

ENROLLED SENATE JOINT RESOLUTION 25  
ENACTED BY THE SECOND REGULAR SESSION OF THE  
53RD LEGISLATURE OF THE STATE OF OKLAHOMA  
NUMBERED BY THE SECRETARY OF STATE

**STATE QUESTION NUMBER 762**  
**LEGISLATIVE REFERENDUM NUMBER 360**

RECEIVED: MARCH 20, 2012

# Resolution

ENROLLED SENATE  
JOINT  
RESOLUTION NO. 25

By: Brecheen, Lerblance and  
Johnson (Constance) of the  
Senate

and

Steele, Faught, Pittman,  
Condit, Shelton, Tibbs and  
Walker 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 10 of Article VI of the Oklahoma Constitution; modifying certain parole authority; requiring certain communication; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 53RD 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 10 of Article VI of the Oklahoma Constitution to read as follows:

Section 10. There is hereby created a Pardon and Parole Board to be composed of five members; three to be appointed by the Governor; one by the Chief Justice of the Supreme Court; one by the Presiding Judge of the Criminal Court of Appeals or its successor. An attorney member of the Board shall be prohibited from

representing in the courts of this state persons charged with felony offenses. The appointed members shall hold their offices coterminous with that of the Governor and shall be removable for cause only in the manner provided by law for elective officers not liable to impeachment. It shall be the duty of the Board to make an impartial investigation and study of applicants for commutations, pardons or paroles, and by a majority vote make its recommendations to the Governor of all persons deemed worthy of clemency. Provided, the Pardon and Parole Board shall have no authority to make recommendations regarding parole for ~~convicts~~ persons sentenced to death or sentenced to life imprisonment without parole.

The Pardon and Parole Board by majority vote shall have the power and authority to grant parole for nonviolent offenses after conviction, upon such conditions and with such restrictions and limitations as the majority of the Pardon and Parole Board may deem proper or as may be required by law. The Pardon and Parole Board shall have no authority to grant but may recommend parole for persons sentenced pursuant to Section 13.1 of Title 21 of the Oklahoma Statutes or the exceptions to nonviolent offenses as defined by Section 571 of Title 57 of the Oklahoma Statutes.

The Governor shall have the power to grant, after conviction and after favorable recommendation by a majority vote of the ~~said~~ Pardon and Parole Board, commutations, pardons and paroles for all offenses, except cases of impeachment, upon such conditions and with such restrictions and limitations as ~~he~~ the Governor may deem proper, subject to such regulations as may be prescribed by law. Provided, the Governor shall not have the power to grant paroles if a ~~convict~~ person has been sentenced to death or sentenced to life imprisonment without parole. The Legislature shall have the authority to prescribe a minimum mandatory period of confinement which must be served by a person prior to being eligible to be considered for parole. The Governor shall have power to grant after conviction, reprieves, or leaves of absence not to exceed sixty (60) days, without the action of ~~said~~ the Pardon and Parole Board.

He The Governor shall communicate to the Legislature, at each regular session, each case of reprieve, commutation, parole or pardon, granted, stating the name of the ~~convict~~ person receiving clemency, the crime of which ~~he~~ the person was convicted, the date

and place of conviction, and the date of commutation, pardon, parole and or reprieve.

The Pardon and Parole Board shall communicate to the Legislature, at each regular session, all paroles granted, stating the names of the persons paroled, the crimes of which the persons were convicted, the dates and places of conviction, and the dates of paroles.

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 amends Section 10 of Article 6 of the State Constitution. This measure allows the Pardon and Parole Board to grant parole for any nonviolent offense. It requires a report to the Legislature every year for all pardons and paroles.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES \_\_\_\_\_

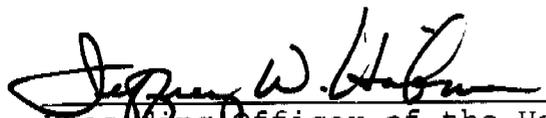
AGAINST THE PROPOSAL - NO \_\_\_\_\_

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 19th day of March, 2012.

  
\_\_\_\_\_  
Presiding Officer of the Senate

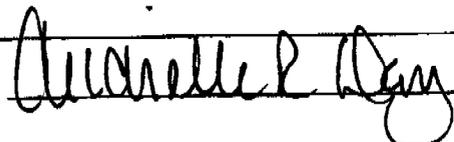
Passed the House of Representatives the 29th day of February,  
2012.

  
\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_

20th day of March, 2012  
at 2:37 o'clock P. M.

By:   
\_\_\_\_\_

V. Glenn Coffee  
Secretary of State



Mary Fallin  
Governor

## OKLAHOMA SECRETARY OF STATE

March 20, 2012

The Honorable E. Scott Pruitt  
Attorney General  
313 NE 21st Street  
Oklahoma City, Oklahoma 73105

Dear Attorney General Pruitt:

You are hereby notified that Enrolled Senate Joint Resolution 25 was received in the Office of the Secretary of State this 20th day of March, 2012. This resolution has been designated as **State Question Number 762, Legislative Referendum Number 360.**

Pursuant to 34 O.S., § 9(C), 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,

V. Glenn Coffee  
Secretary of State

A handwritten signature in black ink that reads "Michelle R. Day". The signature is written in a cursive style with a large, looped "D" at the end.

Michelle R. Day  
Assistant Secretary of State

Enclosure: State Question Number 762, Legislative Referendum Number 360



V. Glenn Coffee  
Secretary of State

Mary Fallin  
Governor

## OKLAHOMA SECRETARY OF STATE

RECEIVED

MAR 21 2012

OFFICE OF THE  
GOVERNOR

March 20, 2012

The Honorable Mary Fallin  
Governor, State of Oklahoma  
State Capitol, Room 212  
Oklahoma City, Oklahoma 73105

Dear Governor Fallin:

You are hereby notified that Enrolled Senate Joint Resolution 25 was received in the Office of the Secretary of State this 20th day of March, 2012. This resolution has been designated as **State Question Number 762, Legislative Referendum Number 360.**

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S., §9(C). 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,

V. Glenn Coffee  
Secretary of State

Michelle R. Day  
Assistant Secretary of State

Enclosure: State Question Number 762, Legislative Referendum Number 360

V. Glenn Coffee  
Secretary of State



Mary Fallin  
Governor

## OKLAHOMA SECRETARY OF STATE

March 20, 2012

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



Dear Secretary Ziriak:

You are hereby notified that Enrolled Senate Joint Resolution 25 was received in the Office of the Secretary of State this 20th day of March, 2012. This resolution has been designated as **State Question Number 762, Legislative Referendum Number 360.**

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S. § 9(C). The official ballot title will be submitted to you upon completion of the review.

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

Sincerely,

V. Glenn Coffee  
Secretary of State

A handwritten signature in black ink that reads "Michelle R. Day". The signature is written in a cursive style with a large, looped "M" and "D".

Michelle R. Day  
Assistant Secretary of State

Enclosure: State Question Number 762, Legislative Referendum Number 360



E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA

March 28, 2012

**FILED**

**MAR 28 2012**

**OKLAHOMA SECRETARY  
OF STATE**

Senator Brian Bingman  
President Pro Tempore  
Oklahoma Senate  
2300 N. Lincoln Blvd., Room 422  
Oklahoma City, Oklahoma 73105-4897

Representative Kris Steele  
Speaker, Oklahoma House of Representatives  
2300 N. Lincoln Blvd., Room 401  
Oklahoma City, Oklahoma 73105-4897

Glenn Coffec, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

Senator Josh Brecheen  
2300 N. Lincoln, Room 513A  
Oklahoma City, Oklahoma 73105-4897

**Re: Ballot Title for State Question No. 762, Legislative Referendum No. 360**

Dear President Pro Tempore Bingman, Speaker Steele, Secretary Coffec and Senator Brecheen:

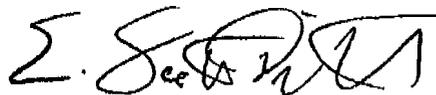
In accordance with the provisions of 34 O.S.2011, § 9(C), we have reviewed the proposed ballot title for the above-referenced State Question and conclude that it does not comply with applicable laws for the following reasons:

It does not adequately explain the effect of the proposition as:

- it does not explain that the measure would change the law to remove the Governor from the process of granting parole for nonviolent offenses;
- it does not explain that the measure provides that the Pardon and Parole Board may recommend to the Governor but may not itself grant parole for specified offenses - most of which are violent offenses;
- it mistakenly states that the measure requires a report to the Legislature for all *pardons and paroles* granted, whereas the measure requires a report for only *paroles* granted.

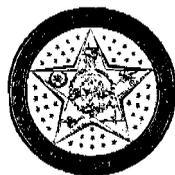
Having found that the ballot title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.2011, § 9(C), within ten (10) business days, prepare a preliminary ballot title which complies with the law and furnish a copy to each of you.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt". The signature is stylized and cursive.

E. SCOTT PRUITT  
ATTORNEY GENERAL

ESP:ab



E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA

**FILED**

APR 11 2012

**OKLAHOMA SECRETARY  
OF STATE**

April 11, 2012

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

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

Glenn Coffee, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

The Honorable Josh Brecheen  
State Senator  
2300 N. Lincoln, Room 513A  
Oklahoma City, Oklahoma 73105

**Re: Preliminary Ballot Title for State Question No. 762, Legislative Referendum No. 360**

Dear Senator Bingman, Speaker Steele, Secretary Coffee and Senator Brecheen:

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.2011, § 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. 762**

This measure amends Section 10 of Article 6 of the Oklahoma Constitution. It changes current law, decreasing the power and authority of the Governor by removing the Governor from the parole process for persons convicted of certain offenses defined as nonviolent offenses. It enlarges the power and authority of the Pardon and Parole Board by authorizing that Board, in place of the Governor, to grant parole to persons convicted of certain offenses defined as nonviolent offenses.

The Legislature defines what offenses are nonviolent offenses and the Legislature may change that definition.

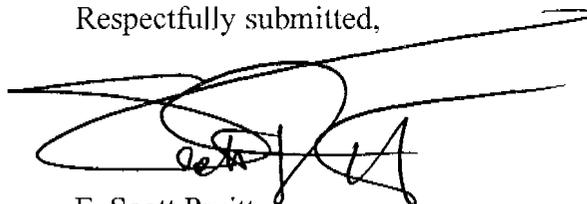
The measure authorizes the Pardon and Parole Board to recommend to the Governor, but not to itself grant, parole for persons convicted of certain offenses, specifically those offenses identified by law as crimes for which persons are required to serve not less than eighty-five percent of their sentence prior to being considered for parole and those designated by the Legislature as exceptions to nonviolent offenses. For those offenses for which persons are required to serve a minimum mandatory period of confinement prior to being eligible to be considered for parole, the Pardon and Parole Board may not recommend parole until that period of confinement has been served.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL - YES** \_\_\_\_\_

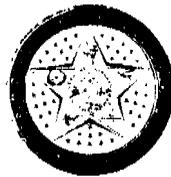
**AGAINST THE PROPOSAL - NO** \_\_\_\_\_

Respectfully submitted,



E. Scott Pruitt  
Attorney General

KRIS STEELE  
SPEAKER



CAPITOL BUILDING  
PHONE: (405) 557-7345

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

**FILED**  
APR 23 2012  
OKLAHOMA SECRETARY  
OF STATE

April 19, 2012

The Honorable E. Scott Pruitt  
Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105

Dear Attorney General Pruitt,

Pursuant to the provisions of 34 O.S. 2011, § 9(C), I have reviewed your proposed ballot title for State Question No. 762 and would make the following comment. I would request that you strike the language in the second paragraph that reads, "The Legislature defines what offenses are nonviolent offenses and the Legislature may change that definition." I believe this language is unnecessary and does not speak to the effect of the proposition as required by 34 O.S. 2011, § 9(B)(2). The language should also be removed as it could be construed as expressing partiality in violation of 34 O.S. 2011, § 9(B)(4).

Thank you for your thoughtful consideration of these concerns and I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Kris Steele".

Kris Steele  
Speaker of the House

Cc: Senate President Pro Tempore Brian Bingman  
Glenn Coffee, Secretary of State  
Senator Josh Brecheen

KS:jb

**RECEIVED**  
APR 23 2012  
OKLAHOMA SECRETARY  
OF STATE



E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA

**RECEIVED**

APR 30 2012

OKLAHOMA SECRETARY  
OF STATE

**FILED**

APR 30 2012

OKLAHOMA SECRETARY  
OF STATE

April 30, 2012

Glenn Coffee, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 101  
Oklahoma City, Oklahoma 73105-4897

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

The Honorable Kris Steele  
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. 762, Legislative Referendum No. 360**

Dear Secretary Coffee, Senator Bingman and Speaker Steele:

Having found that the proposed ballot title for the above-referenced state question did not comply with applicable laws, we prepared a Preliminary Ballot Title on April 11, 2012. We have considered comments by Speaker Steele to that Preliminary Ballot Title and, in accordance with 34 O.S. 2011, § 9(C), have 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. 762**

This measure amends Section 10 of Article 6 of the Oklahoma Constitution. It changes current law, decreasing the power and authority of the Governor by removing the Governor from the parole process for persons convicted of certain offenses defined as nonviolent offenses. It enlarges the power and authority of the Pardon and Parole Board by authorizing that Board, in place of the Governor, to grant parole to persons convicted of certain offenses defined as nonviolent offenses.

The Legislature defines what offenses are nonviolent offenses and the Legislature may change that definition.

The measure authorizes the Pardon and Parole Board to recommend to the Governor, but not to itself grant, parole for persons convicted of certain offenses, specifically those offenses identified by law as crimes for which persons are required to serve not less than eighty-five percent of their sentence prior to being considered for parole and those designated by the Legislature as exceptions to nonviolent offenses. For those offenses for which persons are required to serve a minimum mandatory period of confinement prior to being eligible to be considered for parole, the Pardon and Parole Board may not recommend parole until that period of confinement has been served.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL - YES** \_\_\_\_\_

**AGAINST THE PROPOSAL - NO** \_\_\_\_\_

Respectfully submitted,



E. Scott Pruitt  
Attorney General

cc:

ESP/ab



V. Glenn Coffee  
Secretary of State

Mary Fallin  
Governor

## OKLAHOMA SECRETARY OF STATE

May 4, 2012

**RECEIVED**

MAY 04 2012

STATE ELECTION  
BOARD

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

Re: State Question No. 762, Legislative Referendum 360  
Proposed Constitutional Amendments to Parole Process

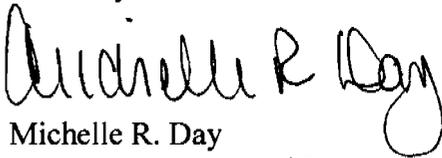
Dear Secretary Ziriaux:

In accordance with the provisions of 34 O.S. § 9(C)(2), I herewith transmit the Attorney General's Final Ballot Title for State Question 762, Legislative Referendum 360 and attest that the enclosed copy of Senate Joint Resolution 25 is a true and accurate copy of the measure filed with this office.

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

Sincerely,

V. Glenn Coffee  
Secretary of State

  
Michelle R. Day  
Assistant Secretary of State

Enclosures: Final Ballot Title  
State Question 762, Legislative Referendum 360



V. Glenn Coffee  
Secretary of State

Mary Fallin  
Governor

**OKLAHOMA SECRETARY OF STATE**

**RECEIVED**

May 4, 2012

MAY 09 2012

OFFICE OF THE  
GOVERNOR

The Honorable Mary Fallin  
Governor, State of Oklahoma  
Room 212, State Capitol  
Oklahoma City, Ok 73105

Re: State Question 762, Legislative Referendum 360  
Proposed Constitutional Amendments to Parole Process

Dear Governor Fallin:

Pursuant to 34 O.S. § 9(C)(2), the Secretary of State has transmitted to the Secretary of the Election Board an attested copy of the above reference measure, and the Final Ballot Title submitted by the Attorney General. A copy of the Final Ballot Title is enclosed for your information and records.

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

Sincerely,

V. Glenn Coffee  
Secretary of State

Michelle R. Day  
Assistant Secretary of State

Enclosures: Attorney General's Final Ballot Title  
Transmittal letter to Secretary of the State Election Board

V. Glenn Coffee  
Secretary of State



Mary Fallin  
Governor

## OKLAHOMA SECRETARY OF STATE

September 27, 2012

Cindy Shea  
Oklahoma Press Service  
3601 N. Lincoln  
Oklahoma City, OK 73105

Dear Ms. Shea:

Attached for publication is the notice of proposed constitutional measures and the ballot titles for the six state questions that will appear on the November 6, 2012, General Election ballot.

I hereby request a copy of the notice and ballots to be published in accordance with 34 O.S. § 17: once, no less than five (5) days before the election, in two different newspapers of general statewide circulation and in a newspaper of general circulation in each county. If you have any questions or concerns, please contact us.

Please submit proof of publication to us as soon as possible.

Sincerely,

V. Glenn Coffee  
Secretary of State

A handwritten signature in black ink that reads 'Michelle R. Day'. The signature is written in a cursive style with a large, looping 'M' and 'D'.

Michelle R. Day  
Assistant Secretary of State

## PROPOSED MEASURES

**General Election  
November 6, 2012**

In compliance with Title 34 Oklahoma Statutes, Section 17, notice is hereby given for the proposed amendments to the Oklahoma Constitution which will appear on the ballot November 6, 2012.

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V. Glenn Coffee  
Secretary of State

## BALLOT TITLES

STATE QUESTION NO. 758

LEGISLATIVE REFERENDUM 358

This measure amends the State Constitution. It amends Section 8B of Article 10.

The measure deals with real property taxes also called ad valorem taxes. These taxes are based on several factors. One factor is the fair cash value of the property.

The measure changes the limits on increases in fair cash value. Now, increases are limited to 5% of fair cash value in any taxable year.

The measure changes the cap on increases to 3% for some property. The 3% cap would apply to homestead exempted property. The cap would also apply to agricultural land.

The measure also removes obsolete language.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

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STATE QUESTION NO. 759

LEGISLATIVE REFERENDUM 359

This measure adds a new section to the State Constitution. It adds Section 36 to Article II.

The measure deals with three areas of government action. These areas are employment, education and contracting.

In these areas, the measure does not allow affirmative action programs. Affirmative action programs give preferred treatment based on race, color or gender. They also give preferred treatment based on ethnicity or national origin. Discrimination on these bases is also not permitted.

The measure permits affirmative action in three instances. 1. When gender is a bonafide qualification, it is allowed. 2. Existing court orders and consent decrees that require preferred

treatment will continue and can be followed. 3. Affirmative action is allowed when needed to keep or obtain federal funds.

The measure applies to the State and its agencies. It applies to counties, cities and towns. It applies to school districts. It applies to other State subdivisions.

The measure applies only to actions taken after its approval by the people.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

STATE QUESTION NO. 762

LEGISLATIVE REFERENDUM 360

This measure amends Section 10 of Article 6 of the Oklahoma Constitution. It changes current law, decreasing the power and authority of the Governor by removing the Governor from the parole process for persons convicted of certain offenses defined as nonviolent offenses. It enlarges the power and authority of the Pardon and Parole Board by authorizing that Board, in place of the Governor, to grant parole to persons convicted of certain offenses defined as nonviolent offenses.

The Legislature defines what offenses are nonviolent offenses and the Legislature may change that definition.

The measure authorizes the Pardon and Parole Board to recommend to the Governor, but not to itself grant, parole for persons convicted of certain offenses, specifically those offenses identified by law as crimes for which persons are required to serve not less than eighty-five percent of their sentence prior to being considered for parole and those designated by the Legislature as exceptions to nonviolent offenses. For those offenses for which persons are required to serve a minimum mandatory period of confinement prior to being eligible to be considered for parole, the Pardon and Parole Board may not recommend parole until that period of confinement has been served.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

STATE QUESTION NO. 764

LEGISLATIVE REFERENDUM 361

This measure amends the Oklahoma Constitution. It adds a new Section 39A to Article 10. It would allow the Oklahoma Water Resources Board to issue bonds. Any bonds issued would be used to provide a reserve fund for the Board. The fund would be a reserve fund for certain water resource and sewage treatment funding programs. The fund could only be used to pay other bonds and obligations for the funding programs. The bonds could only be issued after other monies and sources are used for repayment. The bonds would be general obligation bonds. Not

more than Three Hundred Million Dollars worth of bonds could be issued. The Legislature would provide the monies to pay for the bonds. The Legislature would provide for methods for issuing the bonds. The Legislature would provide for how the fund is administered.

SHALL THE PROPOSAL BE APPROVED?  
FOR THE PROPOSAL – YES  
AGAINST THE PROPOSAL – NO

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STATE QUESTION NO. 765

LEGISLATIVE REFERENDUM 362

The measure amends the Oklahoma Constitution. It abolishes the Oklahoma Department of Human Services, the Oklahoma Commission of Human Services and the position of Director of the Oklahoma Department of Human Services. These entities were created under different names by Sections 2, 3 and 4 of Article 25 of the Oklahoma Constitution and given duties and responsibilities related to the care of the aged and needy. The measure repeals these sections of the Constitution and consequently, removes the power of the Commission of Human Services to establish policy and adopt rules and regulations. Under the measure, the Legislature and the people by initiative petition retain the power to adopt legislation for these purposes.

The measure adds a provision to the Constitution authorizing the Legislature to create a department or departments to administer and carry out laws to provide for the care of the aged and the needy. The measure also authorizes the Legislature to enact laws requiring the newly-created department or departments to perform other duties.

SHALL THE PROPOSAL BE APPROVED?  
FOR THE PROPOSAL - YES  
AGAINST THE PROPOSAL - NO

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STATE QUESTION NO. 766

LEGISLATIVE REFERENDUM 363

This measure amends Section 6A of Article 10 of the Oklahoma Constitution. At present that section exempts some intangible personal property from ad valorem property taxation. This measure would exempt all intangible personal property from ad valorem property taxation.

An ad valorem property tax is a tax imposed upon the value of property.

Intangible Personal Property is property whose value is not derived from its physical attributes, but rather from what it represents or evidences.

Intangible Personal Property which is still currently taxed but would not be taxed if the measure is adopted, includes items such as:

- patents, inventions, formulas, designs, and trade secrets;

- licenses, franchise, and contracts;
- land leases, mineral interests, and insurance policies;
- custom computer software; and
- trademarks, trade names and brand names.

If adopted, the measure would apply to property taxation starting with the tax year that begins on January 1, 2013.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO



# Oklahoma State Election Board

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

November 15, 2012

**FILED**

**NOV 16 2012**

**OKLAHOMA SECRETARY  
OF STATE**

The Honorable Glenn Coffee  
Secretary of State  
Room 101, State Capitol  
Oklahoma City, Oklahoma 73105

Dear Mr. Coffee:

Enclosed please find a copy of the official returns of the vote at the General Election on November 6, 2012, on the following measures, as certified to the Governor of the State of Oklahoma.

State Question No. 758, Legislative Referendum No. 358

State Question No. 759, Legislative Referendum No. 359

State Question No. 762, Legislative Referendum No. 360

State Question No. 764, Legislative Referendum No. 361

State Question No. 765, Legislative Referendum No. 362

State Question No. 766, Legislative Referendum No. 363

Sincerely,

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

PAUL ZIRIAX, Secretary  
State Election Board

PZ/mf

Receipt of the above hereby is acknowledged on this 16th day of November, 2012.

By: A handwritten signature in black ink that reads "Lynn Mills".

Time: 10:15 a.m.

045798



# Oklahoma State Election Board

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

November 15, 2012

**RECEIVED**

NOV 16 2012

OFFICE OF THE  
GOVERNOR

The Honorable Mary Fallin  
Governor of the State of Oklahoma  
Room 212, State Capitol  
Oklahoma City, Oklahoma 73105

Dear Governor Fallin:

Pursuant to the provisions of 26 O.S. 2011, §12-118, the State Election Board herewith certifies the results of the vote at the General Election on November 6, 2012, on the following measures.

STATE QUESTION NO. 758  
LEGISLATIVE REFERENDUM NO. 358

YES: 858,081  
NO: 409,041

STATE QUESTION NO. 759  
LEGISLATIVE REFERENDUM NO. 359

YES: 745,854  
NO: 514,163

STATE QUESTION NO. 762  
LEGISLATIVE REFERENDUM NO. 360

YES: 745,133  
NO: 514,080

Governor Fallin  
November 15, 2012  
Page 2

STATE QUESTION NO. 764  
LEGISLATIVE REFERENDUM NO. 361

YES: 706,322  
NO: 539,492

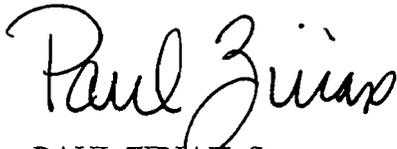
STATE QUESTION NO. 765  
LEGISLATIVE REFERENDUM NO. 362

YES: 751,909  
NO: 502,949

STATE QUESTION NO. 766  
LEGISLATIVE REFERENDUM NO. 363

YES: 826,102  
NO: 445,500

Sincerely,



PAUL ZIRIAS, Secretary  
State Election Board

PZ/mf

Receipt of the above hereby is acknowledged on this 16<sup>th</sup> day of November, 2012.

By: Audrey Rockwell

Time: 10:00AM