

A Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 19

BY: HAM, BARTLETT, BERRONG, BERRY,
BIRDSONG, BOECHER, BRADLEY, COWDEN,
DACUS, GARRISON, GEE, GRANTHAM,
GRAVES, HOLDEN, HORN, HOWARD, KEELS,
LUTON, MARTIN, MASSAD, MILLER,
MULDROW, MURPHY, PAYNE, POPE,
RHOADES, SELMAN, SMITH, TERRILL,
and YOUNG of the SENATE

and

SANDLIN, SOKOLOSKY, HARGRAVE, CAMP,
and McCARTY of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT OF SECTION 1, ARTICLE VIII, OKLAHOMA CONSTITUTION; PROVIDING FOR AUTOMATIC SUSPENSION FROM OFFICE OF ANY ELECTED STATE OFFICER, INCLUDING JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF CRIMINAL APPEALS, UPON VERDICT OF GUILTY OF A FELONY BY A TRIAL COURT; WITHHOLDING OF PAY AND ALLOWANCES DURING SUSPENSION; ALLOWING PAYMENT OF ACCUMULATED PAY AND ALLOWANCES IF CONVICTION IS REVERSED ON APPEAL; DIRECTING AUTOMATIC REINSTATEMENT IN OFFICE ON SUCH REVERSAL; AUTHORIZING TEMPORARY APPOINTMENTS; PROVIDING FOR BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

Correctly Enrolled: *Richard L. Young* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

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2 JOINT
3 RESOLUTION NO. 19

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5 YOUNG
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9 REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A
10 PROPOSED AMENDMENT OF SECTION 1, ARTICLE VIII, OKLAHOMA
11 CONSTITUTION; PROVIDING FOR AUTOMATIC SUSPENSION FROM
12 OFFICE OF ANY ELECTED STATE OFFICER, INCLUDING JUSTICES
13 OF THE SUPREME COURT AND JUDGES OF THE COURT OF CRIMINAL
14 APPEALS, UPON VERDICT OF GUILTY OF A FELONY BY A TRIAL
15 COURT; WITHHOLDING OF PAY AND ALLOWANCES DURING SUSPEN-
16 SION; ALLOWING PAYMENT OF ACCUMULATED PAY AND ALLOWANCES
17 IF CONVICTION IS REVERSED ON APPEAL; DIRECTING AUTOMATIC
18 REINSTATEMENT IN OFFICE ON SUCH REVERSAL; AUTHORIZING
TEMPORARY APPOINTMENTS; PROVIDING FOR BALLOT TITLE; AND
ORDERING A SPECIAL ELECTION.

19 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
20 THIRTIETH LEGISLATURE OF THE STATE OF OKLAHOMA:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection as and in the manner provided by law, the
23 following proposed amendment to Article VIII of the Constitution of
24 Oklahoma:

25 Section 1. Article VIII, Section 1 of the Constitution of the
26 State of Oklahoma is hereby amended to read as follows:

27 § 1. The Governor and other elective state officers, including
28 the Justices of the Supreme Court, shall be liable and subject to im-
29 peachment for wilful neglect of duty, corruption in office, habitual
30 drunkenness, incompetency, or any offense involving moral turpitude
31 committed while in office. All elected state officers, including
32 Justices of the Supreme Court and Judges of the Court of Criminal Ap-
33 peals, shall be automatically suspended from office upon their being
34 declared guilty of a felony by a court of competent jurisdiction and
35 their pay and allowances, otherwise payable to such official, shall be
36 withheld during the period of such suspension. In the event such ver-
37 dict of guilty is reversed by a court of competent jurisdiction on ap-
38 peal, such accumulated pay and allowances which have been withheld shall

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Richard L. Young
Chairman, Committee on Enrolled and Engrossed Bills

1 be paid to such official and he shall be automatically reinstated in
 2 office to serve the remaining part of the term for which he was elected.
 3 Such official shall not be entitled to any pay or allowances for a
 4 period of time after the term of office would otherwise have expired
 5 and he shall not be entitled to reinstatement in office after the ex-
 6 piration of the term for which he was elected. Whenever any Justice of
 7 the Supreme Court or Judge of the Court of Criminal Appeals is suspended
 8 by reasons of this section, the Governor shall be authorized to appoint
 9 a temporary Justice or Judge to serve during the period of such sus-
 10 pension and such temporary Justice or Judge shall be paid for his serv-
 11 ices the compensation allowed for such regular Justice or Judge.

12 SECTION 2. The ballot title for said proposed amendment shall be
 13 in the following form:

BALLOT TITLE

14 Legislative Referendum No. _____ State Question No. _____

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 Shall a Constitutional Amendment

17 providing for impeachment and removal from office of elected
 18 state officials, including the Justices of the Supreme Court
 19 and the Judges of the Court of Criminal Appeals; providing
 20 for automatic suspension of such officials from office upon
 21 verdict of guilty of a felony by a trial court of competent
 22 jurisdiction; directing withholding of pay and allowances
 23 during period of suspension; authorizing reinstatement in
 24 office and receipt of accumulated withheld pay and allowances
 25 upon reversal of conviction by a court of competent jurisdic-
 26 tion, and authorizing temporary appointments

27 be approved by the people?

28 YES

29 SHALL THE PROPOSED AMENDMENT BE APPROVED?

30 NO

31 SECTION 3. The President Pro Tempore of the Senate shall, immedi-
 32 ately after the adoption of this Resolution, prepare and file one copy
 33 thereof, including the above title, with the Secretary of State, and

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 Richard E. Powers
 Chairman, Committee on Engrossed and Enrolled Bills
 CORRECTLY ENROLLED

2 one copy with the Attorney General.

3 SECTION 4. A special election is hereby ordered to be held through
4 out the state on the date of the next regular primary election, at
5 which the proposed amendment to the Constitution of the State of Okla-
6 homa set forth in Section 1 of this Resolution shall be submitted to
7 the people for their approval or rejection, as and in the manner pro-
8 vided by law.

9 Passed the Senate the 1st day of June, 1965.

11
12 *acty* Tom Payne
13 President of the Senate

14 Passed the House of Representatives the 14th day of June,
15 1965.

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17 John G. Carter
18 Speaker of the House of
19 Representatives

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CORRECTLY ENROLLED
Chairman, Committee on Enrolled and Engrossed Bills
Richard L. Long
CORRECTLY ENGROSSED
Chairman, Committee on Engrossed and Enrolled Bills
Richard L. Long

Correctly Enrolled. *James M. Bullard* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS
(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

ENR. S. J. R. NO. 19

Passed the Senate the 1st day of June, 1965, and correctly enrolled the 14th day of June, 1965.

Anthony M. Massad
Acting President of the Senate

Passed the House of Representatives the 14th day of June, 1965.

John W. Lacey
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 15

day of June, 1965,

at 4:15, o'clock P. M.

By: James M. Bullard
A. Jones



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

CHARLES NESBITT
ATTORNEY GENERAL

June 16, 1965

Honorable James M. Bullard
Secretary of State
State Capitol
Oklahoma City, Oklahoma

Dear Mr. Bullard:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. 1961, § 9, he has examined the proposed ballot title to Enrolled Senate Joint Resolution No. 19 of the Regular Session of the Thirtieth Legislature of the State of Oklahoma, which, together with a copy of said resolution, was delivered to him on June 15, 1965, and from said examination finds that said ballot title is in legal form and in harmony with the law. Said ballot title is as follows:

BALLOT TITLE

Legislative Referendum No. 150

State Question No. 429

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

providing for impeachment and removal from office of elected state officials, including the Justices of the Supreme Court and the Judges of the Court of Criminal Appeals; providing for automatic suspension of such officials from office upon verdict of guilty of a felony by a trial court of competent jurisdiction; directing withholding of pay and allowances during period of suspension; authorizing reinstatement in office and receipt of accumulated withheld pay and allowances upon reversal of

Mr. Bullard - (2)
June 16, 1965

conviction by a court of competent jurisdiction,
and authorizing temporary appointments

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

YES

NO

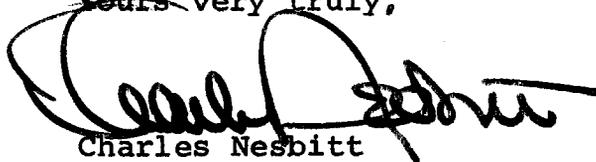
Inasmuch as 34 O.S. 1961, § 9, supra, expressly provides that

"no appeal shall be allowed as to ballot titles of
constitutional or legislative enactments proposed
by the Legislature which ballot titles have been
approved or revised by the Attorney General.",

it is your duty, under the provisions of said section, to immediately

"transmit to the Secretary of the State Election
Board an attested copy of the pending proposition,
including such approved title."

Yours very truly,



Charles Nesbitt
Attorney General

CN:HHC:glp