

Senate Joint
Resolution No. 12

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:

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 Sections 4 and 23 of Article VI
and Section 15 of Article IX of the Oklahoma Constitution to read as
follows:

Section 4. A. The term of office of the Governor, Lieutenant
Governor, State Auditor and Inspector, 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~~

1 ~~elected Governor more than two times in succession~~ except as
2 otherwise provided in this section.

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

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

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

1 amendment shall be eligible to complete the term for which he or she
2 has been elected and shall be eligible to serve an additional eight
3 (8) years thereafter, notwithstanding the provisions of this
4 amendment.

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

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

16 B. No person shall be eligible to serve as Insurance
17 Commissioner for a period of time in excess of eight (8) years.
18 Such years need not be consecutive. Any years served by a person
19 elected or appointed to serve less than a full term to fill a
20 vacancy in such office shall not be included in the limitation set
21 forth herein. Any person serving in such position at the time of
22 passage of this amendment shall be eligible to complete the term for
23 which he or she has been elected and shall be eligible to serve an

1 additional eight (8) years thereafter, notwithstanding the
2 provisions of this amendment. The Legislature is hereby authorized
3 to enact laws to implement the provisions of this subsection.

4 Section 15. A. A Corporation Commission is hereby created, to
5 be composed of three persons, who shall be elected by the people at
6 a general election for State officers, and their terms of office
7 shall be six (6) years: ~~Provided, Corporation Commissioners first~~
8 ~~elected under this Constitution shall hold office as follows: One~~
9 ~~shall serve until the second Monday in January, nineteen hundred and~~
10 ~~nine; one until the second Monday in January, nineteen hundred and~~
11 ~~eleven; and one until the second Monday in January nineteen hundred~~
12 ~~and thirteen; their terms to be decided by lot immediately after~~
13 ~~they shall have qualified. In case of a vacancy in said office, the~~
14 ~~Governor of the State shall fill such vacancy by appointment until~~
15 ~~the next general election, when a successor shall be elected to fill~~
16 ~~out any unexpired term.~~

17 B. No person shall be eligible to serve as Corporation
18 Commissioner for a period of time in excess of twelve (12) years.
19 Such years need not be consecutive. Any years served by a person
20 elected or appointed to serve less than a full term to fill a
21 vacancy in such office shall not be included in the limitation set
22 forth herein. Any person serving in such position at the time of
23 passage of this amendment shall be eligible to complete the term for

1 which he or she has been elected and shall be eligible to serve an
2 additional twelve (12) years thereafter, notwithstanding the
3 provisions of this amendment. The Legislature is hereby authorized
4 to enact laws to implement the provisions of this subsection.

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

8 BALLOT TITLE
9 Legislative Referendum No. _____ State Question No. _____

10 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

11 This measure amends Sections 4 and 23 of Article 6 of the
12 State Constitution. It also amends Section 15 of Article
13 9 of the State Constitution. This measure would limit the
14 Governor to eight years of service. Years served for less
15 than a full term would not be counted. The person serving
16 as Governor when this measure is passed could complete his
17 or her term. Other statewide elected officials would be
18 limited to eight years of service, although Corporation
19 Commissioners would be limited to twelve years of service.
20 Years served for less than a full term would not be
21 counted. Persons serving when this measure is passed
22 could complete their terms and serve an additional eight
23 or twelve years. The Legislature could pass laws to

1 implement these changes. Under current law, the Governor
2 is limited to two successive terms.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

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

11 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 2-16-09 - DO PASS, As
12 Coauthored.