

E N R O L L E D

SENATE JOINT RESOLUTION NO. 10.

BY: HAMMOND.

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO SECTION 7, ARTICLE 23, OF THE CONSTITUTION OF OKLAHOMA.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

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 7, Article 23, of the Constitution of the State of Oklahoma:

"Section 7. The right of action to recover damages for injuries resulting in death shall never be abrogated, and the amount recoverable shall not be subject to any statutory limitation, except as may be provided by legislative enactment governing all cases where death results from injuries which would otherwise be subject to the provisions of the Workmen's Compensation Laws of the State.

"Provided, that any such enactment shall not deprive any person of the right, at his option, to recover damages for injuries resulting in death in an ordinary action at law without limitation as to amount."

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

BALLOT TITLE

LEGISLATIVE REFERENDUM NO. ____.

STATE QUESTION NO. ____.

The gist of the proposition is as follows:

"Shall a constitutional amendment amending Section 7, Article 23, of the Constitution of Oklahoma, so as to provide for legislative enactment under the provisions of which death, resulting from injuries which would otherwise be subject to the provisions of the Workmen's Compensation Laws of the State, will not be a bar to recovery under such Workmen's Compensation Laws.

"Shall the proposed amendment be approved?

: : YES.

: : NO"

The President of the Senate shall, immediately after the effective date of this resolution, prepare and file one copy thereof,

MAC Q. WILLIAMSON
ATTORNEY GENERAL



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

June 10, 1941

Honorable C. C. Childers
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 1, Article 1, Chapter 30, Oklahoma Session Laws 1939, he has examined the proposed Ballot Title of Senate Joint Resolution No. 10 of the Eighteenth Legislature of the State of Oklahoma, same Being State Question No. 304, Legislative Referendum No. 85, which, together with a copy of said Resolution, was delivered to him on June 9, 1941, by the Honorable James E. Berry, President of the Senate of said Legislature, and from said examination finds that said Ballot Title is not in legal form and in harmony with the law.

Therefore, pursuant to the provisions of the above section, the Attorney General has prepared and is submitting herewith, same to be filed in your office, a Ballot Title for said measure, which, in his opinion, does conform to the law. Said Ballot Title is as follows:

"Ballot Title

State Question No. 304

Legislative Referendum No. 85

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

Amending Section 7, Article 23 of the Constitution of Oklahoma, so as to provide that the right of action to recover damages for injuries resulting in death shall not be abrogated or the amount recoverable subject to statutory limitation except by legislation governing cases where death results from injuries otherwise subject to Workmen's Compensation Laws, and providing that such legislation shall not

deprive any person of right, at his option,
to recover damages for such injuries in an
ordinary action at law without limitation
as to amount,

be approved by the people?

.....
: : YES
.....

SHALL THE PROPOSED AMENDMENT BE APPROVED?

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

APPROVED IN CONFERENCE

6 MO. *11* DAY, 19 *41*

L.W.

Yours very truly,

FOR THE ATTORNEY GENERAL

Fred Hansen
Fred Hansen
Assistant Attorney General

FH:BM