

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE JOINT  
4 RESOLUTION 50

By: Loveless

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 proposed amendment to Section 4 of  
10 Article VII-B of the Oklahoma Constitution; modifying  
11 certain appointment procedure; requiring Senate  
12 confirmation of certain judicial appointments;  
13 repealing Section 3 of Article VII-B of the Oklahoma  
14 Constitution which created the Judicial Nominating  
15 Commission; providing ballot title; and directing  
16 filing.

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BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
2ND SESSION OF THE 55TH 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 4 of Article VII-B of  
the Oklahoma Constitution to read as follows:

Section 4. When a vacancy in any Judicial Office, however  
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  
previously notified the Commission in writing that he will serve as~~

1 ~~a Judicial Officer if appointed. The~~ the Governor shall appoint ~~one~~  
2 ~~(1) of the nominees~~ a nominee to fill the vacancy, ~~but if he fails~~  
3 ~~to do so within sixty (60) days the Chief Justice of the Supreme~~  
4 ~~Court shall appoint one (1) of the nominees,~~ the appointment to be  
5 certified by the Secretary of State and to be confirmed by the  
6 Senate. If the Senate is not in session when an appointment is  
7 made, the Governor may call the Senate into special session no more  
8 than once per year to advise and consent on any such appointments.

9 SECTION 2. The Secretary of State shall refer to the people for  
10 their approval or rejection the repeal of Section 3 of Article VII-B  
11 of the Oklahoma Constitution.

12 SECTION 3. The Ballot Title for the proposed Constitutional  
13 amendment as set forth in SECTIONS 1 and 2 of this resolution shall  
14 be in 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 amend Section 4 of Article 7-B. This section provides for  
20 filling vacancies for judges. The Governor will pick new  
21 judges. Appointments will require confirmation by the Senate.  
22 It would repeal Section 3 of Article 7-B. This section created  
23 the Judicial Nominating Commission.

24 SHALL THE PROPOSAL BE APPROVED?

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

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

3 SECTION 4. The President Pro Tempore of the Senate shall,  
4 immediately after the passage of this resolution, prepare and file  
5 one copy thereof, including the Ballot Title set forth in SECTION 3  
6 hereof, with the Secretary of State and one copy with the Attorney  
7 General.

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