

# WARNING

**"IT IS A FELONY FOR ANYONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN SUCH PETITION WHEN HE IS NOT A LEGAL VOTER."**

(Twenty names only allowed on a petition of this nature)



## INITIATIVE PETITION

TO THE HON. WM. H. MURRAY, GOVERNOR OF OKLAHOMA:

We, the undersigned, citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution of the State of Oklahoma shall be submitted to the legal voters of the State for their approval or rejection at the next election to be held throughout the State; and each for himself says:

"I have personally signed this petition; I am a legal voter of the State of Oklahoma, and of the county of \_\_\_\_\_; my residence and post office address are correctly written after my name."

The time for filing this petition expires ninety days from the 13th day of October, 1931.

The question we herewith submit to our fellow voters is:

**"SHALL THE FOLLOWING PROPOSED AMENDMENT TO THE CONSTITUTION OF OKLAHOMA BE ADOPTED?"**

**AMENDMENT NUMBER ONE (1) TO THE CONSTITUTION OF THE STATE OF OKLAHOMA:**

A MEASURE OR ENACTMENT BY THE PEOPLE OF THE STATE OF OKLAHOMA, ORDAINING AND ESTABLISHING AN ADDITION TO AND AN AMENDMENT OF THE CONSTITUTION OF THE STATE; CREATING CONSTITUTIONALLY THE OFFICE OF BUDGET OFFICER NOW EXISTING BY STATUTORY ENACTMENT; MAKING SAID OFFICER APPOINTIVE BY THE GOVERNOR, SUBJECT TO CONFIRMATION BY THE SENATE; MAKING SAID OFFICER REMOVABLE BY THE GOVERNOR; DEFINING HIS DUTIES, POWERS AND AUTHORITY; FIXING HIS TENURE

OF OFFICE AND SALARY; PROVIDING FOR THE EMPLOYMENT, BY AND WITH THE CONSENT AND APPROVAL OF THE GOVERNOR, OF SUCH ASSISTANTS AS HE MAY NEED; DIRECTING ALL STATE OFFICERS AND STATE INSTITUTIONS TO MAKE BIENNIAL REPORTS TO THE GOVERNOR RESPECTING THEIR SEVERAL NEEDS; EMPOWERING THE GOVERNOR TO DIRECT AND SUPERVISE THE WORK OF THE BUDGET OFFICER; AUTHORIZING THE GOVERNOR TO SUBMIT THE BIENNIAL BUDGET TO THE LEGISLATURE; AND PREVENTING THE LEGISLATURE FROM INCREASING ANY BUDGET, OR ANY ITEM THEREIN, EXCEPT BY A THREE-FOURTHS MAJORITY VOTE IN EACH BRANCH THEREOF.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1.

The office of Budget Officer is hereby created as an office under the Constitution of the State and the said officer shall possess such duties and shall have and exercise such powers and authority as are herein conferred upon him and such other powers and authority as he now has or may hereafter possess under the laws of the State, not inconsistent with the provisions of this Amendment.

SECTION 2.

The Budget Officer shall be appointed by the Governor, subject to confirmation by the Senate, and his tenure of office shall be co-terminus with that of the Governor making the appointment, and until his successor is appointed and qualified. The salary of the Budget Officer shall be \$3,600.00 per annum, payable in monthly installments. The Governor shall have the power to remove the Budget Officer from office whenever in his opinion the public interests would be thereby subserved.

SECTION 3.

The Budget Officer shall be under the direction and supervision of the Governor provided, however, no direction or requirement of the Governor with respect to the duties of the Budget Officer shall be inconsistent with the Constitution and laws of the State.

SECTION 4.

All State departments, bureaus, boards, commissions, divisions, officers, institutions or other State agencies shall on or before the first day of November in each even numbered year, and as often as required by the Governor in the meanwhile, furnish to the Governor in such form as he may require, all information necessary and desirable for the aid of the Budget Officer in preparing recommendations to be submitted by the Governor to the Legislature for appropriations to be made for and on behalf of the departments and institutions of the State.

SECTION 5.

It shall be the duty of the Budget Officer, among other things which are now or may hereafter be required of him by the Statutes of the State, to investigate the needs of the various State departments and the conditions and needs respectively, of the various State institutions; and on or before the first day of December in each even numbered year the Budget Officer must have completed a careful survey of all the State departments and all the State institutions, including all the officers, divisions and agencies of said departments and of said institutions; and thereupon he shall without delay make to and file with the Governor a report. A copy of the report shall be filed with the following officers, to-wit: The Attorney General, the State Auditor, and the Oklahoma Tax Commission. The Budget Officer shall attach to said report a budget containing a complete itemization of all money necessary in his judgment to be appropriated by the Legislature for each year of the ensuing biennium beginning with the first day of July following the date of said report, for and on behalf of each State department, board, bureau, commission, institution, or other agency of the State. The items of the budget shall be classified as required by law and the budget shall otherwise conform to the requirements of the law, and to such requirements as the Governor may make pursuant to the provisions of this Amendment.

SECTION 6.

The Governor may revise the budget as prepared by the Budget Officer; and within five days after the beginning of each regular session of the Legislature, the Governor shall submit to the Presiding Officer of each House printed copies of the budget as revised by him. The Legislature may decrease the budget by reducing or eliminating any item appearing therein but it shall not, without the consent and approval of the Governor, increase any budget or any item contained therein; and any effort on the part of the Legislature to increase the budget or to enlarge any item therein shall be void unless such change in the budget is approved by a three-fourths majority vote in each branch of the Legislature.

SECTION 7.

The Budget Officer shall have the power and authority to employ such assistants as may be necessary to enable him to make the biennial survey of the state departments and of the state institutions in order to determine the needs of the State departments and the conditions and needs, respectively, of the State institutions, so as to enable him to make recommendations to the Governor of the amount of money necessary to carry on the State government and necessary for the proper equipment, maintenance, and operation of the State institutions, including such enlargements and extensions thereof as may become necessary in course of time; but no assistant, whether to act as clerk, stenographer, efficiency expert or in any other capacity, shall be appointed by the Budget Officer without the consent and approval of the Governor.

SECTION 8.

This amendment shall be self executing without the necessity of vitalization by the Legislature.

THE END.



J. BERRY KING  
ATTORNEY GENERAL

STATE OF OKLAHOMA  
OFFICE OF THE ATTORNEY GENERAL  
OKLAHOMA CITY  
November 23, 1931.

Hon. R. A. Sneed,  
Secretary of State,  
B U I L D I N G.

Dear Sir:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by Section 6632, C.O.S. 1921, he has examined the proposed ballot title of State Question No. 173, Initiative Petition No. 118, which, together with a copy of said petition, was delivered to him at 4:30 o'clock P.M., Friday, November 20, 1931, by the Honorable Baxter Taylor, and from said examination the Attorney General finds that said ballot title is not in legal form or in harmony with the law.

Therefore, pursuant to the provisions of Section 6632, supra, the Attorney General has prepared and herewith submits to you as Secretary of State, for filing in your office, a ballot title for said Initiative Petition, which, in the opinion of the Attorney General, does conform to the law, same being as follows:

"BALLOT TITLE  
PROPOSED CONSTITUTIONAL AMENDMENT.  
STATE QUESTION NO. 173                      INITIATIVE PETITION NO. 118

THE GIST OF THE PROPOSITION IS:

'An Amendment to the Constitution creating a Budget Officer appointed by the Governor, confirmed by the Senate and removable at pleasure of Governor; fixing his tenure of office and salary and authorizing him to employ assistants with consent of the Governor; said officer under the supervision of the Governor to prepare the biennial budget for all State Institutions and Departments; authorizing the Governor to revise the budget; providing that the Legislature may decrease the budget, but prohibiting the Legislature increasing budget or any item without consent of the Governor except by a three-fourth's majority vote in both houses.'

SHALL IT BE ADOPTED:

.....  
:     :     YES  
:     :  
.....  
:     :  
:     :     NO"  
.....

No. 2. Hon. R. A. Sneed, 11-23-31.

In connection with the above matter your attention is called to an opinion of this office addressed to you under date of May 20, 1931, wherein it was held that a proposed ballot title of an Initiative Petition should not be delivered to the Attorney General for his approval or revision until after the original petition had been "finally approved by you" and until it was certain that the petition would be voted upon by the people.

Since then we have orally advised proponents of other Initiative Petitions that your approval does not become final until the statutory ten days' period for appeal from your decision to the Supreme Court has expired without an appeal being taken, and if so taken, until after said appeal is finally decided by said Court. However, as the Courts have not passed on this question and in order that the Attorney General may not be the means of officially thwarting or delaying the submission of this measure, he has at this time prepared and filed in your office, as above set forth, a ballot title for said Initiative Petition.

Very respectfully,

FOR THE ATTORNEY GENERAL.

A handwritten signature in cursive script that reads "Randell S. Cobb". The signature is written in dark ink and is positioned above the typed name and title.

Randell S. Cobb,  
Assistant Attorney General.

RSC:EC  
op-st.