

Chapter Preview

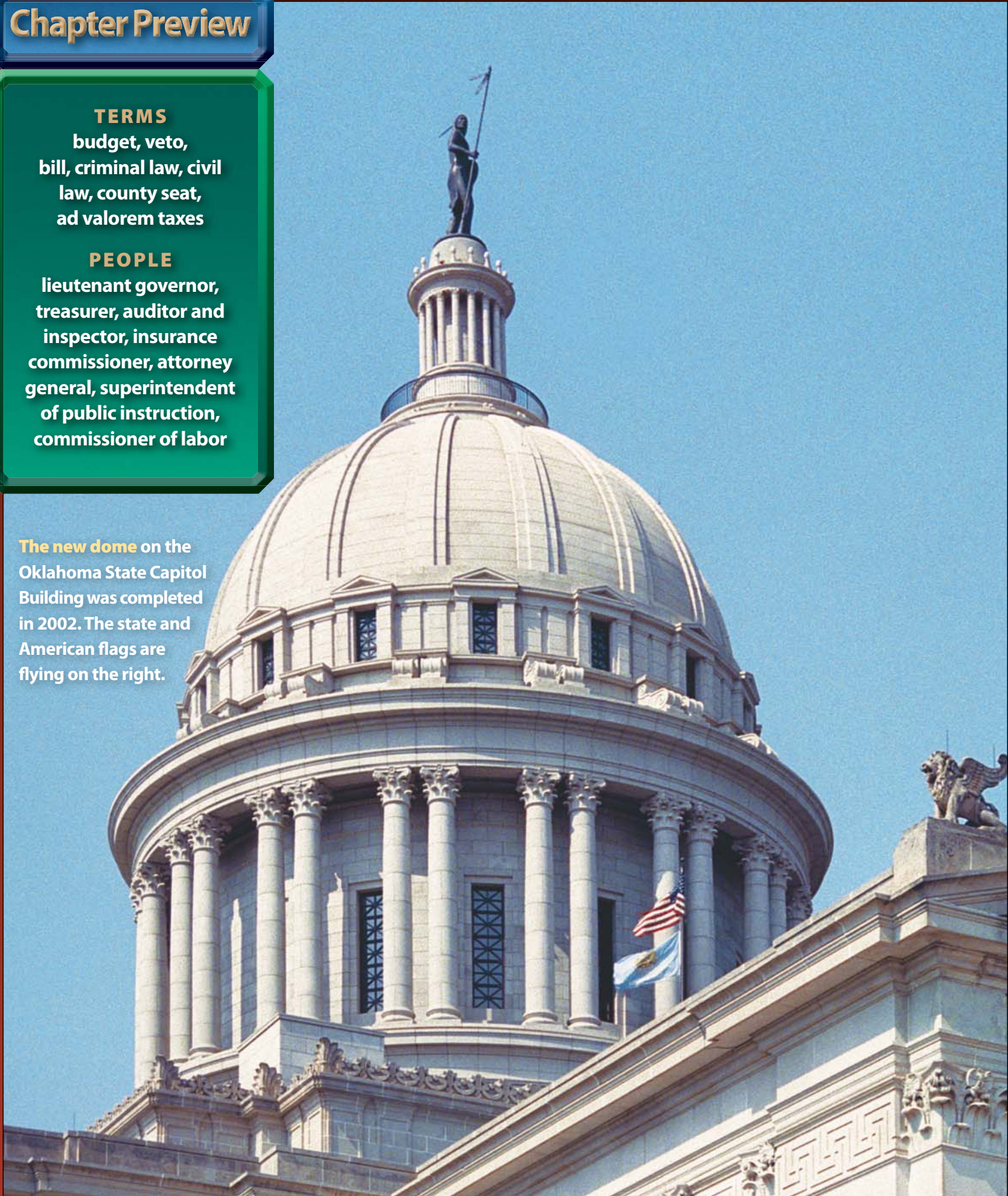
TERMS

budget, veto,
bill, criminal law, civil
law, county seat,
ad valorem taxes

PEOPLE

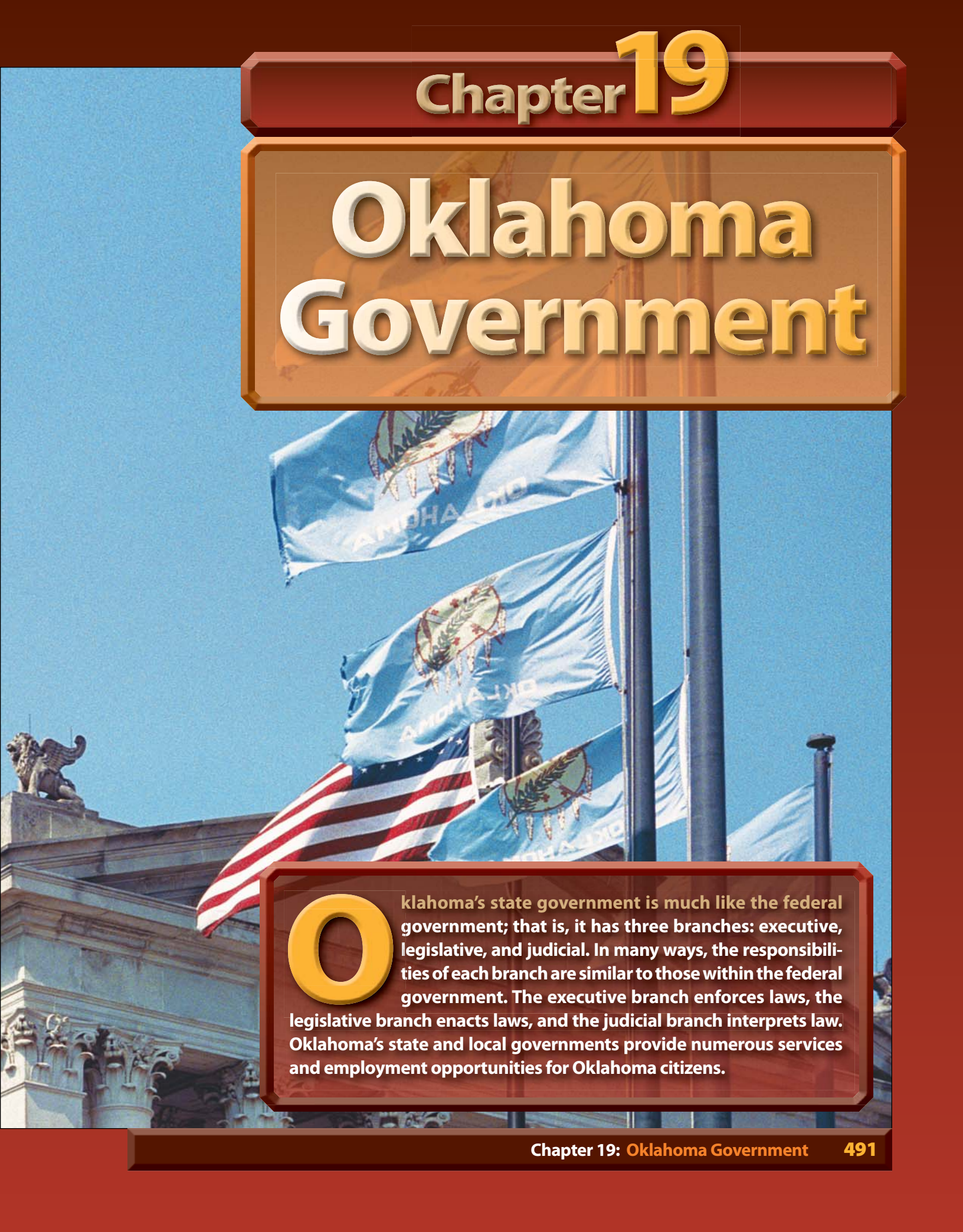
lieutenant governor,
treasurer, auditor and
inspector, insurance
commissioner, attorney
general, superintendent
of public instruction,
commissioner of labor

The new dome on the Oklahoma State Capitol Building was completed in 2002. The state and American flags are flying on the right.



Chapter 19

Oklahoma Government



Oklahoma's state government is much like the federal government; that is, it has three branches: executive, legislative, and judicial. In many ways, the responsibilities of each branch are similar to those within the federal government. The executive branch enforces laws, the legislative branch enacts laws, and the judicial branch interprets law. Oklahoma's state and local governments provide numerous services and employment opportunities for Oklahoma citizens.

Signs of the Times

GOVERNMENT

Our state constitution provides for amendment by initiative petition and by legislative referendum. Through 2002, over 175 amendments have been adopted. Residents eighteen years and older elect the people who govern our state. In addition to elected officials, hundreds of people are appointed to serve on agencies, boards, and commissions. Almost 70,000 Oklahomans are employed by the state.

ARCHITECTURE

The Capitol, designed by architects Solomon Layton and S. Wemyss Smith in the Greco-Roman style, contains 650 rooms and occupies 11 acres of floor space. Construction was begun July 20, 1914, and completed June 30, 1917. The building is made of white Indiana limestone with pink granite from Troy and black granite from Cold Springs. The floors and wall bases are marble from Alabama and Vermont. A dome, topped with a 22-foot-tall bronze American Indian warrior, was dedicated November 16, 2002.

EDUCATION

In 2011, Oklahoma had 524 school districts and 616,774 kindergarten through 12th grade students and 51,388 certified staff. The Career Technology program includes 29 centers on 57 campuses, 395 comprehensive school districts, 16 skill centers, and business and industry training at 6,721 industries. The CareerTech system enrollment was 503,780 in 2011. The higher education system includes 25 colleges and universities, and enrollment in the fall of 2011 was 193,552.

TRANSPORTATION

Oklahoma has a total of 112,724 miles of public roads and 6,728 bridges on the highway system. Three major interstates crisscross the state—I-35, I-40, and I-44. The state also has ten toll roads, equaling 610 miles. In addition, there are 85,234 miles of county roads, 14,313 miles of city roads, and 284 miles of park roads. The seventeen railway companies operate on 3,853 miles of track. There are 123 publicly owned airports.

Figure 21 Timeline: 1900–Present



<p>1907 Oklahoma became 46th state</p>	<p>1914 State Capitol designed and built</p>	<p>1925 Oklahoma flag design adopted</p>	<p>1928 Governor's mansion dedicated</p>	<p>1953 "Oklahoma!" adopted as state song</p>	<p>2002 Dome atop State Capitol completed</p>	<p>2007 Oklahoma centennial celebrated</p>
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1900 1920 1940 1960 1980 2000 2020

<p>1906 Congress created Yosemite National Park</p>	<p>1931 "The Star-Spangled Banner" became national anthem</p>	<p>1965 Medicare established</p>	<p>1993 Congress passed NAFTA</p>	<p>2002 U.S. Department of Homeland Security established</p>
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MUSIC

Our official state song is "Oklahoma!" from the musical of the same name. Other official musical categories include: Children's song, "Oklahoma, My Native Land"; Country and western song, "Faded Love"; Folk song, "Oklahoma Hills"; Folk dance, Square dance; Musical instrument, Fiddle; Percussive musical instrument, Drum; Waltz, "Oklahoma Wind"; and Western band, "The Sounds of the Southwest."

Section 1

State Government

Something Extra!

Only New Mexico (1912), Arizona (1912), Alaska (1959), and Hawaii (1959) are “younger” than Oklahoma.

As you read, look for

- the structure of each branch of government,
- the responsibilities of each branch of government,
- how a bill becomes law, and
- vocabulary terms **budget**, **veto**, **bill**, **criminal law**, and **civil law**.

Oklahoma officially became the 46th state in the United States on November 16, 1907, making it one of the youngest states in the union. The state still operates under the original constitution adopted at statehood, with over 175 amendments. It remains one of the longest state constitutions and includes provisions for initiatives and referendums similar to other western states.

Oklahoma’s constitution and government were shaped by the progressive movement of the early twentieth century. The Oklahoma constitution states that all political power in the state is “inherent in the people; and government is instituted for their protection, security, and benefit, and to promote their general welfare; and they have the right to alter or reform the same whenever the public good may require it: Provided, such change be not repugnant to the Constitution of the United States.”

Executive Branch

Oklahoma’s executive branch consists of the following state officials: governor, lieutenant governor, secretary of state, state auditor and inspector, attorney general, state treasurer, superintendent of public instruction, commissioner of labor, commissioner of insurance, and any others provided by law. Each of these officials, except for the secretary of state, is elected by popular vote and serves a four-year term. The secretary of state, however, is appointed by the governor, with the consent of the state senate, for a term of four years, running consecutively with the governor’s term. The responsibility of each official is outlined in the Oklahoma constitution.



Mary Fallin, Oklahoma’s first female governor, took office in 2011. She was also our state’s first female and first Republican lieutenant governor.



Persons who are thirty-one years of age or older and who have been voting citizens in Oklahoma for at least ten years are eligible to hold office in the executive branch. Elected officials assume office the second Monday of January following the November election. Elected officials in the executive branch may succeed themselves in office; however, no person can be elected governor for more than two consecutive terms.

Members of the governor's cabinet include the secretaries of state, finance, energy, veterans affairs, agriculture, commerce, education, environment, health and human services, military, safety and security, science and technology, transportation, and human resources and administration, as well as the chief information officer.

Governor

Oklahoma's **governor** serves as the chief executive of the state. At the beginning of each legislative session, the governor presents the budget recommendations and reports on the overall condition of the state. (A **budget** is a plan for receiving and spending money.) The Oklahoma constitution calls for the governor to "faithfully execute" all business of the state with other states and the federal government. The constitution also designates the governor as the commander in chief of the state militia, which may be used to protect the public health and safety of the state's citizens.

Top: The Governor's Mansion, seen here with its Christmas lights, was dedicated in 1928. It went through a major renovation in 1995. Above: A color postcard of the Governor's Mansion from the 1940s.

Spotlight

Governor Firsts

Robert Samuel Kerr, a Democrat born near Ada in what was then Indian Territory, was the first native-born governor in Oklahoma. He served from 1943 to 1947 and later became a U.S. senator famous for the McClellan-Kerr Arkansas River Navigation System.

Raymond Dancel Gary, a Democrat born on a farm between Kingston and Madill, was the first governor to be born in Oklahoma after statehood. He served one term, from 1955 to 1959, after serving fourteen years in the Oklahoma Legislature.

Henry Louis Bellmon was the first Republican elected governor of Oklahoma, serving from 1963 to 1967. Born in Tonkawa, Bellmon also served two terms in the U.S. Senate, from 1968 to 1980, and was then reelected governor for one term in 1986.

George Patterson Nigh was the first governor to serve two consecutive terms in that office. Born in McAlester, Nigh was serving as lieutenant governor when he was elected governor in 1978. He was reelected to that office in 1982.

In 2011, Mary Fallin became our state's first woman governor. Before that, she served twelve years as Oklahoma's first female and first Republican lieutenant governor.

The governor is also part of the lawmaking process. Every bill passed by the Legislature during the regular session and prior to adjournment must be presented to the governor before it becomes law. The governor can either sign the bill into law or **veto** it (not approve or sign into law). Any bill that is vetoed is returned to the Legislature, which can override the governor's veto by a two-thirds vote to make it law.

In addition, the governor has legal powers relating to convicted criminals. The State Pardon and Parole Board makes recommendations to the governor on commutations, pardons, and paroles for all offenses, except impeachment. It is then the governor's responsibility to either accept or reject those recommendations.

Should any state office become vacant, the governor appoints someone to fill the vacancy until a successor can be duly elected by the people. Some appoint-

ments require the advice and consent of the Oklahoma senate, while others do not.

The governor also has many informal powers, such as making appointments to various boards and executive offices within the Oklahoma government. Oklahoma currently has approximately 150 boards and councils serving advisory and statutory roles.

Lieutenant Governor

The position of the **lieutenant governor** in Oklahoma is similar to that of the vice president of the United States, serving in place of the governor when the chief executive leaves the state, becomes incapacitated, or resigns. Oklahoma's lieutenant governor also serves as the president of the Oklahoma state senate, casting a vote in the event of a tie and presiding over joint sessions of the Legislature. And the lieutenant governor presides over or is a member of ten state boards and commissions.

Unlike the president and vice president of the United States, the governor and lieutenant governor are elected on separate ballots

Something Extra!

"Advice and consent" is the power of the senate to be consulted on and approve appointments made by the governor to certain public positions.

and conduct individual campaigns. This means that the governor and the lieutenant governor may be members of opposite parties.

Other Elected Officials

The Oklahoma state **treasurer** ensures that all the public's money is properly accounted for once it has been collected or distributed. The state treasurer's office receives approximately \$9 billion each year, including state tax revenues, such as income taxes; federal funds, such as matching funds for highway construction; and other tax revenues, such as the motor fuel tax. The treasurer distributes state funds and invests money that is not immediately needed to fund government operations.

The **state auditor and inspector** reviews Oklahoma government activities to ensure they are operated effectively, efficiently, and legally. The overall mission of this state official is to provide independent, unbiased, and accurate oversight for state and local government bodies.

The **insurance commissioner** directs the Oklahoma Insurance Department, which is responsible for providing Oklahomans with service, protection, education, and oversight in insurance and related industries. The commissioner's office enforces the state's insurance laws and regulations, issues insurance licenses, and handles consumer complaints and inquiries.

The **attorney general** represents the legal interest of the state and is the state's chief legal officer. The attorney general is also involved with consumer protection, environmental protection, fraud (intentional deception), and public utility regulation.

The **superintendent of public instruction** oversees the Oklahoma State Department of Education, whose mission is "to improve student success through service to schools, parents and students; leadership for education reform; and regulation/deregulation of state and federal laws to provide accountability while removing any barriers to student success."

The **commissioner of labor** is responsible for the enforcement of those labor laws that promote fairness and equity in the workforce, including state wage laws, worker's compensation, state OSHA laws for public employers, asbestos compliance, and child labor laws.

Three individuals serve as commissioners at the Oklahoma Corporation Commission. Their primary responsibility is to regulate public utilities, except those under municipal or federal jurisdiction or exempt from regulation; oil and gas drilling, production, and environmental protection; the safety aspects of motor carrier, rail, and pipeline transportation; and the environmental integrity of petroleum storage tank systems.



Todd Lamb, a native of Enid, was elected lieutenant governor in 2010. Lamb served in the Oklahoma senate from 2004-2010, and prior to that was a special agent with the U.S. Secret Service.



The 101 members of the Oklahoma house of representatives meet in this chamber in the State Capitol.

Something Extra!

Approved in 1985, Oklahoma's Rainy Day Fund helps protect against economic downturns. During good years, excess revenue is added to the fund. The fund is tapped when revenues cannot support state operations.

Legislative Branch

The Oklahoma constitution gives the state's lawmaking power to the state Legislature. The Legislature is bicameral and has a senate and a house of representatives. Currently, there are 101 members of the house and 48 members of the senate.

Members of the house of representatives must be twenty-one years of age, and senators must be twenty-five years of age before taking office. During their terms of office, legislators must reside in and be eligible to vote in their legislative districts.

The Legislature meets annually starting at noon on the first Monday in February. It must be finished by 5:00 p.m. on the last Friday in May each year. In odd-numbered years, the regular session also includes one day in January—the first Tuesday following the first Monday. Extraordinary (or special) sessions may be called by the governor or the Legislature throughout the remainder of the year.

Each house of the Legislature is organized independently. Members of the senate serve staggered four-year terms, while members of the house of representatives serve two-year terms and are elected every even-numbered year. By law, the lieutenant governor is president of the senate, but that role is limited to presiding over special sessions or breaking tie votes. The *president pro tem* of the senate is elected by members of the majority party and sets the agenda for the senate. The speaker of the house is elected by the members of the majority party and sets the agenda for the house of representatives.



How a Bill Becomes Law

Both the senate and the house consider four types of legislation: **bills** (proposed laws) that can become law if passed by both houses and signed by the governor; *joint resolutions*, which have the force and effect of law when they are passed by both houses, but which may not become part of the statutes (laws); *concurrent resolutions*, which indicate the will of both houses; and *simple resolutions* that show the will of the house of origin.

Only members of the senate or the house can introduce legislation during the legislative session. Let's suppose that a bill is first introduced by being read in the house of representatives (called the first reading). The following day, it is assigned to a committee in the house (second reading). After the assigned committee studies the bill, the bill is printed with any committee changes and then returned to the full membership of the house (third reading). If the bill is passed by the house, it is then reprinted with any changes and sent to the senate, where the same process is repeated. Any amendments made by the senate are considered and, if those changes are agreed to by the house of representatives, the bill is printed in its final form and voted on again (fourth reading). If the bill is approved by both houses, it is sent to the governor to sign into law. If the two houses cannot agree on proposed changes, legislation is sent to a conference committee, which consists of members from both the house and the senate. It then goes back to both houses for a vote and to the governor.

The 48 members of the Oklahoma senate meet in this chamber in the State Capitol.

Something Extra!

The title of each bill must explain its provisions and always begins with the phrase "An Act relating to ..."

Something Extra!

In Oklahoma, November 11 has been designated “Veterans Day,” and the week in which November 11 falls has been designated “Celebrate Freedom Week” for public schools in our state.

Bills can be carried over between regular sessions of the Legislature. In other words, bills introduced in the odd-numbered years can generally be considered in the following session. However, all bills not passed in that second session die; to be considered, they must be reintroduced in the next legislative session.

Legislative Committees

Much of the work of the Legislature is completed by the various committees. Like Congress, members of the Oklahoma house and senate serve on several committees, which review bills originating there. About three thousand bills are introduced each legislative session, and the committee structure makes it more efficient for legislators to discuss individual bills.

Many of the committees—called *standing committees*—are permanent, lasting from one session to the next. The senate has eighteen standing committees, and the house has twenty-five standing committees. Some examples of standing committees include appropriations, education, agriculture and rural development, and transportation.

Other committees are established for special tasks and last only as long as they are needed. These include the *conference committee*, which is appointed when the house and the senate pass different versions of the same bill. Members of the conference committee work together to reach consensus on the differences and draft one final bill that is satisfactory to both houses. A *joint committee* is made up of members from both houses who work cooperatively on an assigned topic or issue.

Judicial Branch

The justice system of every state revolves around its court system. In Oklahoma, this system is made up of the supreme court, the court of criminal appeals, the court of civil appeals, and the district courts. The Oklahoma supreme court has nine justices, the court of criminal appeals has five judges, and the court of civil appeals has twelve judges. Members of these courts are appointed by the governor from a list of three names selected by the Oklahoma Judicial

Nominating Committee. Oklahoma has twenty-six judicial districts, and district court judges are elected by local voters in each district.

Unlike most states, Oklahoma has two courts that make the final determination in cases, meaning they are the courts of last resort. The Oklahoma supreme court hears civil cases, and the Oklahoma court of criminal appeals hears criminal cases.



The Oklahoma supreme court has chambers in the new Oklahoma Judicial Center, but it still also hears cases in its former chamber in the Capitol.



Civil and Criminal Law

Criminal law cases involve investigating crimes, prosecuting defendants, and holding perpetrators accountable for their actions. Persons found guilty of criminal offenses usually receive jail or probationary sentences. Common criminal law issues include driving under the influence, robberies at gunpoint, homicide, and rape. **Civil law** cases generally involve situations where people have been harmed and some kind of financial award can help resolve the problem. Examples of civil law cases include divorce, disputes over property ownership, and disagreements over the terms of contracts.

The Oklahoma supreme court interprets both the state and federal constitutions when making a decision on civil matters. It is the final determination when the question relates only to state law, and its opinion cannot be overturned by the U.S. Supreme Court. In criminal cases, the court of criminal appeals makes the final determination. When there is a question about the jurisdiction of the two courts, the state supreme court determines which court will hear the case. Its decision is final and cannot be appealed. (To *appeal* means to take a case to a higher court for rehearing.)

Court Responsibilities

In addition, the Oklahoma supreme court oversees the state's entire judicial system. It administers the oath of office to public officials, establishes operational rules for all other courts in the state, governs the conduct of all attorneys, and disciplines members of the judiciary when necessary.

The Oklahoma Judicial Center is in the newly renovated Wiley Post Building just south of the Capitol, which formerly housed the Oklahoma Historical Society.



The Oklahoma supreme court has nine justices, each of whom serves a six-year term. Oklahoma's first black chief justice, Tom Colbert, seated second from the left, was sworn into office in January 2013.

Something Extra!

The ninety-four federal court districts are divided into twelve regional circuits. Oklahoma is part of the 10th Circuit.

One of the most important tasks of the Oklahoma supreme court is working with the federal judicial system to answer questions raised in federal court cases for which there is no Oklahoma law. Because of the number of tribal jurisdictions in Oklahoma, justices also participate in the 10th Circuit Task Force on Federal, State and Tribal Relations, which involves state, tribal, and federal judges addressing legal issues related to Native Americans.

The Oklahoma supreme court also has a commitment to educating people about issues related to the law and the judicial system,

and to providing continuing educational opportunities for judges and attorneys. As a result, the Oklahoma supreme court collaborates with the Oklahoma Indian Affairs Commission to sponsor an annual Sovereignty Symposium on historical and contemporary legal issues facing tribal, state, and federal governments. The symposium (a conference to discuss a specific topic) is recognized as the premier conference in the United States on Indian law.

Justices on the Oklahoma supreme court are selected from each of the nine judicial districts in the state. A justice must be at least thirty years of age, be a qualified voter in his or her home district for at least one year prior to appointment, and be a licensed, practicing attorney or judge for five years before the appointment. Justices must maintain their status as licensed attorneys while holding office. Justices are named for a six-year term and may be reelected to additional terms by Oklahoma voters through a *retention ballot process*. The retention ballot appears on general election ballots and is a nonpartisan, noncompetitive election process. Voters have the option to retain or not retain the justice. If a justice resigns or dies during a term, the governor appoints someone to fill the vacancy from that supreme court judicial district. Newly appointed justices who serve more than one year must stand for retention at the next regular general election.

The court of civil appeals hears the majority of civil cases in Oklahoma. The court has four divisions, and each division has three judges. Two divisions of the court are located in Oklahoma City, and two are located in Tulsa. Their opinions are released by either the court of civil appeals or the supreme court. Those released and published by the supreme court have *precedential* value, meaning that it sets a new example or rule of law that should be followed in similar cases.

The first contact most Oklahomans have with the state's judicial branch is through the district courts. The district court system replaced the old county court system and was designed to be more efficient. District court judges preside over both criminal and civil matters, hearing everything from murders and rape to divorce and will probate cases. Appeals from district courts are heard at the state level by either the Oklahoma supreme court or the Oklahoma court of criminal appeals.

Oklahoma is currently divided into twenty-six judicial districts, and most districts include at least two counties. Each district is assigned an appropriate number of judges based on population and caseload. Although counties may share a district judge, each county has its own associate district judge, and about half of the counties have at least one special judge.

District and associate judges are elected on a nonpartisan basis for a four-year term. State statutes detail where judges must live to qualify for the offices, and all judges must be registered voters and residents of the appropriate county for at least six months before filing for office. Judges must also be active practicing attorneys in Oklahoma to run for office.

Members of the judiciary and their staff are required to comply with very strict rules of ethical conduct called the Code of Judicial Conduct. As a result, judicial officers are expected to maintain a high level of integrity and independence in their actions. For example, no justice or judge can participate in political activities, hold offices in political organizations, support political candidates, or make contributions to political campaigns.



The court of criminal appeals consists of five judges who also serve six-year terms. They are the final determiners on criminal matters.

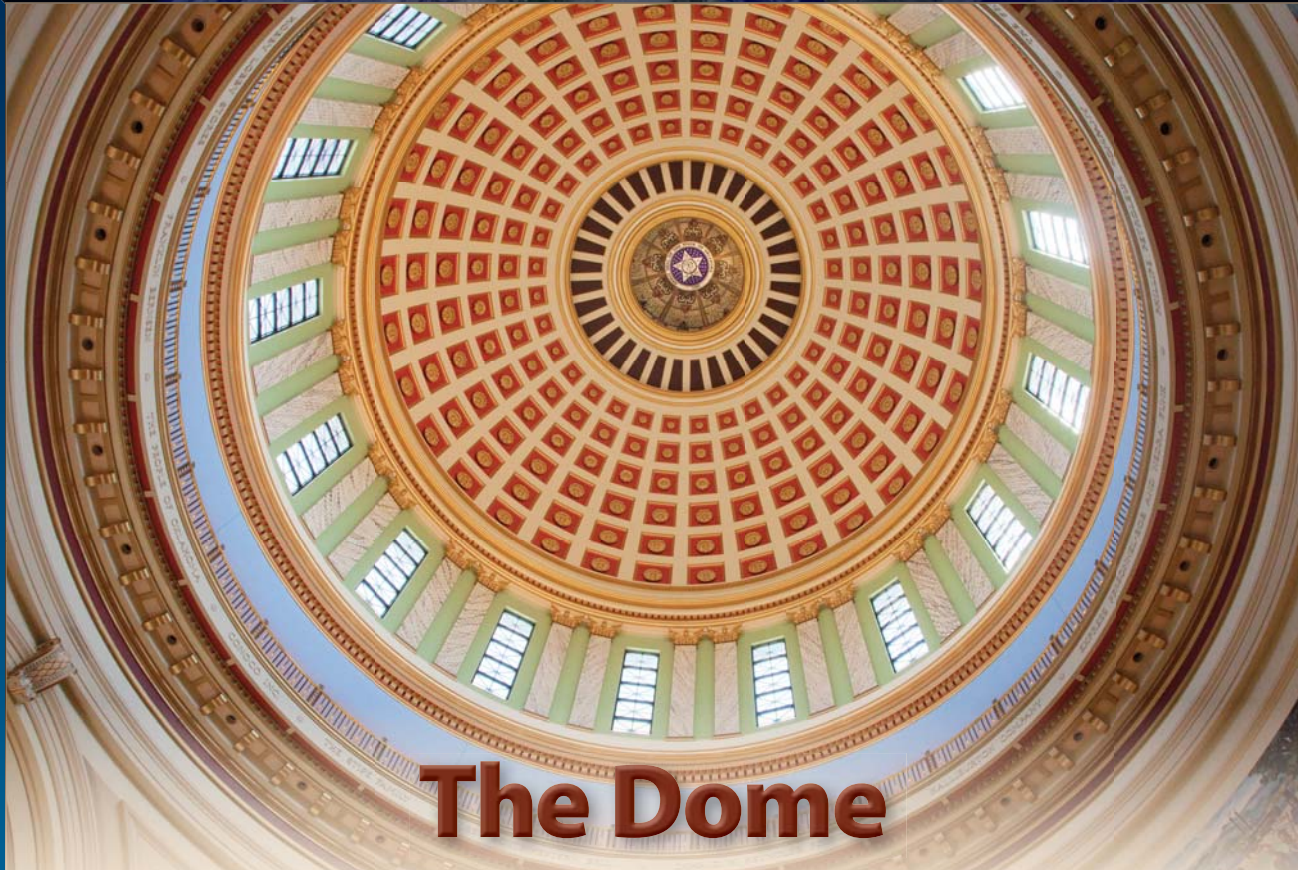
Something Extra!

The Oklahoma court of civil appeals was created by the Oklahoma Legislature in 1968 and expanded in 1982.

It's Your Turn

1. How long is the governor's elected term of office?
2. What is a budget?
3. What are the two parts of the legislative branch?
4. What are the courts of last resort in Oklahoma?

Spotlight



The Dome

When the Oklahoma State Capitol was originally designed and built in 1914, it included plans for a dome. However, the war years brought a shortage of money and building materials. So state officials opted to build a much smaller, less elaborate “saucer dome” to top the new building.

Eighty-five years later, Governor Frank Keating decided it was time to finish the Capitol building by building a dome for the state’s centennial. Working with Oklahoma architectural, engineering, and construction firms, the project was formally announced in July 2000 and completed in 2002.

The original design and construction of the Capitol included the required supports to build a dome. While construction of the actual dome incorporated modern materials and construction techniques, the dome

The interior color scheme of the dome was inspired by the colors of our state wildflower, the gaillardia.

itself is based on the original plans drafted before World War I. Today’s dome weighs approximately 5 million pounds, stands 157 feet above the building structure, and is 80 feet in diameter.

The inside of the dome reflects Oklahoma’s Native American heritage with colors from the state’s wildflower, the gaillardia, more commonly called Indian blanket. It also includes a stained glass depiction of the state seal.

The cost of building the dome was over \$20 million, compared with only \$1.5 million to build the original Capitol building. About 75 percent of the money to build the dome came from private sources.



Topping the dome is *The Guardian*, the statue of a Native American warrior. It weighs 5,980 pounds with a total height of 22 feet, 9 inches, including the lance and berm. Former State Senator Kelly Haney designed and crafted the impressive bronze statue. It took 3,000 hours, 300 linear feet of welding, 4,000 pounds of bronze, and cost about \$300,000 to create.

During ceremonies to set the statue in place, Senator Haney gave this description of *The Guardian's* role: "My lance pierces my legging and is planted in the ground. I will not be moved from my duty, from my love of Oklahoma and all of its people—people

The dome was added to the State Capitol as part of Oklahoma's centennial efforts.

who have come from far and near, people who have withstood adversities and hardships, and still stand strong and proud."

Even though many Oklahomans believed the state had the only Capitol building without a dome, there are actually more than ten state capitols without domes. However, Oklahoma was the only capitol designed to have a dome that did not build it—at least, not until eighty-five years later.

Section 2

Local Government

As you read, look for

- how county government is organized, and
- vocabulary terms **county seat** and **ad valorem taxes**.



Oklahoma City is the county seat of Oklahoma County. County government is often housed in the county courthouse. The Oklahoma County Courthouse was built in 1937 using funds from the Public Works Administration, a New Deal program.

out the responsibilities of his or her office.

County governments have traditionally performed a variety of duties mandated by the state, such as assessing the value of property, keeping records and vital statistics, maintaining rural roads and highways, and assisting the state in providing services to children and families. In addition, counties are empowered by the state to manage all local, state, and federal elections. That includes registering new voters, handling primary elections, publicizing election day procedures, mailing election information to voters, selecting voting devices, establishing polling sites, and certifying voting accuracy.

Local government in Oklahoma

is divided into two categories: counties and municipalities. Both are legal entities recognized by the Oklahoma Legislature and the state constitution.

County Government

Oklahoma has seventy-seven counties specifically named in the Oklahoma constitution, along with the **county seat** for each. (A county seat is the city or town where the county government is located.) Oklahoma law stipulates that each county must have seven county offices, each one headed by an elected county officer. Each elected officer serves a four-year term and is charged with carrying



Elected Offices

One *county commissioner* is elected from each of the three districts within the county. County commissioners serve on the board of county commissioners and act as the principal administrators of the county.

The *county clerk* is the principal record keeper for the county. All legal documents, such as deeds and mortgages, are filed with the county clerk.

The *county treasurer* serves as the chief financial officer for the county and administers all county monies. The county treasurer receives deposits and maintains records for all county monies, keeps records of all payments made by the county, and collects all county ad valorem taxes. **Ad valorem taxes** are those taxes that are based on the value of the item being taxed.

The *county assessor* determines the current value of all taxable real and personal property for ad valorem taxation.

The primary responsibilities of the *court clerk* are to record, file, and maintain district court proceedings. The court clerk collects fines, fees, and forfeitures, and distributes collected monies as provided by law.

The *county sheriff* is the chief law officer responsible for preserving the peace and protecting life and property in the county. The county sheriff apprehends persons charged with criminal activity, operates the county jail, and serves warrants and process papers from the district court.

The *district attorney* is the chief prosecutor within each of the twenty-seven districts in Oklahoma. The district attorney serves as criminal prosecutor in district court, serves as the principal legal counsel for county government, and represents the county in all civil actions or proceedings in which the county is a party.

Map 38 Oklahoma Counties

Map Skill: What is the county seat of Stephens County?

Something Extra!

Ad valorem is a Latin phrase meaning "as to value."



Tulsa, as the county seat of Tulsa County, is home to both a county government and a municipal government. Tulsa has a mayor-council form of municipal government.

Nonelected County Boards

County governments also include a number of nonelected officials. These include the following:

- county engineer,
- county safety director,
- county board of equalization,
- board of tax roll correction,
- county election board, and
- county excise board.

The county excise board is one of the most important groups because it oversees and reviews all county, school district, and city budgets to determine if they are legally and adequately funded with the revenues available. This board also reviews and approves the county budget and approves the appropriations to the funds. Members are appointed by the board of county commissioners, the commissioners of the Oklahoma Tax Commission, and a district judge, or a majority of district judges.

Municipal Government

Municipal government in Oklahoma is an outgrowth of the unusual manner in which the state was settled. When much of the Territory was opened with the land run of 1889, there was no state constitution or legal authority to establish local governments. Some areas established provisional communities, but there was nothing in place to ensure their existence or local peace. In May 1890, Congress passed the Organic Act, which gave legal status to established cities in both Oklahoma and Indian territories. A few months later, the first territorial legislature met and governed Oklahoma Territory until statehood in 1907. However, it had no authority over Indian Territory because Indian Territory was governed by the different tribes until statehood. As a result, early municipalities had little consistency in philosophy and practice.

Once Congress approved the Enabling Act in June 1906, representatives from both territories met to write the state's constitution. They adopted Section 10 of the Enabling Act, which permitted local governments to "continue their corporate existence" and allowed "all valid ordinances" to remain in place until altered, amended, or repealed.

Oklahoma cities and towns are "corporate and politic," meaning they are subdivisions of the state with governmental powers. Cities and towns are different from counties and schools districts in that they have legislative and judicial powers. However, all of them are extensions of the state government and only have the powers given them by the state legislature or state constitution.

Under Oklahoma law, incorporated areas with more than one thousand residents can choose one of the following forms of government: mayor-council (sometimes called aldermanic), council-manager, or strong-mayor-council. A community with more than two thousand



residents may become a charter city and have whatever form of government, or combination of forms, it desires. Generally, areas with less than one thousand residents are classified as “towns” and are generally governed by a board of trustees.

Financing Local Government

Local governments are supported by a variety of revenue sources, including direct revenue for operational expenses and bonds for major expenditures or capital improvements.

For counties, the ad valorem taxes on real and personal property are the principal source of income. Counties also receive revenue from various fees, sales taxes, and interest on investments and accounts.

On the local level, city sales and use taxes are the primary sources of revenue for most municipalities. City sales tax rates range from less than 1 percent to 5 percent above the state sales tax. Oklahoma cities and towns share in the state receipts of gasoline, motor vehicle, and alcohol taxes, a portion of which are returned to the local areas based on population.

The usual seat of municipal government is the city hall. The striking Ponca City city hall was designed by Solomon Andrew Layton, who also designed the Oklahoma State Capitol building. It was built in 1916.

It's Your Turn

1. How many counties does Oklahoma have?
2. What is the largest source of revenue for county government?
3. What three forms of government may municipalities use?

Chapter Review

Chapter Summary

- Oklahoma's government, like that of the federal government, has three branches: executive, legislative, and judicial.
- The state still operates under the original constitution adopted at statehood, but it has been amended over 175 times.
- The executive branch is made up of officials elected by popular vote and who serve a four-year term. The governor is the chief executive of the state. Other elected officials include the lieutenant governor, state auditor and inspector, attorney general, state treasurer, superintendent of public instruction, commissioner of labor, and commissioner of insurance.
- The governor appoints the secretary of state and other members of the cabinet. The governor also has the power to sign into law or veto each bill passed by the Legislature.
- The lieutenant governor's position in Oklahoma is similar to the vice president of the United States, serving in place of the governor when the chief executive is out of state, becomes incapacitated, or resigns. The Oklahoma constitution covers the responsibilities of all other elected state officials.
- The Oklahoma constitution gives the state's lawmaking power to the Legislature, which consists of a senate and a house of representatives.
- The judicial branch consists of the Oklahoma court system, which is made up of the supreme court, court of criminal appeals, court of civil appeals, and district courts.
- Local government in Oklahoma is divided into two categories: counties and municipalities.

Vocabulary

Write a definition for each of the following words.

1. bicameral
2. budget
3. consensus
4. empowered
5. incapacitated
6. inherent
7. repugnant

Understanding the Facts

1. What are the three branches of Oklahoma's state government?
2. How does the governor participate in the lawmaking process in Oklahoma?
3. Name two qualifications a person must meet in order to run for governor.
4. What is the current number of members in the Oklahoma house of representatives? Oklahoma senate?
5. Who presides over the Oklahoma house of representatives?
6. What two documents does the Oklahoma supreme court rely on when making a decision on civil matters?
7. Into what two categories is local government in Oklahoma divided?

Developing Critical Thinking

1. Why is it important for the governor of the state to have veto power over bills?
2. Why is it important for the Legislature to have the power to override the governor's veto?
3. Many people think we have too many elected

officials in the executive branch. Should the power of selecting some of these officials, such as superintendent of public instruction, insurance commissioner, or labor commissioner, continue to rest with the people or should the governor appoint these and possibly other officers? Defend your position.

4. Justices on the Oklahoma supreme court are appointed for a six-year term and may be reelected to additional terms by Oklahoma voters. Should the justices be appointed for life, as are the justices on the U.S. Supreme Court? Why or why not?
5. Why is the county excise board so important?

Applying Your Skills

1. Make a chart showing how a bill becomes law in Oklahoma.
2. Imagine that you are the governor of Oklahoma. What specific changes in present law would you encourage the Legislature to make during your term in office?

Exploring Technology

1. Make a pie chart showing the percentage of the state's budget that is being spent on education, social services, and other categories. Use the Oklahoma government website, www.ok.gov, to locate the statistics you need for your chart.
2. Using the Oklahoma government website, find out the names of your state senator and your state representative. Write one of them a letter expressing your viewpoint on a critical issue facing Oklahoma today that you want your legislator to address with new legislation.
3. Local government is all about services. Explore the website of your local government, if it has one. Can you suggest changes to the web page that would improve an ordinary citizen's access to information? Work out a plan to improve citizens' access to information about government services in your community.

Building Skills

Comparing Cost and Benefits

One of the responsibilities state and local governments have assumed is to provide essential services for the people. Examples of these services include education, environmental protection, road construction and repair, and health services. None of these services is, of course, free, and one of the ways to raise revenue to pay for the services is by levying taxes. The property tax and sales tax are two taxes used by state and local governments.

While citizens are usually willing to accept increased services, the decision to raise taxes is often met with a fair amount of resistance. Lawmakers are increasingly being forced to choose which services they can provide with limited revenues. One way to decide is to compare the costs and benefits of each service. Generally, the benefits that a community expects to receive from a particular service should outweigh the costs to provide that service. This is not

as easy as it sounds; not all benefits or costs can be measured in monetary terms.

Suppose you are a member of the governing body of your local community. Suppose too that your community provides the following services: (1) police and fire protection; (2) trash removal; (3) schools; (4) public libraries; (5) parks and recreational facilities; (6) road building, maintenance, and repairs; (7) emergency management; and (8) licensing and inspection services. For this exercise, assume that the cost of each service is \$1,000. Your community expects annual revenues to be \$7,000 from the property tax this year. How would you deal with the shortage? You may wish to form a committee of several classmates to discuss your options.

Can you think of any services for which you would be willing to pay higher taxes? If so, list them and give your reasons.