

Original

State Question No. 225

Initiative Petition No. 234

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

INITIATIVE PETITION

To the Honorable Robert S. Kerr,
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 shall be submitted to the legal voters of the state of Oklahoma for their approval or rejection, at the next regular general election, or at a special election to be called by the Legislature or the Governor, as provided in Section 3, Article V of the Constitution of Oklahoma, and each for himself says:

I have personally signed this petition: I am a legal voter of the State of Oklahoma; my residence and post office are correctly written after my name. The time for filing this petition expires ninety (90) days from July 18 - 1946.

The question we herewith submit to our fellow voters is: Shall the following proposed amendment to Article 16 of the Constitution of Oklahoma be adopted?

AN AMENDMENT ENTITLED

"AMENDMENT 1-A TO ARTICLE 16 OF THE OKLAHOMA CONSTITUTION CREATING A FOUR MEMBER HIGHWAY COMMISSION, OF NOT MORE THAN TWO MEMBERS FROM ONE POLITICAL PARTY NOR MORE THAN ONE MEMBER FROM A CONGRESSIONAL DISTRICT, TO BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE, AND FIXING THEIR TERM OF OFFICE WITH ANNUAL SALARIES OF NOT LESS THAN \$6,000.00; GIVING SAID COMMISSION COMPLETE AUTHORITY OVER STATE HIGHWAYS AND STATE HIGHWAY FUNDS, WITH AUTHORITY TO HIRE EMPLOYEES, INCLUDING A HIGHWAY ENGINEER; PROVIDING AN EFFECTIVE DATE AND REPEALING CONFLICTING LAWS."

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

Section I-A. There is hereby established the Oklahoma Highway Commission, consisting of four members to be appointed by the Governor. Immediately after the effective date of this section, the Governor shall appoint one member for a term of two years, one member for a term of four years, one member for a term of six years, and one member for a term of eight years. Thereafter each term of office shall be for eight years. Each member so appointed shall serve until confirmed or rejected by the Senate and, if confirmed, until his successor is appointed and qualified. The Governor shall fill vacancies on the Oklahoma Highway Commission for the remainder of the unexpired term. All appointments of members of the Oklahoma Highway Commission, including appointments to fill vacancies, shall be subject to confirmation or rejection by the State Senate at its session when the appointment is made, or, if the Senate is not in session, at its next special or regular session; the failure of the Senate to confirm such appointment at such session shall operate as a rejection of the appointment. Not more than one member shall be from any one Congressional District, and not more than two members shall be members of the same political party; no member shall be removed except for cause, and as provided by law for the removal of elected officers not subject to impeachment; each member shall receive as compensation a salary to be fixed by the Legislature, but shall not be less than Six Thousand Dollars (\$6,000.00) per annum, together with such expenses as are necessary for the performance of his duties.

The Oklahoma Highway Commission shall have and exercise exclusive authority over the expenditure of all state highways funds, including all funds expended on state highways from whatsoever source derived. The Commission shall plan an adequate system of connecting state highways based on sound engineering practice to serve most economically the traffic needs in every section of the state, utilizing as many miles of existing highways as practical. Said Commission shall provide for advance planning and programming of the new construction required to complete the state highway system herein provided for. The Commission shall have authority to locate, re-locate, design, construct, re-construct, maintain, and make additions to or deletions from this system and do all other things necessary for the building and maintaining of all state highways, including such other authority as the Legislature may provide.

The Oklahoma Highway Commission shall appoint a State Highway Engineer, well-qualified by training and experience in highway planning, construction and maintenance; his compensation shall be fixed by the Commission and his term of office shall expire at the will of a majority of the Commission; he shall be selected and appointed without regard to political affiliations or residence, and he shall execute all orders and direct all activities in the planning and maintenance of all state highways and bridges subject to the approval of said Commission.

The Commission shall have the sole authority to employ all employees in every capacity of the Oklahoma Highway Commission, which employment shall be made without respect to political affiliation; to fix their compensation and to dismiss them at the will of a majority of the Commission.

On the effective date of this section, the Oklahoma Highway Commission is made the legal successor of the former Highway Commission, and is empowered to take immediate charge of all equipment, supplies and properties then in the possession of said former Highway Commission.

Any constitutional provision or law in conflict herewith is repealed as of the effective date of this amendment to the extent of such conflict. This amendment shall become effective on January 15 next, after its approval by the people of the State of Oklahoma.

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MAC Q. WILLIAMSON
ATTORNEY GENERAL



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

February 21, 1950

Honorable Wilburn Cartwright
Secretary of State
State Capitol
Oklahoma City 5, Oklahoma

Dear Sir:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O. S. 1941 § 9, he has examined the proposed Ballot Title of State Question No. 325, Initiative Petition No. 234, which, together with a copy of said Petition, was delivered to him on February 18, 1950, by Mr. Harry T. Hudson, Jr., of McPherrren & Hudson, Attorneys for 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 the above section, 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. 325 Initiative Petition No. 234

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

"Shall a proposed Constitutional amendment,

creating a four member highway commission of not exceeding two members from any political party nor one from any congressional district, members to be appointed by Governor, confirmed by Senate, removable only by courts for cause, to serve staggered terms of eight years and receive annual salaries fixed by legislature at not less than \$6,000.00; prescribing powers and duties of commission, including exclusive authority over state highways and funds, and power to employ, regardless of political affiliation, an engineer and other necessary

Honorable Wilburn Cartwright

2-21-1950

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employees and to fix their compensation,
be approved by the people?

YES
 . .

SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO
 . .

Yours very truly

FOR THE ATTORNEY GENERAL

Fred Hansen
Fred Hansen
First Assistant Attorney General

FH:DB