

THE HOUSE OF REPRESENTATIVES
Monday, February 23, 2009

Committee Substitute for
House Joint
Resolution No. 1041

COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 1041 - By:
BENGE AND TREBILCOCK 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 1 of Article VII of the Constitution of the State of Oklahoma; requiring Senate confirmation of appointments and reappointments to the Workers' Compensation Court; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF
THE 1ST SESSION OF THE 52ND 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 1 of Article VII of the Constitution of the State of Oklahoma to read as follows:

4 Section 1. The judicial power of this State shall be vested in the Senate, sitting as a
5 Court of Impeachment, a Supreme Court, the Court of Criminal Appeals, the Court on
6 the Judiciary, the ~~State Industrial~~ Workers' Compensation Court, the Court of Bank
7 Review, the Court of Tax Review, and such intermediate appellate courts as may be
8 provided by statute, District Courts, and such Boards, Agencies and Commissions
9 created by the Constitution or established by statute as exercise adjudicative authority

1 or render decisions in individual proceedings. Provided that the Court of Criminal
2 Appeals, the ~~State Industrial~~ Workers' Compensation Court, the Court of Bank Review
3 and the Court of Tax Review and such Boards, Agencies and Commissions as have been
4 established by statute shall continue in effect, subject to the power of the Legislature to
5 change or abolish said Courts, Boards, Agencies, or Commissions. Municipal Courts in
6 cities or incorporated towns shall continue in effect and shall be subject to creation,
7 abolition or alteration by the Legislature by general laws, but shall be limited in
8 jurisdiction to criminal and traffic proceedings arising out of infractions of the provisions
9 of ordinances of cities and towns or of duly adopted regulations authorized by such
10 ordinances. Any appointment or reappointment, as provided by law, by the Governor to
11 fill a position on the Workers' Compensation Court shall be confirmed by a majority of
12 the Senate.

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

15 BALLOT TITLE

16 Legislative Referendum No. ____ State Question No. ____

17 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

18 This measure would amend the Oklahoma Constitution. It would amend Section 1
19 of Article 7. This section deals with judges and justices. This includes judges on the
20 Workers' Compensation Court. This measure will require that the Senate approve
21 any person chosen by the Governor to fill a position on the Workers' Compensation
22 Court.

1 SHALL THE PROPOSAL BE APPROVED?
2 FOR THE PROPOSAL — YES _____
3 AGAINST THE PROPOSAL — NO _____

4 SECTION 3. The Chief Clerk of the House of Representatives, immediately after
5 the passage of this resolution, shall prepare and file one copy thereof, including the
6 Ballot Title set forth in
7 SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.
8 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-19-09 - DO PASS, As
9 Amended and Coauthored.