

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 Section 23 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 23. There shall be ~~elected by the qualified electors of the State, at the first general election~~ appointed as provided for in this Article, a chief officer of said department, who shall be styled "The Secretary of 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~~ The Secretary of Insurance Commissioner shall be at least twenty-five years of age and well versed in insurance matters.

SECTION 7. 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 24 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 24. The Secretary of Insurance ~~Commissioner~~ shall give bond, perform such duties, and possess such further qualifications as may be prescribed by law.

SECTION 8. The Ballot Title for the proposed Constitutional amendment as set forth in SECTIONS 1, 2, 3, 4, 5, 6, and 7 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, 3, 4, 20, 21, 23, and 24 of Article VI. This measure creates a constitutional cabinet system for the Governor. It provides for ten cabinet positions. The positions would be appointed by the Governor by and with the consent of the Senate. It makes the Office of the Lieutenant Governor into an appointed office. It does away with several elected offices. It does away with the State Treasurer, the Superintendent of Public Instruction, the Commissioner of Labor, and the Insurance Commissioner. It merges those offices into the cabinet as appointed positions.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 9. 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 SECTION 8 hereof, with the Secretary of State and one copy with the Attorney General.

49-1-5501 SCE 01/19/03