

FILED

AUG 18 1980

OKLAHOMA SECRETARY
OF STATE

State Question No. 553

"WARNING"

Initiative Petition No. 375

"It is a felony for anyone to sign an initiative or referendum petition with any name other than his own or knowingly to sign his name more than once for the same measure or to sign such petition when he is not a legal voter."

INITIATIVE PETITION

TO THE HONORABLE GEORGE NIGH
GOVERNOR OF THE STATE OF OKLAHOMA:

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed Law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the next regular Statewide General Election to be held on November the second, 1982, or at a Statewide Special Election ordered by the Governor, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and post office are correctly written after my name. The time for filing this petition expires ninety days from
The Question we herewith submit to our fellow voters is: Shall the following Bill be approved?

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

(Shall a statute

CREATING THE OKLAHOMA HORSE RACING COMMISSION; PROVIDING FOR COMPOSITION, APPOINTMENT, TERMS OF OFFICE AND COMPENSATION OF THE COMMISSION; AUTHORIZING PARI-MUTUEL WAGERING ON HORSE RACING; GRANTING THE COMMISSION FULL REGULATORY AUTHORITY OVER HORSE RACING WHERE PARI-MUTUEL WAGERING IS CONDUCTED AND PARI-MUTUEL WAGERING THEREON; PROVIDING FOR LICENSING OF RACE TRACKS WHERE PARI-MUTUEL WAGERING IS CONDUCTED; ESTABLISHING A TAX ON GATE ADMISSIONS AND A TAX ON PARI-MUTUEL WAGERS; PROVIDING FOR DISTRIBUTION OF TAXES COLLECTED; REQUIRING RECORD KEEPING BY LICENSE HOLDERS; PROVIDING FOR COUNTY OPTION; AND DIRECTING THE LEGISLATURE TO ENACT LAWS GIVING EFFECT TO THE STATUTE

be adopted by the people?

- YES — FOR THE STATUTE
 NO — AGAINST THE STATUTE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA, A BILL, TO READ AS FOLLOWS:

1. There is hereby created the Oklahoma Horse Racing Commission, hereinafter referred to as Commission, which shall consist of seven (7) members, to be appointed by the Governor. One appointee shall be selected from each congressional district, and one at-large appointee who shall be experienced in the horse industry. All members shall be citizens of the United States and residents of the State of Oklahoma for at least five (5) years prior to their appointment. Three (3) of the members shall serve an initial term of two (2) years, two (2) of the members shall serve an initial term of four (4) years and two (2) of the members shall serve an initial term of six (6) years. Successors shall be appointed for a term of four (4) years. All appointments shall be confirmed by a majority vote of the State Senate.
2. No member of the Commission shall be an official, member of a board of directors, or financially interested in, any pari-mutuel racetrack, race meeting, or race licensed by the Commission, nor shall a member thereof own an interest in any racehorse which participates in any pari-mutuel race meeting or race licensed by the Commission.

3. Members of the Commission shall receive reasonable compensation while performing the duties of office and, in addition, shall be allowed necessary travel expenses. The legislature shall appropriate sufficient funds for the operation of the Commission.

4. The Commission has the duty of maintaining in the state, pari-mutuel horse racing of the highest quality and free of any corrupt, incompetent, dishonest or unprincipled practices, and to maintain in pari-mutuel horse racing complete honesty and integrity.

The Commission shall supervise, regulate, and control all pari-mutuel wagering on horse racing in this state and shall make rules and regulations for the granting and/or refusing and revoking of licenses.

The Commission shall establish rules and regulations for the holding, conducting, and operating of all pari-mutuel race meetings and races held in the state and will set and approve the dates of those meetings.

The Commission shall require that the issuance of all licenses be in the best interest of the public health, safety, and welfare of the immediate community as well as of the state and that all applicants for licenses be persons of good moral character, and reputation.

The Commission shall require of each applicant for a license to operate a pari-mutuel racetrack or race meeting, the full name of the person, association, or corporation, the name of the state in which incorporated, the names and residences of the members of the association or the names and residences of the directors and the stockholders of the corporation.

The Commission shall require the knowledge of the exact location where an applicant desires to conduct a pari-mutuel race or race meeting, whether or not the racetrack or plant is owned or leased, and, if leased, the name and residence of fee owner, or, if a corporation, the names of directors and stockholders.

The Commission shall require of the applicant a statement of assets and liabilities of the person, persons, association, or corporation making the application.

The Commission shall require an oath by each and every applicant that the information contained in the application is true.

The Commission shall publicly state its reasons for refusing an application for a license and such reasons shall be included in the minute book of the Commission and such book shall be subject to public inspection at all reasonable times. The Commission shall have the power to summon witnesses and administer oaths for the effectual discharge of the Commission's duties.

The Commission shall have complete supervision and control of the pari-mutuel machines and equipment at all pari-mutuel races or race meetings held or operated within the state and shall personally or by agents and representatives, check the making of pari-mutuel pools and the distribution therefrom and to cause the various places where pari-mutuel race meetings and races are held to be inspected at reasonable intervals.

The Commission shall make rules governing bids on leases; regulate the rate of charge by the licensee for admission to races; and rate of charge for the performance of any service or for the sale of any article on the premises of such licensee.

The Commission shall approve all contracts and agreements for the payment of money and all salaries, fees and compensations by any licensee.

The Commission shall have the power to compel the production of all documents showing the receipts and disbursement of any licensee and to determine the manner in which such financial records are kept, which records shall at all reasonable times be open to inspection and audit by the Commission or any of its authorized representatives.

The Commission is empowered to exclude, or compel the exclusion, from any and all pari-mutuel race courses, any person who shall willfully violate the racing laws or any rule, regulation or order of the Commission or any law of the United States or of this state.

The Commission shall have investigatory powers and authority to place attendants and such other persons as may be deemed necessary in the offices, on the tracks or in places of business of any licensee for the purpose of satisfying itself that the rules and regulations are strictly complied with.

The Commission shall make an annual report to the Governor of its administration of the racing laws.

5. It shall be a felony for any person, firm, association or corporation to hold a public horse race or race meeting where pari-mutuel wagering is conducted unless a license therefore has first been obtained from the Commission.

6. The Commission shall establish rules and regulations for the use of the pari-mutuel method or system of wagering on horse races. The sale of pari-mutuel tickets on said races by a licensee that has been licensed by said Commission to use the pari-mutuel method is hereby authorized and permitted under the conditions prescribed by the Commission.

Existing statutes of this state against other methods of wagering on the racing of horses are not repealed with the exception that the operation of the pari-mutuel method or system in connection with the racing of horses when used as provided herein, is and shall be lawful.

7. The following taxes are hereby imposed;

(a) A tax of ten percent (10%) of the amount received by any licensee on tickets for admission to the grounds where such horse races or meetings are held or conducted. All taxes levied herein on admission tickets shall be paid to the city in which the track is located. If a track is not located within the city limits, taxes levied on admission tickets shall be paid to the county in which the track is located.

(b) A tax of not less than twelve percent (12%) or more than eighteen percent (18%) on the proceeds from the sale of pari-mutuel tickets. The tax shall be divided into three equal parts with one-third to be retained by the licensee; one-third held by licensee as trustee to be distributed as purses for participating horses and one-third to be paid by the Commission to the State of Oklahoma general revenue fund. One-third of all taxes levied on pari-mutuel wagers shall be paid to the Commission within a reasonable period of time after the close of each day's racing program.

8. Breakage and unclaimed ticket proceeds shall be retained by the licensee and utilized for the award of additional purses for Oklahoma bred horses.

9. No pari-mutuel racetrack shall be licensed in any county unless the majority of the voters of said county, voting at an election held for that purpose, approve the conducting of pari-mutuel horse racing in said county. An election shall be called upon the filing of a petition with the county election board containing not less than ten percent (10%) of the qualified voters within any such county.

10. The legislature shall enact proper legislation to effectuate the purposes and intent of the above described powers and duties within one hundred twenty (120) days after the effective date of this Act. In the event the legislature fails to act within the one hundred twenty (120) day period, the Commission shall adopt temporary rules and regulations which shall have the force of law until such time as said rules and regulations are amended by the legislature.

VOTER SIGNS THIS SHEET

(As name appears on voter registration card.)

NAME	RESIDENCE (Rural Route or Street Address, if any)	POST OFFICE	
		City and County	State
1.		City County	OKLAHOMA
2.		City County	OKLAHOMA
3.		City County	OKLAHOMA
4.		City County	OKLAHOMA
5.		City County	OKLAHOMA
6.		City County	OKLAHOMA
7.		City County	OKLAHOMA
8.		City County	OKLAHOMA
9.		City County	OKLAHOMA
10.		City County	OKLAHOMA
11.		City County	OKLAHOMA
12.		City County	OKLAHOMA
13.		City County	OKLAHOMA
14.		City County	OKLAHOMA
15.		City County	OKLAHOMA
16.		City County	OKLAHOMA
17.		City County	OKLAHOMA
18.		City County	OKLAHOMA
19.		City County	OKLAHOMA
20.		City County	OKLAHOMA

INSTRUCTIONS TO CIRCULATOR: Read the affidavit on reverse side and observe its requirements. Names should be signed the same way voter is registered; Husband may not sign wife's name (and vice versa); Circulators must witness all signatures; Signatures should be placed on this page only, not on back page. When all signatures have been obtained, type or print names in affidavit form provided, and sign your name and list your address (residence or post office address; NOT business office address) before a notary public. Have notary affix seal and signature; all signers must list residence address (do not permit ditto " marks). Use street address; strike outs and markthroughs must be initialed; No more than 20 signatures to a petition. Do not leave petition unattended. Only registered voters may sign petitions. Even if only one or two signatures are obtained, please return this petition to Oklahoma Horsemen's Association, 2720 Classen Blvd., Oklahoma City, Oklahoma 73106, 405/521-8540.

PETITION CIRCULATOR: Print names of voters on this sheet and have it notarized.

STATE OF OKLAHOMA }
COUNTY OF _____ } ss

AFFIDAVIT

I, _____, being first duly sworn,
say: that I am a qualified elector of the State of Oklahoma and that
(Here shall be legibly written or typewritten the names of the signers of the sheet)

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

signed this sheet of the foregoing petition, and each of them signed his name thereto in my presence; I believe that each has stated his name, post office address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and County of his residence.

Petition Circulator's Signature

Rural Route or Street Name and House
Number

_____ OKLAHOMA
City or Town

Subscribed and sworn to before me this _____ day of _____,
1980.

NOTARY PUBLIC

(SEAL)

Notary's Post Office Address (include Street Name and Number)

My Commission Expires:

City or Town