

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE JOINT
4 RESOLUTION 1010

By: Lepak

7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection proposed amendments to Sections 1 and 4 of
11 Article VI of the Constitution of the State of
12 Oklahoma; making the office of Commissioner of Labor
13 appointed; providing for appointment by the Governor;
14 providing for term of office; providing ballot title;
15 and directing filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
15 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

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

20 Section 1. A. The Executive authority of the state shall be
21 vested in a Governor, Lieutenant Governor, Secretary of State, State
22 Auditor and Inspector, Attorney General, State Treasurer,
23 Superintendent of Public Instruction, Commissioner of Labor,
24 Commissioner of Insurance and other officers provided by law and

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

5 B. The Secretary of State shall be appointed by the Governor by
6 and with the consent of the Senate for a term of four (4) years to
7 run concurrently with the term of the Governor. Beginning with the
8 term of office of the Governor commencing in 2023, the Commissioner
9 of Labor shall be appointed by the Governor by and with the consent
10 of the Senate and shall serve at the pleasure of the Governor.

11 Section 4. A. The term of office of the Governor, Lieutenant
12 Governor, State Auditor and Inspector, Attorney General, State
13 Treasurer, ~~Commissioner of Labor~~ and Superintendent of Public
14 Instruction shall be four (4) years from the second Monday of
15 January next after their election. The said officers shall be
16 eligible to immediately succeed themselves except as otherwise
17 provided in this section.

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

23 2. Notwithstanding the provisions of this amendment, any person
24 serving as Governor ~~at the time of passage of this amendment on~~ on

1 November 2, 2010, shall be eligible to complete the term of office
2 to which he or she was elected but shall not be eligible to serve as
3 Governor for a period of time in excess of eight (8) years,
4 excluding years served for less than a full term to fill a vacancy
5 in such office. The provisions of this paragraph shall apply
6 regardless of whether such years were served prior to or after
7 ~~passage of this amendment~~ November 2, 2010.

8 C. No person shall be eligible to serve as Lieutenant Governor,
9 State Auditor and Inspector, Attorney General, State Treasurer,
10 ~~Commissioner of Labor~~ or Superintendent of Public Instruction for a
11 period of time in excess of eight (8) years. Such years need not be
12 consecutive. Any years served by a person elected or appointed to
13 serve less than a full term to fill a vacancy in any such office
14 shall not be included in the limitations set forth herein. Any
15 person serving in such position ~~at the time of passage of this~~
16 ~~amendment~~ on November 2, 2010, shall be eligible to complete the
17 term for which he or she has been elected or appointed and shall be
18 eligible to serve an additional eight (8) years thereafter,
19 notwithstanding the provisions of this amendment.

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

22 SECTION 2. The Ballot Title for the proposed Constitutional
23 amendments as set forth in SECTION 1 of this resolution shall be in
24 the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It proposes a change in the method for selection of the Commissioner of Labor. Currently the Labor Commissioner is elected by the voters of the state. The amendment would change this and provide that the Labor Commissioner would be appointed by the Governor. The Labor Commissioner would serve at the pleasure of the Governor. The changes proposed in this measure would take place beginning with the term of office of the Governor that is to start in 2023.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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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