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
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
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.

[Signature]
President of the Senate

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

[Signature]
Speaker of the House of Representatives
ENR. S. J. R. NO. 5

Page 4

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 8th day of May, 1973, at 10 o'clock P.M.

By:

34-5227  113-01  rp
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
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