

ENROLLED SENATE JOINT RESOLUTION 59
ENACTED BY THE SECOND REGULAR SESSION OF THE
52ND LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 756
LEGISLATIVE REFERENDUM NUMBER 356

RECEIVED: May 26, 2010

An Act

ENROLLED SENATE
JOINT
RESOLUTION NO. 59

By: Newberry, Jolley, Sykes, Coffee,
Brogdon, Branan, Schulz,
Stanislawski, Ford, Brown,
Aldridge, Barrington, Lamb,
Bingman, Russell, Justice,
Marlatt, Coates and Crain of the
Senate

and

Thompson, Ritze, Murphey, Faught,
Ownbey, Trebilcock, Tibbs, Sears,
McDaniel (Randy), Derby,
McCullough, Osborn, Martin
(Steve), Wright (John),
Wesselhoft, Sanders, Kern, Key,
Moore, Reynolds, Duncan, Hickman,
Miller and Kirby 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 Oklahoma Constitution by adding a new section to Article II to be designated as Section 37; defining terms; prohibiting laws or rules that compel entities to participate in any health care system; permitting persons and employers to pay directly for health care services; permitting health care providers to accept direct payment for health care services; making it illegal to prohibit the purchase or sale of health insurance in private health care systems; clarifying scope of language; providing ballot title; and directing filing.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND 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 Article II of the Oklahoma Constitution by adding a new Section 37 to read as follows:

Section 37. A. For purposes of this section:

1. "Compel" shall include penalties or fines;
2. "Direct payment or pay directly" means payment for lawful health care services without a public or private third party, not including an employer, paying for any portion of the service;
3. "Health care system" means any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;
4. "Lawful health care services" means any health-related service or treatment to the extent that the service or treatment is permitted or not prohibited by law or regulation that may be provided by persons or businesses otherwise permitted to offer such services; and
5. "Penalties or fines" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee with a similar effect established by law or rule by a government-established, -created or -controlled agency that is used to punish or discourage the exercise of rights protected under this section.

B. To preserve the freedom of Oklahomans to provide for their health care:

1. A law or rule shall not compel, directly or indirectly, any person, employer or health care provider to participate in any health care system; and

2. A person or employer may pay directly for lawful health care services and shall not be required to pay penalties or fines for paying directly for lawful health care services. A health care provider may accept direct payment for lawful health care services and shall not be required to pay penalties or fines for accepting direct payment from a person or employer for lawful health care services.

C. Subject to reasonable and necessary rules that do not substantially limit a person's options, the purchase or sale of health insurance in private health care systems shall not be prohibited by law or rule.

D. This section shall not:

1. Affect which health care services a health care provider or hospital is required to perform or provide;

2. Affect which health care services are permitted by law;

3. Prohibit care related to workers' compensation;

4. Affect laws or rules in effect as of January 1, 2010; or

5. Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or employer for paying directly for lawful health care services or a health care provider or hospital for accepting direct payment from a person or employer for lawful health care services.

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 37 to Article 2. It prohibits making a person use a health care system. It prohibits making an employer use a health care system. It prohibits making a health care provider provide treatment in a health care system. It allows a person to pay for treatment directly. It allows an employer to pay for treatment directly. It allows a health care provider to accept payment for treatment directly. It allows the purchase of health insurance in private health care systems. It allows the sale of health insurance in private health care systems.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

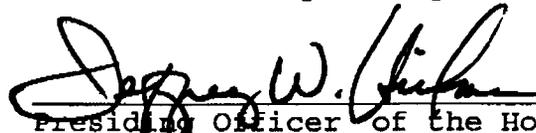
SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

Passed the Senate the 5th day of May, 2010.



Presiding Officer of the Senate

Passed the House of Representatives the 25th day of May, 2010.



Presiding Officer of the House
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

26th day of May, 2010,

at 2:10 o'clock P M.

By: M. Susan Love



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 26, 2010

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

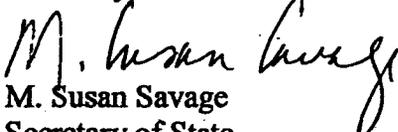
Dear Attorney General Edmondson:

You are hereby notified that Enrolled Senate Joint Resolution 59 was received in the Office of the Secretary of State this 26th day of May, 2010. This resolution has been designated as State Question Number 756, Legislative Referendum Number 356.

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

If this office may be of further assistance, please advise.

Sincerely,


M. Susan Savage
Secretary of State

MSS/ks



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

MAY 27 2010

OFFICE OF THE
GOVERNOR

May 25, 2010

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

Dear Governor Henry:

You are hereby notified that Enrolled Senate Joint Resolution 59 was received in the Office of the Secretary of State this 26th day of May, 2010. This resolution has been designated as **State Question Number 756, Legislative Referendum Number 356.**

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S. 2008 Supp., Section 9. The official ballot title will be submitted to you upon completion of the review.

If this office may be of further assistance, please advise.

Sincerely,

A handwritten signature in cursive script that reads "M. Susan Savage".

M. Susan Savage
Secretary of State

MSS/ks



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 26, 2010

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

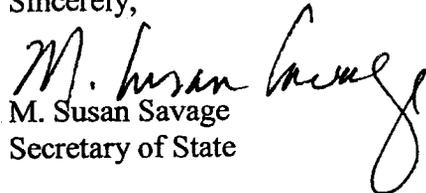
Dear Secretary Ziriach:

You are hereby notified that Enrolled Senate Joint Resolution 59 was received in the Office of the Secretary of State this 26th day of May, 2010. This resolution has been designated as **State Question Number 756, Legislative Referendum Number 356.**

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S. 2008 Supp., Section 9. The official ballot title will be submitted to you upon completion of the review.

If this office may be of further assistance, please advise.

Sincerely,


M. Susan Savage
Secretary of State

MSS/ks





OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

June 1, 2010

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

Re: State Question Number 756
Legislative Referendum Number 356

Dear Secretary Savage:

I am in receipt of your letter to Attorney General W.A. Drew Edmondson regarding the above. Attorney General Edmondson has requested that I respond back to you. 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,

TOM GRUBER
FIRST ASSISTANT ATTORNEY GENERAL

TG:seh

cc: W.A. Drew Edmondson
Attorney General

Neal Leader
Senior Assistant Attorney General

RECEIVED
JUN 3 2010
OKLAHOMA SECRETARY
OF STATE



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

June 7, 2010

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 7 2010

**OKLAHOMA SECRETARIAT
OF STATE**

Re: Ballot Title for State Question No. 756, Legislative Referendum 356

Dear Secretary Savage, Senator Coffee, and Speaker Bengel:

In accordance with the provisions of 34 O.S.Supp.2009, § 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 does not adequately explain the effect of the proposition because it does not explain that:
 1. The measure's prohibitions do not affect laws or rules enacted before January 1, 2010, and
 2. The measure's prohibitions would not affect some constitutionally enacted federal law.

Having found that the Ballot Title does not comply with applicable law, we will, in conformity with the provisions of 34 O.S.Supp.2009, § 9(C), within ten (10) business days, prepare a Preliminary Ballot Title which complies with the law.

Respectfully submitted,

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

W. A. DREW EDMONDSON
ATTORNEY GENERAL

WAE/ab



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

JUL 7 2010

OKLAHOMA SECRETARY
OF STATE

July 7, 2010

M. Susan Savage, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, OK 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 Bengtson
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. 756, Legislative
Referendum No. 356**

Dear Secretary Savage, Senator Coffee, and Speaker Bengtson:

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.2009, § 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, nor on the ability of federal law to preempt the changes in the law. The Final Ballot Title reads as follows:

FINAL BALLOT TITLE FOR STATE QUESTION NO. 756

This measure adds a new section of law to the State Constitution. It adds Section 37 to Article 2. It defines "health care system." It prohibits making

a person participate in a health care system. It prohibits making an employer participate in a health care system. It prohibits making a health care provider provide treatment in a health care system. It allows persons and employees to pay for treatment directly. It allows a health care provider to accept payment for treatment directly. It allows the purchase of health care insurance in private health care systems. It allows the sale of health insurance in private health care systems.

The measure's effect is limited. It would not affect any law or rule in effect as of January 1, 2010.

Nor could the measure affect or negate all federal laws or rules. The United States Constitution has a Supremacy Clause. That clause makes federal law the supreme law of the land. Under that clause Congress has the power to preempt state law. When Congress intends to preempt state law, federal law controls. When Congress intends it, constitutionally enacted federal law would preempt some or all of the proposed measure.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

Respectfully submitted,



W.A. Drew Edmondson
Attorney General

WAE/ab

CHRIS BENGE
SPEAKER



CAPITOL BUILDING
PHONE: (405) 557-7340

Office of the Speaker
Oklahoma House of Representatives
Oklahoma City, OK 73105

RECEIVED
EXECUTIVE #1

JUN 23 2010

ATTORNEY GENERAL

June 22, 2010

FILED

JUL 7 2010

OKLAHOMA SECRETARY
OF STATE

Honorable Drew Edmondson
Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105

RE: Preliminary Ballot Title for State Question No. 756, Legislative Referendum No. 356—Your Letter Dated June 16, 2010

Mr. Attorney General:

I have received the proposed ballot title for State Question No. 756, Legislative Referendum No. 356 as contained in Enrolled Senate Joint Resolution No. 59 of the 2nd Session of the 52nd Oklahoma Legislature.

Pursuant to the requirements of 34 O.S. 2001, Section 9, I do not think the last full paragraph of the revised ballot title is necessary. None of the wording in the last paragraph of the proposed ballot title reflects the content of the measure.

Pursuant to paragraph 2 of subsection C of 34 O.S. 2001, Section 9, in my opinion the only wording required for a valid ballot title is that which describes the effect of the proposition. The measure is an amendment to the Oklahoma Constitution. There is no wording in the proposition which relates to a provision of the United States Constitution.

If the Legislature were to accept the analysis which underlies the inclusion of the last paragraph in your proposed ballot title, would it not be the case that each and every proposed amendment to the Oklahoma Constitution ought to include a statement that the United States Constitution is the supreme law of the land?

We have not included statements regarding the Supremacy Clause of the United States Constitution in our prior ballot measures and I do not think this measure requires that wording either.

I respectfully request that the last full paragraph of your proposed ballot title be removed before the final ballot title is submitted to the Secretary of State.

Sincerely,

A handwritten signature in cursive script that reads "Chris Benge".

Chris Benge
Speaker

CB/lmn



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

July 7, 2010

FILED

JUL 7 2010

**OKLAHOMA SECRETARY
OF STATE**

The Honorable Chris Bengé
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. 756, Legislative Referendum No. 356

Dear Speaker Bengé:

Thank you for your letter regarding the Proposed Ballot Title for State Question No. 756, which amends the Oklahoma Constitution by adding a new section establishing many prohibitions regarding health care systems. Your letter addresses the last paragraph of the Preliminary Ballot Title which explains one of the limits imposed on the State constitutional measure because of the Supremacy Clause of the United States Constitution. The paragraph you object to reads:

Nor could the measure affect or negate all federal laws or rules. The United States Constitution has a Supremacy Clause. That clause makes federal law the supreme law of the land. Under that clause Congress has the power to preempt state law. When Congress intends to preempt state law, federal law controls. When Congress intends it, constitutionally enacted federal law would preempt some or all of the proposed measure.

As you point out in your letter, the ballot's title for every proposed amendment to the Oklahoma Constitution theoretically could contain statements regarding the United States Constitution and the effect of its Supremacy Clause, and that such is not generally contained in a ballot title.

I concluded that the inclusion of such an explanation was necessary in the case at hand for two reasons:

1. The broad language in which the constitutional prohibitions were drafted, and

2. The fact that one of the primary purposes of the measure — as articulated by its supporters and in the press — is the State’s opting out of the federal health care plan.

Both the measure’s broad language and its purpose of opting out of the federal health care plan directly implicate the United States Constitution’s Supremacy Clause and the limits that the Clause places on a State’s ability to opt out of compliance with federal legislation.

Under these circumstances, I concluded it important that the voters be told that there are limits on a State’s ability to opt out of federal legislation when the United States Congress constitutionally enacts federal law which Congress intends to preempt state law. In light of the measure’s “opt out” purpose and the press coverage and public statements referring to this purpose, the voters might be lead to believe the State of Oklahoma has a right to opt out of federal law in all instances, in the absence of an explanation of the limits imposed by the Supremacy Clause in the Ballot Title.

The statement of Representative Mike Thompson, who co-authored SJR 59, (which may be viewed on video at the online version of the May 25, 2010 Oklahoman at NewsOK) makes it clear that the intent of the measure is to opt out of the federal health care legislation. Representative Thompson said:

SJR 59 is the answer to a Oklahoma citizens about opting out of Obama care. As we all well know the Governor vetoed HCR 1054 which is statutorial change. What this legislation does is it empowers the voters to make the decision whether or not they want to have a single payer system implemented upon them and so we’re going to send this to a vote of the people, it’s going to be on the November ballot.

The press coverage surrounding the passage of SJR 59 also speaks of the measure’s purpose in terms of Oklahoma opting out of the federal health care programs. That press coverage includes headlines such as “Oklahoma Senate backs public vote on federal health care opt out,” which appeared in The Oklahoman on May 5, 2010, with a lead paragraph that read, “Oklahoma voters would be able to weigh in on a measure to opt out of a federal health care plan under a joint resolution that passed the Senate this morning,” and an article which appeared in the Tulsa World on May 25, 2010, with a headline that read, “Legislature puts health-care opt-out question to voters”; this article contained an opening paragraph which read, “The House of Representatives bypassed Gov. Brad Henry on Tuesday and put a measure calling for the state to opt out of federal health-care reform on the November ballot.”¹

¹Like characteristics of the constitutional measure and its predecessor statute were included in many other articles, which appeared in The Oklahoman. They include an article on May 30, 2010, which discussed

These articles and those mentioned in the footnote, coupled with public statements, such as Representative Mike Thompson's statement, created an atmosphere in which the voters could easily believe that the effect of approving State Question No. 756, would be a complete opt out of the federal health care plan regardless of Congress' intent. The last paragraph was included in the Ballot Title so that voters would know that the Supremacy Clause permits Congress to preempt state law; thus a constitutionally enacted law by the United States Congress could preempt any attempt by Oklahoma to opt out of the current or any future federal health care plan.

For the reasons stated above, I believe that the explanation of the limit on Oklahoma's ability to opt out of any constitutionally enacted legislation which Congress intends to preempt state law is necessary in the ballot title. I remain of the opinion that without such an explanation, the voters might be misled regarding the effect of the measure — believing that if the measure passes, they could never be required to comply with federal health care mandates. Accordingly, the Final Ballot Title will include the paragraph containing the Supremacy Clause explanation.

Sincerely,



W.A. Drew Edmondson
Attorney General

WAE/ab

Republicans introducing several measures “to allow Oklahomans the ability to opt out of the federal health care plan,” and an article appearing on May 25, 2010, with a lead paragraph reading, “Oklahoma voters will decide whether to change the state Constitution and opt out of a federal health care mandate requiring them to purchase insurance policies.” Similarly, a Tulsa World article titled “Oklahoma voters to decide health care mandate,” appeared on May 25, 2010, explained that Oklahoma voters will decide “whether to change the state Constitution and opt out of the federal health care mandate requiring them to purchase health insurance policies.”

Articles discussing the measure in statutory form also spoke in terms of the voters being allowed to opt out of the federal health care plan. See for example, the following articles from The Oklahoman, “Override attempt on health care measure moves to Senate,” which appeared on May 19, 2010; “Health insurance opt-out proposal gets Oklahoma House's OK,” published on April 29, 2010; “Preliminary move keeps health care bill from Oklahoma's Governor for now,” which appeared on May 5, 2010; “Oklahoma Senate failed in health care veto override,” which appeared May 22, 2010, and “Oklahoma House overrides Governor's health care veto,” which appeared on May 18, 2010.



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

July 7, 2010

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

RECEIVED

JUL -7 2010

**OFFICE OF THE
GOVERNOR**

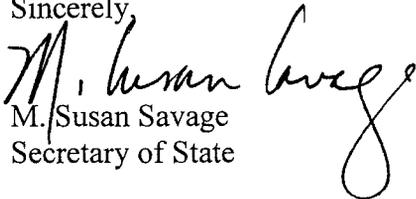
Dear Governor Henry:

Enclosed are copies of the Attorney General's final review of the proposed Ballot Title for State Question 756, Legislative Referendum 356; the State Question from Senate Joint Resolution 59; comments to the Preliminary Ballot Title by Speaker Chris Benge; the follow up letter from the Attorney General and the letter to the Oklahoma State Election Board attesting the measure.

Pursuant to the provisions of Article 24, of the Oklahoma Constitution, Section 1, this office is submitting said state question and the Attorney General's review to your office.

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

July 7, 2010

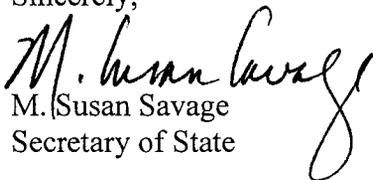
The Honorable Paul Ziriak
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriak:

Enclosed are copies of the Attorney General's final review of the proposed Ballot Title for State Question 756, Legislative Referendum 356; comments to the Preliminary Ballot Title by Speaker Chris Bengé; and the follow up letter from the Attorney General.

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

EXECUTIVE DEPARTMENT

OKLAHOMA SECRETARY
OF STATE

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 356, State Question 756, 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 adds a new section of law to the State Constitution. It adds Section 37 to Article 2. It defines "health care system." It prohibits making a person participate in a health care system. It prohibits making an employer participate in a health care system. It prohibits making a health care provider provide treatment in a health care system. It allows persons and employees to pay for treatment directly. It allows a health care provider to accept payment for treatment directly. It allows the purchase of health care insurance in private health care systems. It allows the sale of health insurance in private health care systems.

The measure's effect is limited. It would not affect any law or rule in effect as of January 1, 2010.

Nor could the measure affect or negate all federal laws or rules. The United States Constitution has a Supremacy Clause. That clause makes federal law the supreme law of the land. Under that clause Congress has the power to preempt state law. When Congress intends to preempt state law, federal law controls. When Congress intends it, constitutionally enacted federal law would preempt some or all of the proposed measure.

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

ATTEST

SECRETARY OF STATE



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 Ziriaux
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriaux:

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

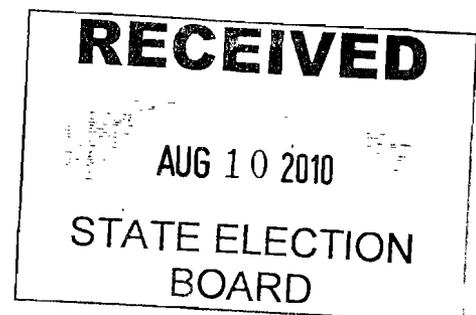
State Question Number 744, Initiative Petition Number 391
State Question Number 746, Legislative Referendum Number 347
State Question Number 747, Legislative Referendum Number 348
State Question Number 748, Legislative Referendum Number 349
State Question Number 750, Legislative Referendum Number 350
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





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,

A handwritten signature in black ink that reads "Paul Zirias".

PAUL ZIRIAS, Secretary
State Election Board

PZ/mf

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

By:

A handwritten signature in black ink that reads "Kathy Jekel".

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

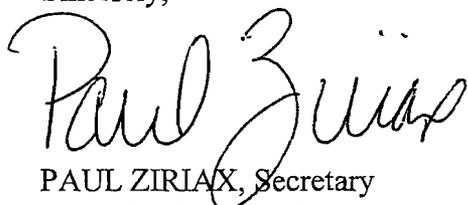
STATE QUESTION NO. 756
LEGISLATIVE REFERENDUM NO. 356

YES: 638,530
NO: 347,956

STATE QUESTION NO. 757
LEGISLATIVE REFERENDUM NO. 357

YES: 499,287
NO: 479,353

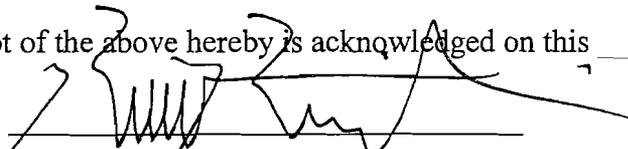
Sincerely,



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 756 to have passed. The results of the election held on November 2, 2010, on State Question 756, Legislative Referendum Number 356, are as follows:

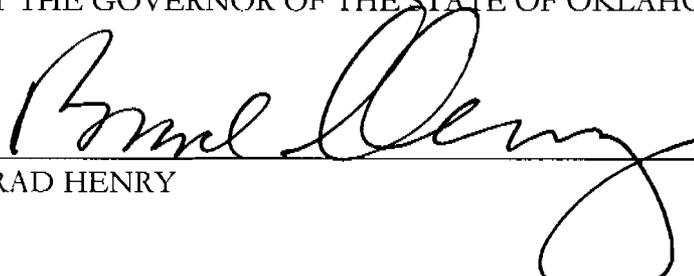
Total Votes – 986,486

YES – 638,530

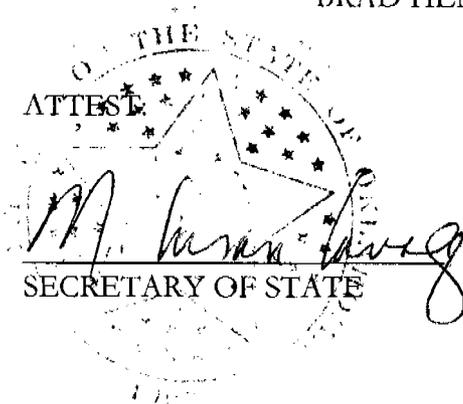
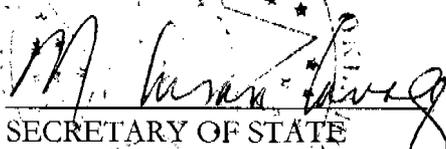
NO – 347,956

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