

OKLAHOMA INTERCOLLEGIATE LEGISLATURE



CONSTITUTION

Updated May 18, 2017

Article of the First

- Section One. The name of this organization shall be "The Oklahoma Intercollegiate Legislature."
- Section Two.
1. The purpose of the Organization shall be to provide the students of higher education in the State of Oklahoma with a beneficial educational experience in the governmental process. The organization shall also serve as a forum for issues of concern to higher education students in the State of Oklahoma.
 2. To fulfill these purposes the organization shall hold a conference twice during the course of an academic year; once during the fall semester and once during the spring semester. Other special meetings shall be held at such times and under such conditions as may be established by law.
- Section Three. Each institution of higher education, public or private, in the State of Oklahoma shall be eligible for membership in the organization. All members of the organization must be students in the institution from which they came. No administration official of any institution may interfere in the process of selecting members of the organization, nor shall any provision in this Constitution be construed to allow such.
- Section Four. The membership of the organization shall be defined by appropriate legislation, provided that all persons mentioned in this Constitution shall be members.

Article of the Second

- Section One. The organization shall have a Board of Directors consisting of five (5) members, who shall be the Governor, Lieutenant Governor, Speaker of the House of Representatives, President Pro Tempore of the Senate, and the Chief Justice of the Supreme Court. The Board, and members of the Board, shall exercise only such powers and responsibilities as it is expressly required to, and granted to,

exercise under the laws of the Oklahoma Intercollegiate Legislature, the State of Oklahoma, and the United States.

Section Two. There shall be a Steering committee for the organization. Membership of this Committee shall be established by appropriate legislation. The Committee, and members of the Committee, shall exercise only such powers as are granted to it by appropriate legislation.

Article of the Third

Section One. The Oklahoma Intercollegiate Legislature shall be an incorporated partner with the Oklahoma Intercollegiate Legislature Foundation (OILF), an Oklahoma non-profit organization.

1. The OILF is hereby granted the power to manage all financial and legal business of the Oklahoma Intercollegiate Legislature, including but not limited to establishing fees to be charged to member institutions for the fall and spring conferences, and filing necessary financial and legal documents with the appropriate authorities on behalf of OIL.
 - a. A supermajority vote of the non-ex-officio OILF Directors and a majority vote of ex-officio OILF Directors shall be required for the OILF Board of Directors to increase fees to be charged to member institution for the fall and spring conferences
2. OILF shall have no jurisdiction in any other area not related to the financial and legal state of the organization, including but not limited to the preparation and execution of the conferences described in Article I, Section 2, Subsection 2 of this Constitution.
3. The membership of the OIL Board of Directors shall be ex-officio voting members of the OILF Board of Directors. Ex-officio members' terms of office as OILF Directors shall coincide with their terms of office as OIL Board of Directors.
4. The OILF shall present a semi-annual regarding the financial and legal state of the OILF and OIL to the OIL Board of Directors and Steering Committee no later than one (1) month before session.
5. The Legislature may, whenever two-thirds (2/3) of the total number of voting delegates of both Houses deem it necessary, terminate its financial and legal relationship with OILF provided that the Legislature's actions are ratified by a three-fourths (3/4) vote of secret ballots cast by the members of the organization in a general election that occurs at a regular conference prescribed in Article One, Section two, subsection two of this Constitution.
6. In the case that the House and Senate bodies of the Oklahoma Intercollegiate Legislature feel that there is no confidence in a director of the OILF, a concurrent resolution written, and if passed with a super majority of two-thirds vote, the foundation shall be required to investigate said director.

Article of the Fourth

Section One. The Legislative Authority of the organization shall be vested in a Senate and a House of Representatives.

Section Two. 1. The House of Representatives shall consist of up to three (3) voting delegates sent from each member institution, plus one (1) more voting delegate for every one thousand (1,000) students enrolled at that member institution. For this purpose enrollment figures may be rounded to the nearest thousand. Each member institution may, for every voting delegate sent, send one (1) alternate who shall also be a member of the House. The House shall choose

their officers and have sole power of impeachment.

1. The House of Representatives shall during each spring session, and at other times as it may be necessary, elect one of its members as Speaker, who shall preside over its deliberations. The House of Representatives shall also elect one of its members Speaker Pro Tempore during each spring session, and at other times as it may be necessary. Their term shall be from the end of the spring conference in which he or she was elected, or from whatever date he or she was elected, until the end of the spring conference the following academic year. Such officers shall be considered voting delegates, however, they shall not count against their institution's total of delegates or alternates to the House of Representatives nor shall they serve more than three (3) consecutive terms per office.

Section Three. 1. The Senate shall consist of up to three (3) voting delegates sent from each member institution. Each member institution may, for every voting delegate sent, send one (1) alternate who shall also be a member of the Senate but shall have no vote upon the final outcome of any executive nomination. The Lieutenant Governor shall be the President of the Senate and shall preside over its deliberations, provided that the Senate may, by majority vote, remove him or her for up to one day. He or she shall have no vote unless the Senate is equally divided upon the passage of a measure which shall become law or upon the confirmation of an executive appointment. The Senate shall choose their officers and have the sole power to try all impeachments, as the Court of Impeachment.

- a. When sitting as the Court of Impeachment, the Senate shall be presided over by the Chief Justice, or if he or she is absent or disqualified, one of the other members of the Supreme Court to be selected by it, except where all of the members of the Supreme Court are absent or disqualified or in cases of the impeachment of any Justice, then the Senate shall elect one of its members as its presiding officer. Senators shall be on oath of affirmation, to be impartial. No person shall be convicted without the concurrence of two-thirds (2/3) of the Senate members present.

2. The Senate during each spring session, and such other times as it may be necessary, shall elect one of its members as President Pro Tempore who shall preside over its deliberations in the absence of, or in the place of, the Lieutenant Governor, or when he or she shall exercise the office of Governor. The Senate shall also elect one of its members Deputy President Pro Tempore during each spring session, and at other times as it may be necessary. Their term shall be from the end of the spring conference in which he or she was elected, or from whatever date he or she was elected, until the end of the spring conference the following academic year. Such officers shall be considered voting delegates, however, they shall not count against their institution's total of delegates or alternates to the Senate nor shall they serve more than three (3) consecutive terms per office.

Section Four. The Legislature shall meet in regular session twice during the course of each academic year; once in the fall semester and once in the spring semester. Additionally, the Legislature may call itself in special session by a written call for such purposes as may be specifically set forth in the call, signed by two-thirds (2/3) of the eligible delegates of each House of the previous regular session.

Section Five. Each House shall be the judge of the qualifications of its own members and a majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such a manner and under such penalties as each House may provide. Vacancies in either House may be filled at the discretion of the affected member institution.

Section Six. Each House may determine their rules of its proceedings, punish its members for disorderly conduct and, with a concurrence of two-thirds (2/3), expel any member.

- Section Seven. Every act of the Legislature shall embrace but one subject, to be clearly expressed in its title.
- Section Eight. Members of the organization who are not members of the Legislature may participate in the proceedings and business of the separate Houses in such a manner and to such a degree as each House may allow. However, they shall have no vote upon the final outcome of any measure which shall become law, or upon the confirmation of any official with the exception of the Lieutenant Governor who may cast a vote when the Senate is equally divided.
- Section Nine. No Senator or Representative shall, at the same time as their service in the Legislature, serve as a Judge, Justice, or elected officer.
- Section Ten. The Governor, Lieutenant Governor, Attorney General, and the Secretary of State, immediately following the completion of their term in the Executive Branch, may, in that spring session, be eligible to run for elective office in either legislative chamber providing that said executive officer has at least two sessions experience in the chamber in which they plan to seek elective office.
- Section Eleven. The Legislature of the organization shall be vested with the power to make all laws which shall be necessary and proper for the execution of its own powers and privileges and those granted by this Constitution to any branch, subdivision, tribunal or officer of the organization.
- Section Twelve. The Governor and other elected and appointed officers of the organization, including Judges and Justices of the Supreme Court, shall be liable and subject to impeachment for willful neglect of duty, corruption in office, gross misconduct, dereliction of duty, or incompetence.

Judgment of impeachment shall not exceed beyond the removal from office and/or bar from holding the same office in the future, but this shall not prevent punishment of any such officer growing out of the same matters by the Courts of the State of Oklahoma.

Article of the Fifth

- Section One.
1. The supreme executive power of the organization shall be vested in a Chief Magistrate, who shall be styled, "The Governor of the Oklahoma Intercollegiate Legislature," who shall be elected by the members of the organization. The term of office shall be from the end of the spring conference in which he or she was elected until the end of the spring conference the following academic year. No person shall serve as Governor who shall not have been a member of the organization for the duration of at least three (3) conferences except by means of succession.
 2. There shall also be a Lieutenant Governor who shall be elected by the members of the organization and serve a term the same as the Governor. No person shall serve as Lieutenant Governor who shall not have been a member of the organization for at least the duration of two (2) conferences.
- Section Two. At every regular session of the Legislature, and immediately upon its organization, the Governor shall communicate by message to the Legislature, upon the condition of the organization; and shall recommend such matters to the Legislature as he or she may elect or the Legislature may require. The Governor shall have the power to convene the Legislature or the Senate only upon extraordinary occasions. Upon such occasions they shall only consider the expenditures for that session and such measures as he or she may refer to them.
- Section Three. Every measure intended to become law which shall have passed both Houses of the Legislature shall, before it becomes law, be presented to the Governor, if he or she approves he or she shall

sign it; if not, he or she shall return it with his or her objections to the House in which it originated, who may then proceed to reconsider it. If after such reconsideration, two-thirds (2/3) of the delegates of the House shall agree to pass the measure, it shall then be sent together with the objections to the other House, by which it may be considered likewise; and if approved by two-thirds (2/3) of the delegates of that House it shall become law, notwithstanding the objections of the Governor. But in all cases the votes of both Houses shall be determined by the yeas and nays. If any measure shall not be returned by the Governor within one (1) day after it shall have been presented to him or her, the same shall be law, in a manner as if he or she had signed it. No measure shall become law after final adjournment of the Legislature, except that which the Governor shall sign within fourteen (14) days after adjournment. All measures requiring the concurrence of two-thirds (2/3) of the delegates of both Houses shall require a concurrence of three-fourths (3/4) for passage over the objections of the Governor.

Section Four.

1. In case of the removal of the Governor from office or of his or her death, failure to qualify, resignation, removal from the city in which either a regular or special session is being held, or inability to discharge the duties of the office, the Lieutenant Governor shall become the Acting Governor, until such inability shall have been removed, or until the following general election shall have elapsed, at which point a new governor shall be elected.
 - a. Whenever there is a vacancy in the office of the Lieutenant Governor, the Governor shall nominate a Lieutenant Governor who shall take office upon confirmation by a majority vote of both Houses of the Legislature.
2. In case of the removal of both the Governor and Lieutenant Governor, or of their death, failure to qualify, resignation, removal from the city in which either a regular or special session is being held, or inability to discharge the duties of their office, the President Pro Tempore shall become the Acting Governor, until such inability shall have been elapsed, at which point a new governor shall be elected.
 - a. In case of the removal of both the Governor and Lieutenant Governor, or of their death, failure to qualify, resignation, removal from the city in which either a regular or special session is being held, or inability to discharge the duties of the office, and the President Pro Tempore shall have been removed, died, failed to qualify, resigned, be absent from the city in which either a regular or special session is being held, or unable to discharge the duties of their office, the Speaker of the House of Representatives shall become the Acting Governor, until such inability shall have been removed, or until the following general election shall have elapsed, at which point a new governor shall be elected.
 - i. Any person serving as Acting Governor shall immediately resume the duties of his or her previous office upon the absence being cured, the disability ceasing, or the vacancy being filled.
3. Whenever the Governor transmits to the President Pro Tempore of the Senate and the Speaker of the House of Representatives his or her written declaration that he or she is unable to discharge the powers and duties of his or her office, and until he or she transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor.

4. Whenever the Lieutenant Governor and a majority of the principal officers of the executive branch transmit to the President Pro Tempore of the Senate and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of his or her office, the Lieutenant Governor shall immediately assume the powers and duties of the office as Acting Governor.
 - a. Therefore, when the Governor transmits to the President Pro Tempore of the Senate and the Speaker of the House of Representatives his or her written declaration that no inability exists, he shall resume the powers and duties of his office unless the Lieutenant Governor and a majority of the principal officers of the executive branch transmit to the President Pro Tempore of the Senate and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of his or her office. Thereupon the Legislature shall decide the issue, assembling within twenty-one days when not in regular session, and with twelve hours during regular session, for that purpose. If the Legislature determines by two-thirds vote of the both Houses that the Governor is unable to discharge the powers and duties of his or her office, the Lieutenant Governor shall continue to discharge the same as Acting Governor; otherwise, the Governor shall resume the powers and duties of his or her office.

- Section Five.
1. The Governor shall appoint, with the advice and consent of the Senate, members of the Supreme Court when vacancies shall arise. No person shall serve as a member of the Supreme Court who shall not have been a member of the organization for at least the duration of one (1) conference.
 2. The Governor elect, before taking office, shall appoint, with the advice and consent of the Senate, the Attorney General for a term beginning not before the Governor elect's swearing in and expiring to later than the Governor's last day in office. No person shall serve as Attorney General who shall not have been a member of the organization for at least the duration of two (2) conferences.
 3. The Governor elect, before taking office shall appoint, with the advice and consent of the Senate, all other Directors, Secretaries, Judges and other officers of the organization whose appointments are not herein provided for, and which shall be established by law, provided that the Legislature may vest this power in the Governor alone, the Courts of the organization, or in other officers they deem proper. The Legislature may also provide for the election of such positions by the members or groups of members of the organization.

Section Six. The Governor shall have the power to fill all vacancies in all executive offices requiring the confirmation of the Senate and all vacancies of judicial seats that may occur during the recess of the Senate, by the issue of commissions. Upon the issuance of such a commission, all rights and duties of the position shall devolve to the person so named upon it. Such commissions shall expire upon the convening of the Senate or of the convening of a committee comprised of the President Pro-Tempore, Deputy President Pro Tempore, Senate Floor Leader, and two (2) Senators elected by the Senate body. This committee shall hereafter be known as the Senate Committee on Inter-Session Appointments. All decisions in favor of such commissions must be heard before the Judiciary Committee and approved by the body as a whole upon the convening of the Senate in regular session. A nominee declined by the Senate Body in the previous session or the Senate Committee on Inter-Session Appointments shall not be eligible for appointment to the same

position in that inter-session period. A quorum of the committee shall be present before any business can be done.

Section Seven. The Lieutenant Governor shall be President of the Senate and shall preside over its deliberations, providing that the Senate may, by a majority, remove him or her as presiding officer for one (1) day. He or she shall also perform various duties as specified by the Governor or by law. In the event of a vacancy in the office it shall be filled by an appointment of the Governor with the advice and consent of the Senate.

Section Eight. The Attorney General shall advise the Governor and members of the Legislature on legal matters which may be of concern to them. The Attorney General shall review all legislation that is passed by both legislative bodies, before it is presented to the Governor for signature or approval. Additionally, the Attorney General shall, upon request of the author or elected legislative leadership, issue a non-binding legal opinion regarding the legality of prospective or current legislation. These duties may be regulated by statute or regulations promulgated by the Office of the Attorney General. He or she may also represent the organization before any of its Courts to which the organization is a party to an internal dispute. In the event of a vacancy in the office, it shall be filled by an appointment of the Governor with the advice and consent of the Senate.

Article of the Sixth

Section One. The Judicial power of the organization shall be vested in a Supreme Court and in such inferior courts as may be established by the Legislature.

Section Two. The Supreme Court shall consist of nine (9) justices who shall be members of the organization in good standing for the duration of one (1) conference at the time of confirmation. To preside over its deliberations, the Governor shall select one of its members to be designated as Chief Justice. The Chief Justice, upon confirmation, shall have been a member of the Court for at least the duration of one (1) entire session. The Governor shall also select one (1) of its members to serve as Vice Chief Justice who shall preside over its deliberations in the absence of the Chief Justice. The appointments of Chief Justice and Vice Chief Justice shall be confirmed by the advice and consent of the Senate. A majority shall constitute a quorum to do business. All business before the Court may be disposed of by a majority of those present.

Section Three. The Justices of the Supreme Court shall serve for two (2) conferences. During the last conference of their term justices shall declare if they wish to be retained. Upon such a declaration, a question shall be submitted during that conference to the membership of the organization in a non-partisan, noncompetitive manner: "Shall the Justice be retained for an additional term?" If the Justice does not wish to be retained or does not receive a majority of votes cast on the question of retention the Justice shall then be removed at the conclusion of his or her term. In the event of such an outcome in the retention process, or if a Justice declares that he or she will resign at the end of a conference, the Governor shall be authorized to appoint, with the advice and consent of the Senate, a new Justice who will take office at the conclusion of the conference.

Section Four.

1. A Justice must indicate to the Secretary of State, in writing, whether or not the Justice desires to be retained. Any Justice who fails to indicate his or her preference, in writing or in person, shall not be eligible for retention during the remainder of that conference. The Attorney General shall announce the names of all Justices who are on the retention ballot.
2. A Justice who fails to get a sufficient number of votes to be retained or who chooses not to

run for retention shall leave office upon adjournment Sine Die of that conference.

3. A Justice who fails retention or resigns from the Court is not eligible for reappointment to the Supreme Court until such time as one (1) full regular conference shall have elapsed between the time the Justice resigns or fails to be retained and the time he or she is re-appointed to the Supreme Court.

Section Five. The jurisdiction of the Supreme Court shall extend to all matters resulting from internal disputes involving members, the organization, or member institutions, under such restrictions and guidelines as may be established by law.

Section Six. In the resolution of internal disputes, all courts of the organization shall be courts of equity. Under no circumstances shall a reasonable person with no legal training be denied due process or equal access to the courts of the organization for the resolution of internal disputes.

Section Seven. The courts of the organization may engage in educational activities, provided that internal disputes shall be decided without delay.

Article of the Seventh

All officers, before entering the duties of their offices, shall take and subscribe to the following oath or affirmation: "I, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, the Constitution of the State of Oklahoma, and the Constitution of the Oklahoma Intercollegiate Legislature; I further swear (or affirm) that I will faithfully discharge my duties as ... to the best of my ability (so help me God).

Article of the Eighth

Section One. All laws of a permanent nature which shall affect the internal operation of the organization shall be codified and published in a digest styled: "Oklahoma Intercollegiate Legislature Statutes."

Section Two. The Legislature shall, whenever two-thirds (2/3) of the total number of voting delegates of both Houses deem it necessary, propose amendments to this Constitution which shall be valid to all intents and purposes as part of this organization when ratified by a three-fourths (3/4) vote of secret ballots cast by the members of the organization in a general election.

Article of the Ninth

The Oklahoma Intercollegiate Legislature shall not discriminate against any person on the basis of race, creed, religion, sex or sexual orientation.

Article of the Tenth

The Oklahoma Intercollegiate Legislature shall incorporate a private seal to authenticate documents for the organization. The seal shall consist of a dark blue circle containing forty-six gold five-beam stars, one of which shall have beams that join the circle; the large star shall have a mortar board, diploma, gavel, quill and judicial scales drawn in the beams, in the center of the star shall be a drawing of the geographical borders of the Great State of Oklahoma surrounded by an olive branch wreath; and a band with the words "OKLAHOMA INTERCOLLEGIATE LEGISLATURE 1969" shall surround the circle, completing the seal. The Secretary of State shall be entrusted with the privilege and duty of keeping the seal and exercising sole power to use the seal, provided no reasonable requests by officials of the organization shall be refused.

Article of the Eleventh

- Section One. During each regular Fall and Spring Session, there shall be a competition held that shall be composed of:
- (1) Senate Awards
 - (2) House of Representative Awards
 - (3) Moot Court
 - (4) Community Service Competition
 - (5) Journalism Competition
- Section Two. Both the Senate and the House of Representatives shall determine the structure of their competition and awards through Standing Rules of Procedure and according to statute.
- Section Three. The moot court competition shall be governed according to statute.
- Section Four. The Community Service Competition shall be governed according to statute and regulations promulgated by the Lieutenant Governor. At no time shall the Lieutenant Governor have sole discretion to award competition points for this competition, besides discretionary points.
- Section Five. The journalism competition shall be governed according to statute and regulations promulgated by the Press Secretary. At no time shall the Press Secretary or other official have sole discretion to award competition points for this competition.