

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 11

BY: TERRILL, McCUNE, GARRETT,
BRECKINRIDGE, SMALLEY,
TALIAFERRO, FUNSTON and
HOWELL of the SENATE

and

RIGGS, WILLIS, BOETTCHER,
ATKINS, MATHESON, FORD,
DENMAN, YORK, KILPATRICK,
MISKELLY, TAGGART and KEATING
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 10 OF ARTICLE VI OF THE OKLAHOMA CONSTITUTION; AUTHORIZING AND DIRECTING THE LEGISLATURE TO CREATE A STATE PARDON AND PAROLE BOARD; CONTINUING THE PRESENTLY CONSTITUTED BOARD UNTIL SUCH CREATION; GRANTING CLEMENCY AUTHORITY TO THE GOVERNOR; PROVIDING A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND 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 of Section 10 of Article VI of the Constitution of the State of Oklahoma, to read as follows:

§ 10. The Legislature is hereby authorized and directed to create a State Pardon and Parole Board to be composed of not less than three nor more than five members who shall devote their full time to serving thereon.

The Board shall be appointed as provided by law, by and with the consent of the Senate, during the next regular legislative session after the adoption of the amendment to this section. The now existing Pardon and Parole Board shall continue to function until the Legislature shall create the successor State Pardon and Parole Board. The State Pardon and Parole Board shall have such

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled:

A. R. McCune

composition, membership, selection method of membership, qualifications, terms of office, compensation of members, powers and duties and shall be subject to such other provisions as may be necessary to effectuate the purposes of this section. The State Pardon and Parole Board shall have the exclusive authority to grant and to revoke paroles.

The Governor shall have the power to grant, after conviction and after favorable recommendation by a majority vote of the said Board, commutations and pardons for all offenses, except cases of impeachment, upon such conditions and with such restrictions and limitations as he may deem proper, subject to such regulations as may be prescribed by law. The Governor shall have power to grant, after conviction, reprieves, or leaves of absence not to exceed sixty (60) days, without the action of said Board.

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 Section 10 of Article VI of the Constitution of the State of Oklahoma, authorizing and directing the Legislature to create a State Pardon and Parole Board of not less than three members nor more than five members to be appointed as provided by law, by and with the consent of the Oklahoma State Senate, with such membership qualifications, terms of office, compensation of members, powers and duties and subject to other provisions necessary to effectuate the purposes of Section 10; continuing temporarily the present Pardon and Parole Board; and authorizing the Governor, after favorable recommendation of the Board, to grant pardons and commutations

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

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 next primary runoff in September of 1974, 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 13th day of March, 1974.

Acting [Signature]
President of the Senate

Passed the House of Representatives the 19th day of March, 1974.

[Signature]
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 27th
day of March, 1974,
at 4:00 o'clock P. M.

By: [Signature]

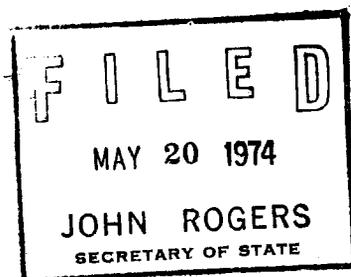
Correctly Enrolled: [Signature] Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

STATE
OF
OKLAHOMA
THE ATTORNEY GENERAL
LARRY DERRYBERRY

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



March 28, 1974



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. 1971, §9, he has examined the proposed Ballot Title for Enrolled Senate Joint Resolution No. 11, of the Second Regular Session of the 34th Oklahoma Legislature, which, together with a copy of said Resolution was delivered to him on March 27, 1974, and from said examination finds that the submitted Ballot Title is in legal form and harmony with the law and does accurately and fully reflect the gist of said proposal. Therefore the following Ballot Title is approved for Enrolled Senate Joint Resolution No. 11 and reads, as follows:

BALLOT TITLE

Legislative Referendum 202

State Question No. 502

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment:

Amending Section 10 of Article VI of the Oklahoma
Constitution, authorizing and directing the Legis-
lature to create a full time State Pardon and Parole

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The Honorable John Rogers
Secretary of State
March 28, 1974

Board of not less than three nor more than five members to be appointed as provided by law, by and with the consent of the Senate, with membership, qualifications, terms of office, compensation, powers and duties and subject to other provisions necessary to effectuate the purposes of Section 10; continuing temporarily the present Board; and providing the Board exclusive authority to grant and revoke paroles,
be approved by the people?

YES

SHALL THE PROPOSED AMENDMENT BE APPROVED:

NO

Yours very truly,

Larry Derryberry

LARRY DERRYBERRY
ATTORNEY GENERAL OF OKLAHOMA

Mike D. Martin

MIKE D. MARTIN
ASSISTANT ATTORNEY GENERAL

MDM:cw