

ENROLLED SENATE JOINT RESOLUTION NO. 18
ENACTED BY THE FIRST REGULAR SESSION OF
THE THIRTY-SIXTH LEGISLATURE OF OKLAHOMA

NUMBERED BY THE SECRETARY OF STATE:
LEGISLATIVE REFERENDUM NO. 220, STATE QUESTION NO. 526

RECEIVED: May 12, 1977

A Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 18

BY: HOWELL, PORTER and
BERRONG of the SENATE

and

ABBOTT 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 SECTION 5 OF ARTICLE I OF THE OKLAHOMA CONSTITUTION; PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF PUBLIC SCHOOLS; PROVIDING CERTAIN CRITERIA; REMOVING CERTAIN CONSTRUCTION THAT DID NOT PROHIBIT THE ESTABLISHMENT OF SEPARATE SCHOOLS; PROVIDING FOR BALLOT TITLE; AND DIRECTING FILING.

Correctly Enrolled: *Ray DeBor* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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

1 ENGROSSED SENATE
JOINT
2 RESOLUTION NO. 18

BY: HOWELL, PORTER and
BERRONG of the SENATE

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10 A JOINT RESOLUTION DIRECTING THE SECRETARY OF
11 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR
12 REJECTION A PROPOSED AMENDMENT TO SECTION 5 OF
13 ARTICLE I OF THE OKLAHOMA CONSTITUTION; PROVIDING
14 FOR THE ESTABLISHMENT AND MAINTENANCE OF PUBLIC
15 SCHOOLS; PROVIDING CERTAIN CRITERIA; REMOVING
16 CERTAIN CONSTRUCTION THAT DID NOT PROHIBIT THE
17 ESTABLISHMENT OF SEPARATE SCHOOLS; PROVIDING FOR
18 BALLOT TITLE; AND DIRECTING FILING.

19 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
20 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to Section 5 of Article I of the
24 Constitution of the State of Oklahoma to read as follows:

25 Section 5. Provisions shall be made for the establishment and
26 maintenance of a system of public schools, which shall be open to all
27 the children of the state and free from sectarian control; and said
28 schools shall always be conducted in English: Provided, that nothing
29 herein shall preclude the teaching of other languages in said public
30 schools:---And-Provided,-further,-that-this-shall-not-be-construed-to
31 prevent-the-establishment-and-maintenance-of-separate-schools-for
32 white-and-colored-children.

33 SECTION 2. The Ballot Title for the proposed Constitutional
34 amendment as set forth in SECTION 1 of this resolution shall be in
35 the following form:

36 BALLOT TITLE

Correctly Engrossed:
Chairman, Committee on Engrossed and Enrolled Bills

[Handwritten signatures and initials]

1 Legislative Referendum No. _____ State Question No. _____

2 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

3 Shall a Constitutional amendment
4 amending Section 5 of Article I of the Constitution of
5 the State of Oklahoma which provides for the
6 establishment and maintenance of public schools open to
7 all children by removing the construction that did not
8 prohibit the establishment and maintenance of separate
9 schools for white and colored children
10 be approved by the people?

11
12 SHALL THE PROPOSED AMENDMENT BE APPROVED?

13 YES, FOR THE AMENDMENT

14 NO, AGAINST THE AMENDMENT

15
16 SECTION 3. The President Pro Tempore of the Senate shall,
17 immediately after the effective date of this resolution, prepare and
18 file one copy thereof, including the Ballot Title set forth in
19 SECTION 2 hereof, with the Secretary of State and one copy with the
20 Attorney General.

21 Passed the Senate the 14th day of March, 1977.

22
23
24 *acting* Frank A. Waller
25 President of the Senate

26 Passed the House of Representatives the 11th day of May,
27 1977.

28
29 Wm P Willis
30 Speaker of the House of
31 Representatives

Correctly Engrossed: *Wm P Willis*
Correctly Enrolled: *Frank A Waller*
Chairman Committee on Engrossed and Enrolled Bills

Correctly Enrolled: *[Signature]*, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS
(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

Passed the Senate the 14th day of March, 1977, and correctly enrolled the 11th day of May, 1977.

[Signature]
President of the Senate

Passed the House of Representatives the 11th day of May, 1977.

[Signature]
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 12th

day of May, 1977,

at 2:45, o'clock P. M.

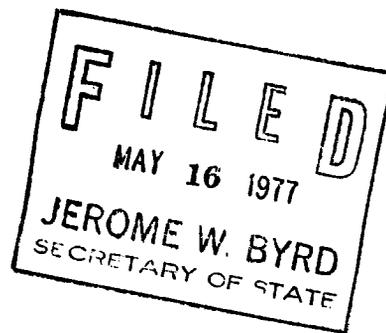
By: *[Signature]*
Jerome W. Byrd

STATE
OF
OKLAHOMA
THE ATTORNEY GENERAL
LARRY DERRYBERRY

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



May 16, 1977



The Honorable Jerome W. Byrd
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Mr. Byrd:

You are hereby notified that, pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. Supp. 1976, § 9, he has examined the proposed ballot title to Enrolled Senate Joint Resolution No. 18 of the First Regular Session of the Thirty-sixth Oklahoma Legislature, and from said examination finds that said ballot title is not in legal form and harmony with the law. Therefore, the Attorney General submits the following ballot title which, in his opinion, is in legal form and in harmony with the law.

BALLOT TITLE

State Question No. _____ Legislative Referendum No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment

amending Section 5 of Article I of the Constitution of the State of Oklahoma which provides for the establishment and maintenance of a system of public schools open to all children of the State by deleting the provision which states that the language of Section 5 of Article I shall not be construed to prevent the establishment and maintenance of separate schools for white and colored children

The Honorable Jerome W. Byrd
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May 16, 1977

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

YES - FOR THE AMENDMENT

NO - AGAINST THE AMENDMENT

Yours very truly,

Mike D. Martin

MIKE D. MARTIN
ASSISTANT ATTORNEY GENERAL

MDM:sw