

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

SENATE BILL NO. 598

By: Treat

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Executive Department;  
9 directing the Secretary of State to refer to the  
people for their approval or rejection the proposed  
10 amendments to Sections 1, 3 and 4 of Article VI of  
the Oklahoma Constitution; providing for  
11 Gubernatorial appointments of the Superintendent of  
Public Instruction, Commissioner of Labor, and  
Insurance Commissioner with consent of the Senate;  
12 providing length of terms; making terms concurrent  
with term of Governor; removing eligibility  
13 requirements for Superintendent of Public  
Instruction; removing prescribed terms for certain  
14 offices; directing the Secretary of State to refer to  
the people for their approval or rejection the repeal  
15 of Section 23 of Article VI, which relates to the  
Insurance Commissioner; providing ballot title; and  
16 directing filing.

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19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. The Secretary of State shall refer to the people for  
21 their approval or rejection, as and in the manner provided by law,  
22 the following proposed amendments to Sections 1, 3 and 4 of Article  
23 VI of the Oklahoma Constitution to read as follows:  
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1       Section 1. A. The Executive authority of the state shall be  
2 vested in a Governor, Lieutenant Governor, Secretary of State, State  
3 Auditor and Inspector, Attorney General, State Treasurer,  
4 Superintendent of Public Instruction, Commissioner of Labor,  
5 Commissioner of Insurance and other officers provided by law and  
6 this Constitution, each of whom shall keep ~~his~~ the office and public  
7 records, books and papers at the seat of government, and shall  
8 perform such duties as may be designated in this Constitution or  
9 prescribed by law.

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

13       C. Beginning January 10, 2018, the Superintendent of Public  
14 Instruction, Commissioner of Labor, and Commissioner of Insurance  
15 shall be appointed by the Governor by and with the consent of the  
16 Senate for terms of four (4) years to run concurrently with the term  
17 of the Governor.

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

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

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

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

21       C. No person shall be eligible to serve as Lieutenant Governor,  
22 State Auditor and Inspector, Attorney General, or State Treasurer,  
23 ~~Commissioner of Labor or Superintendent of Public Instruction~~ for a  
24 period of time in excess of eight (8) years. Such years need not be

1 consecutive. Any years served by a person elected or appointed to  
2 serve less than a full term to fill a vacancy in any such office  
3 shall not be included in the limitations set forth herein. Any  
4 person serving in such position at the time of passage of this  
5 amendment shall be eligible to complete the term for which he or she  
6 has been elected and shall be eligible to serve an additional eight  
7 (8) years thereafter, notwithstanding the provisions of this  
8 amendment.

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

11 SECTION 2. The Secretary of State shall refer to the people for  
12 their approval or rejection, as and in the manner provided by law,  
13 the repeal of Section 23 of Article VI of the Oklahoma Constitution,  
14 which relates to the Insurance Commissioner.

15 SECTION 3. The Ballot Title for the proposed Constitutional  
16 amendments as set forth in SECTIONS 1 and 2 of this act shall be in  
17 the following form:

18 BALLOT TITLE

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

20 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

21 This measure amends Sections 1, 3 and 4 and repeals Section 23  
22 of Article 6 of the State Constitution. This measure deals with  
23 the State Superintendent of Public Instruction, Commissioner of  
24 Labor and Commissioner of Insurance. It would change how those

1 offices are filled. It would also change the term and  
2 eligibility requirements of the office. The current office  
3 holders would complete the term for which they were elected.  
4 This measure requires the Governor to appoint future  
5 superintendents, labor commissioners and insurance commissioners  
6 with the consent of the Senate. The terms for these offices  
7 would run concurrently with the Governor's term.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL — YES \_\_\_\_\_

10 AGAINST THE PROPOSAL — NO \_\_\_\_\_

11 SECTION 4. The President Pro Tempore of the Senate shall,  
12 immediately after the passage of this act, prepare and file one copy  
13 thereof, including the Ballot Title set forth in SECTION 3 hereof,  
14 with the Secretary of State and one copy with the Attorney General.

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