STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE JOINT
RESOLUTION 16 By: Brinkley

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Sections 1, 3, and 4 of Article VI of the Oklahoma Constitution, which relates to executive officers; directing the Governor to appoint the Superintendent of Public Instruction; providing effective date; removing eligibility and term limit provisions for the Superintendent of Public Instruction; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 55TH 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 1, 3, and 4 of Article VI of the Oklahoma Constitution 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 this Constitution, each of whom shall keep his or her office and public records, books, and papers at the seat of government, and shall perform such duties as may be designated in this Constitution or prescribed by law.

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

C. The Superintendent of Public Instruction shall be appointed by the Governor by and with the consent of the Senate for a term of four (4) years to run concurrently with the term of the Governor. This provision shall take effect upon expiration of the term of the Superintendent elected in calendar year 2018.

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

Section 4. A. The term of office of the Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, and 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 except as otherwise provided in this section.

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

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

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

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

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

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

BALLOT TITLE

Legislative Referendum No. ____ State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 1 of Article 6. It directs the Governor to appoint the Superintendent of Public Instruction. The appointment would be for a four (4) year term concurrent with that of the Governor. This would take effect upon expiration of the term of the Superintendent elected in 2018. It amends Section 3 of Article 6. It removes eligibility requirements for the Superintendent of Public Instruction. It amends Section 4 of Article 6. It removes term limits for the Superintendent of Public Instruction.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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

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