

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE JOINT  
4 RESOLUTION 1009

By: Key

5  
6 AS INTRODUCED

7  
8 An Act directing the Secretary of State to refer to  
9 the people for their approval or rejection a proposed  
10 amendment to Section 4 of Article VII-B of the  
11 Constitution of the State of Oklahoma; modifying  
12 selection process for Justices of the Supreme Court  
13 and Judges of the Court of Criminal Appeals;  
14 providing ballot title; and directing filing.

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
16 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

17 SECTION 1. The Secretary of State shall refer to the people for  
18 their approval or rejection, as and in the manner provided by law,  
19 the following proposed amendment to Section 4 of Article VII-B of  
20 the Constitution of the State of Oklahoma to read as follows:

21 Section 4. When a vacancy in any Judicial Office, however  
22 arising, occurs or is certain to occur, the Judicial Nominating  
23 Commission shall choose and submit to the Governor and the Chief  
24 Justice of the Supreme Court three (3) nominees, each of whom has  
previously notified the Commission in writing that he will serve as

1 a Judicial Officer if appointed. The Governor ~~shall~~ may appoint one  
2 (1) of the nominees to fill the vacancy or may appoint a person who  
3 is not one of the nominees to fill the vacancy, but if ~~he~~ the  
4 Governor fails to do so within sixty (60) days the Chief Justice of  
5 the Supreme Court shall appoint one (1) of the nominees, ~~the~~. Any  
6 appointment shall be subject to confirmation by the Senate. After  
7 confirmation, the appointment ~~to~~ shall be certified by the Secretary  
8 of State.

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

12 BALLOT TITLE

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

14 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

15 This measure amends the state Constitution. It deals with  
16 selection of judicial officers. Judicial officers are Justices  
17 of the Supreme Court and Judges of the Court of Criminal  
18 Appeals. Now, the Governor picks the officers. The Governor  
19 picks from a list prepared by a commission. The commission is  
20 the Judicial Nominating Commission. The change in this  
21 amendment would let the Governor choose someone else. The  
22 change would also require the Senate to agree to the  
23 appointment.

24 SHALL THE PROPOSAL BE APPROVED?

1 FOR THE PROPOSAL - YES \_\_\_\_\_

2 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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