

ENROLLED SENATE JOINT RESOLUTION 12  
ENACTED BY THE FIRST REGULAR SESSION OF THE  
52ND LEGISLATURE OF THE STATE OF OKLAHOMA  
NUMBERED BY THE SECRETARY OF STATE

**STATE QUESTION NUMBER 747**  
**LEGISLATIVE REFERENDUM NUMBER 348**

RECEIVED: APRIL 15, 2009

# Resolution

ENROLLED SENATE  
JOINT  
RESOLUTION NO. 12

By: Brogdon of the Senate

and

Murphey of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendment to Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution; limiting the term of office of certain elected officials; providing procedures; granting certain authority to Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND 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 Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution to read as follows:

Section 4. A. The term of office of the Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor and Superintendent of Public Instruction shall be four (4) years from the second Monday of January next after their election. The said officers shall be eligible to immediately succeed themselves. ~~No person shall be elected Governor more than two times in succession~~ except as otherwise provided in this section.

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

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

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

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

Section 23. A. There shall be elected by the qualified electors of the State, at the first general election, a chief officer of ~~said department~~ the Insurance Department, who shall be styled "The the "Insurance Commissioner", whose term of office shall be four years: Provided, That the first term of the Insurance Commissioner so elected, shall expire at the time of the expiration of the term of office of the first Governor elected. Said The Insurance Commissioner shall be at least twenty-five (25) years of age and well versed in insurance matters.

B. No person shall be eligible to serve as Insurance Commissioner for a period of time in excess of eight (8) years. Such years need not be consecutive. Any years served by a person elected or appointed to serve less than a full term to fill a vacancy in such office shall not be included in the limitation set forth herein. Any person serving in such position at the time of passage of this amendment shall be eligible to complete the term for which he or she has been elected and shall be eligible to serve an additional eight (8) years thereafter, notwithstanding the provisions of this amendment. The Legislature is hereby authorized to enact laws to implement the provisions of this subsection.

Section 15. A. A Corporation Commission is hereby created, to be composed of three persons, who shall be elected by the people at a general election for State officers, and their terms of office shall be six (6) years. ~~Provided, Corporation Commissioners first elected under this Constitution shall hold office as follows: One shall serve until the second Monday in January, nineteen hundred and nine; one until the second Monday in January, nineteen hundred and eleven; and one until the second Monday in January nineteen hundred and thirteen; their terms to be decided by lot immediately after they shall have qualified.~~ In case of a vacancy in said office, the Governor of the State shall fill such vacancy by appointment until the next general election, when a successor shall be elected to fill out any unexpired term.

B. No person shall be eligible to serve as Corporation Commissioner for a period of time in excess of twelve (12) years. Such years need not be consecutive. Any years served by a person elected or appointed to serve less than a full term to fill a vacancy in such office shall not be included in the limitation set forth herein. Any person serving in such position at the time of passage of this amendment shall be eligible to complete the term for which he or she has been elected and shall be eligible to serve an additional twelve (12) years thereafter, notwithstanding the provisions of this amendment. The Legislature is hereby authorized to enact laws to implement the provisions of this subsection.

SECTION 2. The Ballot Title for the proposed Constitutional amendment 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 amends Sections 4 and 23 of Article 6 of the State Constitution. It also amends Section 15 of Article 9 of the State Constitution. This measure would limit the Governor to eight years of service. Years served for less than a full term would not be counted. The person serving as Governor when this measure is passed could complete his or her term. Other statewide elected officials would be limited to eight years of service, although Corporation Commissioners would be limited to twelve years of service. Years served for less than a full term would not be counted. Persons serving when this measure is passed could complete their terms and serve an additional eight or twelve years. The Legislature could pass laws to implement these changes. Under current law, the Governor is limited to two successive terms.

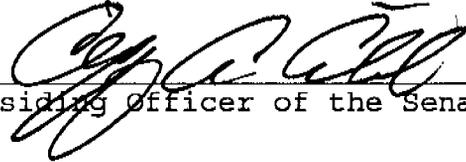
SHALL THE PROPOSAL BE APPROVED?

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

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

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 11th day of March, 2009.



Presiding officer of the Senate

Passed the House of Representatives the 14th day of April, 2009.



Presiding Officer of the House  
of Representatives

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_

15th day of April, 2009,

at 2:14 o'clock P M.

By: M. Susan Savage



**OKLAHOMA SECRETARY OF STATE**

2300 N. LINCOLN BLVD. ROOM 101

OKLAHOMA CITY, OK 73105-4897

(405) 521-3912

Fax # (405) 521-3771

M. Susan Savage  
Secretary of State

Brad Henry  
Governor

April 15, 2009

The Honorable Drew Edmondson  
Attorney General  
313 NE 21st Street  
Oklahoma City, Oklahoma 73105

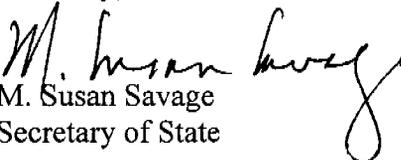
Dear Attorney General Edmondson:

You are hereby notified that Enrolled Senate Joint Resolution 12 was received in the Office of the Secretary of State this 15th day of April, 2009. This bill has been designated as **State Question Number 747, Legislative Referendum Number 348.**

Pursuant to 34 O.S., 2008 Supp., Section 9, this office is submitting the proposed ballot title to you for review.

If our office may be of further assistance, please let us know.

Sincerely,

  
M. Susan Savage  
Secretary of State

MSS/kj



W. A. DREW EDMONDSON  
ATTORNEY GENERAL OF OKLAHOMA

April 17, 2009

The Honorable M. Susan Savage  
Oklahoma Secretary of State  
Room 101, State Capitol Building  
Oklahoma City, Oklahoma 73105

Re: State Question Number 747  
Legislative Referendum Number 348

Dear Secretary Savage:

Thank you for your letter regarding the above matter. I have referred this information to Neal Leader, Senior Assistant Attorney General, for his information and use.

If you have any questions, please feel free to contact Mr. Leader directly.

Sincerely,

A handwritten signature in black ink, appearing to read "W.A. Edmondson".

W.A. DREW EDMONDSON  
ATTORNEY GENERAL

WAE:st

cc: Neal Leader



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

April 24, 2009

**FILED**

APR 24 2009

OKLAHOMA SECRETARY  
OF STATE

M. Susan Savage, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

The Honorable Glenn Coffee  
Senate President Pro Tempore  
State Capitol, Room 418  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

The Honorable Chris Bengé  
Speaker of the House of Representatives  
State Capitol, Room 401  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

**Re: Ballot Title for State Question No. 747, Legislative Referendum 348**

Dear Secretary Savage, Senator Coffee, and Speaker Bengé:

In accordance with the provisions of 34 O.S.Supp.2008, § 9(C), we have reviewed the Ballot Title for the above referenced State Question and conclude that it does not comply with applicable laws for the following reasons:

- It does not identify all of the statewide elected officials to whom its limits apply.
- It does not adequately explain the effect of the proposition.

Having found that the Ballot Title does not comply with applicable law, we will, in conformity with the provisions of 34 O.S.Supp.2008, § 9(C), within ten (10) business days, prepare a preliminary Ballot Title which complies with the law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. A. Edmondson".

W. A. DREW EDMONDSON  
ATTORNEY GENERAL

WAE/ab



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

April 28, 2009

M. Susan Savage, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

**FILED**

**APR 29 2009**

**OKLAHOMA SECRETARY  
OF STATE**

The Honorable Glenn Coffee  
Senate President Pro Tempore  
State Capitol, Room 422  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

The Honorable Chris Bengé  
Speaker of the House of Representatives  
State Capitol, Room 401  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

**Re: Preliminary Ballot Title for State Question No. 747, Legislative  
Referendum No. 348**

Dear Secretary Savage, Senator Coffee, and Speaker Bengé:

Having found that the proposed ballot title for the above referenced state question did not comply with applicable laws, we have, in accordance with the provisions of 34 O.S. Supp. 2008, § 9(C), prepared the following Preliminary Ballot Title. As a Title 34 Ballot Title review, the following does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law. The Preliminary Ballot Title reads as follows:

**BALLOT TITLE FOR STATE QUESTION NO. 747**

This measure amends sections 4 and 23 of Article 6 and section 14 of Article 9 of the State Constitution. It limits the ability of voters to re-elect statewide elected officers. It limits the number of years a

person may serve in each statewide elected office. Service as Governor is limited to eight years. Service as Lieutenant Governor is limited to eight years. Service as Attorney General is limited to eight years. Service as Treasurer is limited to eight years. Service as Commissioner of Labor is limited to eight years. Service as Auditor and Inspector is limited to eight years. Service as Superintendent of Public Instruction is limited to eight years. Service as Insurance Commissioner is limited to eight years. Service as a Corporation Commissioner is limited to twelve years. Service for less than a full term would not count against the limit on service. Years of service need not be consecutive for the limits to apply. Officers serving when this measure is passed can complete their terms. All such serving officers, except the Governor, can also serve an additional eight or twelve years. The Legislature could pass laws to carry out these changes.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL - YES** \_\_\_\_\_

**AGAINST THE PROPOSAL - NO** \_\_\_\_\_

Respectfully submitted,



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

WAE/ab



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

May 14, 2009

M. Susan Savage, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

The Honorable Glenn Coffee  
Senate President Pro Tempore  
State Capitol, Room 422  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

The Honorable Chris Bengtson  
Speaker of the House of Representatives  
State Capitol, Room 401  
2300 N. Lincoln Boulevard  
Oklahoma City, OK 73105

**FILED**

**MAY 14 2009**

**OKLAHOMA SECRETARY  
OF STATE**

**Re: Final Ballot Title for State Question No. 747, Legislative  
Referendum No. 348**

Dear Secretary Savage, Senator Coffee, and Speaker Bengtson:

Having found that the proposed ballot title for the above referenced state question did not comply with applicable laws, we have, in accordance with the provisions of 34 O.S. Supp. 2008, § 9(C), prepared the following Final Ballot Title. As a Title 34 Ballot Title review, the following does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law. The Final Ballot Title reads as follows:

**FINAL BALLOT TITLE FOR STATE QUESTION NO. 747**

This measure amends sections 4 and 23 of Articles 6 and section 15 of Article 9 of the State Constitution. It limits the ability of voters to re-elect statewide elected officers by limiting how many years those

officers can serve. It limits the number of years a person may serve in each statewide elected office. Service as Governor is limited to eight years. Service as Lieutenant Governor is limited to eight years. Service as Attorney General is limited to eight years. Service as Treasurer is limited to eight years. Service as Commissioner of Labor is limited to eight years. Service as Auditor and Inspector is limited to eight years. Service as Superintendent of Public Instruction is limited to eight years. Service as Insurance Commissioner is limited to eight years. Service as a Corporation Commissioner is limited to twelve years.

Service for less than a full term would not count against the limit on service. Years of service need not be consecutive for the limits to apply.

Officers serving when this measure is passed can complete their terms. All such serving officers, except the Governor, can also serve an additional eight or twelve years.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL - YES** \_\_\_\_\_

**AGAINST THE PROPOSAL - NO** \_\_\_\_\_

Respectfully submitted,



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

WAE/ab



**Brad Henry**  
Governor

**FILED**

**AUG 10 2010**

EXECUTIVE DEPARTMENT

**OKLAHOMA SECRETARY  
OF STATE**

EXECUTIVE PROCLAMATION

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the provisions of Section 3 of Article V and Section 1 of Article XXIV of the Oklahoma Constitution, and Section 12 of Title 34 of the Oklahoma Statutes, and the referral by the Secretary of State do hereby declare that Legislative Referendum Number 348, State Question 747, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at the general election to be held statewide on November 2, 2010.

The substance of the measure is as follows:

This measure amends sections 4 and 23 of Articles 6 and section 15 of Article 9 of the State Constitution. It limits the ability of voters to re-elect statewide elected officers by limiting how many years those officers can serve. It limits the number of years a person may serve in each statewide elected office. Service as Governor is limited to eight years. Service as Lieutenant Governor is limited to eight years. Service as Attorney General is limited to eight years. Service as Treasurer is limited to eight years. Service as Commissioner of Labor is limited to eight years. Service as Auditor and Inspector is limited to eight years. Service as Superintendent of Public Instruction is limited to eight years. Service as Insurance Commissioner is limited to eight years. Service as a Corporation Commissioner is limited to twelve years.

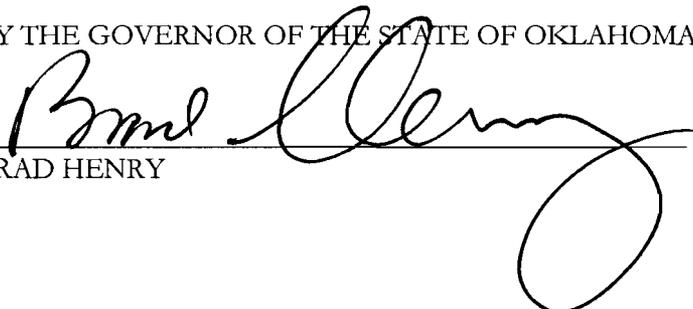
Service for less than a full term would not count against the limit on service. Years of service need not be consecutive for the limits to apply.

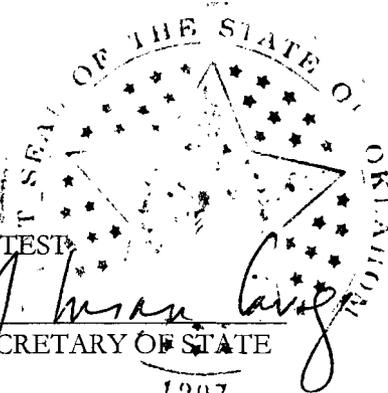
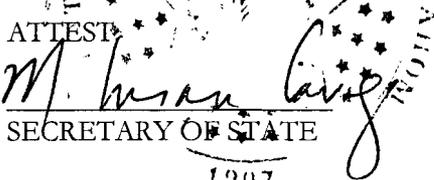
Officers serving when this measure is passed can complete their terms. All such serving officers, except the Governor, can also serve an additional eight or twelve years.

Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 9th day of August, 2010.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
BRAD HENRY

  
ATTEST  
  
SECRETARY OF STATE  
1907



**OKLAHOMA SECRETARY OF STATE**

2300 N. LINCOLN BLVD. ROOM 101

OKLAHOMA CITY, OK 73105-4897

(405) 521-3912

Fax # (405) 521-3771

M. Susan Savage  
Secretary of State

Brad Henry  
Governor

August 10, 2010

The Honorable Paul Ziriaux  
Secretary, State Election Board  
State Capitol, Room 3  
Oklahoma City, Oklahoma 73105

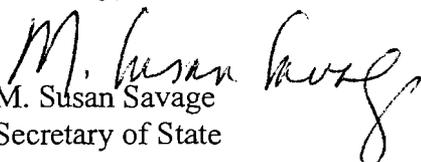
Dear Secretary Ziriaux:

Enclosed are copies of the Governor's Proclamations calling for the election on:

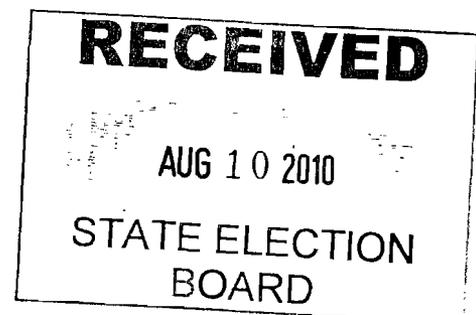
State Question Number 744, Initiative Petition Number 391  
State Question Number 746, Legislative Referendum Number 347  
State Question Number 747, Legislative Referendum Number 348  
State Question Number 748, Legislative Referendum Number 349  
State Question Number 750, Legislative Referendum Number 350  
State Question Number 751, Legislative Referendum Number 351  
State Question Number 752, Legislative Referendum Number 352  
State Question Number 754, Legislative Referendum Number 354  
State Question Number 755, Legislative Referendum Number 355  
State Question Number 756, Legislative Referendum Number 356  
State Question Number 757, Legislative Referendum Number 357

If there are any questions, or if our office may be of further assistance, please do not hesitate to let us know.

Sincerely,

  
M. Susan Savage  
Secretary of State

MSS/kj





# Oklahoma State Election Board

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

November 12, 2010

The Honorable M. Susan Savage  
Secretary of State  
Room 101, State Capitol  
Oklahoma City, Oklahoma 73105

**FILED**

**NOV 16 2010**

**OKLAHOMA SECRETARY  
OF STATE**

Dear Ms. Savage:

Enclosed please find a copy of the official returns of the vote at the General Election on November 2, 2010, on the following measures, as certified to the Governor of the State of Oklahoma. The results of the vote on State Question 755, Legislative Referendum 355, have not been certified by the State Election Board and are not included.

State Question No. 744, Initiative Petition No. 391  
State Question No. 746, Legislative Referendum No. 347  
State Question No. 747, Legislative Referendum No. 348  
State Question No. 748, Legislative Referendum No. 349  
State Question No. 750, Legislative Referendum No. 350  
State Question No. 751, Legislative Referendum No. 351  
State Question No. 752, Legislative Referendum No. 352  
State Question No. 754, Legislative Referendum No. 354  
State Question No. 756, Legislative Referendum No. 356  
State Question No. 757, Legislative Referendum No. 357

Sincerely,

PAUL ZIRIAS, Secretary  
State Election Board

PZ/mf

Receipt of the above hereby is acknowledged on this 16<sup>th</sup> day of November, 2010.

By: Kathy Jekel

Time: 10:15 am



# Oklahoma State Election Board

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

November 12, 2010

The Honorable Brad Henry  
Governor of the State of Oklahoma  
Room 212, State Capitol  
Oklahoma City, Oklahoma 73105

Dear Governor Henry:

Pursuant to the provisions of 26 O.S. 2001, §12-118, the State Election Board herewith certifies the results of the vote at the General Election on November 2, 2010, on the following measures. The results of the vote on State Question 755, Legislative Referendum 355, have not been certified by the State Election Board and are not included.

STATE QUESTION NO. 744  
INITIATIVE PETITION NO. 391

YES: 189,164  
NO: 828,589

STATE QUESTION NO. 746  
LEGISLATIVE REFERENDUM NO. 347

YES: 746,053  
NO: 257,523

STATE QUESTION NO. 747  
LEGISLATIVE REFERENDUM NO. 348

YES: 695,592  
NO: 299,789

STATE QUESTION No. 748  
LEGISLATIVE REFERENDUM No. 349

YES: 567,288  
NO: 403,733

STATE QUESTION No. 750  
LEGISLATIVE REFERENDUM No. 350

YES: 485,703  
NO: 478,042

STATE QUESTION No. 751  
LEGISLATIVE REFERENDUM No. 351

YES: 740,918  
NO: 239,904

STATE QUESTION No. 752  
LEGISLATIVE REFERENDUM No. 352

YES: 606,805  
NO: 358,925

STATE QUESTION No. 754  
LEGISLATIVE REFERENDUM No. 354

YES: 361,907  
NO: 614,219

Governor Henry  
November 12, 2010  
Page 3

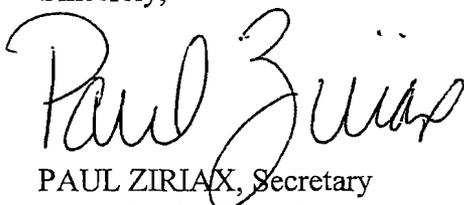
STATE QUESTION NO. 756  
LEGISLATIVE REFERENDUM NO. 356

YES: 638,530  
NO: 347,956

STATE QUESTION NO. 757  
LEGISLATIVE REFERENDUM NO. 357

YES: 499,287  
NO: 479,353

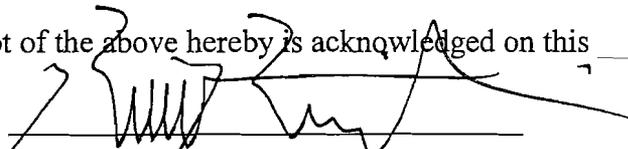
Sincerely,



PAUL ZIRLIAX, Secretary  
State Election Board

PZ/mf

Receipt of the above hereby is acknowledged on this 16<sup>th</sup> day of November, 2010.

By: 

Time: 9:30am



**Brad Henry**  
Governor

**FILED**

**JAN 05 2011**

**OKLAHOMA SECRETARY  
OF STATE**

**EXECUTIVE DEPARTMENT**

**EXECUTIVE PROCLAMATION**

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I, Brad Henry, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 12-118 of Title 26 of the Oklahoma Statutes and the Certification by the State Election Board, do hereby proclaim State Question Number 747 to have passed. The results of the election held on November 2, 2010, on State Question 747, Legislative Referendum Number 348, are as follows:

Total Votes – 995,381

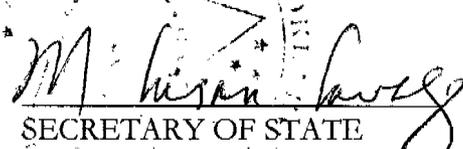
YES – 695,592

NO – 299,789

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 5<sup>th</sup> day of January, 2011.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
\_\_\_\_\_  
BRAD HENRY

  
ATTEST:  
  
\_\_\_\_\_  
SECRETARY OF STATE