

Original

State Question No. 326

Initiative Petition No. 235

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 days (90) from July 18, 1946.

The question we herewith submit to our fellow voters is: Shall the following proposed amendment to Article 10 of the Constitution of Oklahoma be adopted?

AN AMENDMENT ENTITLED

"AMENDMENT 12-B TO ARTICLE 10 OF THE OKLAHOMA CONSTITUTION PROVIDING THAT ALL HIGHWAYS USERS' REVENUES, INCLUDING GASOLINE TAXES, REGISTRATION FEES AND OPERATORS' LICENSES IN EXCESS OF COSTS OF COLLECTION, SHALL BE USED ONLY FOR HIGHWAY CONSTRUCTION, MAINTENANCE, AND ADMINISTRATION, INCLUDING SUPERVISION OF TRAFFIC UPON HIGHWAYS AND MAINTENANCE OF A STATE HIGHWAY PATROL, BUT EXCEPTING FROM SAID REVENUES CERTAIN TAXES IN LIEU OF OTHER TAXES, EXCISE TAXES ON SALES OF MOTOR VEHICLES, FUELS FOR FARM TRACTORS, AIRPLANES, AND OTHER NON-HIGHWAY PURPOSES; AUTHORIZING METHOD BY WHICH SUCH REVENUES MAY BE APPROPRIATED BY THE LEGISLATURE; PROVIDING EFFECTIVE DATE AND REPEALING CONFLICTING LAWS."

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

Section 12-B. All revenue in excess of the necessary cost of collection and administration, accruing to the State from registration fees, operators' licenses, gasoline taxes, road tolls or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuels shall be appropriated and used exclusively for the administration, construction, reconstruction and maintenance of public highways and bridges within this state, including the supervision of traffic thereon, and the maintenance of a State Highway Patrol, and no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever; provided, however, that these limitations shall not apply to that portion of motor vehicle license tax imposed in lieu of ad valorem tax, or to excise taxes upon the sale of motor vehicles, or to fuels sold for farm tractors, stationary engines, airplanes or to fuels sold for purposes other than for vehicles used for highway purposes.

All funds to be used for highway purposes shall be appropriated by the Legislature which shall prescribe, or direct, the Oklahoma Highway Commission to prescribe the percentage distribution thereof to be allocated to state highways (including the cost of maintaining the state highway department), to county roads (including farm to market roads), and to city streets and alleys, but all such appropriations shall be general and shall not designate any particular highway or project.

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.

NAME	RESIDENCE		POST OFFICE	
	R.F.D. or the Street and No. if in City	City or Town	State	
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				

STATE OF OKLAHOMA )  
 COUNTY OF \_\_\_\_\_ ) SS

I, \_\_\_\_\_, being first duly sworn say:

(Here shall be legibly written or typewritten the names of the signers on the reverse side of this sheet).

1.	_____	11.	_____
2.	_____	12.	_____
3.	_____	13.	_____
4.	_____	14.	_____
5.	_____	15.	_____
6.	_____	16.	_____
7.	_____	17.	_____
8.	_____	18.	_____
9.	_____	19.	_____
10.	_____	20.	_____

signed this sheet on the foregoing petition, and each of them signed his name thereto in my presence; I believe that each has stated his name, post office address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma. and County of \_\_\_\_\_ or the City of \_\_\_\_\_, as the case may be.

Post Office Address \_\_\_\_\_



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. 326, Initiative Petition No. 235, 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 in legal form and in harmony with the law. Said proposed Ballot Title is as follows:

"BALLOT TITLE

"State Question No. 326                      Initiative Petition No. 235

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

"Shall a proposed Constitutional amendment,

which prohibits the diversion of any highway users' revenues, including gasoline taxes, registration fees and operators' licenses, in excess of the cost of collection and administration, from the exclusive purpose of highway construction, maintenance and administration, including a State Highway Patrol, but which shall not apply to revenues derived from that portion of motor vehicle license tax imposed in lieu of advalorem tax, nor to excise taxes upon the sale of motor vehicles, nor to fuels used for farm tractors, airplanes or other non-highway purposes,

be approved by the people?

YES           .....  
                  .....  
                  .....

SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO             .....  
                  .....  
                  .....

Very truly yours  
FOR THE ATTORNEY GENERAL

*Fred Hansen*  
Fred Hansen  
First Assistant Attorney General

FH:DB