1   **RESOLUTION REQUIRING SENATE**

2   **RECONFIRMATION OF CERTAIN JUDGES**

3   1999 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Terry R. Spencer**

6   A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH

7   CONSTITUTION; REQUIRING JUDGES OF COURTS NOT OF RECORD TO BE SUBJECT

8   TO RETENTION APPROVAL BY THE SENATE; DIRECTING THE LIEUTENANT

9   GOVERNOR TO SUBMIT THE PROPOSED AMENDMENT TO THE VOTERS; MAKING

10   TECHNICAL CHANGES; AND PROVIDING AN EFFECTIVE DATE.

11   This resolution proposes to change the Utah Constitution as follows:

12   AMENDS:

13   **ARTICLE VIII, SECTION 11**

14   *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of*

15   *the two houses voting in favor thereof:*

16   Section 1. It is proposed to amend Utah Constitution Article VIII, Section 11, to read:

17   **Article VIII, Section 11.   [Judges of courts not of record.]**

18   (1) Judges of courts not of record shall be selected in a manner, for a term, and with

19   qualifications provided by statute[. However], except that no qualification may be imposed which

20   requires judges of courts not of record to be admitted to practice law. The number of judges of

21   courts not of record shall be provided by statute.

22   (2) Each judge of a court not of record shall be subject to retention approval by the Senate

23   every second year after the judge's selection.

24   Section 2. **Submittal to electors.**

25   The lieutenant governor is directed to submit this proposed amendment to the electors of

26   the state of Utah at the next general election in the manner provided by law.

27   Section 3. **Effective date.**

28   If approved by a majority of the electors of the state voting at the next general election, the
29   amendment proposed by this joint resolution shall take effect on January 1, 2001.

Legislative Review Note
      as of   1-25-99 3:16 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

                                                        Office of Legislative Research and General Counsel