

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE JOINT  
4 RESOLUTION 53

By: Paxton

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection proposed amendments to Sections 1 and 23 of  
10 Article VI of the Oklahoma Constitution, which relate  
11 to executive officers; directing the Governor to  
12 appoint the Commissioner of Insurance; providing  
13 procedures; requiring consent of Senate; removing  
14 term limit provisions; providing ballot title; and  
15 directing filing.

16  
17 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
18 2ND SESSION OF THE 56TH 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 1 and 23 of Article VI  
22 of the Oklahoma Constitution to read as follows:

23 Section 1. A. The Executive authority of the state shall be  
24 vested in a Governor, Lieutenant Governor, Secretary of State, State  
Auditor and Inspector, Attorney General, State Treasurer,  
Superintendent of Public Instruction, Commissioner of Labor,  
Commissioner of Insurance and other officers provided by law and  
this Constitution, each of whom shall keep his or her office and

1 public records, books, and papers at the seat of government, and  
2 shall perform such duties as may be designated in this Constitution  
3 or prescribed by law.

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

7 C. Upon expiration of the term of the Commissioner of Insurance  
8 elected in 2022, the Commissioner of Insurance shall be appointed by  
9 the Governor by and with the consent of the Senate and shall serve  
10 at the pleasure of the Governor.

11 Section 23. ~~A. There shall be elected by the qualified~~  
12 ~~electors of the State, at the first general election, a chief~~  
13 ~~officer of the Insurance Department, who shall be styled the~~  
14 ~~"Insurance Commissioner", whose term of office shall be four years:~~  
15 ~~Provided, That the first term of the Insurance Commissioner so~~  
16 ~~elected, shall expire at the time of the expiration of the term of~~  
17 ~~office of the first Governor elected~~ The Commissioner of Insurance  
18 shall be appointed by the Governor by and with the consent of the  
19 Senate as provided in Section 1 of this article. The Insurance  
20 Commissioner of Insurance shall be at least twenty-five (25) years  
21 of age and well versed in insurance matters.

22 ~~B. No person shall be eligible to serve as Insurance~~  
23 ~~Commissioner for a period of time in excess of eight (8) years.~~  
24 ~~Such years need not be consecutive. Any years served by a person~~

~~1 elected or appointed to serve less than a full term to fill a~~  
~~2 vacancy in such office shall not be included in the limitation set~~  
~~3 forth herein. Any person serving in such position at the time of~~  
~~4 passage of this amendment shall be eligible to complete the term for~~  
~~5 which he or she has been elected and shall be eligible to serve an~~  
~~6 additional eight (8) years thereafter, notwithstanding the~~  
~~7 provisions of this amendment.~~ The Legislature is hereby authorized  
8 to enact laws to implement the provisions of 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 the Oklahoma Constitution. It amends  
16 Sections 1 and 23 of Article 6. It directs the Governor to  
17 appoint the Commissioner of Insurance by and with the consent of  
18 the Senate. The Commissioner would serve at the pleasure of the  
19 Governor. The first appointment would be made upon expiration  
20 of the term of the person elected in 2022. It removes term  
21 limits for the Commissioner of Insurance.

22 SHALL THE PROPOSAL BE APPROVED?

23 FOR THE PROPOSAL — YES \_\_\_\_\_

24 AGAINST THE PROPOSAL — NO \_\_\_\_\_

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

6  
7       56-2-2796       CD       1/17/2018 8:41:39 AM