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Resolution

ENROLLED HOUSE JOINT
RESOLUTION NO. 523.

BY: FORD

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF OKLAHOMA BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 63 AND WHICH SHALL EMPOWER THE LEGISLATURE TO PROVIDE FOR THE TEMPORARY SUCCESSION TO PUBLIC OFFICES AND TO ADOPT SUCH OTHER MEASURES AS MAY BE NECESSARY AND PROPER FOR INSURING THE CONTINUITY OF GOVERNMENTAL OPERATIONS IN PERIODS OF EMERGENCY RESULTING FROM DISASTERS CAUSED BY ENEMY ATTACK OR IN PERIODS OF EMERGENCY RESULTING FROM THE IMMINENT THREAT OF SUCH DISASTERS; PROVIDING FOR THE PROCLAMATION AND PUBLICATION OF THIS PROPOSED AMENDMENT BY THE GOVERNOR; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE TWENTY-EIGHTH 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 adding a new Article V, Section 63 to read as follows:

ARTICLE V

Section 63. The Legislature, in order to insure continuity of State and local governmental operations in periods of emergency resulting from disasters caused by enemy attack or in periods of emergency resulting from the imminent threat of such disasters, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices; and (2) to adopt such other measures as may be necessary and proper for so insuring the continuity of governmental operations. In the exercise of the powers hereby conferred, the Legislature shall in all respects conform to the requirements of this Constitution.

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

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled:



BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS: _____

Shall a Constitutional Amendment be approved by the people?

adding as Article V, Section 63 of the Constitution of the State of Oklahoma empowering the Legislature to insure continuity of State and local governmental operations in periods of emergency resulting from disasters caused by enemy attack or in periods of emergency resulting from the imminent threat of such disasters by (1) providing for the prompt and temporary succession to the powers and duties of both elected and appointed public officials who may become unavailable and (2) to adopt such other measures as may be necessary and proper for so insuring the continuity of governmental operations.

SHALL THE PROPOSED AMENDMENT BE APPROVED? YES 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 next runoff 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 for their approval or rejection as and in the manner provided by law.

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled:

[Handwritten Signature]

Adopted by the House of Representatives the 15th day of June, 1961.

John A. Carl
Speaker of the House of Representatives.

Adopted by the Senate the 8th day of June, 1961.

George Nigh
President of the Senate.

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 19 day of June, 1961, at 2:00 o'clock P. M.

By: A. Mitchell

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



MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

June 20, 1961

Honorable William N. Christian
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. 523 of the Regular Session of the Twenty-eighth Legislature of the State of Oklahoma, which, together with a copy of said resolution, was delivered to him on June 19, 1961, by Louise Stockton, Chief Clerk 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. 131 STATE QUESTION NO. 400

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

adding as Article V. Section 63 of the Oklahoma Constitution empowering the Legislature to insure continuity of State and local governmental operations in periods of emergency resulting from disasters caused by enemy attack or in periods of emergency resulting from imminent threat of such disasters by providing for prompt and temporary succession to the powers and duties of both elected and appointed public officials who may become unavailable and adopting such other measures as

may be necessary and proper for so insuring the continuity of governmental operations,

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?	
	. . .	YES.
	
	
	. . .	NO.
	

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

Fred Hansen

Fred Hansen

First Assistant Attorney General

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