

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE JOINT  
4 RESOLUTION 1020

By: Trebilcock

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 a proposed amendment to Sections 1, 4, and  
10 23 of Article VI and Section 15 of Article IX of the  
11 Constitution of the State of Oklahoma; making certain  
12 state offices appointed by the Governor; providing  
13 ballot title; and directing filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
15 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

16 SECTION 1. The Secretary of State shall refer to the people  
17 for their approval or rejection, as and in the manner provided by  
18 law, the following proposed amendment to Sections 1, 4, and 23 of  
19 Article VI of the Constitution of the State of Oklahoma to read as  
20 follows:

21 Section 1. A. The Executive authority of the state shall be  
22 vested in a Governor, Lieutenant Governor, Secretary of State, State  
23 Auditor and Inspector, Attorney General, State Treasurer,  
24 Superintendent of Public Instruction, Commissioner of Labor,  
Commissioner of Insurance and other officers provided by law and

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

5 B. The Secretary of State, Lieutenant Governor, State Auditor  
6 and Inspector, Attorney General, State Treasurer, Superintendent of  
7 Public Instruction, Commissioner of Labor, Commissioner of  
8 Insurance, and the Corporation Commission shall be appointed by the  
9 Governor by and with the consent of the Senate for a term of four  
10 (4) years to run concurrently with the term of the Governor.

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

18 Section 23. ~~There shall be elected by the qualified electors of~~  
19 ~~the State, at the first general election,~~ appointed by the Governor,  
20 by and with the consent of the Senate, a chief officer of said  
21 department, who shall be styled "The Insurance Commissioner," whose  
22 term of office shall be ~~four years:~~ ~~Provided, That the first term~~  
23 ~~of the Insurance Commissioner so elected, shall expire at the time~~  
24 ~~of the expiration of the term of office of the first Governor~~

1 ~~elected~~ for a term of four (4) years to run concurrently with the  
2 term of the Governor. ~~Said~~ The Insurance Commissioner shall be at  
3 least twenty-five years of age and well versed in insurance matters.

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

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

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1 SECTION 3. The Ballot Title for the proposed Constitutional  
2 amendment as set forth in SECTIONS 1 and 2 of this resolution shall  
3 be in the following form:

4 BALLOT TITLE

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

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It amends  
8 sections dealing with state officers who are elected. These  
9 people are the Lieutenant Governor, the State Auditor and  
10 Inspector, the Attorney General, the State Treasurer, the  
11 Superintendent of Public Instruction, the Commissioner of Labor  
12 and the Commissioner of Insurance. The amendment also would  
13 apply to the three members of the Corporation Commission. All  
14 of these people are elected. The amendment would change this.  
15 They would be appointed by the Governor. The State Senate would  
16 have to approve this.

17 SHALL THE PROPOSAL BE APPROVED?

18 FOR THE PROPOSAL - YES \_\_\_\_\_

19 AGAINST THE PROPOSAL - NO \_\_\_\_\_

20 SECTION 4. The Chief Clerk of the House of Representatives,  
21 immediately after the passage of this resolution, shall prepare and  
22 file one copy thereof, including the Ballot Title set forth in  
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1 SECTION 3 hereof, with the Secretary of State and one copy with the  
2 Attorney General.

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4 52-1-5694 LRB 01/12/09

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