ENGROSSED SENATE
JOINT
RESOLUTION NO. 80

By: Fields, Sykes, Allen, David, Ivester and Jolley of the Senate

and

Enns 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 12 of Article II of the Oklahoma Constitution; providing that certain provision not be construed to prohibit certain military service; allowing Legislature to enact implementing laws; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 53RD 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 Section 12 of Article II of the Oklahoma Constitution to read as follows:

Section 12. No member of Congress from this State, or person holding any office of trust or profit under the laws of any other State, or of the United States, shall hold any office of trust or profit under the laws of this State<u>; provided, neither the provisions of this section nor any other provision of this Constitution or state law shall be construed to prohibit the</u>

following officeholders from holding at the same time any other office of trust or profit:

1. Officers and enlisted members of the National Guard;

2. Officers and enlisted members of the National Guard Reserve;

3. Officers of the Officers Reserve Corps of the United States;

4. Enlisted members of the Organized Reserves of the United States; and

5. Officers and enlisted members of the Oklahoma State Guard and any other active militia or military force organized under state law.

The Legislature shall have the power to enact laws to further implement the provisions of this section.

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 Section 12 of Article 2 of the state Constitution. This section prohibits the holding of more than one office at the same time. It applies to certain offices. This measure would not allow the law to be construed to keep some people from holding two offices at the same time. It would apply to officers and enlisted members of the National Guard,

and the National Guard Reserve. It would also apply to the Oklahoma State Guard and any other active militia or military force organized under state law. It would also apply to officers of the Officers Reserve Corps of the United States and enlisted members of the Organized Reserves of the United States. The Legislature could pass laws to put these changes in place.

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 15th day of March, 2012.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2012.

_____
Presiding Officer of the House of Representatives