

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE JOINT
RESOLUTION 45

By: Schulz

AS INTRODUCED

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

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND 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 4 and 23 of Article VI of the Oklahoma Constitution to read as follows:

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

1 eligible to immediately succeed themselves except as otherwise
2 provided in this section.

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

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

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

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

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

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

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

1 ~~additional eight (8) years~~ thereafter for additional years such that
2 the period of time served does not exceed twelve (12) years,
3 excluding years not included in the limitations set forth herein,
4 notwithstanding the provisions of this amendment. The Legislature
5 is hereby authorized to enact laws to implement the provisions of
6 this subsection.

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

10 BALLOT TITLE

11 Legislative Referendum No. _____ State Question No. _____

12 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

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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