ENROLLED HOUSE JOINT RESOLUTION 1042
ENACTED BY THE FIRST REGULAR SESSION OF THE
52ND LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 751

LEGISLATIVE REFERENDUM NUMBER 351

RECEIVED: May 7, 2009
Resolution

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1042       By: Terrill, Osborn, Faught,
                       Christian, Reynolds, Duncan,
                       Kern, Tibbs, Cooksey and Ritze
                       of the House

                       and

                       Sykes, Branan, Russell, Jolley,
                       Brogdon, Coffee, Aldridge,
                       Myers, Halligan, Newberry,
                       Reynolds, Brown, Johnson
                       (Mike), Barrington, Nichols,
                       Bingman, Crain, Justice, Ford,
                       Marlatt, Stanislawski and
                       Schulz of the Senate

A Joint Resolution directing the Secretary of State
to refer to the people for their approval or
rejection a proposed amendment to the Constitution
of the State of Oklahoma by creating a new Article
XXX; providing that the English language is the
common and unifying language of this state;
providing that official actions of this state be
conducted in English, with exception; prohibiting
certain causes of action; providing for
construction; granting certain authority to
Legislature; providing ballot title; and directing
filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 52ND 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 the Constitution of the State of Oklahoma by creating a new Article XXX to read as follows:

ARTICLE XXX

Section 1. As English is the common and unifying language of the State of Oklahoma, all official actions of the state shall be conducted in the English language, except as required by federal law. No person shall have a cause of action against an agency or political subdivision of this state for failure to provide any official government actions in any language other than English. Nothing in this Article shall be construed to diminish or impair the use, study, development, or encouragement of any Native American language in any context or for any purpose. The Legislature shall have the power to implement, enforce and determine the proper application of this Article by appropriate legislation.

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

BALLOT TITLE

Legislative Referendum No. ____            State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It would add a new Article 30. This amendment states that English is the common and unifying language of the state. All official actions of the state would be in English, except as required by federal law. No one would have a cause of action against an agency or subdivision of the state for failure to provide actions in any other language. The amendment could not be construed to diminish or impair uses of Native American languages. The Legislature would be able to enact related laws.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL – YES  ______________

AGAINST THE PROPOSAL – NO  ______________
SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.
Passed the House of Representatives the 6th day of May, 2009.

Presiding Officer of the House of Representatives

Passed the Senate the 22nd day of April, 2009.

Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 7th day of May, 2009,
at 5:32 o'clock P.M.

By: [Signature]

ENR. H. J. R. NO. 1042
May 7, 2009

The Honorable Drew Edmondson
Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

Dear Attorney General Edmondson:

You are hereby notified that Enrolled House Joint Resolution 1042 was received in the Office of the Secretary of State this 7th day of May, 2009. This bill has been designated as State Question Number 751, Legislative Referendum Number 351.

Pursuant to 34 O.S., 2008 Supp., Section 9, this office is submitting the proposed ballot title to you for review.

If our office may be of further assistance, please let us know.

Sincerely,

M. Susan Savage
Secretary of State

MSS/kj
May 12, 2009

The Honorable M. Susan Savage
Oklahoma Secretary of State
Room 101, State Capitol Building
Oklahoma City, Oklahoma 73105

Re: State Question Number 751
Legislative Referendum Number 351

Dear Secretary Savage:

Thank you for your letter regarding the above matter. I have referred this information to Neal Leader, Senior Assistant Attorney General, for his information and use.

If you have any questions, please feel free to contact Mr. Leader directly.

Sincerely,

W.A. DREW EDMONDSON
ATTORNEY GENERAL

cc: Neal Leader
M. Susan Savage, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

The Honorable Glenn Coffee
Senate President Pro Tempore
State Capitol, Room 422
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

The Honorable Chris Benge
Speaker of the House of Representatives
State Capitol, Room 401
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

Re: Ballot Title for State Question No. 751, Legislative Referendum 351

Dear Secretary Savage, Senator Coffee, and Speaker Benge:

In accordance with the provisions of 34 O.S.Supp.2008, § 9(C), we have reviewed the Ballot Title for the above referenced State Question and conclude that it does not comply with applicable laws for the following reason:

- It is not written on the 8th grade reading comprehension level.
- It does not adequately explain the effect of the proposition.

Having found that the Ballot Title does not comply with applicable law, we will, in conformity with the provisions of 34 O.S.Supp.2008, § 9(C), within ten (10) business days, Prepare a Preliminary Ballot Title which complies with the law.

Respectfully submitted,

THOMAS W. GRUBER
FIRST ASSISTANT ATTORNEY GENERAL*

TWG/ab

*Acting in the Attorney General’s absence, under the authority of 74 O.S.2001 § 28.
June 2, 2009

M. Susan Savage, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

The Honorable Glenn Coffee
Senate President Pro Tempore
State Capitol, Room 422
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

The Honorable Chris Benge
Speaker of the House of Representatives
State Capitol, Room 401
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

Re: Preliminary Ballot Title for State Question No. 751, Legislative Referendum No. 351

Dear Secretary Savage, Senator Coffee, and Speaker Benge:

Having found that the proposed ballot title for the above referenced state question did not comply with applicable laws, we have, in accordance with the provisions of 34 O.S.Supp.2008, § 9(C), prepared the following Preliminary Ballot Title. As a Title 34 Ballot Title review, the following does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law. The Preliminary Ballot Title reads as follows:

**PRELIMINARY BALLOT TITLE FOR STATE QUESTION NO. 751**

This measure amends the State Constitution. It adds a new Article to the Constitution. That Article deals with the State’s official actions. It dictates the language to be used in taking official State
action. It requires that official State actions be in English. Native American languages could also be used. When Federal law requires, other languages could also be used.

These language requirements apply to the State’s “official actions.” The term “official actions” is not defined. The Legislature could pass laws determining the application of the language requirements. The Legislature would also pass laws implementing and enforcing the language requirements.

No lawsuit based on State law could be brought on the basis of a State agency’s failure to use a language other than English. Nor could such a lawsuit be brought against political subdivisions of the State.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

Respectfully submitted,

W.A. Drew Edmondson
Attorney General

WAE/ab
June 22, 2009

M. Susan Savage, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

The Honorable Glenn Coffee
Senate President Pro Tempore
State Capitol, Room 422
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

The Honorable Chris Benge
Speaker of the House of Representatives
State Capitol, Room 401
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

Re: Final Ballot Title for State Question No. 751. Legislative Referendum No. 351

Dear Secretary Savage, Senator Coffee, and Speaker Benge:

Having found that the proposed ballot title for the above referenced state question did not comply with applicable laws, we have, in accordance with the provisions of 34 O.S.Supp.2008, § 9(C), prepared the following Final Ballot Title. As a Title 34 Ballot Title review, the following does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law. The Final Ballot Title reads as follows:

FINAL BALLOT TITLE FOR STATE QUESTION NO. 751

This measure amends the State Constitution. It adds a new Article to the Constitution. That Article deals with the State's official actions. It dictates the language to be used in taking official State action. It requires that official State actions be in English. Native American languages could also
be used. When Federal law requires, other languages could also be used.

These language requirements apply to the State’s “official actions.” The term “official actions” is not defined. The Legislature could pass laws determining the application of the language requirements. The Legislature would also pass laws implementing and enforcing the language requirements.

No lawsuit based on State law could be brought on the basis of a State agency’s failure to use a language other than English. Nor could such a lawsuit be brought against political subdivisions of the State.

**SHALL THE PROPOSAL BE APPROVED?**

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

Respectfully submitted,

[Signature]

W.A. Drew Edmondson
Attorney General

WAE/ab
June 22, 2009

The Honorable Brad Henry
Governor, State of Oklahoma
State Capitol, Room 212
Oklahoma City, Oklahoma 73105

Dear Governor Henry:

Enclosed are copies of the Attorney General’s review of the proposed Ballot Title for State Question 751, Legislative Referendum 351; the State Question from Senate Joint Resolution 25; and the letter to the Oklahoma State Election Board attesting the measure.

Pursuant to the provisions of Title 34 O.S. 2001, Section 12, the Ballot Title has been reviewed, approved and the election proclamation may be issued with the date on which the vote will be held.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

Kathy Jekel,
Executive Legislative Division
June 22, 2009

The Honorable Paul Ziriax
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriax:

Enclosed are copies of the Attorney General’s review of the proposed Ballot Title for State Question 751, Legislative Referendum 351.

The Governor has been notified of the official Ballot Title pursuant to 34 O.S. 2001, Section 12. This office will provide a copy of the election proclamation upon receipt from the Governor’s Office.

If there are any questions, please do not hesitate to contact this office at the above number or address.

Sincerely,

Kathy Chekel
Executive Legislative Division

[Stamp: RECEIVED
JUN 22 2009
STATE ELECTION BOARD]
EXECUTIVE PROCLAMATION

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the provisions of Section 3 of Article V and Section 1 of Article XXIV of the Oklahoma Constitution, and Section 12 of Title 34 of the Oklahoma Statutes, and the referral by the Secretary of State do hereby declare that Legislative Referendum Number 351, State Question 751, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at the general election to be held statewide on November 2, 2010.

The substance of the measure is as follows:

This measure amends the State Constitution. It adds a new Article to the Constitution. That Article deals with the State's official actions. It dictates the language to be used in taking official State action. It requires that official State actions be in English. Native American languages could also be used. When Federal law requires, other languages could also be used.

These language requirements apply to the State's "official actions." The term "official actions" is not defined. The Legislature could pass laws determining the application of the language requirements. The Legislature would also pass laws implementing and enforcing the language requirements.

No lawsuit based on State law could be brought on the basis of a State agency's failure to use a language other than English. Nor could such a lawsuit be brought against political subdivisions of the State.

Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 9th day of August, 2010.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

[Signature]

ATTEST:

[Signature]

SECRETARY OF STATE
August 10, 2010

The Honorable Paul Ziriax
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriax:

Enclosed are copies of the Governor’s Proclamations calling for the election on:

State Question Number 744, Initiative Petition Number 391
State Question Number 746, Legislative Referendum Number 347
State Question Number 747, Legislative Referendum Number 348
State Question Number 748, Legislative Referendum Number 349
State Question Number 750, Legislative Referendum Number 350
State Question Number 751, Legislative Referendum Number 351
State Question Number 752, Legislative Referendum Number 352
State Question Number 754, Legislative Referendum Number 354
State Question Number 755, Legislative Referendum Number 355
State Question Number 756, Legislative Referendum Number 356
State Question Number 757, Legislative Referendum Number 357

If there are any questions, or if our office may be of further assistance, please do not hesitate to let us know.

Sincerely,

M. Susan Savage
Secretary of State

MSS/kj
November 12, 2010

The Honorable M. Susan Savage
Secretary of State
Room 101, State Capitol
Oklahoma City, Oklahoma 73105

Dear Ms. Savage:

Enclosed please find a copy of the official returns of the vote at the General Election on November 2, 2010, on the following measures, as certified to the Governor of the State of Oklahoma. The results of the vote on State Question 755, Legislative Referendum 355, have not been certified by the State Election Board and are not included.

State Question No. 744, Initiative Petition No. 391
State Question No. 746, Legislative Referendum No. 347
State Question No. 747, Legislative Referendum No. 348
State Question No. 748, Legislative Referendum No. 349
State Question No. 750, Legislative Referendum No. 350
State Question No. 751, Legislative Referendum No. 351
State Question No. 752, Legislative Referendum No. 352
State Question No. 754, Legislative Referendum No. 354
State Question No. 756, Legislative Referendum No. 356
State Question No. 757, Legislative Referendum No. 357

Sincerely,

PAUL ZIRIAK, Secretary
State Election Board

Receipt of the above hereby is acknowledged on this 16th day of November, 2010.

By: [Signature]

Time: [Time]
November 12, 2010

The Honorable Brad Henry
Governor of the State of Oklahoma
Room 212, State Capitol
Oklahoma City, Oklahoma 73105

Dear Governor Henry:

Pursuant to the provisions of 26 O.S. 2001, §12-118, the State Election Board herewith certifies the results of the vote at the General Election on November 2, 2010, on the following measures. The results of the vote on State Question 755, Legislative Referendum 355, have not been certified by the State Election Board and are not included.

**STATE QUESTION No. 744**
**INITIATIVE PETITION No. 391**

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<table>
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<tr>
<td>YES</td>
<td>189,164</td>
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**STATE QUESTION No. 746**
**LEGISLATIVE REFERENDUM No. 347**

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<td>YES</td>
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<td>257,523</td>
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**STATE QUESTION No. 747**
**LEGISLATIVE REFERENDUM No. 348**

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<tr>
<td>YES</td>
<td>695,592</td>
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<td>299,789</td>
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</table>
STATE QUESTION NO. 748
LEGISLATIVE REFERENDUM No. 349

YES:  567,288  
NO:  403,733  

STATE QUESTION NO. 750
LEGISLATIVE REFERENDUM No. 350

YES:  485,703  
NO:  478,042  

STATE QUESTION NO. 751
LEGISLATIVE REFERENDUM No. 351

YES:  740,918  
NO:  239,904  

STATE QUESTION NO. 752
LEGISLATIVE REFERENDUM No. 352

YES:  606,805  
NO:  358,925  

STATE QUESTION NO. 754
LEGISLATIVE REFERENDUM No. 354

YES:  361,907  
NO:  614,219
STATE QUESTION NO. 756
LEGISLATIVE REFERENDUM NO. 356

YES: 638,530
NO: 347,956

STATE QUESTION NO. 757
LEGISLATIVE REFERENDUM NO. 357

YES: 499,287
NO: 479,353

Sincerely,

[Signature]

PAUL ZIRIAH, Secretary
State Election Board

PZ/mf

Receipt of the above hereby is acknowledged on this 16th day of November, 2010.

By: 

Time: 9:30 am
EXECUTIVE DEPARTMENT

EXECUTIVE PROCLAMATION

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 12-118 of Title 26 of the Oklahoma Statutes and the Certification by the State Election Board, do hereby proclaim State Question Number 751 to have passed. The results of the election held on November 2, 2010, on State Question 751, Legislative Referendum Number 351, are as follows:

Total Votes – 980,822

YES – 740,918
NO – 239,904

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 51st day of January, 2011.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

BRAD HENRY

SECRETARY OF STATE