

ENROLLED SENATE JOINT RESOLUTION 13
ENACTED BY THE FIRST REGULAR SESSION OF THE
52ND LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 750
LEGISLATIVE REFERENDUM NUMBER 350

RECEIVED: May 6, 2009

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 13

By: Brogdon of the Senate

and

Terrill, Reynolds, Duncan,
Tibbs, Kiesel and McMullen
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 2 of Article V of the Oklahoma Constitution; requiring percentage to be based on number of votes cast for Office of Governor at most recent election; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES 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 Section 2 of Article V of the Constitution of the State of Oklahoma to read as follows:

Section 2. The first power reserved by the people is the initiative, and eight per centum of the legal voters shall have the right to propose any legislative measure, and fifteen per centum of the legal voters shall have the right to propose amendments to the Constitution by petition, and every such petition shall include the full text of the measure so proposed. The second power is the referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health, or safety), either by petition signed by five per centum of the legal voters or by the Legislature as other bills are enacted. The ratio and per

centum of legal voters hereinbefore stated shall be based upon the total number of votes cast at the last general election for the ~~State office receiving the highest number of votes at such election~~ Office of Governor.

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 would amend Section 2 of Article 5 of the State Constitution. Under current law, eight percent of the voters must sign an initiative petition for a legislative measure. Fifteen percent must sign for a constitutional amendment. These percentages are based on the state office receiving the highest number of votes at the last General Election. This measure would make the percentage based on the number of votes cast at the last General Election for the Office of Governor.

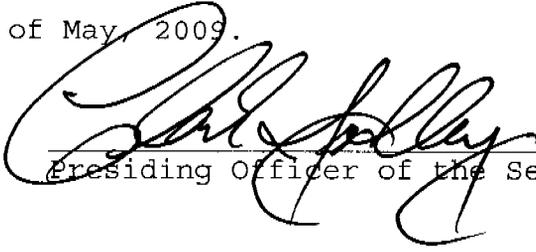
SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

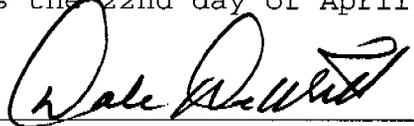
AGAINST THE PROPOSAL - NO _____

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage 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.

Passed the Senate the 5th day of May, 2009.


Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2009.

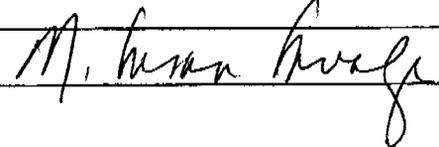

Presiding Officer of the House
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

_____ 6th day of May, 20 09

at 3:37 o'clock P M.

By: 



OKLAHOMA SECRETARY OF STATE

2300 N. LINCOLN BLVD. ROOM 101

OKLAHOMA CITY, OK 73105-4897

(405) 521-3912

Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

May 6, 2009

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

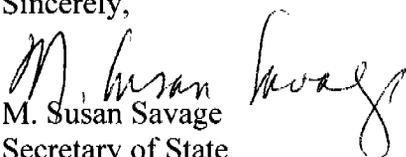
Dear Attorney General Edmondson:

You are hereby notified that Enrolled Senate Joint Resolution 13 was received in the Office of the Secretary of State this 6th day of May, 2009. This bill has been designated as **State Question Number 750, Legislative Referendum Number 350.**

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



W. A. DREW EDMONDSON
ATTORNEY GENERAL OF OKLAHOMA

May 7, 2009

RECEIVED

MAY 14 2009

**OKLAHOMA SECRETARY
OF STATE**

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

Re: State Question Number 750
Legislative Referendum Number 350

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,

A handwritten signature in black ink, appearing to read "Drew Edmondson".

W.A. DREW EDMONDSON
ATTORNEY GENERAL

WAE:st

cc: Neal Leader



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

May 14, 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 Bengé
Speaker of the House of Representatives
State Capitol, Room 401
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

FILED

MAY 14 2009

**OKLAHOMA SECRETARIAT
OF STATE**

Re: Ballot Title for State Question No. 750, Legislative Referendum 350

Dear Secretary Savage, Senator Coffee, and Speaker Bengé:

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 reasons:

- 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,

Handwritten signature of W. A. Drew Edmondson in black ink.

W. A. DREW EDMONDSON
ATTORNEY GENERAL

WAE/ab



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

May 27, 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

FILED

MAY 27 2009

**OKLAHOMA SECRETARIAT
OF STATE**

**Re: Preliminary Ballot Title for State Question No. 750, Legislative
Referendum No. 350**

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. 750

This measure amends a section of the State Constitution. The section deals with initiative petitions. It also deals with referendum

petitions. It deals with how many signatures are required on such petitions. It changes that requirement.

“Initiative” is the right to propose laws and constitutional amendments. “Referendum” is the right to reject a law passed by the Legislature.

The following voter signature requirements apply.

8% must sign to propose a law.

15% must sign to propose to change the State Constitution.

5% must sign to order a referendum.

These percentages are based upon the State office receiving the most total votes at the last General Election. The measure changes this basis. The measure’s basis uses every other General Election. General Elections are held every two years. The Governor is on the ballot every four years. The measure’s basis only uses General Elections with the Governor on the ballot.

The President is on the ballot in intervening General Elections. The measure’s basis does not use General Elections with the President on the ballot.

More votes are usually cast at Presidential General Elections. Thus, the measure would generally have a lowering effect on the number of required signatures.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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.



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

June 11, 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 Bengel
Speaker of the House of Representatives
State Capitol, Room 401
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

FILED

JUN 11 2009

UNIVERSITY OF STATE

**Re: Final Ballot Title for State Question No. 750, Legislative
Referendum No. 350**

Dear Secretary Savage, Senator Coffee, and Speaker Bengel:

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. 750

This measure amends a section of the State Constitution. The section deals with initiative petitions. It also deals with referendum petitions. It deals with how many signatures are required on such petitions. It changes that requirement.

“Initiative” is the right to propose laws and constitutional amendments.
“Referendum” is the right to reject a law passed by the Legislature.

The following voter signature requirements apply.

8% must sign to propose a law.

15% must sign to propose to change the State Constitution.

5% must sign to order a referendum.

These percentages are based upon the State office receiving the most total votes at the last General Election. The measure changes this basis. The measure’s basis uses every other General Election. General Elections are held every two years. The Governor is on the ballot every four years. The measure’s basis only uses General Elections with the Governor on the ballot.

The President is on the ballot in intervening General Elections. The measure’s basis does not use General Elections with the President on the ballot.

More votes are usually cast at Presidential General Elections. Thus, the measure would generally have a lowering effect on the number of required signatures.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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.



OKLAHOMA SECRETARY OF STATE

2300 N. LINCOLN BLVD. ROOM 101

OKLAHOMA CITY, OK 73105-4897

(405) 521-3912

Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

RECEIVED

JUN 15 2009

**OFFICE OF THE
GOVERNOR**

June 15, 2009

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

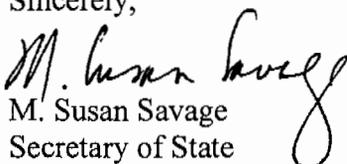
Dear Governor Henry:

Enclosed are copies of the Attorney General's final review of the proposed Ballot Title for State Question 750, Legislative Referendum 350; the State Question from Senate Joint Resolution 13; 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,


M. Susan Savage
Secretary of State

MSS/kj



OKLAHOMA SECRETARY OF STATE

2300 N. LINCOLN BLVD. ROOM 101

OKLAHOMA CITY, OK 73105-4897

(405) 521-3912

Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

June 15, 2009

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

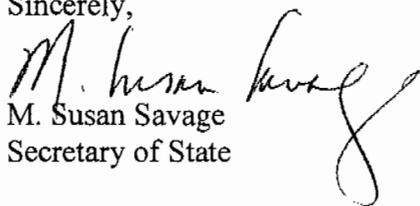
Dear Secretary Ziriak:

Enclosed are copies of the Attorney General's final review of the proposed Ballot Title for State Question 750, Legislative Referendum 350.

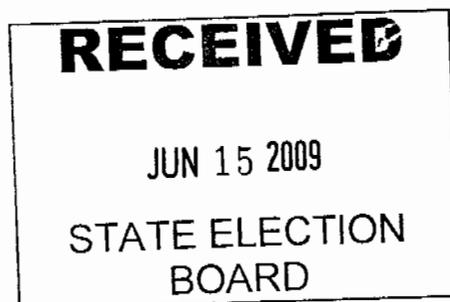
The Governor has been notified of the official Ballot Title pursuant to 34 O.S. 2001, Section 12. This office will provide a copy of the election proclamation upon receipt from the Governor's Office.

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

Sincerely,


M. Susan Savage
Secretary of State

MSS/kj





Brad Henry
Governor

FILED

AUG 10 2010

**OKLAHOMA SECRETARY
OF STATE**

EXECUTIVE DEPARTMENT

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 350, State Question 750, 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 a section of the State Constitution. The section deals with initiative petitions. It also deals with referendum petitions. It deals with how many signatures are required on such petitions. It changes that requirement.

"Initiative" is the right to propose laws and constitutional amendments.

"Referendum" is the right to reject a law passed by the Legislature.

The following voter signature requirements apply.

8% must sign to propose law.

15% must sign to propose to change the State Constitution.

5% must sign to order a referendum.

These percentages are based upon the State office receiving the most total votes at the last General Election. The measure changes this basis. The measure's basis uses every other General Election. General Elections are held every two years. The Governor is on the ballot every four years. The measure's basis only uses General Elections with the Governor on the ballot.

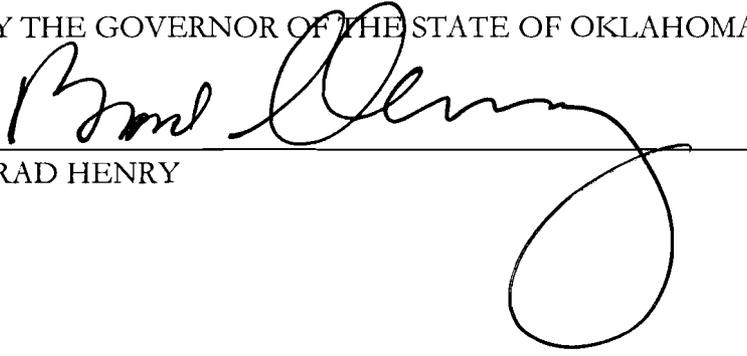
The President is on the ballot in intervening General Elections. The measure's basis does not use General Elections with the President on the ballot.

More votes are usually cast at Presidential General Elections. Thus, the measure would generally have a lowering effect on the number of required signatures.

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



BRAD HENRY





OKLAHOMA SECRETARY OF STATE
 2300 N. LINCOLN BLVD. ROOM 101
 OKLAHOMA CITY, OK 73105-4897
 (405) 521-3912
 Fax # (405) 521-3771

M. Susan Savage
 Secretary of State

Brad Henry
 Governor

August 10, 2010

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

Dear Secretary Ziriach:

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

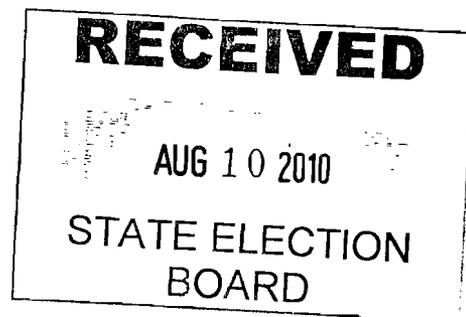
- State Question Number 744, Initiative Petition Number 391
- State Question Number 746, Legislative Referendum Number 347
- State Question Number 747, Legislative Referendum Number 348
- State Question Number 748, Legislative Referendum Number 349
- State Question Number 750, Legislative Referendum 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
 M. Susan Savage
 Secretary of State

MSS/kj





Oklahoma State Election Board

ROOM B-6 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2391

November 12, 2010

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

FILED

NOV 16 2010

**OKLAHOMA SECRETARY
OF STATE**

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 ZIRIAS, Secretary
State Election Board

PZ/mf

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

By:

Time:

10:15 am



Oklahoma State Election Board

ROOM B-6 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2391

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

YES: 189,164
NO: 828,589

STATE QUESTION NO. 746
LEGISLATIVE REFERENDUM NO. 347

YES: 746,053
NO: 257,523

STATE QUESTION NO. 747
LEGISLATIVE REFERENDUM NO. 348

YES: 695,592
NO: 299,789

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

Governor Henry
November 12, 2010
Page 3

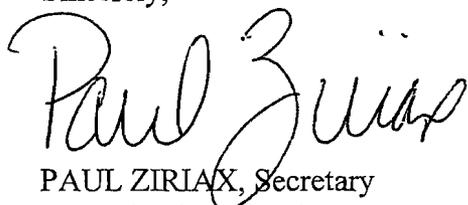
STATE QUESTION NO. 756
LEGISLATIVE REFERENDUM NO. 356

YES: 638,530
NO: 347,956

STATE QUESTION NO. 757
LEGISLATIVE REFERENDUM NO. 357

YES: 499,287
NO: 479,353

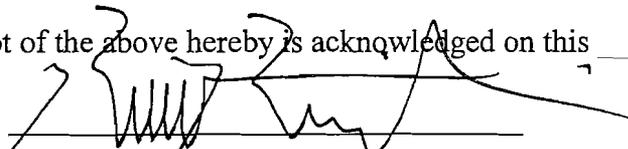
Sincerely,



PAUL ZIRLIAX, Secretary
State Election Board

PZ/mf

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

By: 

Time: 9:30am



Brad Henry
Governor

FILED

JAN 05 2011

OKLAHOMA SECRETARY
OF STATE

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 750 to have passed. The results of the election held on November 2, 2010, on State Question 750, Legislative Referendum Number 350, are as follows:

Total Votes – 963,745

YES – 485,703

NO – 478,042

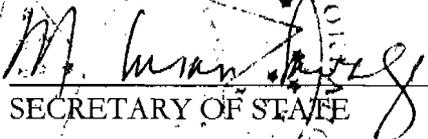
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 5th day of January, 2011.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



BRAD HENRY

ATTEST.


SECRETARY OF STATE