

THE HOUSE OF REPRESENTATIVES  
Monday, March 30, 2009

ENGROSSED  
Senate Joint  
Resolution No. 12

ENGROSSED SENATE JOINT RESOLUTION NO. 12 - By: BROGDON of the Senate and MURPHEY of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendment to Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution; limiting the term of office of certain elected officials; providing procedures; granting certain authority to Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

1 SECTION 1. The Secretary of State shall refer to the people for their approval or  
2 rejection, as and in the manner provided by law, the following proposed amendment to  
3 Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution  
4 to read as follows:

5 Section 4. A. The term of office of the Governor, Lieutenant Governor, State  
6 Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor and  
7 Superintendent of Public Instruction shall be four (4) years from the second Monday of  
8 January next after their election. The said officers shall be eligible to immediately

1 succeed themselves. ~~No person shall be elected Governor more than two times in~~  
2 ~~succession~~ except as otherwise provided in this section.

3 B. 1. No person shall be eligible to serve as Governor for a period of time in excess  
4 of eight (8) years. Such years need not be consecutive. Any years served by a person  
5 -serving as Governor for less than a full term to fill a vacancy in such office shall not be  
6 included in the eight-year limitation set forth herein.

7 2. Notwithstanding the provisions of this amendment, any person serving as  
8 Governor at the time of passage of this amendment shall be eligible to complete the term  
9 of office to which he or she was elected but shall not be eligible to serve as Governor for a  
10 period of time in excess of eight (8) years, excluding years served for less than a full term  
11 to fill a vacancy in such office. The provisions of this paragraph shall apply regardless of  
12 whether such years were served prior to or after passage of this amendment.

13 C. No person shall be eligible to serve as Lieutenant Governor, State Auditor and  
14 Inspector, Attorney General, State Treasurer, Commissioner of Labor or Superintendent  
15 of Public Instruction for a period of time in excess of eight (8) years. Such years need not  
16 be consecutive. Any years served by a person elected or appointed to serve less than a  
17 full term to fill a vacancy in any such office shall not be included in the limitations set  
18 forth herein. Any person serving in such position at the time of passage of this  
19 amendment shall be eligible to complete the term for which he or she has been elected  
20 and shall be eligible to serve an additional eight (8) years thereafter, notwithstanding the  
21 provisions of this amendment.

1 D. The Legislature is hereby authorized to enact laws to implement the provisions  
2 of subsections B and C of this section.

3 Section 23. A. There shall be elected by the qualified electors of the State, at the  
4 first general election, a chief officer of ~~said department~~ the Insurance Department, who  
5 shall be styled "the the "Insurance Commissioner;", whose term of office shall be four  
6 years: Provided, That the first term of the Insurance Commissioner so elected, shall  
7 expire at the time of the expiration of the term of office of the first Governor elected.  
8 ~~Said~~ The Insurance Commissioner shall be at least twenty-five (25) years of age and well  
9 versed in insurance matters.

10 B. No person shall be eligible to serve as Insurance Commissioner for a period of  
11 time in excess of eight (8) years. Such years need not be consecutive. Any years served  
12 by a person elected or appointed to serve less than a full term to fill a vacancy in such  
13 office shall not be included in the limitation set forth herein. Any person serving in such  
14 position at the time of passage of this amendment shall be eligible to complete the term  
15 for which he or she has been elected and shall be eligible to serve an additional eight (8)  
16 years thereafter, notwithstanding the provisions of this amendment. The Legislature is  
17 hereby authorized to enact laws to implement the provisions of this subsection.

18 Section 15. A. A Corporation Commission is hereby created, to be composed of  
19 three persons, who shall be elected by the people at a general election for State officers,  
20 and their terms of office shall be six (6) years: ~~Provided, Corporation Commissioners~~  
21 ~~first elected under this Constitution shall hold office as follows: One shall serve until the~~  
22 ~~second Monday in January, nineteen hundred and nine; one until the second Monday in~~

1 ~~January, nineteen hundred and eleven; and one until the second Monday in January~~  
2 ~~nineteen hundred and thirteen; their terms to be decided by lot immediately after they~~  
3 ~~shall have qualified.~~ In case of a vacancy in said office, the Governor of the State shall  
4 fill such vacancy by appointment until the next general election, when a successor shall  
5 be elected to fill out any unexpired term.

6 B. No person shall be eligible to serve as Corporation Commissioner for a period of  
7 time in excess of twelve (12) years. Such years need not be consecutive. Any years  
8 served by a person elected or appointed to serve less than a full term to fill a vacancy in  
9 such office shall not be included in the limitation set forth herein. Any person serving in  
10 such position at the time of passage of this amendment shall be eligible to complete the  
11 term for which he or she has been elected and shall be eligible to serve an additional  
12 twelve (12) years thereafter, notwithstanding the provisions of this amendment. The  
13 Legislature is hereby authorized to enact laws to implement the provisions of this  
14 subsection.

15 SECTION 2. The Ballot Title for the proposed Constitutional amendment as set  
16 forth in SECTION 1 of this resolution shall be in the following form:

17 **BALLOT TITLE**

18 Legislative Referendum No. \_\_\_\_ State Question No. \_\_\_\_

19 **THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

20 This measure amends Sections 4 and 23 of Article 6 of the State  
21 Constitution. It also amends Section 15 of Article 9 of the State  
22 Constitution. This measure would limit the Governor to eight years of

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 service. Years served for less than a full term would not be counted. The  
2 person serving as Governor when this measure is passed could complete his  
3 or her term. Other statewide elected officials would be limited to eight  
4 years of service, although Corporation Commissioners would be limited to  
5 twelve years of service. Years served for less than a full term would not be  
6 counted. Persons serving when this measure is passed could complete their  
7 terms and serve an additional eight or twelve years. The Legislature could  
8 pass laws to implement these changes. Under current law, the Governor is  
9 limited to two successive terms.

10 SHALL THE PROPOSAL BE APPROVED?

11 FOR THE PROPOSAL — YES \_\_\_\_\_

12 AGAINST THE PROPOSAL — NO \_\_\_\_\_

13 SECTION 3. The President Pro Tempore of the Senate shall, immediately after the  
14 passage of this resolution, prepare and file one copy thereof, including the Ballot Title set  
15 forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney  
16 General.

17 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03-26-09 - DO PASS.