

ENROLLED SENATE JOINT RESOLUTION NUMBER 51
ENACTED BY THE SECOND REGULAR SESSION OF THE
THIRTY-NINTH LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE
LEGISLATIVE REFERENDUM NUMBER 244, STATE QUESTION NUMBER 576
RECEIVED: April 5, 1984

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 51

BY: MILLER and BRANCH of the
SENATE
and
JOHNSON (Glen) 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 18 OF ARTICLE II OF THE OKLAHOMA CONSTITUTION, WHICH RELATES TO GRAND JURIES; INCREASING NUMBER OF QUALIFIED ELECTORS WHO MUST SIGN PETITION REQUESTING THAT A GRAND JURY BE ORDERED; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 39TH 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 18 of Article II of the Constitution of the State of Oklahoma, to read as follows:

Section 18. A grand jury shall be composed of twelve (12) persons, any nine ~~(9)~~ of whom concurring may find an indictment or true bill. A grand jury shall be convened upon the order of a district judge upon his own motion; or such grand jury shall be ordered by a district judge upon the filing of a petition therefor signed by qualified electors of the county equal to ~~one percent~~ ~~(1%)~~ two percent (2%) of the population of the county according to the last preceding Federal Decennial Census, with the minimum number of required signatures being ~~two-hundred~~ ~~(200)~~ four hundred (400) and the maximum being ~~five-hundred~~ ~~(500)~~ eight hundred (800); 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 signatures as were required hereunder for the first petition; or such grand jury shall be ordered convened upon the filing of a verified application by the Attorney General of the State of Oklahoma who shall have authority to conduct the grand jury in investigating crimes which are alleged to have been committed in said county or involving multicounty criminal activities; when so assembled such grand jury shall have power to inquire into and return indictments for all character and grades of crime. All other provisions of the Constitution or the laws of this state in conflict with the provisions of this constitutional amendment are hereby expressly repealed.

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 18 of Article II of the Constitution of the State of Oklahoma by increasing the number of qualified electors who must sign a petition requesting that a grand jury be ordered to a number equal to two percent (2%) of the population of the county with the minimum number of required signatures being four hundred (400) and the maximum being eight hundred (800)

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

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.

Correctly Enrolled _____

John R. McClure

Passed the Senate the 3d day of April, 1984.

Merrill Cook
President Pro Tempore of the Senate

Passed the House of Representatives the 21st day of March, 1984.

Mike Murphy
Speaker Pro Tempore of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

4th day of April, 1984,

at 4:15 o'clock P. M.

By: E. M. Flipse



MICHAEL C. TURPEN
ATTORNEY GENERAL
STATE OF OKLAHOMA
STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105

RECEIVED

JUL 30 1984

OKLAHOMA SECRETARY
OF STATE

July 30, 1984

The Honorable Jeanette B. Edmondson
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma 73105

Re: Ballot Title for Legislative Referendum No. 244, State
Question Number 576

Dear Secretary Edmondson:

The Attorney General has received your letter dated July 26, 1984, requesting review of the subject Ballot Title as required by 34 O.S.Supp.1983, § 9.

The Ballot Title as proposed by you and approved by the Superintendent of Public Instruction, the Speaker of the House of Representatives and the President Pro Tempore of the Senate, reads as follows:

"BALLOT TITLE

"This measure would amend the Oklahoma Constitution. It would amend Section 18 of Article II. This section relates to the grand jury. The grand jury would be ordered by a district judge upon his own motion or upon filing of a petition. The measure would increase the percentage of qualified electors who must sign the petition. The increase would be from one percent (1%) to two percent (2%) of the population of the county. The measure would increase the minimum number of signatures required for the petition. The increase would be from two hundred (200) to four hundred (400). It would increase the maximum number of signatures required from four hundred (400) to eight hundred (800).

"SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?"

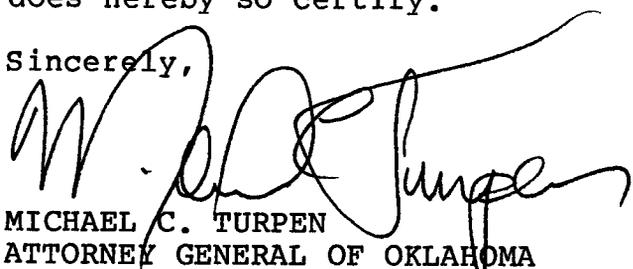
The Honorable Jeanette B. Edmondson
July 30, 1984
Page Two

" () Yes, for the amendment

" () No, against the amendment"

The Attorney General has reviewed your proposed official Ballot Title for Legislative Referendum No. 244, State Question No. 576 for legal correctness, and finds that the title is in legal form and in harmony with the law, and does hereby so certify.

Sincerely,



MICHAEL C. TURPEN
ATTORNEY GENERAL OF OKLAHOMA

:lmd