

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 ENGROSSED SENATE

5 JOINT

6 RESOLUTION NO. 45

By: Schulz and Ford of the
Senate

and

Ortega of the House

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10 A Joint Resolution directing the Secretary of State
11 to refer to the people for their approval or
12 rejection a proposed amendment to Sections 4 and 23
13 of Article VI of the Oklahoma Constitution; deleting
14 obsolete language; modifying limits on terms of
15 office for certain elected officials; providing
16 ballot title; and directing filing.

17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
18 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for
20 their approval or rejection, as and in the manner provided by law,
21 the following proposed amendment to Sections 4 and 23 of Article VI
22 of the Oklahoma Constitution to read as follows:

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

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

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

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

18 C. No person shall be eligible to serve as Lieutenant Governor,
19 State Auditor and Inspector, Attorney General, State Treasurer,
20 Commissioner of Labor or Superintendent of Public Instruction for a
21 period of time in excess of ~~eight (8)~~ twelve (12) years. Such years
22 need not be consecutive. Any years served by a person elected or
23 appointed to serve less than a full term to fill a vacancy in any
24 such office shall not be included in the limitations set forth

1 herein. Any person serving in such position at the time of passage
2 of this amendment shall be eligible to complete the term for which
3 he or she has been elected and shall be eligible to serve ~~an~~
4 ~~additional eight (8) years~~ thereafter for additional years such that
5 the period of time served does not exceed twelve (12) years,
6 excluding years not included in the limitations set forth herein,
7 notwithstanding the provisions of this amendment.

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

10 Section 23. A. There shall be elected by the qualified
11 electors of the State, at the first general election, a chief
12 officer of the Insurance Department, who shall be styled the
13 "Insurance Commissioner", whose term of office shall be four years:
14 Provided, That the first term of the Insurance Commissioner so
15 elected, shall expire at the time of the expiration of the term of
16 office of the first Governor elected. The Insurance Commissioner
17 shall be at least twenty-five (25) years of age and well versed in
18 insurance matters.

19 B. No person shall be eligible to serve as Insurance
20 Commissioner for a period of time in excess of ~~eight (8)~~ twelve (12)
21 years. Such years need not be consecutive. Any years served by a
22 person elected or appointed to serve less than a full term to fill a
23 vacancy in such office shall not be included in the limitation set
24 forth herein. Any person serving in such position at the time of

1 passage of this amendment shall be eligible to complete the term for
2 which he or she has been elected and shall be eligible to serve ~~an~~
3 ~~additional eight (8) years~~ thereafter for additional years such that
4 the period of time served does not exceed twelve (12) years,
5 excluding years not included in the limitations set forth herein,
6 notwithstanding the provisions of this amendment. The Legislature
7 is hereby authorized to enact laws to implement the provisions of
8 this subsection.

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

12 BALLOT TITLE

13 Legislative Referendum No. _____ State Question No. _____

14 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

15 This measure amends Sections 4 and 23 of Article 6 of the
16 Oklahoma Constitution. Under current law, persons are not
17 eligible to serve as Governor, Lieutenant Governor, State
18 Auditor and Inspector, Attorney General, State Treasurer,
19 Commissioner of Labor, Superintendent of Public Instruction or
20 Insurance Commissioner for more than 8 years, with certain
21 exceptions. This measure changes the limit to 12 years for all
22 these offices except Governor, which would stay at 8 years.
23 Persons serving at the time of passage of this amendment may
24 complete their current terms and serve additional years so that

1 the total period of time served does not exceed 12 years. The
2 measure also deletes some obsolete language.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL — YES _____

5 AGAINST THE PROPOSAL — NO _____

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

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12 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/23/2016 - DO PASS.
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