

1 ENGROSSED SENATE
JOINT
2 RESOLUTION NO. 21

By: Jolley, Sykes and Shortey
of the Senate

3
4 and

Murphey of the House

5
6
7 [Joint Resolution - proposed amendment to the
Oklahoma Constitution - requiring Senate confirmation
8 of certain judicial appointments - ballot title -
filing]
9

10

11 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
12 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

17 Section 4. When a vacancy in any Judicial Office, however
18 arising, occurs or is certain to occur, ~~the Judicial Nominating~~
19 ~~Commission shall choose and submit to the Governor and the Chief~~
20 ~~Justice of the Supreme Court three (3) nominees, each of whom has~~
21 ~~previously notified the Commission in writing that he will serve as~~
22 ~~a Judicial Officer if appointed. The the Governor shall appoint ~~one~~~~
23 ~~(1) of the nominees~~ a nominee to fill the vacancy, ~~but if he fails~~
24 ~~to do so within sixty (60) days the Chief Justice of the Supreme~~

1 ~~Court shall appoint one (1) of the nominees,~~ the appointment to be
2 certified by the Secretary of State and to be confirmed by the
3 Senate. Prior to the nomination being submitted, the Governor shall
4 submit the name of the nominee or nominees he or she wishes to have
5 considered by the Judicial Nominating Commission. The Commission
6 shall provide an advisory rating of "qualified" or "not qualified"
7 to the Governor for each nomination submitted prior to the
8 submission of the nomination to the Senate, provided, the Commission
9 shall complete its work within ninety (90) days of receiving the
10 submission of potential nominees from the Governor. If the Senate
11 is not in session when an appointment is made, the Governor may call
12 the Senate into special session no more than once per quarter to
13 advise and consent on any such appointments.

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

17 BALLLOT TITLE
18 Legislative Referendum No. _____ State Question No. _____

19 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

20 This measure would amend the Oklahoma Constitution. It would
21 amend Section 4 of Article 7-B. This section provides for
22 filling vacancies for judges. The Governor will pick the new
23 judge after consultation and rating of the judges by the
24

1 Judicial Nominating Commission. The appointment will require
2 confirmation by the Senate.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

6 SECTION 3. The President Pro Tempore of the Senate shall,
7 immediately after the passage of this resolution, prepare and file
8 one copy thereof, including the Ballot Title set forth in SECTION 2
9 hereof, with the Secretary of State and one copy with the Attorney
10 General.

11 Passed the Senate the 13th day of March, 2013.

12
13 _____
14 Presiding Officer of the Senate

15 Passed the House of Representatives the ____ day of _____,
16 2013.

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18 _____
19 Presiding Officer of the House
20 of Representatives
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