

A Resolution

ENROLLED SENATE JOINT
RESOLUTION NO. 23

BY: YOUNG of the SENATE

and

HANCOCK of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO ARTICLE II, SECTION 18, OF THE CONSTITUTION OF THE STATE OF OKLAHOMA; PROVIDING FOR THE COMPOSITION OF A GRAND JURY AND THE NUMBER CONCURRING TO FIND AN INDICTMENT OR TRUE BILL; PROVIDING FOR CONVENING OF A GRAND JURY ON ORDER OF DISTRICT JUDGE UPON HIS OWN MOTION, UPON PETITION OF QUALIFIED ELECTORS, OR UPON APPLICATION OF THE ATTORNEY GENERAL; PROVIDING NUMBER REQUIRED ON PETITION; AND PROVIDING THAT GRAND JURY REQUESTED BY ATTORNEY GENERAL MAY INVESTIGATE MULTICOUNTY CRIMINAL ACTIVITIES; PROVIDING FOR A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

Correctly Enrolled: *J. R. Mc*, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

1 ENGROSSED SENATE
2 JOINT RESOLUTION NO. 23

BY: YOUNG of the SENATE

and

3 HANCOCK of the HOUSE
4
5
6

7 A JOINT RESOLUTION DIRECTING THE SECRETARY OF
8 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL
9 OR REJECTION A PROPOSED AMENDMENT TO ARTICLE II,
10 SECTION 18, OF THE CONSTITUTION OF THE STATE OF
11 OKLAHOMA; PROVIDING FOR THE COMPOSITION OF A GRAND
12 JURY AND THE NUMBER CONCURRING TO FIND AN INDICTMENT
13 OR TRUE BILL; PROVIDING FOR CONVENING OF A GRAND
14 JURY ON ORDER OF DISTRICT JUDGE UPON HIS OWN MOTION,
15 UPON PETITION OF QUALIFIED ELECTORS, OR UPON
16 APPLICATION OF THE ATTORNEY GENERAL; PROVIDING NUMBER
17 REQUIRED ON PETITION; AND PROVIDING THAT GRAND JURY
18 REQUESTED BY ATTORNEY GENERAL MAY INVESTIGATE
19 MULTICOUNTY CRIMINAL ACTIVITIES; PROVIDING FOR A
20 BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

21 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
22 1ST SESSION OF THE 33RD OKLAHOMA LEGISLATURE:

23 SECTION 1. The Secretary of State shall refer to the people
24 for their approval or rejection, as and in the manner provided by
25 law, the following proposed amendment to Article II, Section 18, of
26 the Constitution of the State of Oklahoma:

27 § 18. A grand jury shall be composed of twelve (12) persons,
28 any nine (9) of whom concurring may find an indictment or true bill.
29 A grand jury shall be convened upon the order of a district judge of
30 a court having the power to try and determine felonies, upon his own
31 motion; or such grand jury shall be ordered by such a district judge
32 upon the filing of a petition therefor signed by qualified electors
33 of the county equal to one percent (1%) of the population of the
34 county according to the last preceding Federal Decennial Census, with
35 the minimum number of required signatures being two hundred (200)
36 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 therefor, then any subsequent petition filed during the
same calendar year shall require double the minimum number of signa-
tures as were required hereunder for the first petition; or such

Correctly Enrolled: *A. R. McLean*
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled:

A. R. McLean
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Engrossed:

1 grand jury shall be ordered convened upon the filing of a verified
2 application by the Attorney General of the State of Oklahoma who shall
3 have authority to conduct the grand jury in investigating crimes which
4 are alleged to have been committed in said county or involving multi-
5 county criminal activities; when so assembled such grand jury shall
6 have power to inquire into and return indictments for all character
7 and grades of crime. All other provisions of the Constitution or
8 the laws of this state in conflict with the provisions of this consti-
9 tutional amendment are hereby expressly repealed.

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

13 BALLOT TITLE

14 Legislative Referendum No. 189 State Question No. 483

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 Shall a constitutional amendment

17 amending Article II, Section 18, of the Constitution of
18 the State of Oklahoma to provide for composition of grand
19 juries and means of convening grand juries on order of
20 district judge or on petition; providing that grand jury
21 convened on application of Attorney General may investigate
22 multicounty criminal activities and return indictments for
23 all character and grades of crime

24 be approved by the people?

25 YES

26 SHALL THE PROPOSED AMENDMENT BE APPROVED?

27 NO

28 SECTION 3. The President Pro Tempore of the Senate shall,
29 immediately after the adoption of this Resolution, prepare and
30 file one copy thereof, including the above ballot title, with the
31 Secretary of State, and one copy with the Attorney General.

32 SECTION 4. This proposed amendment to the Constitution of the
33 State of Oklahoma as set forth in SECTION 1 of this Resolution shall
34 be submitted to the people of Oklahoma at the next special election
35 for their approval or rejection as and in the manner provided by law.

1 Passed the Senate the 20th day of May, 1971.

2
3
4 *acting* Clifton Johnson of the Senate
5

6 Passed the House of Representatives the 1st day of June,
7 1971.

8
9
10 Frank E. Moran of the House of
11 Speaker for Tennessee Representatives
12

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
Correctly Enrolled: John R. McClure
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Engrossed: John R. McClure
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled: J. R. McCreary, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS
(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

ENR. S. J. R. NO. 23

Passed the Senate the 20th day of May, 1971, and correctly enrolled the 8th day of June, 1971.

Acting Tom Payne
President Pro Tempore of the Senate

Passed the House of Representatives the 8th day of June, 1971.

Rep. Pinner
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 10th

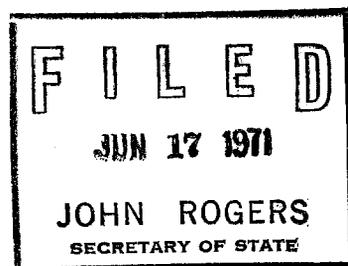
day of June, 1971,

at 9:20, 9th floor A. M.

By: John Rogers

rp

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



June 13, 1971

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

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. 1970, §9, we have examined the proposed ballot title to Enrolled Senate Joint Resolution No. 23, as passed by the first regular session of the 33rd Oklahoma Legislature, which, together with a copy of said Resolution, was delivered to him on June 10, 1971, and from said examination find that the said ballot title, as set forth therein, is not in legal form and harmony with the law. Particularly, that the ballot title as shown in said Resolution does not accurately reflect the gist of said proposal. The proposed ballot title should read, as follows:

BALLOT TITLE

Legislative Referendum Petition 189 State Question No. 483

Shall a Constitutional Amendment:

amending Article II, §18, of the Constitution of the State of Oklahoma to provide for composition of grand juries; providing that grand juries be convened upon the filing of a petition signed by the qualified electors of a county; establishing numerical signature requirements for the sufficiency of such petitions; allowing the Attorney General to convene and conduct grand juries, upon the filing of a verified application, to

