A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the proposed amendment to Section 4 of Article VII-B of the Oklahoma Constitution; modifying certain appointment procedure; requiring Senate confirmation of certain judicial appointments; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 56TH 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 a Judicial Officer if appointed. The Governor shall appoint one
(1) of the nominees to fill the vacancy, but if he fails
to do so within sixty (60) days the Chief Justice of the Supreme
Court shall appoint one (1) of the nominees, the appointment to be
certified by the Secretary of State and to be confirmed by the
Senate. Prior to the nomination being submitted, the Governor shall
submit the name of the nominee or nominees he or she wishes to have
considered by the Judicial Nominating Commission. The Commission
shall provide an advisory rating of "qualified" or "not qualified"
to the Governor for each nomination submitted prior to the
submission of the nomination to the Senate; provided, the Commission
shall complete its work within ninety (90) days of receiving the
submission of potential nominees from the Governor. If the Senate
is not in session when an appointment is made, the Governor may call
the Senate into special session no more than once per quarter to
advise and consent on any such appointments.

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

BALLOT TITLE

Legislative Referendum No. ___ State Question No. ___

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would amend the Oklahoma Constitution. It would
amend Section 4 of Article 7-B. This section provides for
filling vacancies for judges. The Governor will pick the new
judge after consultation and rating of the judges by the Judicial Nominating Commission. The appointment will require confirmation by the Senate.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES __________

AGAINST THE PROPOSAL — NO __________

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

Passed the Senate the 21st day of March, 2017.

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Presiding Officer of the Senate

Passed the House of Representatives the ___ day of ________, 2017.

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Presiding Officer of the House of Representatives