

INSTRUCTIONS

TO THE CIRCULATORS OF INITIATIVE PETITIONS

WARNING

- (a) It is unlawful for any person other than a qualified elector of the State of Oklahoma to circulate any Initiative or Referendum Petition. The circulator must be a registered voter within the State of Oklahoma.
- (b) Only legally registered voters in the State of Oklahoma are eligible to sign this petition. They may sign only once but may sign it anywhere in the State, regardless of where they are registered.
- (c) The petition must be signed in the circulator's presence with a pen or indelible pencil. The signer must sign exactly as he is registered and must list his name and address in his own handwriting. He may not sign for his spouse.
- (d) A petition may contain from one to forty signatures.
- (e) A circulator cannot sign his own petition.
- (f) The circulator must print the name of each signer on the back of the petition in the space provided after each signer affixes his name to the petition, or before the petition is notarized.
- (g) The circulator must sign the petition as a witness to the signatures carried therein **in the presence of a notary public** in the space provided on the last page.

SPECIAL NOTE: Each one who circulates the initiative petition should see that the above instructions are complied with; especially, that the names have been filled in properly on the back of the petition and the affidavit made by the one who circulated the petition.

NOTE TO CIRCULATOR: Return petitions AFTER notarization to Oklahomans for A Uniform Day of Rest, Suite 2400, Hotel Oklahoma, Oklahoma City, Oklahoma, 73102.

"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 same measure or to sign such petition when he is not a legal voter."

ONLY FORTY NAMES ALLOWED ON A PETITION OF THIS NATURE

INITIATIVE PETITION

TO THE HONORABLE DEWEY BARTLETT,
GOVERNOR OF THE STATE OF OKLAHOMA:

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the next regular statewide general election to be held on November 7, 1972, or at a statewide special election ordered by the Governor, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and post office are correctly written after my name. The time for filing this petition expires ninety days from October 20, 1970. The Question we herewith submit to our fellow voters is: Shall the following bill be approved?

TITLE

AN ACT RELATING TO RETAIL SALES; MAKING IT UNLAWFUL TO SELL CERTAIN ENUMERATED MERCHANDISE ON BOTH CONSECUTIVE SATURDAYS AND SUNDAY AT THE SAME LOCATION; DEFINING TERMS; EXEMPTING CERTAIN SALES; PROVIDING PENALTY FOR VIOLATIONS; DECLARING PROHIBITED SALES TO BE PUBLIC NUISANCE AND PROVIDING REMEDY THEREFOR; MAKING ACT SEVERABLE AND REPEALING 21 O.S. 1961§ 907, 908, 909 AND 911.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section (1) It is unlawful for any person or persons to sell or offer for sale, or to hire, employ, direct, authorize, compel, force or oblige any other person to sell or offer for sale, on both the two (2) consecutive days of Saturday and Sunday at the same location or on the same premises, any one or more of the following articles or items of merchandise: clothes, clothing or wearing apparel, excluding stockings and hose and infant underclothing; clothing or apparel accessories; shoes or footwear; hats or headwear; home, business, office or outdoor furniture; kitchenware; kitchen utensils; cookware; dishware; china or chinaware; home appliances, including but not limited to mechanical or electrical sweepers, cleaners, sewing machines, toasters, broilers, mixers, blenders, crushers, heaters, polishers or broilers, but excluding humidifiers and coffee-makers; stoves; ranges; refrigerators; air conditioners; electric fans; radios; television sets; record players; tape players; washing machines; driers; cameras; movie or film projectors; hardware; tools, excluding non-power driven hand tools; jewelry; precious or semi-precious stones; silverware; watches;

clocks; luggage; musical instruments; musical records; musical tapes; toys, excluding articles or items customarily sold as novelties and souvenirs; mattresses; bed coverings; household linens; floor coverings; lamps; draperies; window blinds or curtains; mirrors; lawn mowers or edgers; cloth piece goods. Each separate sale or offer for sale shall constitute a separate offense.

Section (2) As used in this Act:

1. The word "person" means natural persons, partnerships, associations, cooperatives and corporations.

2. The words "Sunday" and "Saturday" mean that period of time between midnight at the beginning of such calendar day and the following midnight.

Section (3) Nothing herein shall apply to any sale or offer for sale for charitable, non-profit purposes or to articles or items sold as a part of or in conjunction with the sale of real property.

Section (4) Isolated or occasional sales or offers for sale for their own account of any article or item named herein by natural persons not customarily engaged in the business of selling such article or item shall be exempt from this Act.

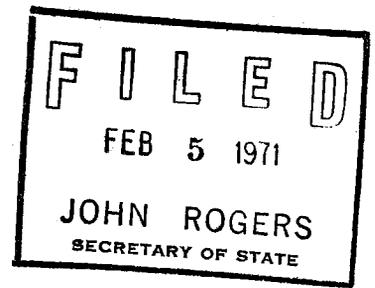
Section (5) Any person who violates the provisions of this Act is guilty of an offense and upon conviction for the first offense thereof shall be punished by a fine of not more than One Hundred Dollars (\$100.00). Upon conviction for a subsequent offense, any person who violated the provisions of this Act shall be punished by a fine to not exceed Five Hundred Dollars (\$500.00), or by imprisonment in the county jail not exceeding six (6) months or by both such fine and imprisonment.

Section (6) The purpose of this Act being to promote the health, recreation and welfare of the people of the State of Oklahoma, the sale or offer of sale of any article or item of personal property contrary to the provisions of this Act is declared to be a public nuisance, and any person may bring an action in the appropriate court of this State to restrain, abate and enjoin such violation or any act in furtherance thereof. Provided that such person shall not be required to establish irreparable damage and harm or the absence of a plain and adequate and complete remedy at law. In the discretion of the court, such person shall be awarded a reasonable sum as in for attorneys fees. This remedy shall be in addition to any other penalty or remedy provided by this Act or by law, and such proceeding shall be guided by the rules of other injunction proceedings. In the event such action is brought by a District Attorney, no cost bond, supersedas bond or deposit shall be required.

Section (7) The provisions of this Act are severable and if any part or provision hereof shall be held void or unenforceable, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

Section (8) Title 21 O.S. 1961 Sections 907, 908, 909 & 911 of the Oklahoma Statutes are hereby repealed.

STATE
OF
OKLAHOMA
THE ATTORNEY GENERAL
LARRY DERRYBERRY
STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105, TELEPHONE 405/521-3205



February 5, 1971

Hon. John Rogers
Secretary of State of the
State of Oklahoma
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Mr. Rogers:

In accord with the provision of 34 O.S. Supp., 1970, §9, the Attorney General has examined the proposed Initiative Petition Title which together with a copy of the Petition, was delivered to the Attorney General on February 3, 1971. From said examination the Attorney General finds that said Title is not in legal form, nor in harmony with the law. Therefore, the Attorney General submits the following Initiative Petition Title which, in my opinion, is in legal form and in harmony with the law:

BALLOT TITLE

State Question No. 478

Initiative Petition No. 287

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall an Act

RELATING TO RETAIL SALES; MAKING IT UNLAWFUL TO SELL CERTAIN ENUMERATED MERCHANDISE ON THE CONSECUTIVE DAYS OF SATURDAY AND SUNDAY AT THE SAME LOCATION; DEFINING TERMS; EXEMPTING CERTAIN SALES; PROVIDING PENALTY FOR VIOLATIONS; DECLARING PROHIBITED SALES TO BE A PUBLIC NUISANCE AND PROVIDING REMEDY THEREFOR; MAKING ACT SEVERABLE AND REPEALING 21 O.S. 1961 §§907, 908, 909 AND 911.

be approved by the people?

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Hon. John Rogers
February 5, 1971

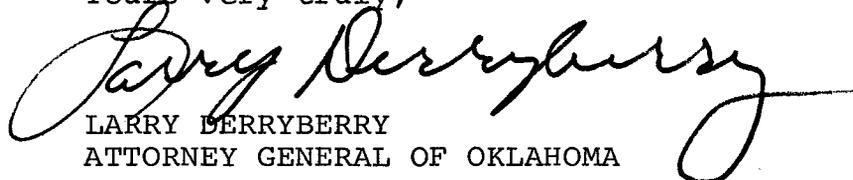
SHALL THE PROPOSED ACT BE APPROVED?

YES

NO

I call to your attention your responsibilities with regard to Initiative Petitions, as outlined in 34 O.S. Supp., 1970, §9, supra.

Yours very truly,



LARRY BERRYBERRY
ATTORNEY GENERAL OF OKLAHOMA

LD:cw