

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE JOINT

RESOLUTION HJR1040:

Trebilcock

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 16 of Article VI of the Constitution of the State of Oklahoma; modifying process for devolution of power from Governor to Lieutenant Governor under certain circumstances; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND 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 16 of Article VI of the Constitution of the State of Oklahoma to read as follows:

Section 16. A. In case of impeachment of the Governor, or of his death, failure to qualify, resignation, ~~removal from the State,~~ or inability to discharge the powers and duties of the office, the said office, with its compensation, shall devolve upon the Lieutenant Governor for the residue of the term or until the disability shall be removed.

B. In the case of the Governor's removal from the state, the office, with its compensation, shall devolve upon the Lieutenant Governor until the Governor returns to the state only when such devolution of power is authorized in writing by the 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

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 16 of Article 6. Section 16 relates to when power transfers from the Governor to the Lieutenant Governor. One of the times when power transfers is when the Governor is out of state. This measure would change that. When the Governor is out of state power would transfer only upon written consent of the Governor.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

SECTION 3. 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 2 hereof, with the Secretary of State and one copy with the Attorney General.

49-2-8098 SCE 01/11/04