

HOUSE JOINT RESOLUTION NO. HJ0004

Mandatory judicial retirement.

Sponsored by: Representative(s) Gingery, Brown, Patton,
Peasley and Stubson and Senator(s) Burns and
Perkins

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution to remove any mandatory retirement age for
3 supreme court justices and judges of other courts in
4 Wyoming.

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6 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
7 *two-thirds of all the members of the two houses, voting*
8 *separately, concurring therein:*

9

10 **Section 1.** The following proposal to amend Wyoming
11 Constitution, Article 5, Section 5 is proposed for
12 submission to the electors of the State of Wyoming at the
13 next general election for approval or rejection to become
14 valid as a part of the Constitution if ratified by a
15 majority of the electors at the election:

1

2 **Article 5, Section 5. Voluntary retirement and**
3 **compensation of justices and judges.**

4

5 ~~Subject to the further provisions of this section, The~~
6 legislature shall provide for the voluntary retirement and
7 compensation of justices and judges of the supreme court
8 and district courts, and may do so for any other courts, on
9 account of length of service, age and disability, and for
10 their reassignment to active duty where and when needed.
11 ~~The office of every such justice and judge shall become~~
12 ~~vacant when the incumbent reaches the age of seventy (70)~~
13 ~~years, as the legislature may prescribe; but, in the case~~
14 ~~of an incumbent whose term of office includes the effective~~
15 ~~date of this amendment, this provision shall not prevent~~
16 ~~him from serving the remainder of said term nor be~~
17 ~~applicable to him before his period or periods of judicial~~
18 ~~service shall have reached a total of six (6) years.~~ The
19 legislature may also provide for benefits for dependents of
20 justices and judges.

21

22 **Section 2.** There is appropriated thirty-two thousand
23 dollars (\$32,000.00) from the general fund to the secretary
24 of state. This appropriation shall only be expended for

1 the purpose of costs of publication required by this act
2 and W.S. 22-20-104. Notwithstanding any other provision of
3 law, this appropriation shall not be transferred or
4 expended for any other purpose and any unexpended,
5 unobligated funds remaining from this appropriation shall
6 revert as provided by law on June 30, 2011. This section
7 is effective July 1, 2010.

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9 **Section 3.** That the Secretary of State shall endorse
10 the following statement on the proposed amendment:

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12 The adoption of this amendment would remove the
13 current mandatory retirement age of seventy (70) for
14 Wyoming supreme court justices and Wyoming judges. The
15 legislature would be required to provide for the voluntary
16 retirement of justices and judges but there could be no
17 mandatory retirement age imposed.

18

19

(END)