

ENROLLED SENATE JOINT RESOLUTION NO. 22
ENACTED BY THE SECOND REGULAR SESSION OF THE
46TH LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 679
LEGISLATIVE REFERENDUM NUMBER 309

Received: April 23, 1998

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 22

By: Gustafson of the Senate

and

Ferguson of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Section 34 of Article VI and Section 10 of Article XXIII of the Constitution of the State of Oklahoma, which relate to compensation of public officials; providing an exception for compensation increases during the term of office of certain public officials; adding gender neutral language; correcting language; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 46TH 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 amendments to Section 34 of Article VI and Section 10 of Article XXIII of the Constitution of the State of Oklahoma, to read as follows:

Section 34. Each of the officers in this article named shall, at stated times, during ~~his~~ the officer's continuance in office, receive for his or her services a compensation, which shall not be increased or diminished during the term for which ~~he~~ the officer shall have been elected or appointed; nor shall ~~he~~ the officer receive to his or her use, any fees, cost, or perquisites of office or other compensation. Provided, the Corporation Commissioners and the members of the Oklahoma Tax Commission may receive an increase in compensation during their term of office in an amount necessary to equalize the current commissioners' or members' compensation to that of a newly elected or appointed commissioner or member.

Section 10. Except wherein otherwise provided in this Constitution, in no case shall the salary or emoluments of any public official be changed after ~~his~~ the official's election or appointment, or during his or her term of office, unless by operation of law enacted prior to such election or appointment; nor shall the term of any public official be extended beyond the period for which ~~he~~ the official was elected or appointed: Provided, That all officers within this State shall continue to perform the duties of their offices until their successors shall be duly qualified. Provided, the Corporation Commissioners and the members of the Oklahoma Tax Commission may receive an increase in compensation during their term of office in an amount necessary to equalize the current commissioners' or members' compensation to that of a newly elected or appointed commissioner or member.

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

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure seeks to change Sections 34 and 10 of Articles 6 and 23, respectively, of the State Constitution. Unlike other public officials, the Corporation Commissioners and the members of the Oklahoma Tax Commission share the same power in their offices. These persons hold office beginning in different years. These persons may only receive an increase in pay if that pay increase has been written into law before they take office. The current law allows these persons to receive different pay but share equal power. Because the current law does not allow these persons' pay to increase while holding office, they may serve at the same time but have different pay levels. This measure seeks to give equal compensation levels to these persons.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

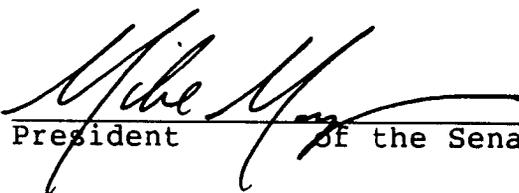
YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

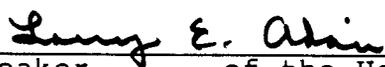
SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

Passed the Senate the 22nd day of April, 1998.

ACTING


President of the Senate

Passed the House of Representatives the 7th day of April, 1998.


Speaker of the House of
PRO TEMPORE Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 23rd day of April, 1998,
at 12:10 o'clock P. M.

By: Sam Lee



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

May 20, 1998

FILED
MAY 20 1998

OKLAHOMA SECRETARY
OF STATE

Mr. Tom Cole, Secretary of State
Office of the Secretary of State
101 State Capitol Building
Oklahoma City, Oklahoma 73105

Re: **Ballot Title for State Question No. 679, Legislative Referendum No. 309**

Dear Secretary Cole:

Having found that the suggested Ballot Title for the above-referenced State Question was not in harmony with the law, we have, in accordance with the provisions of 34 O.S. Supp. 1997, § 9(C)(1), prepared the following substitute Ballot Title for filing in your office. As a Title 34 Ballot Title review, the following does not constitute an Attorney General's Opinion on the merits or constitutionality of the underlying proposed change in the law. The substitute Ballot Title reads as follows:

BALLOT TITLE

This measure seeks to change Section 34 of Article 6 and Section 10 of Article 23 of the State Constitution. Corporation Commissioners and members of the Oklahoma Tax Commission serve terms which start in different years. As the law is now they may only receive an increase in pay if it becomes law before they take office. These persons may receive different pay but perform the same job. This measure will allow their pay to be raised at any time so long as their pay was equal.

Mr. Tom Cole, Secretary of State
May 20, 1998
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SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

Respectfully submitted,



**W. A. DREW EDMONDSON
ATTORNEY GENERAL**



Oklahoma State Election Board

ROOM B-6 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2391

November 9, 1998

The Honorable Tom Cole
Secretary of State
Room 101, State Capitol
Oklahoma City, Oklahoma 73105

FILED

NOV 9 1998

OKLAHOMA SECRETARY
OF STATE

Dear Mr. Cole:

Enclosed please find a copy of the official returns of the vote at the General Election on November 3, 1998, on the following measures, as certified to the Governor of the State of Oklahoma:

State Question No. 678, Legislative Referendum No. 308

State Question No. 679, Legislative Referendum No. 309

State Question No. 680, Legislative Referendum No. 310

State Question No. 681, Legislative Referendum No. 311

State Question No. 682, Legislative Referendum No. 312

State Question No. 683, Legislative Referendum No. 313

Sincerely,

LANCE WARD, Secretary
State Election Board

LW/mf

Receipt of the above hereby is acknowledged on this 9th day of November, 1998.

By:

Time:

9:44 AM



Oklahoma State Election Board

ROOM B-6 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2391

November 9, 1998

The Honorable Frank Keating
Governor of the State of Oklahoma
Room 212, State Capitol
Oklahoma City, Oklahoma 73105

Dear Governor Keating:

Pursuant to the provisions of 26 O.S. 1991, §12-118, the State Election Board herewith certifies the results of the vote at the General Election on November 3, 1998, on the following measures:

STATE QUESTION No. 678
LEGISLATIVE REFERENDUM No. 308

YES: 471,696
NO: 315,386

STATE QUESTION No. 679
LEGISLATIVE REFERENDUM No. 309

YES: 346,102
NO: 446,883

STATE QUESTION No. 680
LEGISLATIVE REFERENDUM No. 310

YES: 509,001
NO: 288,585

Governor Keating
November 9, 1998
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STATE QUESTION NO. 681
LEGISLATIVE REFERENDUM NO. 311

YES: 490,596
NO: 306,734

STATE QUESTION NO. 682
LEGISLATIVE REFERENDUM NO. 312

YES: 422,512
NO: 367,862

STATE QUESTION NO. 683
LEGISLATIVE REFERENDUM NO. 313

YES: 381,095
NO: 407,033

Sincerely,



LANCE WARD, Secretary
State Election Board

LW/mf

Receipt of the above hereby is acknowledged on this _____ day of November, 1998.

By: _____

Time: _____