

Oklahoma City, Okla.
March 7, 1936

Honorable F. C. Carter
Secretary of State
Oklahoma City, Okla.

Sir:

We tender herewith for filing Initiative Petition
which you will please file in your office as of March 7, 1936,
giving it a number and advising us immediately the number you
have designated.

Very truly yours,

Francis Douglass

B. S. Graham

Harve P. Melton

March 9, 1936

Received of Frank L. Douglass of Okemah, Oklahoma; B. S. Graham, 220 West 32 Street, Oklahoma City, Oklahoma, and Harve L. Melton of Eufaula, Oklahoma, on this 7th day of March, 1936, petition for filing which has been designated as State Question No. 226, Initiative Petition No. 155.

F. C. CARTER
SECRETARY OF STATE

BY
ASST. SECRETARY OF STATE

F. C. CARTER
SECRETARY
KATHERINE MANTON
ASSISTANT



DEPARTMENT OF STATE
STATE OF OKLAHOMA
OKLAHOMA CITY
April 17, 1936

STATE OF OKLAHOMA
SS
OKLAHOMA COUNTY

OFFICE OF SECRETARY OF STATE

TO ALL TO WHOM IT MAY CONCERN:

NOTICE:

Under and by virtue of Section 5874, Oklahoma Com-
piled Statutes, 1931, I, the undersigned Secretary of State of
the State of Oklahoma, do hereby give notice that on March 7,
A. D. 1936, at 2:45 P. M. Mr. Frank F. Douglass, of Okemah,
B. S. Graham, of Oklahoma City, and Harve L. Nelson, of Mufaula,
filed in this office the original petition on State Question No.
226, Initiative Petition No. 155, which petition is in words and
figures as follows, to-wit:

State Question No. 226

Initiative Petition No. 155

"WARNING"

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to 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.

8-3

INITIATIVE PETITION

To the Honorable E. W. Marland,
Governor of Oklahoma:

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection, at the next regular general election held throughout the State, or at a special election ordered by the Governor or Legislature for that express purpose, and each for himself says:

I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and postoffice are correctly written after my name. The time for filing this petition expires ninety days from March 7, 1936.

The question we herewith submit to our fellow voters is: Shall the following bill be adopted:

OKLAHOMA SOCIAL SECURITY ACT

AN ACT PROVIDING ASSISTANCE TO NEEDY AGED PERSONS AND PERSONS WHO, ON ACCOUNT OF IMMATURE AGE, PHYSICAL INFIRMITY, DISABILITY OR OTHER CAUSE ARE UNABLE TO PROVIDE FOR THEMSELVES; PRESCRIBING ELIGIBILITY AND MAXIMUM AMOUNT OF ASSISTANCE TO EACH PERSON; PROVIDING NECESSARY REVENUE BY AMENDING SECTIONS TWO AND FOUR, ARTICLE SEVEN, AND SECTIONS ONE, SIX AND EIGHT OF ARTICLE TWELVE, CHAPTER SIXTY-SIX, OKLAHOMA SESSION LAWS 1935; MAKING APPROPRIATIONS; PROVIDING FOR OFFICERS AND EMPLOYEES AND COUNTY ASSISTANCE BOARDS; PROVIDING FOR ADMINISTRATION OF THE ACT; AUTHORIZING THE ACCEPTANCE OF FEDERAL GRANTS; AND PRESCRIBING PENALTIES FOR VIOLATION OF THIS ACT.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. DEFINITIONS.

- (a) When used herein, the term "Department" shall mean the Department of Public Welfare;
- (b) The term "Commission" shall mean Oklahoma Public Welfare Commission;
- (c) The term "County Board" shall mean the County Assistance Board;
- (d) The term "Director" shall mean the Director of Public Welfare;
- (e) The term "applicant" shall mean a person who has applied for assistance under this Act;
- (f) The term "recipient" shall mean any person who has received or who is receiving assistance under the terms of this Act;

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"It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign such petition when he is not a legal voter."

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- (e) The term "applicant" shall mean a person who has applied for assistance under this Act;
- (f) The term "recipient" shall mean any person who has received or who is receiving assistance under the terms of this Act;

(g) The term "assistance" shall mean money payments or any other kind of benefit to recipients who receive aid under the provisions of this Act;

(h) The singular shall include the plural and the masculine shall include the feminine.

SECTION 2. DUTIES OF THE COMMISSION.

The Commission shall have the power and it shall be its duty to:

(a) Supervise the administration of assistance to needy persons under the provisions of this Act;

(b) Adopt such rules and regulations as in its opinion may be necessary for carrying out the provisions of this Act;

(c) Employ personnel necessary in the administration of this Act; fix the salaries thereof; require bond of employees within its discretion; and establish adequate standards of qualifications for personnel employed;

(d) Prescribe and furnish to the County Boards necessary blanks for applications, reports, affidavits and such other forms as it may deem necessary and advisable;

(e) Co-operate with the federal Social Security Board, created under Title 7 of the Social Security Act, enacted by the Seventy-fourth Congress and approved August 14, 1935, or other like agency created by Congress, in any reasonable manner as may be necessary to qualify for federal aid to States in providing assistance to needy persons in conformity with the provisions of this Act, including the making of such reports in such form and containing such information as the Social Security Board or other similar federal agency may from time to time require, and comply with such provisions as the Social Security Board, or other similar federal agency may find necessary to insure the correctness and verification of such reports; and

(f) Publish an annual report, not later than four months after the close of each fiscal year, showing for such year the total amount paid to needy persons in this State under the provisions of this Act, and the total number of such needy persons given assistance, classified by age, sex, race, residence of persons assisted, and such other particulars as may be deemed advisable. Such report shall be presented to the Governor.

SECTION 3. COUNTY ASSISTANCE BOARDS, DUTIES OF:

For the purpose of assisting the Commission in effectively administering the provisions of this Act there is hereby created for each county a County Assistance Board composed of the members of the Board of County Commissioners. The Chairman of the Board of County Commissioners shall be chairman of the County Assistance Board.

It shall be the duty of County Boards to:

(a) Administer the provisions of this Act within their respective counties, subject to the rules and regulations prescribed by the Commission pursuant to the provisions of this Act;

(b) Report to the Commission at such times and in such manner and form as the Commission may from time to time direct.

SECTION 4. ELIGIBILITY FOR ASSISTANCE.

Assistance shall be given under this Act:

(a) To any citizen of the United States who has attained the age of sixty-five years possessing the following qualifications:

(1) Has resided in this State for at least five years within the nine years immediately preceding the application for assistance (the last year of which shall be continuous and immediately preceding such application);

(2) Has not sufficient income or other resources to provide for himself;

(3) Is not an inmate of, or being maintained by any municipal, state, national or private institution at the time of receiving assistance, provided, that an inmate of an institution may make application for such assistance but the assistance, if granted, shall not begin until he ceases to be an inmate;

(4) Has not made an assignment, transfer or encumbrance of property so as to render himself eligible for assistance under this Act, at any time within five years immediately preceding the filing of application for assistance;

(5) Is a resident of this State at the time of receiving assistance.

(b) To any citizen of the United States who is blind and who possesses the following qualifications:

(1) Has resided in the State for a period of five years during the nine years immediately preceding the filing of the application for assistance (the last year of which shall be continuous and immediately preceding such application);

(2) Has not sufficient income or other resources to provide for himself;

(3) If under twenty-one years of age has no relatives who are financially able and who are required by law to support him;

(4) Is not an inmate of or being maintained by any municipal, state, national or private institution at the time of receiving assistance, provided, that an inmate of an institution may make application for assistance but the assistance if granted shall not begin until he ceases to be an inmate;

(5) Has not made an assignment, transfer or encumbrance of property so as to render himself eligible for assistance under this Act at any time within five years immediately preceding the filing of application for assistance;

(6) Shall not during the period of receiving assistance solicit alms;

(7) Is a resident of this State at the time of receiving assistance.

The residence requirements set forth in (1) above shall not apply to a citizen of the United States who may have lost his eye-sight while an actual resident of the State of Oklahoma.

(c) To any child possessing the following qualifications:

(1) Is crippled or is suffering from conditions which may lead to crippling;

(2) Is in need of medical, surgical, corrective or other services and care;

(3) Has not sufficient income or other resources to provide such medical, surgical, corrective or other services and care;

(4) Has no relatives who are financially able and who are required by law to provide such services and care;

(5) Has resided continuously in this State at least one year immediately preceding the date of application for assistance, or was born within this State during the year immediately preceding the date of application if its mother has resided in the State for one year immediately preceding the birth;

(6) Who is not receiving adequate aid under other provisions of law;

(7) Is a resident of the State at the time of receiving assistance.

(d) To any citizen of the United States who is under sixteen years of age and who possesses the following qualifications:

(1) Has been a resident of this State at least one year immediately preceding the filing of the application for assistance; or who was born within this State within one year immediately preceding the filing of the application for assistance if its mother has resided in the State for one year immediately preceding the birth;

(2) Has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home;

- (3) Has not sufficient income or other resources to provide for himself;
- (4) Is a resident of the State at the time of receiving assistance.

SECTION 5. AMOUNT OF ASSISTANCE.

The amount of assistance which any person shall receive under the provisions of this Act shall be determined with due regard to the resources, the income and need of the individual and other conditions existing in each case and in accordance with funds available and the rules and regulations of the Commission, but in no case shall it be an amount which when added to the income of the applicant from all other sources, is more than necessary to provide such person with reasonable subsistence compatible with decency and health, subject to the following limitations and conditions:

(a) In no case shall the assistance (including the amount contributed by the Federal Government), received by any person whose eligibility for assistance is determined under the provisions of Subsections (a) and (b) of Section 4 of this Act, when added to the income of the applicant from all other sources, exceed a total of Thirty Dollars (\$30.00) per month.

(b) The amount of assistance granted to any person qualifying under Subsection (c) of Section 4 for the purpose of providing medical, surgical or other corrective services shall be determined on a basis of need in each particular case and in accordance with the rules and regulations of the Commission.

(c) In no case shall the assistance (including the amount contributed by the Federal Government) received by any person whose eligibility for assistance is determined under the provisions of Subsection (d) of Section 4 of this Act, when added to the income of the applicant from all other sources, exceed a total of Eighteen Dollars (\$18.00) per month for the first child and Twelve Dollars (\$12.00) per month for each additional dependent child in the same home.

SECTION 6. APPLICATION FOR ASSISTANCE.

Application for assistance under this Act shall be made to the County Board of the county in which the applicant resides. The application shall be in writing and in the manner and upon the form prescribed by the Commission and shall be verified by the oath of the applicant, or, in case of disability, by a parent, guardian, or next friend. Such verification may be made before a member of the County Board or any agent or employee of the Commission authorized to accept applications. Such application shall contain a statement of the amount of property, both personal and real, and a full description of the same, in which the applicant has an interest and of all income which he may have at the time of the filing of the application, and such other information as may be required by the Commission.

SECTION 7. INVESTIGATION OF APPLICATIONS.

Whenever a County Board receives an application for assistance under this Act, it shall promptly make an investigation and record of the circumstances of the applicant to ascertain the facts supporting the application and such other information as may be required by the rules and regulations of the Commission. The Commission and the officers and employees authorized for that purpose shall have the power to hold hearings, conduct examinations, subpoena witnesses, require the attendance of witnesses and the production of books, records and papers, and may make application to the judge of any court of competent jurisdiction to compel the attendance of such witnesses and the production of such books, records and papers. All witnesses shall be examined on oath, and the officers and employees of the Commission authorized to hold hearings may administer oaths. Hearings shall be held in the county of the residence of the applicant or recipient, provided, the Commission may authorize hearings to be held by a member or other agent of the Commission. The evidence taken at any local hearing and the findings and recommendations made thereon shall be admissible at any final hearing before the Commission. The costs of such hearings shall be paid upon authorization of the Commission out of moneys in the "State Assistance Fund" and in the manner provided in other sections of this Act.

SECTION 8. GRANTING OF ASSISTANCE.

Upon the completion of the investigation, as provided in Section 7 hereof, the County Board shall decide whether the applicant is eligible for assistance under this Act, subject to the final approval of the Commission. The County Board shall, in writing, notify the applicant of its recommendation. Upon the request of an applicant the County Board may, if it sees fit, direct a reconsideration of which the applicant shall have at least ten

days' notice and at which time he may appear and offer evidence. As soon as the County Board makes its final decision, it shall at once report to the Commission its recommendation upon each application. If the application is not acted upon by the County Board within a reasonable time after the filing of the same, or if denied, the applicant may apply for a hearing before the Commission. The Commission shall, upon receipt of such request, give the applicant a fair hearing both as to his eligibility and as to the amount of assistance to be granted, in such manner and form as may be prescribed by it. The Commission may make such additional investigation as it may deem necessary and shall make final decision as to the eligibility for assistance and the amount of assistance granted the applicant. An applicant whose application for assistance has been denied by the Commission may not reapply for assistance until the expiration of twelve months from the date of the previous application unless there shall have occurred a material change in conditions which may warrant a new application in a shorter period of time.

SECTION 9. PERIODICAL RECONSIDERATION AND CHANGES IN AMOUNT OF ASSISTANCE.

(a) All assistance grants made under this Act shall be reinvestigated by the County Board as frequently as may be required by the Commission. In all such cases the Commission shall have the power to modify or revoke its former grant. The same right of hearing shall be accorded an aggrieved applicant as provided in Section 8 hereof.

(b) Any citizen of this State who has knowledge that assistance is being improperly granted or administered under this Act may file a verified complaint in writing with the County Board having jurisdiction of the case, setting forth the particulars showing why assistance is being improperly granted or administered. Upon receipt of such complaint, the County Board shall make an investigation of the allegations set forth in such complaint and report its findings to the Commission. If the Commission has reason to believe that assistance is being improperly granted, it shall cause an investigation to be made. If it appears as a result of investigations that assistance is being improperly granted, the Commission shall, after notice and hearing as provided in Section 8 hereof, enter an order changing the amount of assistance or cancelling the assistance in such case.

SECTION 10. ASSISTANCE TO COMMENCE, WHEN.

The assistance granted to persons qualifying under Subsections (a), (b) and (d) of Section 4 of this Act, if allowed, shall commence on the first day of the calendar month following the month when such assistance is approved by the Commission; provided, however, that the Commission shall have the power to authorize the beginning of assistance at a date subsequent to the date of the filing of the application and prior to final approval of the application where such final approval has been delayed without fault of applicant, whenever the circumstances warrant.

SECTION 11. DUTY TO DISCLOSE PROPERTY AND INCOME, RECOVERY TO STATE.

If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of that given in the application of said recipient for assistance and in such amount as would materially affect his right to assistance, it shall be the duty of the recipient immediately to notify the Commission of the receipt and possession of such property or income, or if any recipient receives assistance under this Act through misrepresentation or concealment of material facts, affecting the amount of assistance, the Commission shall, upon investigation, either cancel the assistance or reduce the amount thereof in accordance with the circumstances. Any assistance which the recipient shall have received, by reason of such misrepresentation or concealment of facts, in excess of the amount to which he is entitled shall be recoverable as a debt due to the State and shall be paid into the State Treasury to the credit of the State Assistance Fund. The State shall have a first and paramount lien upon all the assets and effects of said recipient to secure such repayment.

Any recipient hereunder who sells or conveys or encumbers any real property belonging to him or any interest therein shall immediately notify the Commission of same, giving legal description of said property and the nature and amount of consideration. Failure to make such report shall be cause for forfeiture of his right to assistance, in the discretion of the Commission.

SECTION 12. ASSISTANCE TO INCOMPETENTS TO BE PAID TO OTHER PARTIES.

If a recipient is found to be incompetent to make the best use of the assistance granted under the provisions of this Act, it shall be the duty of the County Board, subject to the approval of the Commission, to appoint or

designate a suitable and responsible person as custodian of the assistance granted to such recipient. Said custodian shall have authority, subject to the approval of the County Board, to make such disposition of the assistance grants under his custodianship as in his judgment is to the best advantage of the recipient. Such custodian shall post a bond in a reasonable amount to be determined by the Commission for the faithful performance of his duties and he shall report his acts to the County Board at such times and in the manner required by the rules and regulations of the Commission.

SECTION 13. ASSISTANCE INALIENABLE.

All rights to assistance under this Act shall be inalienable by any assignment, sale or transfer; and said assistance shall not be subject to execution, attachment, garnishment or other process, and in the case of bankruptcy, the assistance shall not pass to or through any trustee or any other person acting on behalf of creditors. Any contract or transfer or assignment or sale made contrary to the provisions of this Act shall be void.

SECTION 14. CHANGE OF RESIDENCE.

Any recipient who moves to another county in this State shall be entitled to receive assistance in the county in which he has moved and the County Board of the county from which he has moved shall transfer all necessary records relating to the recipient to the County Board of the county to which he has moved.

SECTION 15. ASSISTANCE TO CRIPPLED CHILDREN.

It shall be the duty of the County Boards in the several respective counties in accordance with the rules and regulations of the Commission to take the initiative in ascertaining the need for assistance of persons eligible for assistance under the provisions of Subsection (c) of Section 4 of this Act and report in writing on forms furnished by the Commission its recommendations showing the nature of the need for assistance, the kind and amount of assistance needed in each case. The Commission shall have authority to enter into agreements with surgeons, physicians, nurses and hospitals for the purpose of carrying into effect the provisions of Subsection (c) of Section 4 of this Act; provided, that the total amount paid under any such agreements shall not exceed Twenty-five Dollars (\$25.00) per week for each recipient. All claims approved for payment under this section shall be drawn against the State Assistance Fund and paid in the same manner as other expenditures.

SECTION 16. HOMELESS AND NEGLECTED CHILDREN.

The Commission is authorized to set up a division for the protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent and to provide an adequate child welfare service to accomplish the purposes herein set forth. This division shall be under the supervision of the Commission. Salaries, expenses and aid granted shall be paid out of the State Assistance Fund in the same manner as other expenditures are paid from said fund.

SECTION 17. ASSENT TO PROVISIONS OF FEDERAL LAW.

The Commission shall have the authority to accept grants from the Federal Government of money or services for the purpose of augmenting assistance granted hereunder or to reimburse the State for assistance granted hereunder and to conform to the requirements of any federal agency or agencies governing said federal grants in any manner not inconsistent with the constitution and laws of the State of Oklahoma.

The Commission shall have the authority to make apportionments in advance of funds under its control in accordance with the requirements of the Federal Government where such funds are to be matched in whole or in part by federal funds.

SECTION 18. STATE ASSISTANCE FUND.

(a) There is hereby created a State Assistance Fund which the State Treasurer shall keep and maintain separate from all other funds entrusted to his care. The State Treasurer shall not make payments from this fund except in accordance with the provisions of this Act.

(b) All moneys received by the State of Oklahoma from the United States for the purpose of aiding or reimbursing the State in the payment of assistance grants under the provisions of this Act shall be credited to

the State Assistance Fund or to any other special fund that may be created by law for the payment of any specific assistance authorized in this Act, at the discretion of the Commission.

SECTION 19. PAYMENT OF ASSISTANCE AND COSTS OF ADMINISTRATION.

(a) The Commission shall certify monthly to the State Auditor the names of persons to whom assistance is to be granted under the provisions of this Act and the amount of assistance for each of such persons. Such persons shall be paid monthly from moneys or funds in the "State Assistance Fund" or any other special fund that may be created by law for the payment of any specific assistance authorized in this Act. The State Treasurer shall make such payments from said fund or funds on warrants drawn by the Auditor.

(b) The State Auditor shall draw warrants upon the "State Assistance Fund" for the payment of all salaries, wages, and other costs incurred in the administration of this Act upon certification to the Auditor of payrolls and other necessary administrative expenses by the Commission. The State Treasurer shall make such payments from said fund on warrants drawn by the Auditor.

SECTION 20. LIMITATIONS ON POWERS OF BOARD TO APPROVE EXPENDITURES.

(a) It shall be the duty of the Director to ascertain from the Oklahoma Tax Commission and other State officials estimates of the amount of moneys which may reasonably be expected to be available in the State Assistance Fund or in any Old Age Pension Fund or any other special fund which may be created by law for the payment of assistance under the provisions of this Act and to submit such estimates to the Commission whenever required. In the consideration and approval of applications for assistance, the Commission shall take into consideration the amount of moneys which are or may be expected to be available in the State Assistance Fund or other special funds for the payment of assistance. It shall be unlawful for the Commission to submit claims to the State Auditor or for said Auditor to issue warrants in excess of the amount of moneys available in the State Assistance Fund or other special funds for the payment of any specific assistance authorized in this Act.

(b) The total amount of claims drawn upon or paid from the State Assistance Fund for salaries, wages, and all other necessary costs incurred in the administration of this Act (exclusive of surgical, medical, hospital, and nursing expenses authorized by this Act) shall be limited to five percentum (5%) of the total amount of moneys paid in assistance grants under the provisions of this Act.

SECTION 21.

The "State Assistance Fund" provided for in this Act, shall be created by increasing the present Oklahoma Consumers' Tax, and the Motor Vehicle Excise Tax, from one percentum (1%) to two percentum (2%), and apportioning the additional one percentum (1%) to the State Assistance Fund as hereinafter provided in this section.

For the purpose of carrying out this intention, Sec. 2, Art. 7, Chap. 66, Oklahoma Session Laws, 1935, is hereby amended to read as follows:

"Section 2. The revenues derived hereunder from all taxes, penalties and interest thereon, shall be applied to the purposes, and apportioned, as follows:

"(a) Forty-seven and one-half (47½%) percentum of such moneys shall be apportioned by the Oklahoma Tax Commission and paid into the State Treasury to the credit of the General Revenue Fund of the State, to be paid out only upon appropriation made by the Legislature;

"(b) Fifty (50%) percentum of such moneys shall be apportioned by the Oklahoma Tax Commission and paid into the State Treasury to the credit of the State Assistance Fund;

"(c) Two and one-half (2½%) percentum of such moneys so collected under the provisions of this Act shall be paid to the State Treasurer and placed to the credit of the 'Oklahoma Tax Commission Fund' and the Oklahoma Tax Commission shall appoint such employees and incur such other expenses as may be necessary to compute and collect such taxes and to enforce this Act; and, upon presentation of itemized verified claims therefor, approved by said Commission, the State Auditor shall draw his warrant therefor upon the State Treasury, and the same shall be paid out of said fund; and said fund or so much thereof as may be necessary is hereby appropriated for the payment of such salaries and expenses, for

the refund of erroneous or excessive collections, for the purpose of providing prepaid tax coupons or other materials for use in the collection of the tax levied hereunder; and if at the end of any fiscal year any part of said fund shall remain unexpended, such balance shall by the State Treasurer be transferred to and become a part of the General Revenue Fund of the State."

And for the same purpose, the first grammatical paragraph immediately preceding Subdivision (a) of Section 4, Art. 7, Chapter 66, Oklahoma Session Laws 1935, is hereby amended to read as follows:

"There is hereby levied a tax of two (2%) percentum upon the gross proceeds of all sales and/or purchases of all tangible personal property, consisting of goods, wares or merchandise, sold to or purchased by consumers and/or users within the State of Oklahoma; and a like tax upon the gross proceeds of all sales to or purchases by consumers and/or users, within this State, derived from the following:"

For the same purpose, Section 1, Art. 12, Chap. 66, Oklahoma Session Laws 1935, is hereby amended to read as follows:

"There is hereby levied an excise tax of two (2%) percentum upon the value of every motor vehicle, automobile, motor truck, motor tractor, trailer, semi-trailer, tractor, motorcycle and motor bus as defined by Section 10268, O. S. 1931, licensed to operate over the highways of the State of Oklahoma; provided, that said excise tax shall be levied and collected only at the time such motor vehicle is first licensed in this State."

Section 6, Art. 12, Chap. 66, Oklahoma Session Laws 1935, is hereby amended to read as follows:

"Forty-nine (49%) percentum of all moneys derived from the excise tax levied and collected under this Act shall be by the Oklahoma Tax Commission paid into the State Treasury to the credit of the General Revenue Fund of the State of Oklahoma, to be used for general governmental functions, to be paid out only upon appropriations by the Legislature;

"Fifty (50%) percentum of all moneys derived from the excise tax levied and collected under this Act shall be by the Oklahoma Tax Commission paid into the State Treasury to the credit of the 'State Assistance Fund'."

Section 8, Art. 12, Chap. 66, Oklahoma Session Laws 1935, is hereby amended to read as follows:

"One (1%) percentum of the taxes collected under this Act shall be paid into the State Treasury to the credit of the Oklahoma Tax Commission Fund, and shall be used for the enforcement of this Act, and for the employment of necessary assistants and employees required to carry out its terms."

SECTION 22. APPROPRIATIONS.

From moneys available in the State Assistance Fund (including contributions from the Federal Government), there is hereby appropriated for the fiscal year ending June 30, 1937:

- (1) Eighty per cent (80%) thereof is hereby appropriated for the payment of assistance to needy aged persons qualifying for assistance under Subsection (a) of Section 4 of this Act;
- (2) Three per cent (3%) thereof is hereby appropriated for the payment of assistance to needy blind persons qualifying for assistance under Subsection (b) of Section 4 of this Act;
- (3) One-half of one per cent (1/2%) thereof is hereby appropriated for the payment of assistance to crippled children qualifying under Subsection (c) of Section 4 of this Act;
- (4) Eleven per cent (11%) thereof is hereby appropriated for the payment of assistance to dependent children qualifying for assistance under Subsection (d) of Section 4 of this Act;
- (5) One-half of one per cent (1/2%) thereof is hereby appropriated for the payment of salaries, aid and expenses necessary for the Child Welfare Division provided for in Section 16 of this Act;
- (6) Five per cent (5%) thereof is hereby appropriated for the payment of costs of administration of this Act, including salaries, wages and all other necessary administrative costs (but exclusive of surgical, medical, hospital and nursing expenses authorized by this Act).

SECTION 23. NO FEES TO BE PAID.

It shall be unlawful for any person to charge or receive any fee for representing an applicant for or recipient of assistance under the provisions of this Act, except as to criminal proceedings brought against an applicant or recipient under the penal provisions of this Act, with respect to any application or proceedings before a County Board or the Commission, whether such fee or charge be paid by the applicant or recipient or any other person.

SECTION 24. CONFIDENTIAL NATURE OF RECORDS.

All applications and records concerning any applicant or recipient shall be confidential and shall be open to inspection only to persons duly authorized by the State or the United States in connection with the performance of their official duties, provided that information as to age, sex, race, residence, physical disabilities or other conditions of applicants or recipients shall not be considered as confidential.

It shall be unlawful for the Commission, a County Board or any employee working under the direction of the Commission or a County Board or the State Auditor, or any of their employees, to furnish or to permit to be taken off the records a list of names of applicants or recipients for use in advertising or other purposes.

SECTION 25. REQUIREMENTS TO POST BOND.

Each member of the Commission shall post a surety bond in the amount of \$10,000, conditioned upon the honest and faithful performance of his duties. The Director shall likewise give a bond in an amount to be fixed by the Commission at not less than \$25,000. Such bonds, when approved by the Attorney General, shall be deposited in the office of the Secretary of State. Premiums for all bonds authorized and provided for under this Act shall be paid from moneys in the State Assistance Fund.

SECTION 26. PENALTY FOR FALSE REPRESENTATION IN OBTAINING ASSISTANCE.

Whoever obtains or attempts to obtain, or aid or abets any person to obtain by means of a wilfully false statement or representation, or by false impersonation, or by a fictitious transfer, conveyance or incumbrance of property or income, or other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500 or be imprisoned for not more than three months or both so fined and imprisoned in the discretion of the court.

SECTION 27. VIOLATIONS OF THE PROVISIONS OF THIS ACT A MISDEMEANOR.

Any person who violates any provision of this Act for which no penalty is specifically provided shall be guilty of a misdemeanor.

SECTION 28. DUTIES OF COMMISSIONER OF CHARITIES AND CORRECTIONS, NO CONFLICT WITH.

No provision of this Act shall be so construed as to interfere with or affect any of the powers and duties now conferred by law upon the Commissioner of Charities and Corrections.

SECTION 29. PROVISIONS SEVERABLE.

The provisions of this Act are severable, and if any section, paragraph, sentence or provision hereof be held to be void by any court of competent jurisdiction, the decision of the court shall not affect the validity of this Act as a whole, or any part thereof, other than the portion so held to be invalid.

SECTION 30. SHORT TITLE.

This Act may be cited as the "Oklahoma Social Security Act."

(THE END)

SECTION 23. NO FEES TO BE PAID.

It shall be unlawful for any person to charge or receive any fee for representing an applicant for or recipient of assistance under the provisions of this Act, except as to criminal proceedings brought against an applicant or recipient under the penal provisions of this Act, with respect to any application or proceedings before a County Board or the Commission, whether such fee or charge be paid by the applicant or recipient or any other person.

SECTION 24. CONFIDENTIAL NATURE OF RECORDS.

All applications and records concerning any applicant or recipient shall be confidential and shall be open to inspection only to persons duly authorized by the State or the United States in connection with the performance of their official duties, provided that information as to age, sex, race, residence, physical disabilities or other conditions of applicants or recipients shall not be considered as confidential.

It shall be unlawful for the Commission, a County Board or any employee working under the direction of the Commission or a County Board or the State Auditor, or any of their employees, to furnish or to permit to be taken off the records a list of names of applicants or recipients for use in advertising or other purposes.

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SECTION 30. SHORT TITLE.

This Act may be cited as the "Oklahoma Social Security Act."

(THE END)

Said petition purports to contain approximately 155,000 signatures, and the same was presented and filed in my office in the presence of the Governor. Any citizen of the State may within ten days from date of filing petition, by written notice to the Secretary of State and the parties who filed said petition, protest against same, at which time the Secretary of State will hear testimony and arguments for and against the sufficiency of such petition.

WITNESS my hand and the seal of my office at the Capitol in Oklahoma City, this the 17th day of April, A. D. 1936.

SECRETARY OF STATE

Oklahoma City, Okla.
April 17, 1936

To the Honorable
The Secretary of State
of the State of Oklahoma
Oklahoma City, Okla.

Sir:

We, the undersigned proponents of Initiative Petition No. 155, State Question No. 226, a true copy of which was filed in the office of the Secretary of State on the 7th day of March, 1936, hereby transmit the original Initiative Petition No. 155, State Question No. 226, consisting of 8,426 pamphlets and containing the signatures of 155,000 legal voters of the State of Oklahoma, and respectfully request that said original Initiative Petition No. 155, State Question No. 226, together with said signatures, be filed in the office of the Secretary of State.

Harve L. Melton

P. M. M. M.

Char M. Pearce

April 17, 1936

TO THE SECRETARY OF STATE:

Received of Messrs. Harve Melton, S. S. Greben, and Dr. Chas. H. Pearce, original petitions covering Initiative Petition No. 155, State Question No. 226, purporting to contain 8,426 pamphlets, containing the signatures of 155,000 legal voters of the State of Oklahoma, this 17th day of April, 1936, at 10 o'clock . . .

Secretary of State

Assistant Secretary of State

April 17, 1936

Tulsa World,
Tulsa, Oklahoma.

Dear Sirs:

Section 5874, Oklahoma Statutes 1931, provides that after the filing of an original petition initiating a proposition of any nature it is the duty of the Secretary of State to cause same to be published in at least one newspaper of general circulation within the State of Oklahoma. I am therefore enclosing a copy of State Question No. 226, Initiative Petition No. 155, for such publication.

Enclosed is a blank for your use in filing claim and after you have it properly executed and signed, please return to this office for payment. In computing your fee, refer to Section 1065, Oklahoma Statutes 1931, fees for printing legal notices.

Yours very truly,

SECRETARY OF STATE

JD.

IN RE: State Question No. 226
Initiative Petition No. 155

I, F. C. Carter, Secretary of State of the State of Oklahoma, having under consideration the sufficiency of State Question No. 226, Initiative Petition No. 155, do hereby find:

That a true and exact copy of said petition was filed in my office on the 7th day of March, 1936, by B. S. Graham, and Harve L. Melton, and within ninety days thereafter, to-wit, on the 17th day of April, 1936, the original petition consisting of 8,426 pamphlets purporting to contain 155,000 signatures, was filed in this office by the above named proponents;

That thereafter, on the 20th day of April, 1936, I caused to be published in the Tulsa World a notice setting forth the date of such filing;

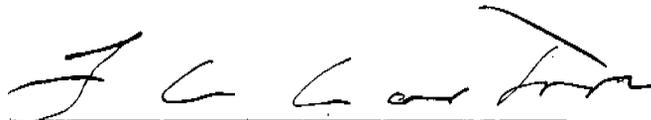
That more than ten days has expired since the first publication of said notice;

That no protest has been filed in any way attacking the sufficiency of said petition;

That I have examined said petition and the signatures attached thereto and do hereby find that said petition is in all respects sufficient, both in form and substance, and complies with the Constitution and Statutes of the State of Oklahoma relating to the initiative and referendum;

And that more than 150,000 signatures of legal voters of the State of Oklahoma appear on said petition.

I further find that the highest vote cast for any state official in the last election was for the office of Governor, the number of votes cast being 628,331; that 8% of said number of votes is 50,267, that being the number of signatures necessary to sustain the validity of said State Question No. 226, Initiative Petition No. 155, which proposes a statutory enactment for the State of Oklahoma.



F. C. CARTER
SECRETARY OF STATE

Oklahoma City, Oklahoma
May 1, 1936

To the Honorable Secretary of State
of the State of Oklahoma,

To the Honorable Attorney General
of the State of Oklahoma,

State Capitol
Oklahoma City, Oklahoma

Sirs:

We, the undersigned proponents of State Question No. 226, Initiative Petition No. 155, which proposes a statutory enactment for the State of Oklahoma, hereby propose the following ballot title to said State Question No. 226, Initiative Petition No. 155, containing the gist of the proposed statutory enactment, a true and correct copy of said State Question No. 226, Initiative Petition No. 155, being attached hereto and made a part hereof:

Proposed Ballot Title:

"An Act providing assistance to needy aged persons and persons who, on account of immature age, physical infirmity, disability or other cause are unable to provide for themselves; prescribing eligibility and maximum amount of assistance to each person; providing necessary revenue by amending Sections Two and Four, Article Seven, and Sections One, Six and Eight of Article Twelve, Chapter Sixty-six, Oklahoma Session Laws 1935; making appropriations; providing for officers and employees and county assistance boards; providing for administration of the Act; authorizing the acceptance of Federal grants; and prescribing penalties for violation of this Act."

This proposal executed in duplicate this first day of May, 1936, one copy of same filed in the office of the Secretary of State and one copy in the office of the Attorney General of the State of Oklahoma.

B. M. ...
Geo. M. ...
Harold L. ...
Frank P. Douglas

MAC Q. WILLIAMSON
ATTORNEY GENERAL



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

May 4, 1936

Honorable Frank Carter
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 5875, Oklahoma Statutes 1931, he has examined the proposed Ballot Title of State Question No. 226, Initiative Petition No. 155, which, together with a copy of said petition, was delivered to him at 10:25 o'clock, a.m., Friday, May 1st, 1936, by the Honorable B. S. Graham, Charles M. Pearce, M.D., Harve L. Melton and Frank P. Douglass, proponents of said petition, and from said examination the Attorney General finds that said Ballot Title is not in legal form and in harmony with the law.

Therefore, pursuant to the provisions of said Section 5875, the Attorney General has prepared and is submitting herewith, same to be filed in your office, a ballot title for said petition which in his opinion does conform to the law. Said ballot title is as follows:

"BALLOT TITLE

State Question No. 226 Initiative Petition No. 155

THE GIST OF THE PROPOSITION IS:

AN ACT providing assistance to needy persons aged sixty-five or over, needy blind persons, needy crippled children, and needy persons aged fifteen or younger; prescribing further qualifications of recipients of such assistance, the required periods of Oklahoma residence thereof, and maximum amounts of assistance paid same; increasing the Oklahoma Consumers' (Sales) Tax and Oklahoma Motor Vehicle Excise Tax (each) from one (1) to two (2) percentum to provide funds to pay said assistance and cost of administering act; making necessary appropriations therefor; authorizing acceptance of federal grants, if any; providing necessary personnel to administer act, and prescribing penalties for violation thereof.

Page 2. Honorable Frank Carter, 5-4-36.

Shall it be adopted?	YES	: : : : : : : : : :
	NO	: : : : : : : :

Yours very truly,

FOR THE ATTORNEY GENERAL


Fred Hansen
Assistant Attorney General

FH:MH



DEPARTMENT OF STATE
STATE OF OKLAHOMA
OKLAHOMA CITY

In re:
State Question No. 226
Initiative Petition No. 155

To Honorable J. Wm. Cordell, Secretary
State Election Board
Building

I, F. C. Carter, Secretary of State of the State of Oklahoma, do hereby certify that on the 17th day of April, A. D. 1936, there was filed in the office of the Secretary of State of Oklahoma, State Question No. 226, Initiative Petition No. 155, by Honorable Harve L. Melton of Eufaula, Honorable B. S. Graham of Oklahoma City, and Honorable Chas. M. Pearce of Okemah, attested copy of which petition is attached.

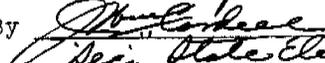
I further certify that after said Initiative Petition was filed, I caused due and legal notice of the filing thereof to be published as required by law, and that thereafter I found that said petition was in all things sufficient and in compliance with the Constitution and laws of the State of Oklahoma relating to such proceedings.

I further certify that on May 1, 1936, there was submitted by proponents a proposed Ballot Title for State Question No. 226, Initiative Petition No. 155, and that on May 4, 1936, the Attorney General of the State of Oklahoma filed in this office Ballot Title as approved by him, a copy of which is attached hereto and made a part of this Certificate.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be attached this 7th day of May, 1936.


SECRETARY OF STATE

Received this 8th day
of May, 1936
2:10 o'clock, p.m.

By 
Secy. State Election Bd.