

**HJR 1014** – By Osborn, Enns, Reynolds, Martin (Steve), Tibbs, Faught, Kern and McDaniel (Randy) of the House and Lamb of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 55A to Article V; prohibiting restrictions on certain powers of Legislature; providing expenditures not required based upon certain predetermined basis or by reference to expenditures of other government or other entities; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 52ND 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 the Constitution of the State of Oklahoma by adding a new Section 55A to Article V thereof, to read as follows:

Section 55A. Notwithstanding any other provision of the Oklahoma Constitution to the contrary, whether such provision is in effect prior to, simultaneously with or after the provisions of this section shall become adopted, the Legislature shall not be required to make expenditures for any function of government using a predetermined formula of any kind or by reference to the expenditure levels of any other state government or any other entity. The provisions of this section shall not be construed to authorize the Legislature to make appropriations in excess of the limits allowed by Section 23 of Article X or any other provision of the Constitution.

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 amends the Oklahoma Constitution. It would add a new Section 55A to Article 5. It relates to the state budget. It relates to the ability of the Legislature to spend money each year. It would allow the Legislature to make decisions about the state budget. The Legislature would be able to decide how much money to spend each year. The Legislature would not be required to spend a certain amount of money for any one government service or function. If this amendment is adopted, the Oklahoma Constitution could not require the Legislature to do this. If this amendment is adopted, the Oklahoma Constitution could not require the Legislature to make spending decisions based on how much money any other state spent.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL — YES** \_\_\_\_\_

**AGAINST THE PROPOSAL — NO** \_\_\_\_\_

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.

**HJR 1041** – By Benge, Trebilcock and Faught of the House and Jolley of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article VII of the Constitution of the State of Oklahoma; requiring Senate confirmation of appointments and reappointments to the Workers' Compensation Court; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 52ND 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 1 of Article VII of the Constitution of the State of Oklahoma to read as follows:

Section 1. The judicial power of this State shall be vested in the Senate, sitting as a Court of Impeachment, a Supreme Court, the Court of Criminal Appeals, the Court on the Judiciary, the ~~State Industrial~~ Workers' Compensation Court, the Court of Bank Review, the Court of Tax Review, and such intermediate appellate courts as may be provided by statute, District Courts, and such Boards, Agencies and Commissions created by the Constitution or established by statute as exercise adjudicative authority or render decisions in individual proceedings. Provided that the Court of Criminal Appeals, the ~~State Industrial~~ Workers' Compensation Court, the Court of Bank Review and the Court of Tax Review and such Boards, Agencies and Commissions as have been established by statute shall continue in effect, subject to the power of the Legislature to change or abolish said Courts, Boards, Agencies, or Commissions. Municipal Courts in cities or incorporated towns shall continue in effect and shall be subject to creation, abolition or alteration by the Legislature by general laws, but shall be limited in jurisdiction to criminal and traffic proceedings arising out of infractions of the provisions of ordinances of cities and towns or of duly adopted regulations authorized by such ordinances. Any appointment or reappointment, as provided by law, by the Governor to fill a position on the Workers' Compensation Court shall be confirmed by a majority of the Senate.

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 1 of Article 7. This section deals with judges and justices. This includes judges on the Workers' Compensation Court. This measure will require that the Senate approve any person chosen by the Governor to fill a position on the Workers' Compensation Court.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES \_\_\_\_\_

AGAINST THE PROPOSAL — NO \_\_\_\_\_

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.

**HJR 1042** – By Terrill, Osborn, Faught, Christian, Reynolds, Duncan, Kern, Tibbs, Cooksey and Ritze of the House and Sykes, Branan, Russell, Jolley, Brogdon, Coffee, Aldridge, Myers, Halligan, Newberry, Reynolds, Brown, Johnson (Mike), Barrington, Nichols, Bingman, Crain, Justice, Ford, Marlatt, Stanislawski and Schulz of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by creating a new Article XXX; providing that the English language is the common and unifying language of this state; providing that official actions of this state be conducted in English, with exception; prohibiting certain causes of action; providing for construction; granting certain authority to Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 52ND 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 the Constitution of the State of Oklahoma by creating a new Article XXX to read as follows:

**ARTICLE XXX**

Section 1. As English is the common and unifying language of the State of Oklahoma, all official actions of the state shall be conducted in the English language, except as required by federal law. No person shall have a cause of action against an agency or political subdivision of this state for failure to provide any official government actions in any language other than English. Nothing in this Article shall be construed to diminish or impair the use, study, development, or encouragement of any Native American language in any context or for any purpose. The Legislature shall have the power to implement, enforce and determine the proper application of this Article by appropriate legislation.

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

**BALLOT TITLE**

Legislative Referendum No. \_\_\_\_ State Question No. \_\_\_\_

**THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

This measure amends the Oklahoma Constitution. It would add a new Article 30. This amendment states that English is the common and unifying language of the state. All official actions of the state would be in English, except as required by federal law. No one would have a cause of action against an agency or subdivision of the state for failure to provide actions in any other language. The amendment could not be construed to diminish or impair uses of Native American languages. The Legislature would be able to enact related laws.

**SHALL THE PROPOSAL BE APPROVED?**

FOR THE PROPOSAL — YES \_\_\_\_\_

AGAINST THE PROPOSAL — NO \_\_\_\_\_

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.

**SJR 13** – By Brogdon of the Senate and Terrill, Reynolds, Duncan, Tibbs, Kiesel and McMullen of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 2 of Article V of the Oklahoma Constitution; requiring percentage to be based on number of votes cast for Office of Governor at most recent election; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND 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 2 of Article V of the Constitution of the State of Oklahoma to read as follows:

Section 2. The first power reserved by the people is the initiative, and eight per centum of the legal voters shall have the right to propose any legislative measure, and fifteen per centum of the legal voters shall have the right to propose amendments to the Constitution by petition, and every such petition shall include the full text of the measure so proposed. The second power is the referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health, or safety), either by petition signed by five per centum of the legal voters or by the Legislature as other bills are enacted. The ratio and per centum of legal voters hereinbefore stated shall be based upon the total number of votes cast at the last general election for the ~~State office receiving the highest number of votes at such election~~ Office of Governor.

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 Section 2 of Article 5 of the State Constitution. Under current law, eight percent of the voters must sign an initiative petition for a legislative measure. Fifteen percent must sign for a constitutional amendment. These percentages are based on the state office receiving the highest number of votes at the last General Election. This measure would make the percentage based on the number of votes cast at the last General Election for the Office of Governor.

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.

**SJR 25** – By Coffee of the Senate and Bengé of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Sections 11A and 11B of Article V of the Oklahoma Constitution; changing name of the Apportionment Commission; modifying membership of the Commission; providing for chair of Commission; modifying the number of members of the Commission required to sign certain orders; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND 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 11A of Article V of the Oklahoma Constitution to read as follows:

Section 11A. The apportionment of the Legislature shall be accomplished by the Legislature according to the provisions of this article, within ninety (90) legislative days after the convening of the first regular session of the Legislature following each Federal Decennial Census. If the Legislature shall fail or refuse to make such apportionment within the time provided herein, then such apportionment shall be accomplished by ~~an Apportionment~~ the Bipartisan Commission composed of the Attorney General, Superintendent of Public Instruction and the State Treasurer of the State of Oklahoma on Legislative Apportionment, according to the provisions of this article. The Commission shall be composed of seven (7) members as follows: the Lieutenant Governor, who shall be nonvoting and the chair of the Commission; two members, one republican and one democrat, appointed by the President Pro Tempore of the Senate; two members, one republican and one democrat, appointed by the Speaker of the House of Representatives; and two members, one republican and one democrat, appointed by the Governor.

SECTION 2. 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 11B of Article V of the Oklahoma Constitution to read as follows:

Section 11B. Each order of apportionment rendered by the ~~Apportionment~~ Bipartisan Commission on Legislative Apportionment shall be in writing and shall be filed with the Secretary of State and shall be signed by at least ~~two~~ four members of the Commission.

SECTION 3. The Ballot Title for the proposed Constitutional amendments as set forth in SECTIONS 1 and 2 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 amends Sections 11A and 11B of Article 5 of the State Constitution. The measure would change the name of the Apportionment Commission. The new name would be the Bipartisan Commission on Legislative Apportionment. Currently, the members of the Apportionment Commission are the Attorney General, the Superintendent of Public Instruction and the State Treasurer. The membership would be changed to seven members. The voting members of the Commission would consist of equal numbers of republicans and democrats. One democrat and one republican would be appointed by the President Pro Tempore of the Senate. One democrat and one republican would be appointed by the Speaker of the House of Representatives. One democrat and one republican would be appointed by the Governor. The Lieutenant Governor would be a nonvoting member. The Lieutenant Governor would serve as chair of the Commission. Currently, at least two

members of the Commission are required to sign orders of apportionment. The measure would change the number to four members.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES \_\_\_\_\_

AGAINST THE PROPOSAL — NO \_\_\_\_\_

SECTION 4. 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 3 hereof, with the Secretary of State and one copy with the Attorney General.

**SJR 27** – By Anderson and Jolley of the Senate and Sullivan of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 3 of Article VII-B of the Oklahoma Constitution; modifying the composition of the Judicial Nominating Commission; making language gender neutral; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND 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 3 of Article VII-B of the Oklahoma Constitution to read as follows:

Section 3. (a) There is established as a part of the Judicial Department a Judicial Nominating Commission of ~~thirteen (13)~~ fifteen (15) members, to consist of:

(1) six ~~(6)~~ members to be appointed by the Governor, which shall include at least one (1) from each congressional district established by the Statutes of Oklahoma and existing at the date of the adoption of this Article, none of whom shall be admitted to practice law in the State of Oklahoma or have any immediate family member who has been admitted to the practice of law in the State of Oklahoma or any other state;

(2) six ~~(6)~~ members, which shall include at least one (1) from each congressional district established by the Statutes of Oklahoma and existing at the date of the adoption of this Article who are, however, members of the Oklahoma Bar Association and who have been elected by the other active members of their district under procedures adopted by the Board of Governors of the Oklahoma Bar Association, until changed by statute; and

(3) ~~one (1) member~~ three members at large who shall not have been admitted to the practice of law in the State of Oklahoma or any other state; or have any immediate family member who has been admitted to the practice of law in the State of Oklahoma or any other state but who shall be a resident of the State of Oklahoma, one to be selected by not less than eight ~~(8)~~ members of the Nominating Commission. In the event eight ~~(8)~~ members of the Commission cannot agree upon the member at large within thirty (30) days of the initial organization of the Commission or within thirty (30) days of a vacancy in the member at large position, the Governor shall make the appointment of the member at large; one to be selected by the President Pro Tempore of the Senate; and one to be selected by the Speaker of the House of Representatives. No more than two members at large shall belong to any one political party.

The Commission shall elect one of its members to serve as ~~Chairman~~ chair for a term of one (1) year.

The six (~~6~~) lay members of the Commission who are appointed by the Governor shall be appointed within ninety (90) days from the date that this Article becomes effective. Two (~~2~~) members shall be appointed for a term of two (2) years, two (~~2~~) members for a term of four (4) years, and two (~~2~~) members for a term of six (6) years. The Oklahoma Bar Association shall hold its election and certify to the Secretary of State its members within ninety (90) days from the effective date of this Article, two (~~2~~) of whom shall be elected for a term of two (2) years, two (~~2~~) for a term of four (4) years, and two (~~2~~) for a term of six (6) years. Thereafter all of the members of the Commission, whether elected or appointed, shall serve for a term of six (6) years, except that the member at large shall serve for a term of two (2) years.

(b) Vacancies arising during the term of any lay commissioner, other than the member at large, shall be filled by appointment by the Governor for the remainder of his or her term. Vacancies of any lawyer commissioner shall be filled by the Board of Governors of the Oklahoma Bar Association for the remainder of his or her term.

(c) In the event of vacancy in the member at large position, the said vacancy shall be filled in the same manner as the original selection.

(d) Of those Commissioners named by the Governor, not more than three (~~3~~) shall belong to any one political party.

(e) The concurrence of the majority of Commissioners in office at the time shall be sufficient to decide any question, unless otherwise provided herein. The Commission shall have jurisdiction to determine whether the qualifications of nominees to hold Judicial Office have been met and to determine the existence of vacancies on the Commission.

(f) No Commissioner, while a member of the Commission, shall hold any other public office by election or appointment or any official position in a political party and he or she shall not be eligible, while a member of the Commission and for five (5) years thereafter, for nomination as a Judicial Officer.

(g) Commissioners shall serve without compensation but the Legislature shall provide funds to reimburse them for their necessary travel and lodging expenses while performing their duties as such Commissioners.

(h) No Commissioner shall be permitted to succeed himself or herself.

(i) As used herein, the words "Oklahoma Bar Association" shall include any successor thereof and any future form of the organized Bar of this state.

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:**

The measure amends Section 3 of Article 7-B of the Oklahoma Constitution. It amends sections that set up the Judicial Nominating Commission. This Commission chooses people to nominate for judge or justice if there is a vacancy. The Commission sends the names of three people to the Governor. The Governor picks one of the three to fill the vacancy. This amendment would change the number of members on the Commission from thirteen to fifteen. It will allow the President Pro Tempore of the Senate to pick one member and the Speaker of the House of Representatives to pick one member.

**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.