

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE JOINT
4 RESOLUTION 1030

By: Fourkiller

5
6 AS INTRODUCED

7
8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to Sections 1 and 4 of
11 Article VI and Section 5 of Article XIII of the
12 Constitution of the State of Oklahoma; making the
13 State Superintendent of Public Instruction appointed
14 by the Board of Education; making changes contingent
15 upon passage of certain measure; providing ballot
16 title; and directing filing.

17
18
19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 1ST SESSION OF THE 54TH 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 Sections 1 and 4 of Article VI
24 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

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

8 Section 4. A. The term of office of the Governor, Lieutenant
9 Governor, State Auditor and Inspector, Attorney General, State
10 Treasurer, and Commissioner of Labor ~~and Superintendent of Public~~
11 ~~Instruction~~ shall be four (4) years from the second Monday of
12 January next after their election. The said officers shall be
13 eligible to immediately succeed themselves except as otherwise
14 provided in this section.

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

20 2. Notwithstanding the provisions of this amendment, any person
21 serving as Governor at the time of passage of this amendment shall
22 be eligible to complete the term of office to which he or she was
23 elected but shall not be eligible to serve as Governor for a period
24 of time in excess of eight (8) years, excluding years served for

1 less than a full term to fill a vacancy in such office. The
2 provisions of this paragraph shall apply regardless of whether such
3 years were served prior to or after passage of this amendment.

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

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

18 SECTION 2. The Secretary of State shall refer to the people for
19 their approval or rejection, as and in the manner provided by law,
20 the following proposed amendment to Section 5 of Article XIII of the
21 Constitution of the State of Oklahoma to read as follows:

22 Section 5. The supervision of instruction in the public schools
23 shall be vested in a Board of Education, whose powers and duties
24 shall be prescribed by law. The Superintendent of Public

1 Instruction shall be ~~President of the Board~~ appointed by the Board
2 of Education. Until otherwise provided by law, the Governor,
3 Secretary of State, and Attorney General shall be ex-officio
4 members, and with the Superintendent, compose said Board of
5 Education.

6 SECTION 3. The provisions of this Resolution shall not become
7 effective if Enrolled House Joint Resolution No. _____ of the 1st
8 Session of the 54th Oklahoma Legislature is not approved by the
9 people of this state.

10 SECTION 4. The Ballot Title for the proposed Constitutional
11 amendment as set forth in SECTIONS 1 and 2 of this resolution shall
12 be in the following form:

13 BALLLOT TITLE
14 Legislative Referendum No. _____ State Question No. _____

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure amends the Oklahoma Constitution. It amends
17 sections dealing with state officers who are elected. It also
18 amends a section dealing with the Board of Education. The State
19 Superintendent of Public Instruction is a state officer. The
20 State Superintendent is elected. The amendment would change
21 this. The State Superintendent would not be a state officer.
22 The State Superintendent would be appointed by the Board of
23 Education.

24

1 SHALL THE PROPOSAL BE APPROVED?

2 FOR THE PROPOSAL - YES _____

3 AGAINST THE PROPOSAL - NO _____

4 SECTION 5. The Chief Clerk of the House of Representatives,
5 immediately after the passage of this resolution, shall prepare and
6 file one copy thereof, including the Ballot Title set forth in
7 SECTION 4 hereof, with the Secretary of State and one copy with the
8 Attorney General.

9

10 54-1-6136 KB 01/15/13

11

12

13

14

15

16

17

18

19

20

21

22

23

24