

COPY

Resolution

Correctly Enrolled: *Ernest Boyd*, Vice Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

ENROLLED HOUSE
JOINT RESOLUTION NO. 517.

BY: ARRINGTON, POYNOR, DAVIS, SPARKS,
MOUNTFORD, WOLF, FULLER, NANCE,
McCARTY, FOSTER, COOK, TALIAFERRO,
WILLIS (Cherokee), LARASON, ROGERS,
COX, HOWARD, HOPKINS, FORSYTHE,
BRADLEY (Tulsa), McGAHEY, McCUNE
and JOHNSTON of the House
and
COLLINS, BAILEY, BERRONG, EASTERLY,
FIELD, FINE, HAMILTON, HARRIS, LAND
and McCOLGIN of the Senate

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE, FOR THEIR APPROVAL OR REJECTION, A PROPOSED AMENDMENT TO ARTICLE X, OKLAHOMA CONSTITUTION, BY ADDING A NEW SECTION THERETO; PROVIDING FOR A BOND ISSUE FOR HIGHER EDUCATION AND A SCHOOL AND HOSPITAL FOR THE MENTALLY RETARDED; PROVIDING FOR SPECIAL ELECTION; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND SENATE OF THE TWENTY-SEVENTH 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 Article X of the Constitution of Oklahoma by adding a new Section to said Article X, to be known as Section 34 of said Article X, as follows:

Section 34. The Legislature of the State of Oklahoma is hereby authorized to enact a law or laws whereby the State may become indebted in an amount not to exceed Thirty-five Million, Five Hundred Thousand Dollars (\$35,500,000.00) for the purpose of constructing new buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at the constituent institutions of the Oklahoma State System of Higher Education, provided that Five Million Dollars (\$5,000,000.00) shall be used to construct and equip a School and Hospital for Mentally Retarded Children in Northeastern Oklahoma, out of said monies. Such law or laws shall provide for the payment and discharge of the principal of such debt, together with principal and interest on such indebtedness, from one or more of the following sources of State income as follows:

1. Any remainder of revenue available from the revenues

lawfully levied and collected by the State of Oklahoma on the sale of cigarets not already committed to other obligations of the State of Oklahoma;

2. Allocations by the Legislature of the State of Oklahoma from any monies in the general revenue fund of the State not otherwise obligated, committed or appropriated; and

3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, authority hereby being granted to the Legislature to so impose and collect such tax, if necessary.

Such law or laws hereby authorized to be enacted by the Legislature of the State of Oklahoma may provide for the issuance of bonds evidencing the indebtedness herein authorized and provide that such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, may be in such denomination or denominations, may be in such form, coupon or registered, may carry such registration or conversion provisions, may be executed in such manner, may be payable in such medium or payment at such place or places, may be subject to such terms of redemption, with or without premium, and may bear such rate or rates of interest as the Legislature may deem expedient and may contain any and all provisions which the Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the State pledged thereto. Within the limit of indebtedness herein authorized the Legislature in its discretion may authorize the issuance of such bonds and the incurring of the authorized indebtedness in fractional amounts of the total indebtedness hereby authorized to be incurred from time to time and at one or more Sessions of the Legislature.

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

Correctly Enrolled: *Boya Bayart, Vice Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS*

B A L L O T T I T L E

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS: _____

Shall a Constitutional Amendment

Amending Article X, Oklahoma Constitution, by adding a new Section thereto to be denominated as Section 34 of said Article X, authorizing the Legislature to enact a law whereby the State may become indebted not to exceed Thirty-five Million, Five Hundred Thousand Dollars (\$35,500,000.00) for the purpose of constructing new buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at State institutions of higher education; providing that Five Million Dollars (\$5,000,000.00) of said monies shall be used to construct and equip a School and Hospital for the Mentally Retarded; authorizing the Legislature to provide for the payment and discharge of principal and interest on said debt from sources of State income,

be approved by the people? _____

SHALL THE PROPOSED AMENDMENT BE APPROVED? YES NO

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

SECTION 4. An election is hereby ordered to be held throughout the State at the next state-wide special or primary 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 of the State of Oklahoma for their approval or rejection as and in the manner provided by law.

SECTION 5. It being immediately necessary for the preservation

Correctly Enrolled: *Byrne Bennett, Vice Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS*

Correctly Enrolled: Boye E. Bennett, Vice Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 18th day of May, 1959.

Clint G. Livingston
Speaker of the House of Representatives.

Passed the Senate the 2nd day of July, 1959.

Harold J. Garnin
President, of the Senate.
Pro Tempore

OFFICE OF SECRETARY OF STATE

Received by the Secretary of State

this 3 day of July, 1959.

at 7:55 o'clock P. M.

John J. Danner
By: A. Jones

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MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

July 9, 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 to Enrolled House Joint Resolution No. 517 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 July 8, 1959, by the Honorable Clint Livingston, Speaker of the House of Representatives, and from said examination finds that said ballot title is not in legal form and in harmony with the law. The Attorney General, therefore, submits the following ballot title, same being in legal form and in harmony with the law.

BALLOT TITLE

LEGISLATIVE REFERENDUM NO. 128 STATE QUESTION NO. 393

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

authorizing legislature to enact a law whereby Oklahoma may become indebted not to exceed \$35,500,000.00 for purpose of constructing new buildings and other capital improvements and equipping, remodeling, modernizing and repairing existing buildings and capital improvements at state institutions of higher education, \$5,000,000.00 thereof to construct and equip a school and hospital for mentally retarded children in northeastern Oklahoma, and authorizing legislature to provide for payment and discharge of principal and interest on said indebtedness from specified sources of state income and, if necessary, from proceeds of new tax levy,

be approved by the people?

127
103
387

.... YES
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SHALL THE PROPOSED AMENDMENT BE APPROVED?

.... NO.
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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 7-9-1959
FH

FH:LW

Fred Hansen
Fred Hansen
First Assistant Attorney General