

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE JOINT
4 RESOLUTION 23

By: Sykes

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection the repeal of Section 3 of Article VII-B,
10 which relates to the Judicial Nominating Commission,
11 and the proposed amendment to Section 4 of Article
12 VII-B of the Oklahoma Constitution; modifying certain
13 appointment procedure; requiring Senate confirmation
14 of certain judicial appointments; providing ballot
15 title; and directing filing.

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
17 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for
19 their approval or rejection, as and in the manner provided by law,
20 the repeal of Section 3 and the following proposed amendment to
21 Section 4 of Article VII-B of the Oklahoma Constitution to read as
22 follows:

23 Section 4. When a vacancy in any Judicial Office, however
24 arising, occurs ~~or is certain to occur, the Judicial Nominating~~
~~Commission shall choose and submit to the Governor and the Chief~~
~~Justice of the Supreme Court three (3) nominees, each of whom has~~

1 ~~previously notified the Commission in writing that he will serve as~~
2 ~~a Judicial Officer if appointed. The the Governor shall appoint one~~
3 ~~(1) of the nominees~~ nominate a qualified candidate to fill the
4 vacancy, ~~but if he fails to do so within sixty (60) days the Chief~~
5 ~~Justice of the Supreme Court shall appoint one (1) of the nominees,~~
6 ~~the appointment to.~~ The nominee's qualifications shall be certified
7 by the Secretary of State. After such certifications, the nominees
8 must be confirmed by the Senate prior to assuing the office. If the
9 Senate is not in session when a candidate is nominated, the Governor
10 may call the Senate into special session no more than once per year
11 to confirm any such nominations.

12 SECTION 2. The Ballot Title for the proposed Constitutional
13 amendment as set forth in SECTION 1 of this resolution shall be in
14 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
19 repeal Section 3 of Article 7-B. It would amend Section 4 of
20 Article 7-B. This section provides for filling vacancies for
21 judicial officers. The Governor will nominate candidates, whose
22 qualifications must be certified by the Secretary of State.

23 Such nominations will require Senate confirmation. Special
24

1 sessions of the Senate for this purpose could be called no more
2 than quarterly.

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.

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