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Resolution

ENROLLED HOUSE JOINT
RESOLUTION NO. 527.

BY: HOWARD and McCUNE

Correctly Enrolled:  Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO THE OKLAHOMA CONSTITUTION AMENDING SECTION 5 ARTICLE III, WHICH REQUIRES PRIMARY ELECTIONS OF ALL CANDIDATES FOR PUBLIC OFFICE, BY ALLOWING CANDIDATES FOR THE OFFICE OF PRESIDENTIAL ELECTOR TO BE NOMINATED AT CONVENTIONS OF THEIR POLITICAL PARTIES; PROVIDING A BALLOT TITLE; ORDERING THE FILING THEREOF; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE TWENTY-SEVENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. The Secretary of State shall refer to the people of the State of Oklahoma, for their approval or rejection, as and in the manner provided by law, an amendment to the Constitution of Oklahoma, amending Section 5, Article III, Oklahoma Constitution, to read as follows:

§ 5. The Legislature shall enact laws providing for a mandatory primary system, which shall provide for the nomination of all candidates in all elections for State, District, County, and municipal officers, for all political parties, including United States Senators, except for the office of Presidential Electors who shall be nominated by the regularly called conventions of the various political parties and the chairman and secretary of each political party convention shall certify the names of said nominees to the Secretary of the State Election Board: Provided, however, this provision shall not exclude the right of the people to place on the ballot by petition any non-partisan candidate.

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

BALLOT TITLE

Legislative Referendum No. 123

State Question No. 388

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Correctly Enrolled: *[Signature]* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Shall a Constitutional Amendment _____
amending Section 5, Article III of the Constitution of the
State of Oklahoma, which requires the nomination of all
candidates for public office by primary election, by allowing
candidates for the office of Presidential Elector to
be nominated at conventions of the political parties,
be approved by the people? _____

YES

SHALL THE PROPOSED AMENDMENT BE APPROVED? _____

NO

SECTION 3. The Speaker of the House of Representatives shall,
immediately after the adoption of this Resolution, prepare and file
one copy thereof, including the above ballot title, with the
Secretary of State, and one copy with the Attorney General. _____

SECTION 4. A special election is hereby ordered to be held
throughout the State on the date of the regular general election in
1960, or on the date of any earlier state-wide election, at which
the proposed amendment to the Constitution of the State of Oklahoma
set forth in SECTION 1 of this Resolution shall be submitted to the
people for their approval or rejection as and in the manner pro-
vided by law. _____

Correctly Enrolled: *[Signature]* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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Passed the House of Representatives the 21st day of April, 1959.

Carl Albert
Speaker of the House of Representatives.

Passed the Senate the 30th day of April, 1959.

Flora T. Starnes
President of the Senate.
Pro Tempore

OFFICE OF THE GOVERNOR

Received by the Governor this _____

day of _____, 19____,

at _____, o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of _____, 19____.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 7

day of May, 1959,

at 10:45, o'clock A. M.

By: *John H. Cannon*

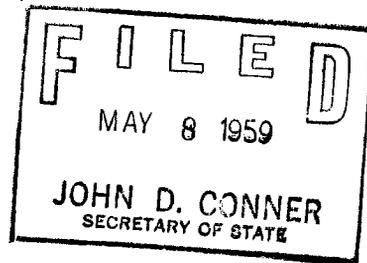
A. Jones



MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

May 7, 1959



Honorable John D. Conner
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 34 O. S. 1951 § 9, he has examined the proposed ballot title of House Joint Resolution No. 527 of the Regular Session of the Twenty-seventh Legislature of the State of Oklahoma, which, together with a copy of said resolution was delivered to him on May 7, 1959, by Louise Stockton, Chief Clerk of said House of Representatives, and from said examination finds that said ballot title is in legal form and in harmony with the law.

Therefore, pursuant to the provisions of the above section, the Attorney General is submitting herewith, same to be filed in your office, the ballot title above referred to, same being as follows:

BALLOT TITLE

Legislative Referendum No. 123 State Question No. 388

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Section 5, Article III of the Constitution of the State of Oklahoma, which requires the nomination of all candidates for public office by primary election, by allowing candidates for the office of Presidential Elector to be nominated at conventions of the political parties,

be approved by the people?

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

SHALL THE PROPOSED AMENDMENT BE APPROVED?

.....
: : : NO.
.....

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1959

Honorable John D. Conner

5-7-59

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Inasmuch as 34 O. S. 1951 § 9, supra, expressly provides that

"no appeal shall be allowed as to ballot titles of constitutional or legislative enactments proposed by the Legislature which ballot titles have been approved or revised by the Attorney General.",

it is your duty, under the provisions of said section, to immediately

"transmit to the Secretary of the State Election Board an attested copy of the pending proposition, including such approved title."

Yours very truly

FOR THE ATTORNEY GENERAL

APPROVED BY ATTORNEY GENERAL May 7 - 1959
FH

Fred Hansen
Fred Hansen
First Assistant Attorney General

FH:LW
Enc.