

Resolution

ENROLLED HOUSE JOINT
RESOLUTION NO. 541

BY: DAMBERGER, PATTERSON (Ruth),
HILL, SKEITH, LEVERGOOD,
POULOS, SANDLIN, CLEMONS,
SPARKMAN and McCUNE of the
House

and

SMITH, SMALLEY and GRANTHAM
of the Senate

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT OF ARTICLE 2, SECTION 18, OF THE CONSTITUTION OF THE STATE OF OKLAHOMA MAKING REGISTERED VOTERS INSTEAD OF RESIDENT TAXPAYERS ELIGIBLE TO SIGN A PETITION FOR A GRAND JURY AND ESTABLISHING A FORMULA FOR DETERMINING THE MINIMUM NUMBER OF SIGNATURES REQUIRED ON SUCH PETITION; PROVIDING A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE SECOND SESSION OF THE THIRTY-FIRST OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State of the State of Oklahoma shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article 2, Section 18, of the Constitution of the State of Oklahoma, so that said Section 18 will read as follows:

"A grand jury shall be composed of twelve (12) persons, any nine (9) of whom concurring may find an indictment or true bill. A grand jury shall be convened upon the order of a judge of a court having the power to try and determine felonies, upon his own motion; or such grand jury shall be ordered by such judge upon the filing of a petition therefor signed by qualified electors of the county equal to one percent (1%) of the population of the county according to the last preceding Federal Decennial Census, with the minimum number of required signatures being two hundred (200) and the maximum being five hundred (500); and further providing that in any calendar year in which a grand jury has been convened pursuant to a petition-

Correctly Enrolled: *C. A. Johnson* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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

therefor, then any subsequent petition filed during the same calendar year shall require double the minimum number of signatures as were required hereunder for the first petition."

SECTION 2. The ballot title for the proposed constitutional amendment as set forth in SECTION 1 of this Resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Article 2, Section 18, of the Constitution of the State of Oklahoma which would make resident voters instead of resident taxpayers eligible to sign petitions for calling of grand juries; providing that the signatures of one percent (1%) of the population of a county shall be sufficient to call a grand jury, with a minimum requirement of two hundred (200) signatures and a maximum requirement of five hundred (500) signatures; and providing that second and subsequent petition in any one calendar year shall require twice the number of signatures as the first petition filed in any calendar year

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 of the State of Oklahoma.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next ensuing

special election held throughout the State, or on the date of the next ensuing statewide primary election, whichever is the earlier, 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 Oklahoma for their approval or rejection as and in the manner provided by law.

Passed the House of Representatives the 19th day of February, 1968.

Rep. Pivett

Speaker of the House of Representatives.

Passed the Senate the 9th day of April, 1968.

Calvin M. Phillips
President *pro Tempore* of the Senate.

Correctly Enrolled: *L.A. Garrison* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 17th

day of April, 1968,

at 8:15, o'clock A. M.

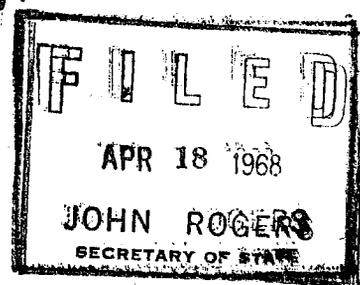
By: *John Rogers*



THE ATTORNEY GENERAL
OF OKLAHOMA

Oklahoma City, Okla. 73105

April 18, 1968



G. T. BLANKENSHIP
ATTORNEY GENERAL

Honorable John Rogers
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma

Dear Mr. Rogers:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. Supp. 1967, § 9, he has examined the proposed ballot title to Enrolled House Joint Resolution No. 541 of the 2nd Regular Session of the 31st Oklahoma Legislature, which, together with a copy of said Resolution, was delivered to him on April 17, 1968, and from said examination finds that said ballot title is not in legal form, nor in harmony with the law. Therefore, the Attorney General submits the following ballot title which, in his opinion, is in legal form and in harmony with the law.

BALLOT TITLE

Legislative Referendum No. 170 State Question No. 457

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Article 2, Section 18, of the Constitution of the State of Oklahoma which would make qualified electors instead of resident taxpayers eligible to sign petitions for calling of grand juries; providing that the signatures of one percent (1%) of the population of a county shall be sufficient to call a grand jury, with a minimum requirement of two hundred (200) signatures and a maximum requirement of five hundred (500) signatures; and providing that second and subsequent petition in any one calendar year shall require twice the number of signatures as the first petition filed in any calendar year

be approved by the people?

Mr. Rogers

-2-

April 18, 1968

SHALL THE PROPOSED AMENDMENT BE APPROVED?

YES

NO

Inasmuch as 34 O.S. Supp. 1967, § 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,



G. T. Blankenship
Attorney General

GTB:ch