

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE JOINT
4 RESOLUTION 49

By: Lamb

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection proposed amendments to Sections 1, 3 and 4
10 of Article VI of the Constitution of the State of
11 Oklahoma; providing for Gubernatorial appointment of
12 Superintendent of Public Instruction with consent of
13 Senate; providing for length of term; making term
14 concurrent with term of Governor; removing
15 eligibility requirements for Superintendent of Public
16 Instruction; removing prescribed term for
17 Superintendent of Public Instruction; providing
18 ballot title; and directing filing.

19 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
20 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to Section 1 of Article VI of the
24 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,

1 Commissioner of Insurance and other officers provided by law and
2 this Constitution, each of whom shall keep ~~his~~ the office and public
3 records, books and papers at the seat of government, and shall
4 perform such duties as may be designated in this Constitution or
5 prescribed by law.

6 B. The Secretary of State shall be appointed by the Governor by
7 and with the consent of the Senate for a term of four (4) years to
8 run concurrently with the term of the Governor.

9 C. Beginning January 10, 2011, the Superintendent of Public
10 Instruction shall be appointed by the Governor by and with the
11 consent of the Senate for a term of four (4) years to run
12 concurrently with the term of the Governor.

13 SECTION 2. The Secretary of State shall refer to the people for
14 their approval or rejection, as and in the manner provided by law,
15 the following proposed amendment to Section 3 of Article VI of the
16 Constitution of the State of Oklahoma to read as follows:

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

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1 SECTION 3. The Secretary of State shall refer to the people for
2 their approval or rejection, as and in the manner provided by law,
3 the following proposed amendment to Section 4 of Article VI of the
4 Constitution of the State of Oklahoma to read as follows:

5 Section 4. The term of office of the Governor, Lieutenant
6 Governor, State Auditor and Inspector, Attorney General, State
7 Treasurer, and Commissioner of Labor ~~and Superintendent of Public~~
8 ~~Instruction~~ shall be four (4) years from the second Monday of
9 January next after their election. ~~The said~~ Such officers shall be
10 eligible to immediately succeed themselves. No person shall be
11 elected Governor more than two times in succession.

12 SECTION 4. The Ballot Title for the proposed Constitutional
13 amendments as set forth in SECTIONS 1, 2, and 3 of this resolution
14 shall be in the following form:

15 BALLLOT TITLE

16 Legislative Referendum No. _____ State Question No. _____

17 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

18 This measure amends Sections 1, 3 and 4 of Article 6 of the
19 State Constitution. The measure deals with the State
20 Superintendent of Public Instruction. It would change how that
21 office is filled. It would also change the term and eligibility
22 requirements of the office. The current superintendent would
23 complete the term for which elected. This measure requires the
24 Governor to appoint future superintendents with the consent of

1 the Senate. The superintendent's term would run concurrently
2 with the Governor's term.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

6 SECTION 5. The President Pro Tempore of the Senate shall,
7 immediately after the passage of this resolution, prepare and file
8 one copy thereof, including the Ballot Title set forth in SECTION 4
9 hereof, with the Secretary of State and one copy with the Attorney
10 General.

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