

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1012

By: Lepak

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 a proposed amendment to Section 15 of  
10 Article IX of the Constitution of the State of  
11 Oklahoma; modifying selection process for the  
12 Corporation Commission; providing ballot title; and  
13 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 amendment to Section 15 of Article IX of the  
19 Constitution of the State of Oklahoma to read as follows:

20 Section 15. A. A Corporation Commission is hereby created, to  
21 be composed of three persons, who shall be elected by the people at  
22 a general election for State officers, ~~and their~~ through the general  
23 election held in 2020. Their terms of office shall be six (6) years  
24 and shall be staggered in accordance with the terms of office  
existing on the effective date of this amendment. In case of a

1 vacancy in ~~said~~ such elected office, the Governor of the State shall  
2 fill such vacancy by appointment ~~until the next general election,~~  
3 ~~when a successor shall be elected~~ to fill out any unexpired term.  
4 Any appointments pursuant to this subsection shall not require  
5 confirmation by the Senate.

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

19 C. As each term of office provided for in subsection A of this  
20 section expires, the office shall be filled by appointment by the  
21 Governor, subject to confirmation by the Senate. The person  
22 appointed pursuant to this subsection shall serve at the pleasure of  
23 the Governor.

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1 SECTION 2. The Ballot Title for the proposed Constitutional  
2 amendment as set forth in SECTION 1 of this resolution shall be in  
3 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 the Oklahoma Constitution. It would change  
8 the manner in which members of the Corporation Commission are  
9 chosen. Currently they are elected in a statewide election.  
10 The term of office is six years and is limited to two terms. If  
11 amended, Commissioners would continue to be elected through the  
12 2020 general election, subject to the same term limitations. If  
13 a vacancy occurs, it would be filled by appointment by the  
14 Governor to fill the unexpired term, without the requirement of  
15 Senate approval. After the terms for elected Commissioners  
16 expire, the position of Corporation Commissioner would become an  
17 appointed office. The appointments would be made by the  
18 Governor, subject to Senate approval. Each Commissioner would  
19 serve at the pleasure of the Governor.

20 SHALL THE PROPOSAL BE APPROVED?

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

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

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

1 file one copy thereof, including the Ballot Title set forth in  
2 SECTION 2 hereof, with the Secretary of State and one copy with the  
3 Attorney General.

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5 57-1-5159 SD 01/15/19

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