

1 **SENATE FLOOR VERSION**

2 February 25, 2013

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 598

By: Treat of the Senate

and

Murphey of the House

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

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:

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 14, 2019, 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, ~~7~~
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.

15 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
16 February 25, 2013 - DO PASS AS AMENDED
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