

1 **SENATE FLOOR VERSION**

2 February 19, 2014

3 SENATE JOINT  
4 RESOLUTION NO. 36

By: Fields of the Senate

5 and

6 Roberts (Sean) of the House

7  
8 A Joint Resolution directing the Secretary of State  
9 to refer to the people for their approval or  
10 rejection a proposed amendment to Section 12 of  
11 Article II of the Oklahoma Constitution; providing  
12 that certain provision not be construed to prohibit  
13 certain military service; allowing Legislature to  
14 enact implementing laws; providing ballot title; and  
15 directing filing.

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17  
18 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
19 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for  
21 their approval or rejection, as and in the manner provided by law,  
22 the following proposed amendment to Section 12 of Article II of the  
23 Oklahoma Constitution to read as follows:

24 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; provided, neither the  
provisions of this section nor any other provision of this

1 Constitution or state law shall be construed to prohibit the  
2 following officeholders from holding at the same time any other  
3 office of trust or profit:

- 4 1. Officers and enlisted members of the National Guard;
- 5 2. Officers and enlisted members of the National Guard Reserve;
- 6 3. Officers of the Officers Reserve Corps of the United States;
- 7 4. Enlisted members of the Organized Reserves of the United

8 States; and

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

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

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 amends Section 12 of Article 2 of the State  
21 Constitution. This section prohibits the holding of more than  
22 one office at the same time. It applies to certain offices.  
23 This measure would not allow the law to be construed to keep  
24 some people from holding two offices at the same time. It would

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

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL - YES \_\_\_\_\_

10 AGAINST THE PROPOSAL - NO \_\_\_\_\_

11 SECTION 3. The President Pro Tempore of the Senate shall,  
12 immediately after the passage of this resolution, prepare and file  
13 one copy thereof, including the Ballot Title set forth in SECTION 2  
14 hereof, with the Secretary of State and one copy with the Attorney  
15 General.

16 COMMITTEE REPORT BY: COMMITTEE ON RULES  
17 February 19, 2014 - DO PASS  
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