

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

SENATE JOINT  
RESOLUTION 28

By: Wilcoxson of the Senate

and

Balkman of the House

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Sections 1, 3 and 4 of Article VI of the Constitution of the State of Oklahoma; providing for Gubernatorial appointment of Superintendent of Public Instruction with consent of Senate; providing for length of term; making term concurrent with term of Governor; removing eligibility requirements for Superintendent of Public Instruction; removing prescribed term for Superintendent of Public Instruction; providing an effective date; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES 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 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, 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~~ the 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.

C. The Superintendent of Public Instruction 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, Attorney General, or 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 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, Attorney General, State Treasurer, and 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. This resolution shall become effective January 8, 2007.

SECTION 5. The Ballot Title for the proposed Constitutional amendments as set forth in SECTIONS 1 through 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 Sections 1, 3 and 4 of Article 6 of the State Constitution. The measure deals with the State Superintendent of Public Instruction. It would change how that office is filled. It would also change the term and eligibility requirements of the office. The current superintendent would complete the term for which elected. This measure requires the Governor to appoint future superintendents with the consent of the Senate. The superintendent's term would run concurrently with the Governor's term. The measure would take effect on January 8, 2007.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 6. 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 5 hereof, with the Secretary of State and one copy with the Attorney General.

49-2-1915

KDB

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