

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 51

By: Stanislawski

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 Section 31a of
10 Article VI, Section 8 of Article XIII, Section 2 of
11 Article XIIIIA and Section 2 of Article XIIIIB of the
12 Oklahoma Constitution; allowing the Legislature to
13 construct policy for certain institutions of higher
14 education to protect certain rights of students;
15 providing ballot title; and directing filing.

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BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND SESSION OF THE 56TH 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 Section 31a of Article VI of the
Oklahoma Constitution to read as follows:

Section 31a. There is hereby created a Board of Regents for the
Oklahoma Agricultural and Mechanical College and all Agricultural
and Mechanical Schools and Colleges maintained in whole or in part
by the State. The Board shall consist of nine (9) members, eight
(8) members to be appointed by the Governor by and with the advice

1 and consent of the Senate, a majority of whom shall be farmers, and
2 the ninth member shall be the President of the State Board of
3 Agriculture. Any vacancy occurring among the appointed members
4 shall be filled by appointment of the Governor by and with the
5 advice and consent of the Senate. The members of the Board shall be
6 removable only for cause as provided by law for the removal of
7 officers not subject to impeachment. The members shall be appointed
8 for terms of eight (8) years each, with one term expiring each year,
9 provided that the members of the first Board shall be appointed for
10 terms of from one (1) to eight (8) years respectively. Provided
11 that no State, National or County officer shall ever be appointed as
12 a member of said Board of Regents until two years after his tenure
13 as such officer has ceased.

14 The Legislature shall have the authority to construct policy for
15 institutions that are overseen by the Board of Regents for the
16 Oklahoma Agricultural and Mechanical College to protect students'
17 First Amendment and Fourteenth Amendment rights.

18 SECTION 2. The Secretary of State shall refer to the people for
19 their approval or rejection, as and in the manner provided by law,
20 the following proposed amendment to Section 8 of Article XIII of the
21 Oklahoma Constitution to read as follows:

22 Section 8. The government of the University of Oklahoma shall
23 be vested in a Board of Regents consisting of seven members to be
24 appointed by the Governor by and with the advice and consent of the

1 Senate. The term of said members shall be for seven years, except
2 and provided that the appointed members of the Board of Regents in
3 office at the time of the adoption of this amendment as now provided
4 by law shall continue in office during the term for which they were
5 appointed, and thereafter as provided herein.

6 Appointments for filling vacancies occurring on said Board shall
7 be made by the Governor with advice and consent of the Senate and
8 said appointments to fill vacancies shall be for the residue of the
9 term only.

10 Members of the Board of Regents of the University of Oklahoma
11 shall be subject to removal from office only as provided by law for
12 the removal of elective officers not liable to impeachment.

13 The Legislature shall have the authority to construct policy for
14 institutions that are overseen by the Board of Regents of the
15 University of Oklahoma to protect students' First Amendment and
16 Fourteenth Amendment rights.

17 SECTION 3. The Secretary of State shall refer to the people for
18 their approval or rejection, as and in the manner provided by law,
19 the following proposed amendment to Section 2 of Article XIII A of
20 the Oklahoma Constitution to read as follows:

21 Section 2. There is hereby established the Oklahoma State
22 Regents for Higher Education, consisting of nine (9) members, whose
23 qualifications may be prescribed by law. The Board shall consist of
24 nine (9) members appointed by the Governor, confirmed by the Senate,

1 and who shall be removable only for cause, as provided by law for
2 the removal of officers not subject to impeachment. Upon the taking
3 effect of this Article, the Governor shall appoint the said Regents
4 for terms of office as follows: one for a term of one year, one for
5 a term of two years, one for a term of three years, one for a term
6 of four years, one for a term of five years, one for a term of six
7 years, one for a term of seven years, one for a term of eight years,
8 and one for a term of nine years. Any appointment to fill a vacancy
9 shall be for the balance of the term only. Except as above
10 designated, the term of office of said Regents shall be nine years
11 or until their successors are appointed and qualified.

12 The Regents shall constitute a co-ordinating board of control
13 for all State institutions described in Section 1 hereof, with the
14 following specific powers: (1) it shall prescribe standards of
15 higher education applicable to each institution; (2) it shall
16 determine the functions and courses of study in each of the
17 institutions to conform to the standards prescribed; (3) it shall
18 grant degrees and other forms of academic recognition for completion
19 of the prescribed courses in all of such institutions; (4) it shall
20 recommend to the State Legislature the budget allocations to each
21 institution, and; (5) it shall have the power to recommend to the
22 Legislature proposed fees for all of such institutions, and any such
23 fees shall be effective only within the limits prescribed by the
24 Legislature.

1 The Legislature shall have the authority to construct policy for
2 institutions that are overseen by the Oklahoma State Regents for
3 Higher Education to protect students' First Amendment and Fourteenth
4 Amendment rights.

5 SECTION 4. The Secretary of State shall refer to the people for
6 their approval or rejection, as and in the manner provided by law,
7 the following proposed amendment to Section 2 of Article XIIIIB of
8 the Oklahoma Constitution to read as follows:

9 Section 2. The said Board of Regents of Oklahoma Colleges shall
10 hereafter have the supervision, management and control of the
11 following State Colleges: Central State College at Edmond; East
12 Central State College at Ada; Southwestern Institute of Technology
13 at Weatherford; Southeastern State College at Durant; Northwestern
14 State College at Alva, and the Northeastern State College at
15 Tahlequah, and the power to make rules and regulations governing
16 each of said institutions shall hereafter be exercised by and is
17 hereby vested in the Board of Regents of Oklahoma Colleges created
18 by this Act, and said Board shall appoint or hire all necessary
19 officers, supervisors, instructors, and employees for such
20 institutions.

21 The Legislature shall have the authority to construct policy for
22 institutions that are overseen by the Board of Regents of Oklahoma
23 Colleges to protect students' First Amendment and Fourteenth
24 Amendment rights.

1 SECTION 5. The Ballot Title for the proposed Constitutional
2 amendments as set forth in SECTIONS 1 through 4 of this resolution
3 shall be in the following form:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends Section 31a of Article 6, Section 8 of
8 Article 13, Section 2 of Article 13A and Section 2 of Article
9 13B of the Oklahoma Constitution. It allows the Legislature to
10 construct policy to protect the First Amendment and Fourteenth
11 Amendment rights of students attending an institution of higher
12 education.

13 SHALL THE PROPOSAL BE APPROVED?

14 FOR THE PROPOSAL - YES _____

15 AGAINST THE PROPOSAL - NO _____

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

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