

1 ENGROSSED SENATE
2 BILL NO. 598

By: Treat of the Senate

3 and

4 Murphey of the House

5
6
7 An Act relating to the Executive Department;
8 directing the Secretary of State to refer to the
9 people for their approval or rejection the proposed
10 amendments to Sections 1, 3 and 4 of Article VI of
11 the Oklahoma Constitution; providing for
12 Gubernatorial appointments of the Superintendent of
13 Public Instruction, Commissioner of Labor, and
14 Insurance Commissioner with consent of the Senate;
15 providing length of terms; making terms concurrent
16 with term of Governor; removing eligibility
17 requirements for Superintendent of Public
18 Instruction; removing prescribed terms for certain
19 offices; directing the Secretary of State to refer to
20 the people for their approval or rejection the repeal
21 of Section 23 of Article VI, which relates to the
22 Insurance Commissioner; providing ballot title; and
23 directing filing.

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

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 amendments 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

1 Auditor and Inspector, Attorney General, State Treasurer,
2 Superintendent of Public Instruction, Commissioner of Labor,
3 Commissioner of Insurance and other officers provided by law and
4 this Constitution, each of whom shall keep ~~his~~ the office and public
5 records, books and papers at the seat of government, and shall
6 perform such duties as may be designated in this Constitution or
7 prescribed by law.

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

11 C. Beginning January 14, 2019, the Superintendent of Public
12 Instruction, Commissioner of Labor, and Commissioner of Insurance
13 shall be appointed by the Governor by and with the consent of the
14 Senate for terms of four (4) years to run concurrently with the term
15 of the Governor.

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

23 Section 4. A. The term of office of the Governor, Lieutenant
24 Governor, State Auditor and Inspector, Attorney General, and State

1 ~~Treasurer, Commissioner of Labor and Superintendent of Public~~
2 ~~Instruction~~ shall be four (4) years from the second Monday of
3 January next after their election. The said officers shall be
4 eligible to immediately succeed themselves except as otherwise
5 provided in this section.

6 B. 1. No person shall be eligible to serve as Governor 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 serving as Governor for
9 less than a full term to fill a vacancy in such office shall not be
10 included in the eight-year limitation set forth herein.

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

19 C. No person shall be eligible to serve as Lieutenant Governor,
20 State Auditor and Inspector, Attorney General, or State Treasurer,
21 ~~Commissioner of Labor or Superintendent of Public Instruction~~ for a
22 period of time in excess of eight (8) years. Such years need not be
23 consecutive. Any years served by a person elected or appointed to
24 serve less than a full term to fill a vacancy in any such office

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

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

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

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

16 BALLOT TITLE

17 Legislative Referendum No. _____ State Question No. _____

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends Sections 1, 3 and 4 and repeals Section 23
20 of Article 6 of the State Constitution. This measure deals with
21 the State Superintendent of Public Instruction, Commissioner of
22 Labor and Commissioner of Insurance. It would change how those
23 offices are filled. It would also change the term and
24 eligibility requirements of the office. The current office

1 holders would complete the term for which they were elected.

2 This measure requires the Governor to appoint future

3 superintendents, labor commissioners and insurance commissioners

4 with the consent of the Senate. The terms for these offices

5 would run concurrently with the Governor's term.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL — YES _____

8 AGAINST THE PROPOSAL — NO _____

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

13 Passed the Senate the 6th day of March, 2013.

14
15 _____
16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2013.

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20 _____
21 Presiding Officer of the House
22 of Representatives
23
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