

THE HOUSE OF REPRESENTATIVES  
Wednesday, March 5, 2008

House Joint  
Resolution No. 1077

HJR 1077

HOUSE JOINT RESOLUTION NO. 1077 - By: JOHNSON (ROB) of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 4 of Article VII-B of the Constitution of the State of Oklahoma; requiring Senate confirmation of appointment to fill vacancy in Judicial Office; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF  
THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

1 SECTION 1. The Secretary of State shall refer to the people for their approval or  
2 rejection, as and in the manner provided by law, the following proposed amendment to  
3 Section 4 of Article VII-B of the Constitution of the State of Oklahoma to read as follows:  
4 Section 4. When a vacancy in any Judicial Office, however arising, occurs or is  
5 certain to occur, the Judicial Nominating Commission shall choose and submit to the  
6 Governor and the Chief Justice of the Supreme Court three (3) nominees, each of whom  
7 has previously notified the Commission in writing that he will serve as a Judicial Officer  
8 if appointed. The Governor shall appoint one (1) of the nominees to fill the vacancy, but  
9 if ~~he~~ the Governor fails to do so within sixty (60) days the Chief Justice of the Supreme  
10 Court shall appoint one (1) of the nominees, the appointment to be certified by the

1 Secretary of State. Any appointment by the Governor to fill a Judicial Office shall be  
2 confirmed by a majority of the Senate.

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

5 BALLOT TITLE

6 Legislative Referendum No. \_\_\_\_ State Question No. \_\_\_\_

7 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

8 This measure would amend the Oklahoma Constitution. It would amend Section 4  
9 of Article 7-B. This section provides for filling vacancies in a Judicial Office. This  
10 measure will require that the Senate approve any person chosen by the Governor to  
11 fill a vacancy.

12 SHALL THE PROPOSAL BE APPROVED?

13 FOR THE PROPOSAL — YES \_\_\_\_\_

14 AGAINST THE PROPOSAL — NO \_\_\_\_\_

15 SECTION 3. The Chief Clerk of the House of Representatives, immediately after  
16 the passage of this resolution, shall prepare and file one copy thereof, including the  
17 Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with  
18 the Attorney General.

19 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03-04-08 - DO PASS.