

ENROLLED SENATE JOINT RESOLUTION NO. 1
ENACTED BY THE FIRST REGULAR SESSION OF THE
48TH LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 695
LEGISLATIVE REFERENDUM NUMBER 322

RECEIVED: April 23, 2001

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 1

By: Herbert of the Senate

and

Begley, Claunch, Dank,
Nance, O'Neal, Sullivan
(Leonard), Worthen and
Young 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 the Constitution of the State of Oklahoma by adding a new section to Article XXIII to be designated as Section 1A; prohibiting employment restrictions on basis of membership in, affiliation with, or payments to a labor organization or payments to a charity in lieu thereof; making violation a misdemeanor; making provisions applicable to employment contracts; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 48TH 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 Article XXIII of the Constitution of the State of Oklahoma by adding a new Section 1A to read as follows:

Section 1A. A. As used in this section, "labor organization" means any organization of any kind, or agency or employee representation committee or union, that exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.

B. No person shall be required, as a condition of employment or continuation of employment, to:

1. Resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a labor organization;

2. Become or remain a member of a labor organization;

3. Pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization;

4. Pay to any charity or other third party, in lieu of such payments, any amount equivalent to or pro rata portion of dues, fees, assessments, or other charges regularly required of members of a labor organization; or

5. Be recommended, approved, referred, or cleared by or through a labor organization.

C. It shall be unlawful to deduct from the wages, earnings, or compensation of an employee any union dues, fees, assessments, or other charges to be held for, transferred to, or paid over to a labor organization unless the employee has first authorized such deduction.

D. The provisions of this section shall apply to all employment contracts entered into after the effective date of this section and shall apply to any renewal or extension of any existing contract.

E. Any person who directly or indirectly violates any provision of this section shall be guilty of a misdemeanor.

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:

This measure adds a new section of law to the State Constitution. It adds Section 1A to Article 23. It bans any new employment contract that requires employees to resign from or belong to a union, pay union dues, or make other payments to a union. Required contributions to charity or any other third party instead of payments to a union are also banned. Employees must authorize payroll deduction to unions. Violation of the section is a misdemeanor.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

- YES, FOR THE AMENDMENT
- NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file in accordance with Section 3 of Article V of the Oklahoma Constitution one copy of this resolution, including the Ballot Title set forth in SECTION 2, with the Secretary of State and one copy with the Attorney General.

Passed the Senate the 14th day of March, 2001.


Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2001.


Presiding Officer of the House
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
23rd day of April, 2001,
at 2:59 o'clock _____ P. M.

By: 



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

May 4, 2001

Mr. Mike Hunter, Secretary of State
Office of the Secretary of State
101 State Capitol Building
Oklahoma City, Oklahoma 73105

FILED

MAY 4 2001

OKLAHOMA SECRETARY
OF STATE

The Honorable Stratton Taylor
President Pro Tempore
422 State Capitol Building
Oklahoma City, OK 73105

The Honorable Larry E. Adair
Speaker of the House of Representatives
401 State Capitol Building
Oklahoma City, OK 73105

Re: Ballot Title for State Question No. 695

Gentlemen:

We have, in accordance with 34 O.S.Supp.2000, § 9(C), reviewed the Ballot Title for the above-referenced State Question and conclude that the substance of the Ballot Title is not in harmony with the law, as it does not explain, as required by law, the effect of the proposition.

Accordingly, within ten (10) business days we will prepare a Substitute Ballot Title which complies with the law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W.A. Edmondson", is written over a horizontal line.

W.A. DREW EDMONDSON
ATTORNEY GENERAL



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

May 11, 2001

Mr. Mike Hunter, Secretary of State
Office of the Secretary of State
101 State Capitol Building
Oklahoma City, Oklahoma 73105

FILED

MAY 11 2001

OKLAHOMA SECRETARY
OF STATE

The Honorable Stratton Taylor
President Pro Tempore
422 State Capitol Building
Oklahoma City, OK 73105

The Honorable Larry E. Adair
Speaker of the House of Representatives
401 State Capitol Building
Oklahoma City, OK 73105

Re: Ballot Title for State Question No. 695

Gentlemen:

Having found that the suggested Ballot Title for the above-referenced State Question was not in harmony with the law, we have, in accordance with the provisions of 34 O.S. Supp.2000, § 9(C), prepared the following Substitute Ballot Title for filing. As a Title 34 Ballot Title review, the following does not constitute an Attorney General's Opinion on the merits or constitutionality of the underlying proposed change in the law. The Substitute Ballot Title reads as follows:

BALLOT TITLE

The measure adds a new section to the State Constitution. It adds Section 1A to Article 23. The measure defines the term "labor organization." "Labor organization" includes unions. That term also includes committees that represent employees.

The measure bans new employment contracts that impose certain requirements to get or keep a job. The measure bans contracts



that require joining or quitting a labor organization to get or keep a job. The measure bans contracts that require remaining in a labor organization to get or keep a job. The measure bans contracts that require the payment of dues to labor organizations to get or keep a job. The measure bans contracts that require other payments to labor organizations to get or keep a job. Employees would have to approve deductions from wages paid to labor organization. The measure bans contracts that require labor organization approval of an employee to get or keep a job.

The measure bans other employment contract requirements. Violation of this section is a misdemeanor.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL—YES _____

AGAINST THE PROPOSAL—NO _____

Respectfully submitted,



W.A. DREW EDMONDSON
ATTORNEY GENERAL

Resolution

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1033

By: Morgan, Roach and Dank of
the House

and

Herbert of the Senate

A Joint Resolution directing special election on the proposed amendment to the Constitution of the State of Oklahoma as set forth in Senate Joint Resolution No. 1 of the 1st Session of the 48th Oklahoma Legislature; directing filing; and declaring an emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 48TH OKLAHOMA LEGISLATURE:

SECTION 1. A special election is hereby ordered to be held throughout the State of Oklahoma on Tuesday, September 25, 2001, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in Section 1 of Senate Joint Resolution No. 1 of the 1st Session of the 48th Oklahoma Legislature, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

SECTION 2. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof in accordance with Section 3 of Article V of the Oklahoma Constitution one copy with the Secretary of State and one copy with the Attorney General.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of April, 2001.

Jerry Madden
Presiding Officer of the House of
Representatives

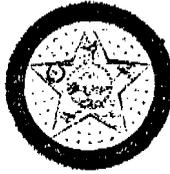
Passed the Senate the 30th day of April, 2001.

Keith Rell
Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this *Lot*
day of *May* 20 *01*,
at *10:51* o'clock *A.* M.

By: *[Signature]*



Frank Keating
Governor

FILED

MAY 15 2001

EXECUTIVE DEPARTMENT

OKLAHOMA SECRETARY
OF STATE

EXECUTIVE PROCLAMATION

I, FRANK KEATING, Governor of the State of Oklahoma, pursuant to the provisions of 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 322, State Question 695, be submitted to qualified electors of the State of Oklahoma for their approval or rejection on the following date, Tuesday, September 25, 2001, as determined by the 48th Legislature of the State of Oklahoma.

The substance of the measure, as reflected in the Substitute Ballot Title prepared by the Attorney General is as follows:

The measure adds a new section to the State Constitution. It adds Section 1A to Article 23. The measure defines the term "labor organization." "Labor organization" includes unions. That term also includes committees that represent employees.

The measure bans new employment contracts that impose certain requirements to get or keep a job. The measure bans contracts that require joining or quitting a labor organization to get or keep a job. The measure bans contracts that require remaining in a labor organization to get or keep a job. The measure bans contracts that require the payment of dues to labor organizations to get or keep a job. The measure bans contracts that require other payments to labor organizations to get or keep a job. Employees would have to approve deductions from wages paid to labor organizations. The measure bans contracts that require labor organization approval of an employee to get or keep a job.

The measure bans other employment contract requirements. Violation of this section is a misdemeanor.

Copies of this Executive Proclamation shall be delivered to 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 15th day of May, 2001.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Attest:

Secretary of State