"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 J. HOWARD EDMONDSON,
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 regular general election to be held on the 1st day of November, A. D. 1960, or at a special election which might be called for said purpose, and each for himself says:

"I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and postoffice are correctly written after my name. The time for filing this petition expires ninety days from the 16th day of November, 1959. The question we herewith submit to our fellow voters is:

"Shall the following proposed amendment to the Constitution be approved and adopted?"

TITLE

A CONSTITUTIONAL AMENDMENT PROVIDING FOR: LEGISLATIVE APPORTIONMENT BY A COMMISSION COMPOSED OF THE ATTORNEY GENERAL, STATE TREASURER AND SECRETARY OF STATE; ONE REPRESENTATIVE PER COUNTY AND CERTAIN ADDITIONAL REPRESENTATIVES; FORTY-EIGHT SENATORIAL DISTRICTS CONSISTING OF CONTIGUOUS TERRITORY WITH A MINIMUM VARIANCE OF POPULATION BETWEEN DISTRICTS; LEGISLATIVE TERMS; DISTRICTING; ORIGINAL JURISDICTION IN STATE SUPREME COURT UNDER PRESCRIBED CONDITIONS; ELECTIONS COMPLYING WITH EFFECTIVE APPORTIONMENTS; AMENDMENT SELF-EXECUTING; RELATED PROVISIONS; AND REPEALING SECTIONS 9(a), 9(b) AND 16 AND AMENDING SECTIONS 9 THROUGH 15 INCLUSIVE, ARTICLE V, CONSTITUTION OF OKLAHOMA.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA—AS A CONSTITUTIONAL AMENDMENT WHICH REPEALS SECTION 9(a), 9(b), and 16, ARTICLE V, AND WHICH AMENDS SECTIONS 9, 10, 11, 12, 13, 14, AND 15, AND RELATED SUBTITLES, ARTICLE V, CONSTITUTION OF OKLAHOMA, TO READ AS FOLLOWS:

THE LEGISLATURE
LEGISLATIVE APPORTIONMENT

SECTION 9. The Senate and the House of Representatives shall be separately apportioned in accordance with this Article and for that purpose a Legislative Apportionment Commission is hereby created, composed of the Attorney General, Secretary of State, and the Treasurer of the State of Oklahoma. The action of a majority of the members of the Commission shall be the action of such Commission.

The Commission shall make the first apportionments, as provided herein, within thirty days after the adoption of this amendment and thereafter within thirty days after the official certification of each Federal decennial census. It shall file in writing its apportionments with the Secretary of State and the Secretary of the State Election Board, setting forth the county, or counties, and boundaries within any county, composing each Senatorial District, and the number of members of the House of Representatives assigned to each county, and the number and boundaries of Representative Districts where herein required to be created.

SECTION 10. The State shall be divided into forty-eight Senatorial Districts. Such districts shall at all times consist of contiguous territory and shall be formed in a manner which results in the minimum variance of population between districts. In all proposed plans of districting the variance of population between districts shall be ascertained by determining the difference between the population of each district and one forty-eighth of the State's population, multiplying each of the said differences by itself, and totaling these forty-eight products. Of all plans complying with the other provisions of this Article, that which produces the smallest total of said forty-eight products shall be considered to

"EXHIBIT A"

result in the minimum variance of population between districts and shall be adopted. For this purpose the population of any district within a county having more than one district shall be ascertained by dividing the population of the county by the number of districts therein. Senatorial Districts shall be numbered consecutively and shall remain unaltered until the next apportionment as provided herein.

Each district shall elect one Senator for a four year term of office which shall expire fifteen days after the second General Election held following election thereto, except as otherwise provided by this Article. The term of all Senators shall expire fifteen days after the first General Election following any Senatorial apportionment becoming effective hereunder, regardless of the term for which such Senators were elected. At the first General Election following any such Senatorial apportionment, Senators representing odd numbered Senatorial Districts shall be elected for an initial term of two years.

SECTION 11. The House of Representatives shall be composed of a member from each county of the State and such additional members as are provided for herein, and each shall be elected for a two year term of office, which term shall expire fifteen days after the next General Election held following election thereto.

The population of the State shall be divided by one hundred, and the quotient shall be the ratio of representation in the House of Representatives until the next apportionment as provided herein.

For each such full ratio of population within any county such county shall have an additional member of the House of Representatives until a county has seven Representatives. It shall then have an additional member for each additional one and one-half ratios until it has a total of ten Representatives. It shall then have an additional member for each additional two full ratios.

SECTION 12. No county shall ever be divided in the formation of a Senatorial or Representative District except to make two or more districts within such county. Districts within a county shall consist of contiguous territory, and shall be so composed that the total votes cast in the most recent General Election preceding any apportionment hereunder in any one district shall not exceed those cast in any other district in such county by more than ten percent. Within the other limitations of this Article the Legislature may at any time provide for nomination and election of Senators or Representatives, or both, by districts in any county which is entitled to more than one Senatorial District or more than one Representative, and may divide such county into Representative Districts where not so divided by the Commission, or may at any time provide for nomination and election of Senators or Representatives, or both, at large within such county.

If a county was not divided into Representative Districts at the time of any apportionment hereunder, and such county pursuant to such apportionment is divided into two or more Senatorial Districts, the Senators representing such Senatorial Districts shall be nominated and elected at large in such county until their nomination and election by district shall be provided by statute.

If a county was not divided into Representative Districts at the time of any apportionment hereunder, all of the Representatives from such county shall be nominated and elected at large in the county; but if a county was so divided, the Commission shall divide such county into Representative Districts equal to the number of members to which such county is entitled.

The enumeration of the most recent Federal decennial census shall always be used to ascertain population under this Article.

"Contiguous territory" as used in this Article is defined to include territory touching at one or more points.

SECTION 13. Any citizen may seek a review of any apportionment within thirty days from the filing thereof by filing in the Supreme Court of Oklahoma a petition which must set forth a proposed apportionment more nearly in accordance with this Article; provided, however, a review as to the composition of districts within a county shall not lie where the districting within said county is within the limitations prescribed by Section Twelve of this Article. Any apportionment of either the Senate or House of Representatives from which review is not sought within such time shall become final.

Upon review the Supreme Court shall determine which apportionment most nearly complies with this Article and by appropriate writ, require the same to be filed or refiled, as the case may be, with the Secretary of State and the Secretary of the State Election Board forthwith and such apportionment shall become final on the date of said writ.

The Supreme Court, upon petition of any citizen alleging failure of the Commission to timely act, is hereby vested with original jurisdiction to compel, and shall compel, the Commission to make the apportionments as herein provided, and it shall also have exclusive jurisdiction of any review hereunder. The Court shall give precedence to any proceeding arising under this Section, and if more than one petition be filed, it shall consolidate such proceedings for hearing and disposition, and shall file its opinion and issue its writ within ninety days from the timely filing of such last petition.

SECTION 14. Any apportionment of the Senate or the House of Representatives shall become effective immediately prior to the first filing period for any statewide Primary Election after such apportionment of either said Senate or House of Representatives has become final. After any apportionment is finalized as herein provided, the State Election Board shall accept filings and conduct the Primary and General Elections in accordance with such apportionment.

SECTION 15. The provisions of Sections 9 through 14 of this Article are hereby declared to be self-executing. Existing Sections 9(a), 9(b) and 16, Article V, are hereby repealed, and Sections 9, 10, 11, 12, 13, 14 and 15 as they heretofore existed are likewise repealed and the amendments above set forth are substituted therefor.

MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA

OFFICE OF THE ATTORNEY GENERAL

OKLAHOMA CITY

June 6, 1960

FILED
JUN 6 1960
WILLIAM N. CHRISTIAN
SECRETARY OF STATE

Honorable William N. Christian
Secretary of State
State Capitol
Oklahoma City, 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. 1951 § 9, he has examined the proposed Ballot Title to State Question No. 397, Initiative Petition No. 266, which, together with a copy of said petition, was delivered to him on June 6, 1960, by Mr. Norman Reynolds, attorney for the proponents of said petition, and from said examination the Attorney General finds that said ballot title is substantially in legal form and in harmony with the law. Said proposed ballot title is as follows:

BALLOT TITLE

INITIATIVE PETITION NO. 266 STATE QUESTION NO. 397

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment

> providing for: legislative apportionment by a commission composed of the Attorney General, State Treasurer and Secretary of State; one Representative per county and certain additional Representatives; forty-eight senatorial districts consisting of contiguous territory with a minimum variance of population between districts; legislative terms; districting; original jurisdiction in State Supreme Court under prescribed conditions; elections complying with effective apportionments; amendment self-executing; related provisions; and repealing Sections 9(a), 9(b) and 16 and amending Sections 9 through 15 inclusive, Article V, Constitution of Oklahoma,

be approved and adopted?

YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO.

Yours very truly

FOR THE ATTORNEY GENERAL

APPROVED BY ATTORNEY GENERAL 6-6-60 LW

Fred Hansen

Fred Hansen
First Assistant Attorney General

FH:LW