

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT  
4 RESOLUTION 16

By: Brinkley

5  
6 AS INTRODUCED

7  
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, 3, and 4  
11 of Article VI of the Oklahoma Constitution, which  
12 relates to executive officers; directing the Governor  
13 to appoint the Superintendent of Public Instruction;  
14 providing effective date; removing eligibility and  
15 term limit provisions for the Superintendent of  
16 Public Instruction; providing ballot title; and  
17 directing filing.

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20 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
21 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

22 SECTION 1. The Secretary of State shall refer to the people for  
23 their approval or rejection, as and in the manner provided by law,  
24 the following proposed amendment to Sections 1, 3, and 4 of Article  
25 VI of the Oklahoma Constitution to read as follows:

26 Section 1. A. The Executive authority of the state shall be  
27 vested in a Governor, Lieutenant Governor, Secretary of State, State  
28 Auditor and Inspector, Attorney General, State Treasurer,  
29 Superintendent of Public Instruction, Commissioner of Labor,

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

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

9 C. The Superintendent of Public Instruction shall be appointed  
10 by the Governor by and with the consent of the Senate for a term of  
11 four (4) years to run concurrently with the term of the Governor.  
12 This provision shall take effect upon expiration of the term of the  
13 Superintendent elected in calendar year 2018.

14 Section 3. No person shall be eligible to the office of  
15 Governor, Lieutenant Governor, Secretary of State, State Auditor and  
16 Inspector, Attorney General, or State Treasurer ~~or Superintendent of~~  
17 ~~Public Instruction~~ except a citizen of the United States of the age  
18 of not less than thirty-one (31) years and who shall have been ten  
19 (10) years next preceding his or her election, or appointment, a  
20 qualified elector of this state.

21 Section 4. A. The term of office of the Governor, Lieutenant  
22 Governor, State Auditor and Inspector, Attorney General, State  
23 Treasurer, and Commissioner of Labor ~~and Superintendent of Public~~  
24 ~~Instruction~~ shall be four (4) years from the second Monday of

1 January next after their election. The ~~said~~ officers shall be  
2 eligible to immediately succeed themselves except as otherwise  
3 provided in this section.

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

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

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

1 amendment shall be eligible to complete the term for which he or she  
2 has been elected and shall be eligible to serve an additional eight  
3 (8) years thereafter, notwithstanding the provisions of this  
4 amendment.

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

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 the Oklahoma Constitution. It amends  
14 Section 1 of Article 6. It directs the Governor to appoint the  
15 Superintendent of Public Instruction. The appointment would be  
16 for a four (4) year term concurrent with that of the Governor.  
17 This would take effect upon expiration of the term of the  
18 Superintendent elected in 2018. It amends Section 3 of Article  
19 6. It removes eligibility requirements for the Superintendent  
20 of Public Instruction. It amends Section 4 of Article 6. It  
21 removes term limits for the Superintendent of Public  
22 Instruction.

23 SHALL THE PROPOSAL BE APPROVED?

24 FOR THE PROPOSAL - YES \_\_\_\_\_

1           AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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