

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 5

BY: TERRILL, SMALLEY, SMITH,
BRECKINRIDGE, HOWARD, KEELS,
PIERCE, WOLFE and FUNSTON
of the SENATE

and

FERRELL, TRENT, THORNHILL,
TOWNSEND, SMITH, FRATES, GOODEN,
PRENTICE, WIXSON, KEATING and
DRAPER of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT OF SECTION 3 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF OKLAHOMA RELATING TO NUMBER OF VOTES NEEDED IN ELECTIONS ON INITIATIVE MEASURES TO MAKE THEM EFFECTIVE; PROVIDING A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 34TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 3 of Article V of the Constitution of the State of Oklahoma, to read as follows:

§ 3. Referendum petitions shall be filed with the Secretary of State not more than ninety (90) days after the final adjournment of the session of the Legislature which passed the bill on which the referendum is demanded. The veto power of the Governor shall not extend to measures voted on by the people. All elections on measures referred to the people of the state shall be had at the next election held throughout the state, except when the Legislature or the Governor shall order a special election for the express purpose of making such reference. Any measure referred to the people by the initiative or referendum shall take effect and be in force when it shall have been approved by a majority of the votes

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled: *Joe R. McCarty*

cast thereon and not otherwise.

The style of all bills shall be: "Be it Enacted By the People of the State of Oklahoma."

Petitions and orders for the initiative and for the referendum shall be filed with the Secretary of State and addressed to the Governor of the state, who shall submit the same to the people. The Legislature shall make suitable provisions for carrying into effect the provisions of this article.

SECTION 2. The Ballot Title for the proposed 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 Section 3, Article V, Oklahoma Constitution, to provide that an election matter initiated directly by the people take effect and be in force after approval by a majority of the votes cast on that particular matter, as distinguished from votes cast in that election, thus eliminating the so-called "silent vote," and also thus providing the same voting requirement for measures initiated directly by the people as now exists for those referendum measures that are first considered by the Legislature

be approved by the people?

YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file one copy thereof, including the Ballot Title set forth

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

in SECTION 2 hereof, 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 of Oklahoma on the date of the next primary election or special election, whichever occurs first, at which time the proposed amendment to the Constitution of the State of Oklahoma, as 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 Senate the 30th day of April, 1973.

James E. Hammett
President *Pro Tempore* of the Senate

Passed the House of Representatives the 18th day of April, 1973.

Wm P. Willis
Speaker of the House of Representatives

Correctly Enrolled: John R. McCune, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled: _____, _____ Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

John R. McLean

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 8th

day of May, 1973,

at 10 o'clock P.M.

John Rogers

By: _____

STATE
OF
OKLAHOMA
THE ATTORNEY GENERAL
LARRY DERRYBERRY

STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105, TELEPHONE 405/521-3921



May 10, 1973

AMENDED LETTER

The Honorable 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. 1972 Supp., §9, that he has examined the proposed ballot title to Referendum No. 198, referred to this office by Enrolled Senate Joint Resolution No. 5, and from said examination finds that the said ballot title contained therein is in legal form and harmony with the law and does accurately reflect the gist of said proposal. That ballot title reads as follows:

BALLOT TITLE

Legislative Referendum No. 198 State Question No. 495

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

"Shall a Constitutional amendment

"Amending Section 3, Article V, Oklahoma Constitution, to provide that an election matter initiated directly by the people take effect and be in force after approval by a majority of the votes cast on that particular matter, as distinguished from votes cast in that election, thus eliminating the so-called 'silent vote,' and also thus providing the same voting requirements for measures initiated directly by the

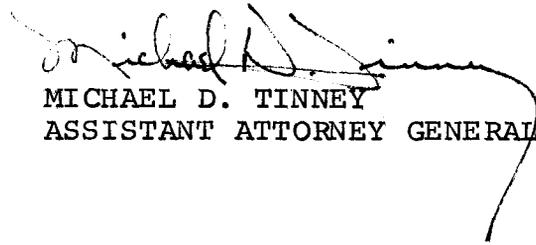
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May 10, 1973

people as now exists for those referendum measures
that are first considered by the Legislature

"be approved by the people?

"SHALL THE PROPOSED AMENDMENT BE APPROVED YES
 NO"

Yours very truly,


MICHAEL D. TINNEY
ASSISTANT ATTORNEY GENERAL

MDT:mjw