April 11th, 2016

The Honorable Chris Benge
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 101
Oklahoma City, Oklahoma 73105-4897

Re: Initiative Petition

Dear Mr. Secretary,

Please accept for filing the enclosed copy of an initiative petition and the suggested ballot title. The initiative petition would amend statutes to legalize medical marijuana.

Sincerely,

Oklahomans for Health
8751 N 117th E Ave
Owasso, OK 74055

RECEIVED
APR 11 2016
OKLAHOMA SECRETARY
OF STATE

FILED
APR 11 2016
OKLAHOMA SECRETARY OF STATE

PROPOSED BALLOT TITLE

This measure amends the Oklahoma State Statutes. A yes vote legalizes the licensed use, sale, and growth of marijuana in Oklahoma for medicinal purposes. A license is required for use and possession of marijuana for medicinal purposes and must be approved by an Oklahoma Board Certified Physician. The State Department of Health will issue medical marijuana licenses if the applicant is eighteen years or older and an Oklahoma resident. A special exception will be granted to an applicant under the age of eighteen, however these applications must be signed by two physicians and a parent or legal guardian. The Department will also issue seller, grower, packaging, transportation, research and caregiver licenses. Individual and retail businesses must meet minimal requirements to be licensed to sell marijuana to licensees. The punishment for unlicensed possession of permitted amounts of marijuana for individuals who can state a medical condition is a fine not exceeding four hundred dollars. Fees and zoning restrictions are established. A seven percent state tax is imposed on medical marijuana sales.

Shall the proposal be approved?

For the proposal	-	YES
Against the proposal	-	NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

State Question No. 788, Initiative Petition No. 412

FILED
APR 11 2016
OKLAHOMA SECRETARY OF STATE

WARNING

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

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 420 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A person in possession of a state issued medical marijuana license shall be able to:

1. Consume marijuana legally;
2. Legally possess up to three (3) ounces of marijuana on their person;
3. Legally possess six (6) mature marijuana plants;
4. Legally possess six (6) seedling plants;
5. Legally possess one (1) ounce of concentrated marijuana;
6. Legally possess seventy-two (72) ounces of edible marijuana; and
7. Legally possess up to eight (8) ounces of marijuana in their residence.

B. Possession of up to one and one-half (1.5) ounces of marijuana by persons who can state a medical condition, but not in possession of a state issued medical marijuana license, shall constitute a misdemeanor offense with a fine not to exceed Four Hundred Dollars ($400.00).

C. A regulatory office shall be established under the Oklahoma State Department of Health which will receive applications for medical license recipients, dispensaries, growers, and packagers within sixty (60) days of the passage of this initiative.

D. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana license. The license will be good for two (2) years, and the application fee will be One Hundred Dollars ($100.00), or Twenty Dollars ($20.00) for individuals on Medicaid, Medicare, or SoonerCare. The methods of payment will be provided on the website.

E. A temporary license application will also be available on the Oklahoma Department of Health website. A temporary medical marijuana license will be granted to any medical marijuana license holder from other states, provided that the state has a state regulated medical marijuana program, and the applicant can prove they are a member of such. Temporary licenses will be issued for thirty (30) days. The cost for a temporary license shall be One Hundred Dollars ($100.00). Renewal will be granted with resubmission of a new application. No additional criteria will be required.

F. Medical marijuana license applicants will submit their application to the Oklahoma State Department of Health for approval and that the applicant must be an Oklahoma state resident and shall prove residency by a valid driver's license, utility bills, or other accepted methods.

G. The Oklahoma State Department of Health shall review the medical marijuana application, approve/reject the application, and mail the applicant's approval or rejection letter (stating reasons for rejection) to the applicant within fourteen (14) days of receipt of the application. Approved applicants will be issued a medical marijuana license which will act as proof of their approved status. Applications may only be rejected based on applicant not meeting stated criteria or improper completion of the application.

H. The Oklahoma State Department of Health will only keep the following records for each approved medical license:

1. a digital photograph of the license holder;
2. the expiration date of the license;
3. the county where the card was issued; and
4. a unique 24 character identification number assigned to the license.

I. The Department of Health will make available, both on its website, and through a telephone verification system, an easy method to validate a medical license holders authenticity by the unique 24 character identifier.

J. The State Department of Health will ensure that all application records and information are sealed to protect the privacy of medical license applicants.

K. A caregiver license will be made available for qualified caregivers of a medical marijuana license holder who is homebound. The caregiver license will give the caregiver the same rights as the medical license holder. Applicants for a caregiver license will submit proof of the medical marijuana license holder's license status and homebound status, that they are the designee of the medical marijuana license holder, must submit proof that the caregiver is age eighteen (18) or older, and must submit proof the caregiver is an Oklahoma resident. This will be the only criteria for a caregiver license.

L. All applicants must be eighteen (18) years or older. A special exception will be granted to an applicant under the age of eighteen (18), however these applications must be signed by two (2) physicians and the applicant's parent or legal guardian.

M. All applications for a medical license must be signed by an Oklahoma Board certified physician. There are no qualifying conditions. A medical marijuana license must be recommended according to the accepted standards a reasonable and prudent physician would follow when recommending or approving any medication. No physician may be unduly stigmatized or harassed for signing a medical marijuana license application.

N. Counties and cities may enact medical marijuana guidelines allowing medical marijuana license holders or caregivers to exceed the state limits set forth in subsection A of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 421 of Title 63, unless there is created a duplication in numbering, reads as follows:

A.The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana dispensary license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and a method of payment will be provided on the website. Retail applicants must all be Oklahoma state residents. Any entity applying for a retail license must be owned by an Oklahoma state resident and must be registered to do business in Oklahoma. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana dispensary license.

C. Retailers will be required to complete a monthly sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail the weight of marijuana purchased at wholesale and the weight of marijuana sold to card holders, and account for any waste. The report will show total sales in dollars, tax collected in dollars, and tax due in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A retailer will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. Only a licensed medical marijuana retailer may conduct retail sales of marijuana, or marijuana derivatives in the form provided by licensed processors, and these products can only be sold to a medical marijuana license holder or their caregiver. Penalties for fraudulent sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 422 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health will within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a commercial grower license. The application fee will be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health has two (2) weeks to review application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a commercial grower license.

C. A licensed commercial grower may sell marijuana to a licensed retailer, or a licensed packager. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed commercial grower sell marijuana directly to a medical marijuana license holder. A licensed commercial grower may only sell at the wholesale level to a licensed retailer or a licensed processor. If the federal government lifts restrictions on buying and selling marijuana between states, then a licensed commercial grower would be allowed to sell and buy marijuana wholesale from, or to, an out of state wholesale provider. A licensed commercial grower will be required to complete a monthly yield and sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana harvested in pounds, the amount of drying or dried marijuana on hand, the amount of marijuana sold to processors in pounds, the amount of waste in pounds, and the amount of marijuana sold to retailers in lbs. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed grower will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting or sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. There shall be no limits on how much marijuana a licensed grower can grow.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 423 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana processing license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B.The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an Individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana processing license.

C. A licensed processor may take marijuana plants and distill or process these plants into concentrates, edibles, and other forms for consumption. As required by subsection D of this section, the Oklahoma State Department of Health will, within sixty (60) days of passage of this initiative, make

available a set of standards which will be used by licensed processors in the preparation of edible marijuana products. This should be in line with current food preparation guidelines and no excessive or punitive rules may be established by the Oklahoma State Department of Health. Once a year, the Oklahoma State Department of Health may inspect a processing operation and determine its compliance with the preparation standards. If deficiencies are found, a written report of deficiency will be issued to the processor. The processor will have one (1) month to correct the deficiency or be subject to a fine of Five Hundred Dollars ($500.00) for each deficiency. A licensed processor may sell marijuana products it creates to a licensed retailer, or any other licensed processor. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed processor sell marijuana, or any marijuana product, directly to a medical marijuana license holder. However, a licensed processor may process cannabis into a concentrated form, for a medical license holder, for a fee. Processors will be required to complete a monthly yield and sales report to the Oklahoma State Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana purchased in pounds, the amount of marijuana cooked or processed in pounds, and the amount of waste in pounds. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed processor will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. The inspection and compliance of processors producing products with marijuana as an additive. The Oklahoma State Department of Health will be compelled to, within thirty (30) days of passage of this initiative, appoint a board of twelve (12) Oklahoma residents, who are marijuana industry experts, to create a list of food safety standards for processing and handling medical marijuana in Oklahoma. These standards will be adopted by the agency and the agency can enforce these standards for processors. The agency will develop a standards review procedure and these standards can be altered by calling another board of twelve (12) Oklahoma marijuana industry experts. A signed letter of twenty (20) operating processors would constitute a need for a new board and standard review.

E. If it becomes permissible, under federal law, marijuana may be moved across state lines.

F. Any device used for the consumption of medical marijuana shall be considered legal to be sold, manufactured, distributed, and possessed. No merchant, wholesaler, manufacturer, or individual may unduly be harassed or prosecuted for selling, manufacturing, or possession of medical marijuana paraphernalia.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 424 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A marijuana transportation license will be issued to qualifying applicants for a marijuana retail, growing, or processing license. The transportation license will be issued at the time of approval of a retail, growing, or processing license.

B. A transportation license will allow the holder to transport marijuana from an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processor facility to an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processing facility.

C. All marijuana or marijuana products shall be transported in a locked container and clearly labeled "Medical Marijuana or Derivative".

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 425 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for his status as a medical marijuana license holder, unless failing to do so would imminently cause the school or landlord to lose a monetary or licensing related benefit under federal law or regulations.

B. Unless a failure to do so would cause an employer to imminently lose a monetary or licensing related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person based upon either:

1. The person's status as a medical marijuana license holder; or
2. Employers may take action against a holder of a medical marijuana license holder if the holder uses or possesses marijuana while in the holder's place of employment or during the hours of employment. Employers may not take action against the holder of a medical marijuana license solely based upon the status of an employee as a medical marijuana license holder or the results of a drug test showing positive for marijuana or its components.

C. For the purposes of medical care, including organ transplants, a medical marijuana license holder's authorized use of marijuana must be considered the equivalent of the use of any other medication under the direction of a physician and does not constitute the use of an illicit substance or otherwise disqualify a registered qualifying patient from medical care.

D. No medical marijuana license holder may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under this law, unless the person's behavior creates an unreasonable danger to the safety of the minor.

E. No person holding a medical marijuana license may unduly be withheld from holding a state issued license by virtue of their being a medical marijuana license holder. This would include such things as a concealed carry permit.

F. No city or local municipality may unduly change or restrict zoning laws to prevent the opening of a retail marijuana establishment.

G. The location of any retail marijuana establishment is specifically prohibited within one thousand (1,000) feet from any public or private school entrance.

H. Research will be provided under this law. A researcher may apply to the Oklahoma Department of Health for a special research license. That license will be granted, provided the applicant meet the criteria listed under Section 421. B. Research license holders will be required to file monthly consumption reports to the Oklahoma Department of Health with amounts of marijuana used for research.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 426 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The tax on retail medical marijuana sales will be established at seven percent (7%) of the gross amount received by the seller.

B. This tax will be collected at the point of sale. Tax proceeds will be applied primarily to finance the regulatory office.

C. If proceeds from the levy authorized by subsection A of this section exceed the budgeted amount for running the regulatory office, any surplus shall be apportioned with seventy-five percent (75%) going to the General Revenue Fund and may only be expended for common education. Twenty-five percent (25%) shall be apportioned to the Oklahoma State Department of Health and earmarked for drug and alcohol rehabilitation.

SECTION 8. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provision hereof, and the remaining provisions hereof shall continue in full force and effect.

SECTION 9. This act shall become effective one (1) month immediately following its passage.

Name and Address of Proponents

Oklahomans for Health
8751 N 117th E Ave
Owasso, OK 74055

SIGNATURES

The gist of the proposition is as follows: This measure legalizes medical marijuana for residents with a recommendation from an Oklahoma Board Certified Physician. It also legalizes commercial medical marijuana dispensary, growing, and processing licenses regulated by the Department of Health. It protects card holders from discrimination and lowers penalties for unlicensed possession.

WARNING

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

1.
Signature of Legal Voter | Print Name | Address | City | Zip | County

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Signature of Legal Voter | Print Name | Address | City | Zip | County

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Signature of Legal Voter | Print Name | Address | City | Zip | County

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Signature of Legal Voter | Print Name | Address | City | Zip | County

19.
Signature of Legal Voter | Print Name | Address | City | Zip | County

20.
Signature of Legal Voter | Print Name | Address | City | Zip | County

Signature Collectors – Please fill out information on reverse side and have notarized before filing

AFFIDAVIT

STATE OF OKLAHOMA)

) ss.

COUNTY OF _____)

I, _____, being first duly sworn, say:

That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has signer has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and the County of his residence as stated.

_____
Circulator's Signature

_____
Address

_____
City ZIP Code

Subscribed and sworn to me before this ____ day of _____, 20_____.

My Commission Expires:

_____

My Commission Number:

_____

_____
Notary Public

_____
Address

_____
City ZIP Code

Chris Benge
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

April 11, 2016

FILED
APR 11 2016
OKLAHOMA SECRETARY OF STATE

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Dear Proponent(s):

This acknowledges receipt of the petition submitted to our office, which has been designated as **State Question Number 788, Initiative Petition Number 412**, and filed accordingly this April 11, 2016.

Per Title 34 O.S. Section 8, subsequent to the publication of the notice of filing of said petition, the apparent sufficiency or insufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Executive Legislative Division
OKLAHOMA SECRETARY OF STATE OFFICE
Oklahoma State Capitol Building, Rm 101
Oklahoma City, Oklahoma 73105
Phone: 405.522.4565
Email: executivelegislative@sos.ok.gov

Chris Benge
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

April 11, 2016

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

Dear Ms. Shea:

Please find enclosed for publication;

- **Notice of Filing for State Question 788, Initiative Petition 410**

Per Title 34 O.S. § 8, the publications must appear in at least one newspaper of general circulation in the State of Oklahoma. Please publish the enclosed notice in *The Oklahoman*, *Tulsa World*, and the *Journal Record* as soon as possible.

Also, upon the completion of publication, please provide our office with the corresponding Affidavits of Publication. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

NOTICE OF THE FILING OF STATE QUESTION 788, INITIATIVE PETITION 412, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

NOTICE is hereby given that on April 11, 2016, State Question 788, Initiative Petition 412 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 788, Initiative Petition 412 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponents or proponents filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponent of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

Chris Benge
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

April 11, 2016

RECEIVED
APR 1 2 2016
BY:_____

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

Dear Governor Fallin:

Please be advised that an initiative petition, designated as **State Question 788, Initiative Petition 412**, was sufficiently filed with the Office of the Secretary of State on Monday, April 11, 2016. Proponents of record for said petition is as follows;

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Please find enclosed a true and exact copy of State Question 788, Initiative Petition 412 on record with the Office of the Secretary of State.

Per Title 34 O.S. Section 8, subsequent to the publication of notice of filing of said petition, the apparent sufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

Chris Benge
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

RECEIVED
APR 12 2016
STATE ELECTION
BOARD

April 11, 2016

Secretary Paul Ziriax
Oklahoma State Election Board
Room 3, State Capitol
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriax:

Please be advised that an initiative petition, designated as **State Question 788, Initiative Petition 412**, was sufficiently filed with the Office of the Secretary of State on Monday, April 11, 2016. Proponents of record for said petition is as follows;

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Please find enclosed a true and exact copy of State Question 788, Initiative Petition 412 on record with the Office of the Secretary of State.

Per Title 34 O.S. Section 8, subsequent to the publication of notice of filing of said petition, the apparent sufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

SQ788, IP412

Bids & Proposals 710 | Bids & Proposals 710

ELECTRIC UTILITY DEBRIS REMOVAL

Oklahoma Electric Cooperative (OEC) in Norman, OK, is a distribution electric utility serving members in central Oklahoma. OEC is seeking bids for debris and material removal and disposal for 2016. In the event of substantial storm damage to the utility, the winning bid would be required to begin removing debris in one week's notice. Debris would consist of wooden poles, material, wire and trash. Please contact Marty Hayes, manager of maintenance, at 405-217-6642 or mhayes@okcoop.org for information on specific requirements and contract forms. Bids are due April 19 at 10 a.m.; Bids will be opened on April 21 at 10 a.m.

STORM RESTORATION

Oklahoma Electric Cooperative (OEC) in Norman, OK, is a distribution electric utility serving members in central Oklahoma. OEC is seeking bids from power line construction contractors for storm restoration in 2016. In the event of substantial storm damage to the utility, the winning bid would be notified to assemble crews and report of OEC's office on short notice. Please contact Randy Simmons, vice president of operations, at 405-217-6670 or rsimmons@okcoop.org for more information on specific requirements and contract forms. Bids are due April 19 at 10 a.m.; Bids will be opened on April 21 at 10 a.m.

Dogs 573

Shih-tzu, AKC, 6 wks. Home Raised
Bk/W; s/w/dc. $375 M; $425 F
405 331 0844; 405 328 1298

Siberian Husky ¾ American Timber Wolf ¼, 6F, 5wks, blue eyes, 1 wht, 5 blk/wht, w/ch etc. $500

Horses, Equipment & Supplies 575

DONATE YOUR HORSE TO
CALVARY BOYS RANCH
Tax deduct. given 918-689-9403

Pets 577

Legal Notices 717 | Legal Notices 717

PUBLIC NOTICE
FEMA-4256-DR-OK

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse eligible applicants for eligible costs to repair and/or replace facilities damaged by Severe Winter Storms and Flooding, occurring during the period December 26, 2015 thru January 5, 2016. This notice applies to the Public Assistance (PA) and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206.

Under a major disaster declaration (FEMA-4256-DR-OK) signed by the President on February 10, 2016, the following Counties have been designated eligible for PA: Adair, Alfalfa, Beckham, Blaine, Caddo, Canadian, Cherokee, Coal, Comanche, Cotton, Craig, Custer, Delaware, Dewey, Grady, Grant, Greer, Harmon, Haskell, Hughes, Jackson, Kay, Kingfisher, Kiowa, Latimer, Major, Mayes, McCurtain, McIntosh, Muskogee, Noble, Okfuskee, Okmulgee, Osage, Pittsburg, Pushmataha, Roger Mills, Sequoyah, Tillman, Washita, and Woods counties. All Counties in the State of Oklahoma are eligible for HMGP.

This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and evaluated for social, economic, historical, environmental, legal and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts.

FEMA has determined that for certain types of facilities there are normally no alternatives to restoration in the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50% of the cost to replace the entire facility, and is less than $100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous Presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities that do not meet the four criteria are required to undergo more detailed review, including study of alternate locations. Subsequent public notices regarding such projects will be published if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration be-

Legal Notices 717 | Legal Notices 717

PUBLIC NOTICE
FEMA-4247-DR-OK

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse eligible applicants for eligible costs to repair and/or replace facilities damaged by Severe Winter Storms and Flooding, occurring during the period November 27, 2015-November 29, 2015. This notice applies to the Public Assistance (PA) and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206.

Under a major disaster declaration (FEMA-4247-DR-OK) signed by the President on December 29, 2015, as modified by Amendment 1, the following Counties have been designated eligible for PA: Alfalfa, Beckham, Blaine, Bryan, Caddo, Canadian, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Kingfisher, Kiowa, Logan, Major, Oklahoma, Roger Mills, Washita and Woods. All Counties in the State of Oklahoma are eligible for HMGP.

This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and evaluated for social, economic, historical, environmental, legal and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts.

FEMA has determined that for certain types of facilities there are normally no alternatives to restoration in the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50% of the cost to replace the entire facility, and is less than $100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous Presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities that do not meet the four criteria are required to undergo more detailed review, including study of alternate locations. Subsequent public notices regarding such projects will be published if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will find eligible

Call/txt after 4pm 580-530-0922

Weimaraner, AKC 4F, 4M, silver, 4 weeks on 4/7, both parents on premises, $700 ea, taking deposits ($350), 580-467-5104.

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3m fm 11wks s/w POP
$450 Cash • 405-368-6533

Yorkie, Adorable Babies, ACA s/w/ $700 570-5274 570-9134

Yorkie Poo, adorable ITTY BITTY $495-$550 VISA/MC 826-4557

YORKIES, ACA REGISTERED, M/F, s/w/dc, pics available, $300-$450, 580-224-1642.

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APHA world champion full sister 3y/o filly, green broke, Palomino Overo, $2000, 405-481-5558.

Jones Livestock Auction
Thursday Tack 6pm
Goats, Cattle &
Horses Following
15 miles East of OKC
126 E Main Jones, OK 73049
(405)399-2999

Catalog Horse Sale May 14th
Stillwater, OK.
Catalog deadline May 5th.
Horses & buyers from all over.
For info call 580-227-0459,
www.heartofcowboycountry.com

Mini Potbelly Piglets, 8 weeks, vet checked, boys $200, girls $300, 405-481-5558.

Hedgehogs, 4 month F's, $250; Bearded Dragons, proven breeding pair, $250; 405-481-5558.

TAKE NOTE

Scan to find even more classifieds.

Business Oppty 712.5

28YR OLD RESTAURANT NW okc for sale. Retireing! 405-402-0441

Financial 714.5

I'm in need of a loan secured by 1st mortgage on real estate, 405-414-7450.

Lost 720

Siberian Husky on Apr 12, 157th & Rockwell area. Lg white & gray neutered M w/red collar. has KS Chip, family pet, very missed $100 Reward if found call 405-603-6071; 651-0247 lv msg

Personal Messages 722

Thank you Our Lady of Lourdes, St. Jude, St. Anthony, All Saints, Michael the Archangel & all angels, for your assistance of answering my novenas as promised.

HOMESOK.COM

restoration at the original location if the facility is functionally dependent on its floodplain location (e.g., bridges and flood control facilities), or the project facilitates an open space use, or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. State of Oklahoma and local officials will confirm to FEMA that proposed actions comply with all applicable State and local floodplain management and wetland protection requirements.

FEMA also intends to provide HMGP funding to the State of Oklahoma to mitigate future disaster damages. These projects may include construction of new facilities, modification of existing, undamaged facilities, relocation of facilities out of floodplains, demolition of structures, or other types of projects to mitigate future disaster damages. In the course of developing project proposals, subsequent public notices will be published if necessary, as more specific information becomes available.

The National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts or objects 50 years or older or that affect archeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register). If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA will provide additional public notices. For historic properties not adversely affected by FEMA's undertaking, this will be the only public notice.

As noted, this may be the only public notice regarding the above-described actions under the PA and HMGP programs. Interested persons may obtain information about these actions or a specific project by writing to Kevin Jaynes, Regional Environmental Officer, Federal Emergency Management Agency, Region VI, 800 North Loop 288, Denton, TX 76209. Comments should be sent in writing within 15 days of the date of this notice.

NOTICE OF THE FILING OF STATE QUESTION 787, INITIATIVE PETITION 411, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

NOTICE is hereby given that on April 11, 2016, State Question 787, Initiative Petition 411 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 787, Initiative Petition 411 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponents or proponents filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponent of record for State Question 787, Initiative Petition 411:

Frank Grove
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

or the project facilitates an open space use, or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. State of Oklahoma and local officials will confirm to FEMA that proposed actions comply with all applicable State and local floodplain management and wetland protection requirements.

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NOTICE OF THE FILING OF STATE QUESTION 788, INITIATIVE PETITION 412, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

NOTICE is hereby given that on April 11, 2016, State Question 788, Initiative Petition 412 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 788, Initiative Petition 412 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponents or proponents filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponent of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City,OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Proof of Publication
Order Number 16-04-43

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-TULSA WORLD - Legal, a Daily newspaper printed and published in the city of TULSA, county of Tulsa, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-TULSA WORLD - Legal in consecutive issues on the following dates-to-wit:

Insertion: 04/17/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE $48.95

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
21 day of April 2016.

(Notary Public)

JENNIFER GILLILAND
Notary Public in and for the
State of Oklahoma
Commission #[illegible]
My Commission expires 8/18/2018

NOTICE OF THE FILING OF STATE QUESTION 788, INITIATIVE PETITION 412, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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Proponent of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and Native American Affairs

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Registered To: Oklahoma Press Association

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City,OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Proof of Publication
Order Number 16-04-43

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-THE OKLAHOMAN, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-THE OKLAHOMAN in consecutive issues on the following dates-to-wit:

Insertion: 04/17/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE $931.84

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
21 day of April 2016.

(Notary Public)

NOTARY PUBLIC SEAL
JENNIFER GILLILAND
Notary Public in and for the
State of Oklahoma
Commission #10004909
My Commission expires 6/18/2018

NOTICE OF THE FILING OF STATE QUESTION 788, INITIATIVE PETITION 412, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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Proponent of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and Native American Affairs

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Registered To: Oklahoma Press Association

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City,OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Proof of Publication
Order Number 16-04-43

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-JOURNAL RECORD, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-JOURNAL RECORD in consecutive issues on the following dates-to-wit:

Insertion: 04/18/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE $36.85

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
21 day of April 2016.

(Notary Public)

NOTARY PUBLIC SEAL
JENNIFER GILLILAND
Notary Public in and for the
State of Oklahoma
Commission #10004909
My Commission expires 9/18/2018

NOTICE OF THE FILING OF STATE QUESTION 788, INITIATIVE PETITION 412, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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NOTICE is also hereby given that State Question 788, Initiative Petition 412 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

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Proponent of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and Native American Affairs

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Chris Benge
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

May 6, 2016

Oklahomans for Health
8751 N 117th E Ave
Owasso, Oklahoma 74055

Dear Proponent(s):

Per Title 34, Section 8 of the Oklahoma Statutes, no appeals or protests for rehearing have been filed and the period for such has expired, therefore notice is hereby given that the signature gathering period for **State Question Number 788, Initiative Petition Number 412** is set to begin on May 14, 2016 and all signatures are due within ninety (90) days of the date set. Signatures will not be accepted for filing after 5:00 p.m. on August 11, 2016. The current signature requirement for amendments to the Oklahoma Statutes is 65,987.

Please find enclosed two true and accurate copies of said petition on record with the Secretary of State office and a copy of the current signature requirements for statewide petitions as certified by the Secretary of the Oklahoma State Election Board.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

FILED

APR 11 2016

OKLAHOMA SECRETARY OF STATE

State Question No. 788, Initiative Petition No. 412

WARNING

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

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from May 14, 2016. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 420 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A person in possession of a state issued medical marijuana license shall be able to:

1. Consume marijuana legally;
2. Legally possess up to three (3) ounces of marijuana on their person;
3. Legally possess six (6) mature marijuana plants;
4. Legally possess six (6) seedling plants;
5. Legally possess one (1) ounce of concentrated marijuana;
6. Legally possess seventy-two (72) ounces of edible marijuana; and
7. Legally possess up to eight (8) ounces of marijuana in their residence.

B. Possession of up to one and one-half (1.5) ounces of marijuana by persons who can state a medical condition, but not in possession of a state issued medical marijuana license, shall constitute a misdemeanor offense with a fine not to exceed Four Hundred Dollars ($400.00).

C. A regulatory office shall be established under the Oklahoma State Department of Health which will receive applications for medical license recipients, dispensaries, growers, and packagers within sixty (60) days of the passage of this initiative.

D. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana license. The license will be good for two (2) years, and the application fee will be One Hundred Dollars ($100.00), or Twenty Dollars ($20.00) for individuals on Medicaid, Medicare, or SoonerCare. The methods of payment will be provided on the website.

E. A temporary license application will also be available on the Oklahoma Department of Health website. A temporary medical marijuana license will be granted to any medical marijuana license holder from other states, provided that the state has a state regulated medical marijuana program, and the applicant can prove they are a member of such. Temporary licenses will be issued for thirty (30) days. The cost for a temporary license shall be One Hundred Dollars ($100.00). Renewal will be granted with resubmission of a new application. No additional criteria will be required.

F. Medical marijuana license applicants will submit their application to the Oklahoma State Department of Health for approval and that the applicant must be an Oklahoma state resident and shall prove residency by a valid driver's license, utility bills, or other accepted methods.

G. The Oklahoma State Department of Health shall review the medical marijuana application, approve/reject the application, and mail the applicant's approval or rejection letter (stating reasons for rejection) to the applicant within fourteen (14) days of receipt of the application. Approved applicants will be issued a medical marijuana license which will act as proof of their approved status. Applications may only be rejected based on applicant not meeting stated criteria or improper completion of the application.

H. The Oklahoma State Department of Health will only keep the following records for each approved medical license:

1. a digital photograph of the license holder;
2. the expiration date of the license;
3. the county where the card was issued; and
4. a unique 24 character identification number assigned to the license.

I. The Department of Health will make available, both on its website, and through a telephone verification system, an easy method to validate a medical license holders authenticity by the unique 24 character identifier.

J. The State Department of Health will ensure that all application records and information are sealed to protect the privacy of medical license applicants.

K. A caregiver license will be made available for qualified caregivers of a medical marijuana license holder who is homebound. The caregiver license will give the caregiver the same rights as the medical license holder. Applicants for a caregiver license will submit proof of the medical marijuana license holder's license status and homebound status, that they are the designee of the medical marijuana license holder, must submit proof that the caregiver is age eighteen (18) or older, and must submit proof the caregiver is an Oklahoma resident. This will be the only criteria for a caregiver license.

L. All applicants must be eighteen (18) years or older. A special exception will be granted to an applicant under the age of eighteen (18), however these applications must be signed by two (2) physicians and the applicant's parent or legal guardian.

M. All applications for a medical license must be signed by an Oklahoma Board certified physician. There are no qualifying conditions. A medical marijuana license must be recommended according to the accepted standards a reasonable and prudent physician would follow when recommending or approving any medication. No physician may be unduly stigmatized or harassed for signing a medical marijuana license application.

N. Counties and cities may enact medical marijuana guidelines allowing medical marijuana license holders or caregivers to exceed the state limits set forth in subsection A of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 421 of Title 63, unless there is created a duplication in numbering, reads as follows:

A.The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana dispensary license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and a method of payment will be provided on the website. Retail applicants must all be Oklahoma state residents. Any entity applying for a retail license must be owned by an Oklahoma state resident and must be registered to do business in Oklahoma. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana dispensary license.

C. Retailers will be required to complete a monthly sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail the weight of marijuana purchased at wholesale and the weight of marijuana sold to card holders, and account for any waste. The report will show total sales in dollars, tax collected in dollars, and tax due in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A retailer will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. Only a licensed medical marijuana retailer may conduct retail sales of marijuana, or marijuana derivatives in the form provided by licensed processors, and these products can only be sold to a medical marijuana license holder or their caregiver. Penalties for fraudulent sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 422 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health will within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a commercial grower license. The application fee will be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health has two (2) weeks to review application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a commercial grower license.

C. A licensed commercial grower may sell marijuana to a licensed retailer, or a licensed packager. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed commercial grower sell marijuana directly to a medical marijuana license holder. A licensed commercial grower may only sell at the wholesale level to a licensed retailer or a licensed processor. If the federal government lifts restrictions on buying and selling marijuana between states, then a licensed commercial grower would be allowed to sell and buy marijuana wholesale from, or to, an out of state wholesale provider. A licensed commercial grower will be required to complete a monthly yield and sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana harvested in pounds, the amount of drying or dried marijuana on hand, the amount of marijuana sold to processors in pounds, the amount of waste in pounds, and the amount of marijuana sold to retailers in lbs. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed grower will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting or sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. There shall be no limits on how much marijuana a licensed grower can grow.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 423 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana processing license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B.The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an Individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana processing license.

C. A licensed processor may take marijuana plants and distill or process these plants into concentrates, edibles, and other forms for consumption. As required by subsection D of this section, the Oklahoma State Department of Health will, within sixty (60) days of passage of this initiative, make

available a set of standards which will be used by licensed processors in the preparation of edible marijuana products. This should be in line with current food preparation guidelines and no excessive or punitive rules may be established by the Oklahoma State Department of Health. Once a year, the Oklahoma State Department of Health may inspect a processing operation and determine its compliance with the preparation standards. If deficiencies are found, a written report of deficiency will be issued to the processor. The processor will have one (1) month to correct the deficiency or be subject to a fine of Five Hundred Dollars ($500.00) for each deficiency. A licensed processor may sell marijuana products it creates to a licensed retailer, or any other licensed processor. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed processor sell marijuana, or any marijuana product, directly to a medical marijuana license holder. However, a licensed processor may process cannabis into a concentrated form, for a medical license holder, for a fee. Processors will be required to complete a monthly yield and sales report to the Oklahoma State Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana purchased in pounds, the amount of marijuana cooked or processed in pounds, and the amount of waste in pounds. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed processor will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. The inspection and compliance of processors producing products with marijuana as an additive. The Oklahoma State Department of Health will be compelled to, within thirty (30) days of passage of this initiative, appoint a board of twelve (12) Oklahoma residents, who are marijuana industry experts, to create a list of food safety standards for processing and handling medical marijuana in Oklahoma. These standards will be adopted by the agency and the agency can enforce these standards for processors. The agency will develop a standards review procedure and these standards can be altered by calling another board of twelve (12) Oklahoma marijuana industry experts. A signed letter of twenty (20) operating processors would constitute a need for a new board and standard review.

E. If it becomes permissible, under federal law, marijuana may be moved across state lines.

F. Any device used for the consumption of medical marijuana shall be considered legal to be sold, manufactured, distributed, and possessed. No merchant, wholesaler, manufacturer, or individual may unduly be harassed or prosecuted for selling, manufacturing, or possession of medical marijuana paraphernalia.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 424 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A marijuana transportation license will be issued to qualifying applicants for a marijuana retail, growing, or processing license. The transportation license will be issued at the time of approval of a retail, growing, or processing license.

B. A transportation license will allow the holder to transport marijuana from an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processor facility to an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processing facility.

C. All marijuana or marijuana products shall be transported in a locked container and clearly labeled "Medical Marijuana or Derivative".

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 425 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for his status as a medical marijuana license holder, unless failing to do so would imminently cause the school or landlord to lose a monetary or licensing related benefit under federal law or regulations.

B. Unless a failure to do so would cause an employer to imminently lose a monetary or licensing related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person based upon either:

1. The person's status as a medical marijuana license holder; or
2. Employers may take action against a holder of a medical marijuana license holder if the holder uses or possesses marijuana while in the holder's place of employment or during the hours of employment. Employers may not take action against the holder of a medical marijuana license solely based upon the status of an employee as a medical marijuana license holder or the results of a drug test showing positive for marijuana or its components.

C. For the purposes of medical care, including organ transplants, a medical marijuana license holder's authorized use of marijuana must be considered the equivalent of the use of any other medication under the direction of a physician and does not constitute the use of an illicit substance or otherwise disqualify a registered qualifying patient from medical care.

D. No medical marijuana license holder may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under this law, unless the person's behavior creates an unreasonable danger to the safety of the minor.

E. No person holding a medical marijuana license may unduly be withheld from holding a state issued license by virtue of their being a medical marijuana license holder. This would include such things as a concealed carry permit.

F. No city or local municipality may unduly change or restrict zoning laws to prevent the opening of a retail marijuana establishment.

G. The location of any retail marijuana establishment is specifically prohibited within one thousand (1,000) feet from any public or private school entrance.

H. Research will be provided under this law. A researcher may apply to the Oklahoma Department of Health for a special research license. That license will be granted, provided the applicant meet the criteria listed under Section 421. B. Research license holders will be required to file monthly consumption reports to the Oklahoma Department of Health with amounts of marijuana used for research.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 426 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The tax on retail medical marijuana sales will be established at seven percent (7%) of the gross amount received by the seller.

B. This tax will be collected at the point of sale. Tax proceeds will be applied primarily to finance the regulatory office.

C. If proceeds from the levy authorized by subsection A of this section exceed the budgeted amount for running the regulatory office, any surplus shall be apportioned with seventy-five percent (75%) going to the General Revenue Fund and may only be expended for common education. Twenty-five percent (25%) shall be apportioned to the Oklahoma State Department of Health and earmarked for drug and alcohol rehabilitation.

SECTION 8. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provision hereof, and the remaining provisions hereof shall continue in full force and effect.

SECTION 9. This act shall become effective one (1) month immediately following its passage.

Name and Address of Proponents

Oklahomans for Health
8751 N 117th E Ave
Owasso, OK 74055

SIGNATURES

The gist of the proposition is as follows: This measure legalizes medical marijuana for residents with a recommendation from an Oklahoma Board Certified Physician. It also legalizes commercial medical marijuana dispensary, growing, and processing licenses regulated by the Department of Health. It protects card holders from discrimination and lowers penalties for unlicensed possession.

WARNING

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

1.

Signature of Legal Voter	Print Name	Address	City	Zip	County

2.

Signature of Legal Voter	Print Name	Address	City	Zip	County

3.

Signature of Legal Voter	Print Name	Address	City	Zip	County

4.

Signature of Legal Voter	Print Name	Address	City	Zip	County

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Signature of Legal Voter	Print Name	Address	City	Zip	County

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Signature of Legal Voter	Print Name	Address	City	Zip	County

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Signature of Legal Voter	Print Name	Address	City	Zip	County

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Signature of Legal Voter	Print Name	Address	City	Zip	County

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Signature of Legal Voter	Print Name	Address	City	Zip	County

19.

Signature of Legal Voter	Print Name	Address	City	Zip	County

20.

Signature of Legal Voter	Print Name	Address	City	Zip	County

Signature Collectors – Please fill out information on reverse side and have notarized before filing

AFFIDAVIT

STATE OF OKLAHOMA)

) ss.

COUNTY OF _____)

I, _____, being first duly sworn, say:

That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has signer has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and the County of his residence as stated.

_____
Circulator's Signature

_____
Address

_____
City ZIP Code

Subscribed and sworn to me before this ____ day of _____, 20_____.

My Commission Expires:

_____

My Commission Number:

_____

_____
Notary Public

_____
Address

_____
City ZIP Code

Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 12, 2016

FILED
AUG 12 2016
OKLAHOMA SECRETARY OF STATE

SENT VIA EMAIL and REGULAR USPS MAIL

Oklahomans for Health
8751 N. 117th E. Ave.
Owasso, Oklahoma 74055

Dear Proponent(s):

This letter is to acknowledge receipt of 6 boxes containing signature pamphlets filed for **State Question Number 788, Initiative Petition Number 412**. Said boxes of petition pamphlets arrived August 11, 2016 at 4:46 pm. As required by law, the petition boxes have been sealed. Said seals will not be broken until the signature counting process begins.

Also, per Title 34 O.S. §4, an individual from the petition drive must be present for the detaching of the signature pages and affidavits. Please refer to the enclosed Observer Details page for further instruction and information regarding such.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 12, 2016

TO: Proponents of record for SQ788, IP412

RE: OBSERVER DETAILS and INSTRUCTION SHEET

Signature Counting Room:	**The Secretary of State office** **Oklahoma State Capitol, Room 101**
Monitors of the count:	**Amy Canton and Harrison Guy** **405-522-4565 / executivelegislative@sos.ok.gov**

Pursuant to the provisions of Title 34 O.S. Section 4, an individual from the petition drive must be present during the detaching of the signature pages and affidavits.

As required by law, one copy of the proposed measure will be attached to each volume of signatures during the binding process. Per the request of the proponents, the detached sheets not attached to a volume will be set aside for proponent retrieval.

The counting process for SQ788 will begin **after** the completion of the physical count for SQ787. Once the count begins for SQ788, it will occur daily, Monday through Friday, 9:00 a.m. to 4:00 p.m., until the signature count is complete. There will be a one hour break for lunch from 12:00 p.m. to 1:00 p.m. daily. It is extremely important to remember that the observer must be present at all times during the detachment of the pamphlets.

The observer appointed by the proponents of SQ788, **shall not distract or communicate with the S.O.S. staff performing said count. Any questions or comments he/she might have must be directed to the monitor(s) of the count.**

Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 15, 2016

HAND DELIVERED

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

Dear Attorney General Pruitt:

Pursuant to 34 O.S., § 8(H), the proponents of State Question 788, Initiative Petition 412 have timely filed signed copies of said petition. Per 34 O.S. § 9(D), the proposed ballot title of SQ 788, IP 412 is hereby submitted to you for review as to legal correctness. The enclosed are true and exact copies of the documents on record with our office.

If additional information is needed from this office, or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

RECEIVED
RECEPTIONIST
AUG 15 2016
ATTORNEY GENERAL

Enclosures: SQ788, IP412 – Proposed Ballot Title
SQ788, IP412 – Petition Pamphlet

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED
AUG 18 2016
OKLAHOMA SECRETARY OF STATE

August 18, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary Benge:

In accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), 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 fails to adequately explain the effect of the proposition because, as among other things:

- it does not explain that marijuana will be a non-prescription drug nor accurately explain the role of the physician;
- it does not sufficiently address zoning restrictions insofar as it fails to specify that a municipality's power to restrict or change zoning laws is limited; and
- it does not explain that the measure would not affect constitutionally-enacted federal law to the contrary.

Having found that the Proposed Ballot Title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), within ten business days, prepare a ballot title which complies with the law and furnish a copy to you.

Sincerely,

E. Scott Pruitt
Attorney General

313 N.E. 21ST STREET • OKLAHOMA CITY, OK 73105 • (405) 521-3921 • FAX: (405) 521-6246

recycled paper

Chris Benge
Secretary of State
and
Native American Affairs

FILED
SUPREME COURT
STATE OF OKLAHOMA
AUG 25 2016
MICHAEL S. RICHIE
CLERK

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

#115287

August 25, 2016

HAND DELIVERED

Chief Justice John Reif
The Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 1
Oklahoma City, Oklahoma 73105

RE: Secretary of State's Certification to the Court of the Physical Signature Count for State Question 788, Initiative Petition 412 (subject: Medical Marijuana)

Dear Chief Justice Reif:

Pursuant to the provisions of Title 34 O.S., Sections 6.1 and 8, the Secretary of State certifies to the Supreme Court the following details:

- Six (6) boxes of signature pamphlets, for State Question 788, Initiative Petition 412, were received by our office on August 11, 2016.
- The Secretary of State began the physical count of signatures on August 18, 2016 at 1:00 p.m. Said count was concluded on August 23, 2016 at 4:00 p.m.
- Individual signature sheets are page numbered 1 through 3,895 and bound in a total of 20 volumes. Volumes 1 through 19 contain 200 signature sheets per volume and Volume 20 contains a total of 95 signature sheets.
- Several signatures on page 3,804 were not included in the count as they were duplicates of signatures which had first appeared and were counted on page 3,803.
- Page numbers 3,806 through 3,891 were not included in such physical count due to either improper/incomplete notarizations or incomplete circulator affidavits.
- The Secretary of State certifies the total number of signatures counted for State Question 788, Initiative Petition 412 is **67,801**.
- The Secretary of State affirms the State Election Board has certified that a total of 824,831 votes were cast for the office of Governor at the General Election in November 2014.

- The Secretary of State also certifies that proponents' proposed ballot title was submitted to the Attorney General's office August 15, 2016 for review as to legal correctness. The Attorney General's ballot title review was filed with the Secretary of State's office on August 18, 2016.

In support of the details so certified, please find attached the following documents:

A. Copy of State Question 788, Initiative Petition 412
B. Tabulation Sheets for SQ 788, IP 412
C. Total votes cast as certified by the State Election Board--SOS Doc# 047220
D. Attorney General's ballot title review, filed with S.O.S. 08-18-2016

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was hand delivered, on August 25, 2016 to the following party;

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

I also hereby certify that a true and accurate copy of the foregoing was placed in USPS mail, regular first-class, on August 25, 2016, addressed to the proponent(s) of record for SQ788.

Proponent(s) of record for State Question 788
Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

ATTACHMENT 'A'

FILED

APR 11 2016

OKLAHOMA SECRETARY OF STATE

State Question No. 788, Initiative Petition No. 412

WARNING

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

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from May 14, 2016. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 420 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A person in possession of a state issued medical marijuana license shall be able to:

1. Consume marijuana legally;
2. Legally possess up to three (3) ounces of marijuana on their person;
3. Legally possess six (6) mature marijuana plants;
4. Legally possess six (6) seedling plants;
5. Legally possess one (1) ounce of concentrated marijuana;
6. Legally possess seventy-two (72) ounces of edible marijuana; and
7. Legally possess up to eight (8) ounces of marijuana in their residence.

B. Possession of up to one and one-half (1.5) ounces of marijuana by persons who can state a medical condition, but not in possession of a state issued medical marijuana license, shall constitute a misdemeanor offense with a fine not to exceed Four Hundred Dollars ($400.00).

C. A regulatory office shall be established under the Oklahoma State Department of Health which will receive applications for medical license recipients, dispensaries, growers, and packagers within sixty (60) days of the passage of this initiative.

D. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana license. The license will be good for two (2) years, and the application fee will be One Hundred Dollars ($100.00), or Twenty Dollars ($20.00) for individuals on Medicaid, Medicare, or SoonerCare. The methods of payment will be provided on the website.

E. A temporary license application will also be available on the Oklahoma Department of Health website. A temporary medical marijuana license will be granted to any medical marijuana license holder from other states, provided that the state has a state regulated medical marijuana program, and the applicant can prove they are a member of such. Temporary licenses will be issued for thirty (30) days. The cost for a temporary license shall be One Hundred Dollars ($100.00). Renewal will be granted with resubmission of a new application. No additional criteria will be required.

F. Medical marijuana license applicants will submit their application to the Oklahoma State Department of Health for approval and that the applicant must be an Oklahoma state resident and shall prove residency by a valid driver's license, utility bills, or other accepted methods.

G. The Oklahoma State Department of Health shall review the medical marijuana application, approve/reject the application, and mail the applicant's approval or rejection letter (stating reasons for rejection) to the applicant within fourteen (14) days of receipt of the application. Approved applicants will be issued a medical marijuana license which will act as proof of their approved status. Applications may only be rejected based on applicant not meeting stated criteria or improper completion of the application.

H. The Oklahoma State Department of Health will only keep the following records for each approved medical license:

1. a digital photograph of the license holder;
2. the expiration date of the license;
3. the county where the card was issued; and
4. a unique 24 character identification number assigned to the license.

I. The Department of Health will make available, both on its website, and through a telephone verification system, an easy method to validate a medical license holders authenticity by the unique 24 character identifier.

J. The State Department of Health will ensure that all application records and information are sealed to protect the privacy of medical license applicants.

K. A caregiver license will be made available for qualified caregivers of a medical marijuana license holder who is homebound. The caregiver license will give the caregiver the same rights as the medical license holder. Applicants for a caregiver license will submit proof of the medical marijuana license holder's license status and homebound status, that they are the designee of the medical marijuana license holder, must submit proof that the caregiver is age eighteen (18) or older, and must submit proof the caregiver is an Oklahoma resident. This will be the only criteria for a caregiver license.

L. All applicants must be eighteen (18) years or older. A special exception will be granted to an applicant under the age of eighteen (18), however these applications must be signed by two (2) physicians and the applicant's parent or legal guardian.

M. All applications for a medical license must be signed by an Oklahoma Board certified physician. There are no qualifying conditions. A medical marijuana license must be recommended according to the accepted standards a reasonable and prudent physician would follow when recommending or approving any medication. No physician may be unduly stigmatized or harassed for signing a medical marijuana license application.

N. Counties and cities may enact medical marijuana guidelines allowing medical marijuana license holders or caregivers to exceed the state limits set forth in subsection A of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 421 of Title 63, unless there is created a duplication in numbering, reads as follows:

A.The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana dispensary license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and a method of payment will be provided on the website. Retail applicants must all be Oklahoma state residents. Any entity applying for a retail license must be owned by an Oklahoma state resident and must be registered to do business in Oklahoma. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana dispensary license.

C. Retailers will be required to complete a monthly sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail the weight of marijuana purchased at wholesale and the weight of marijuana sold to card holders, and account for any waste. The report will show total sales in dollars, tax collected in dollars, and tax due in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A retailer will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. Only a licensed medical marijuana retailer may conduct retail sales of marijuana, or marijuana derivatives in the form provided by licensed processors, and these products can only be sold to a medical marijuana license holder or their caregiver. Penalties for fraudulent sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 422 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health will within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a commercial grower license. The application fee will be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health has two (2) weeks to review application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B. The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a commercial grower license.

C. A licensed commercial grower may sell marijuana to a licensed retailer, or a licensed packager. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed commercial grower sell marijuana directly to a medical marijuana license holder. A licensed commercial grower may only sell at the wholesale level to a licensed retailer or a licensed processor. If the federal government lifts restrictions on buying and selling marijuana between states, then a licensed commercial grower would be allowed to sell and buy marijuana wholesale from, or to, an out of state wholesale provider. A licensed commercial grower will be required to complete a monthly yield and sales report to the Oklahoma Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana harvested in pounds, the amount of drying or dried marijuana on hand, the amount of marijuana sold to processors in pounds, the amount of waste in pounds, and the amount of marijuana sold to retailers in lbs. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed grower will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting or sales occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. There shall be no limits on how much marijuana a licensed grower can grow.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 423 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health shall within thirty (30) days of passage of this initiative, make available, on their website, in an easy to find location, an application for a medical marijuana processing license. The application fee shall be Two Thousand Five Hundred Dollars ($2,500.00) and methods of payment will be provided on the website. The Oklahoma State Department of Health shall have two (2) weeks to review the application, approve or reject the application, and mail the approval/rejection letter (if rejected, stating reasons for rejection) to the applicant.

B.The Oklahoma State Department of Health must approve all applications which meet the following criteria:

1. Applicant must be age twenty-five (25) or older;
2. Any applicant, applying as an Individual, must show residency in the state of Oklahoma;
3. All applying entities must show that all members, managers, and board members are Oklahoma residents;
4. An applying entity may show ownership of non-Oklahoma residents, but that percentage ownership may not exceed twenty-five percent (25%);
5. All applying individuals or entities must be registered to conduct business in the state of Oklahoma;
6. All applicants must disclose all ownership;
7. Applicant(s) with only nonviolent felony conviction(s) in the last two (2) years, any other felony conviction in 5 (years), inmates, or any person currently incarcerated may not qualify for a medical marijuana processing license.

C. A licensed processor may take marijuana plants and distill or process these plants into concentrates, edibles, and other forms for consumption. As required by subsection D of this section, the Oklahoma State Department of Health will, within sixty (60) days of passage of this initiative, make

available a set of standards which will be used by licensed processors in the preparation of edible marijuana products. This should be in line with current food preparation guidelines and no excessive or punitive rules may be established by the Oklahoma State Department of Health. Once a year, the Oklahoma State Department of Health may inspect a processing operation and determine its compliance with the preparation standards. If deficiencies are found, a written report of deficiency will be issued to the processor. The processor will have one (1) month to correct the deficiency or be subject to a fine of Five Hundred Dollars ($500.00) for each deficiency. A licensed processor may sell marijuana products it creates to a licensed retailer, or any other licensed processor. Further, these sales will be considered wholesale sales and not subject to taxation. Under no circumstances may a licensed processor sell marijuana, or any marijuana product, directly to a medical marijuana license holder. However, a licensed processor may process cannabis into a concentrated form, for a medical license holder, for a fee. Processors will be required to complete a monthly yield and sales report to the Oklahoma State Department of Health. This report will be due on the 15th of each month and provide reporting on the previous month. This report will detail amount of marijuana purchased in pounds, the amount of marijuana cooked or processed in pounds, and the amount of waste in pounds. Additionally, this report will show total wholesale sales in dollars. The Oklahoma State Department of Health will have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for. A licensed processor will only be subject to a penalty if a gross discrepancy exists and cannot be explained. Penalties for fraudulent reporting occurring within any 2 year time period will be an initial fine of Five Thousand Dollars ($5,000.00) (first) and revocation of licensing (second).

D. The inspection and compliance of processors producing products with marijuana as an additive. The Oklahoma State Department of Health will be compelled to, within thirty (30) days of passage of this initiative, appoint a board of twelve (12) Oklahoma residents, who are marijuana industry experts, to create a list of food safety standards for processing and handling medical marijuana in Oklahoma. These standards will be adopted by the agency and the agency can enforce these standards for processors. The agency will develop a standards review procedure and these standards can be altered by calling another board of twelve (12) Oklahoma marijuana industry experts. A signed letter of twenty (20) operating processors would constitute a need for a new board and standard review.

E. If it becomes permissible, under federal law, marijuana may be moved across state lines.

F. Any device used for the consumption of medical marijuana shall be considered legal to be sold, manufactured, distributed, and possessed. No merchant, wholesaler, manufacturer, or individual may unduly be harassed or prosecuted for selling, manufacturing, or possession of medical marijuana paraphernalia.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 424 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A marijuana transportation license will be issued to qualifying applicants for a marijuana retail, growing, or processing license. The transportation license will be issued at the time of approval of a retail, growing, or processing license.

B. A transportation license will allow the holder to transport marijuana from an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processor facility to an Oklahoma licensed medical marijuana retailer, licensed growing facility, or licensed processing facility.

C. All marijuana or marijuana products shall be transported in a locked container and clearly labeled "Medical Marijuana or Derivative".

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 425 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for his status as a medical marijuana license holder, unless failing to do so would imminently cause the school or landlord to lose a monetary or licensing related benefit under federal law or regulations.

B. Unless a failure to do so would cause an employer to imminently lose a monetary or licensing related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person based upon either:

1. The person's status as a medical marijuana license holder; or
2. Employers may take action against a holder of a medical marijuana license holder if the holder uses or possesses marijuana while in the holder's place of employment or during the hours of employment. Employers may not take action against the holder of a medical marijuana license solely based upon the status of an employee as a medical marijuana license holder or the results of a drug test showing positive for marijuana or its components.

C. For the purposes of medical care, including organ transplants, a medical marijuana license holder's authorized use of marijuana must be considered the equivalent of the use of any other medication under the direction of a physician and does not constitute the use of an illicit substance or otherwise disqualify a registered qualifying patient from medical care.

D. No medical marijuana license holder may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under this law, unless the person's behavior creates an unreasonable danger to the safety of the minor.

E. No person holding a medical marijuana license may unduly be withheld from holding a state issued license by virtue of their being a medical marijuana license holder. This would include such things as a concealed carry permit.

F. No city or local municipality may unduly change or restrict zoning laws to prevent the opening of a retail marijuana establishment.

G. The location of any retail marijuana establishment is specifically prohibited within one thousand (1,000) feet from any public or private school entrance.

H. Research will be provided under this law. A researcher may apply to the Oklahoma Department of Health for a special research license. That license will be granted, provided the applicant meet the criteria listed under Section 421. B. Research license holders will be required to file monthly consumption reports to the Oklahoma Department of Health with amounts of marijuana used for research.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 426 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The tax on retail medical marijuana sales will be established at seven percent (7%) of the gross amount received by the seller.

B. This tax will be collected at the point of sale. Tax proceeds will be applied primarily to finance the regulatory office.

C. If proceeds from the levy authorized by subsection A of this section exceed the budgeted amount for running the regulatory office, any surplus shall be apportioned with seventy-five percent (75%) going to the General Revenue Fund and may only be expended for common education. Twenty-five percent (25%) shall be apportioned to the Oklahoma State Department of Health and earmarked for drug and alcohol rehabilitation.

SECTION 8. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provision hereof, and the remaining provisions hereof shall continue in full force and effect.

SECTION 9. This act shall become effective one (1) month immediately following its passage.

Name and Address of Proponents

Oklahomans for Health
8751 N 117th E Ave
Owasso, OK 74055

SIGNATURES

The gist of the proposition is as follows: This measure legalizes medical marijuana for residents with a recommendation from an Oklahoma Board Certified Physician. It also legalizes commercial medical marijuana dispensary, growing, and processing licenses regulated by the Department of Health. It protects card holders from discrimination and lowers penalties for unlicensed possession.

WARNING

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

1.

Signature of Legal Voter | Print Name | Address | City | Zip | County

2.

Signature of Legal Voter | Print Name | Address | City | Zip | County

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Signature of Legal Voter | Print Name | Address | City | Zip | County

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Signature of Legal Voter | Print Name | Address | City | Zip | County

Signature Collectors – Please fill out information on reverse side and have notarized before filing

AFFIDAVIT

STATE OF OKLAHOMA)

) ss.

COUNTY OF _____)

I, _____, being first duly sworn, say:

That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has signer has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and the County of his residence as stated.

_____
Circulator's Signature

_____
Address

_____
City ZIP Code

Subscribed and sworn to me before this ____ day of _____, 20_____.

My Commission Expires:

_____

_____
Notary Public

_____
Address

My Commission Number:

_____

_____
City ZIP Code

ATTACHMENT 'B'

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STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 1

Consisting of 200 **signature sheets**

Page numbered 1 **through** 200

with approximately 3362 **signatures**

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 2

Consisting of 200 **signature sheets**

Page numbered 201 **through** 400

with approximately 3446 **signatures**

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STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 3

Consisting of 200 signature sheets

Page numbered 401 through 600

with approximately 3611 signatures

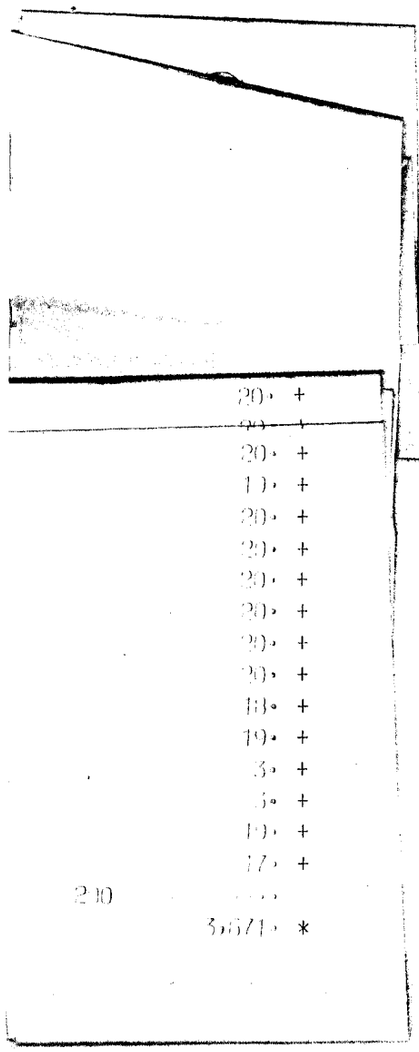
STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 4

Consisting of 200 **signature sheets**

Page numbered 601 **through** 800

with approximately 3,474 **signatures**



STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 5

Consisting of 200 signature sheets

Page numbered 801 through 1,000

with approximately 3671 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 6

Consisting of 200 **signature sheets**

Page numbered 1,001 **:ough** 1,200

with approximately 3287 **signatures**

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 7

Consisting of 200 signature sheets

Page numbered 1201 through 1400

with approximately 3725 signatures

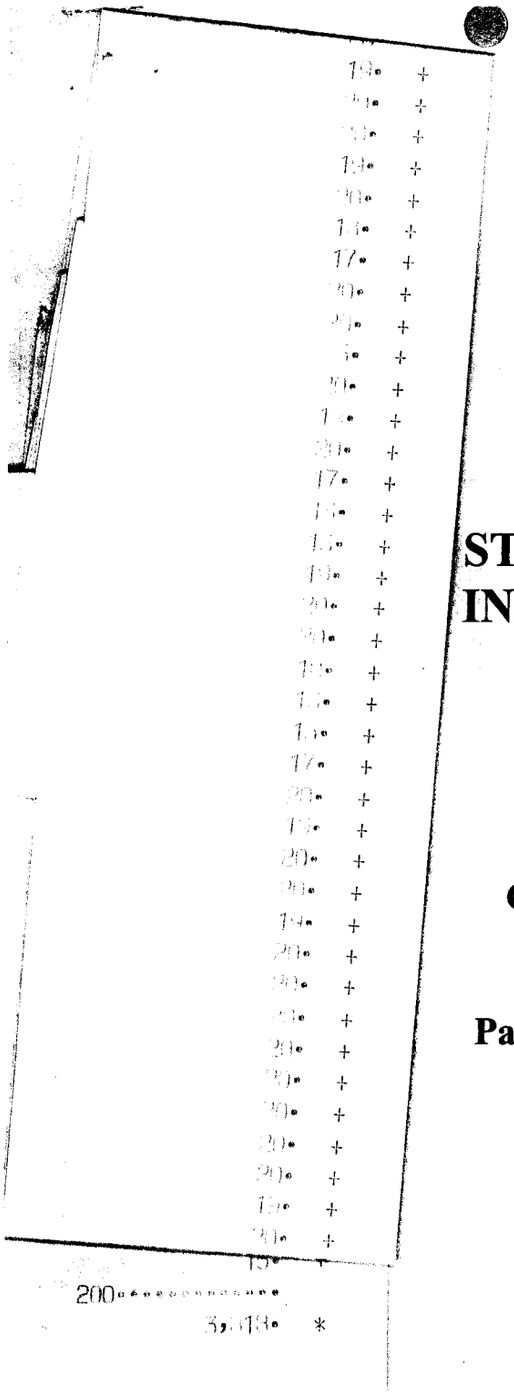
STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 8

Consisting of 200 **signature sheets**

Page numbered 1401 **through** 1600

with approximately 3716 **signatures**



STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 9

Consisting of 200 signature sheets

Page numbered 1601 through 1800

with approximately 3,818 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 10

Consisting of 200 signature sheets

Page numbered 1801 through 2000

with approximately 3,387 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 11

Consisting of 200 **signature sheets**

Page numbered 2001 **through** 2200

with approximately 3,444 **signatures**

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 12

Consisting of 200 signature sheets

Page numbered 2201 through 2400

with approximately 3581 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 13

Consisting of 200 **signature sheets**

Page numbered 2401 **through** 2600

with approximately 3,605 **signatures**

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 14

Consisting of 200 signature sheets

Page numbered 2601 through 2800

with approximately 3,627 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 15

Consisting of 200 **signature sheets**

Page numbered 2801 **through** 3000

with approximately 3643 **signatures**

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 16

Consisting of 200 signature sheets

Page numbered 3001 through 3200

with approximately 3,643 signatures

ATE QUESTION NO. 788
ITIATIVE PETITION NO. 412

VOLUME NO. 17

Consisting of 200 signature sheets

Page numbered 3,201 through 3,400

with approximately 3,497 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 18

Consisting of 200 signature sheets

Page numbered 3,401 through 3,600

with approximately 3,714 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 19

Consisting of 200 signature sheets

Page numbered 3,601 through 3,800

with approximately 3,442 signatures

STATE QUESTION NO. 788
INITIATIVE PETITION NO. 412

VOLUME NO. 20

Consisting of 95 **signature sheets**

Page numbered 3801 **through** 3895

with approximately 108 **signatures**

ATTACHMENT 'C'

Oklahoma State Election Board

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

FILED

DEC 18 2014

OKLAHOMA SECRETARY OF STATE

November 20, 2014

The Honorable Chris Benge
Secretary of State
Room 101, State Capitol
Oklahoma City, Oklahoma 73105

Dear Mr. Benge:

Subsequent to the November 4, 2014, General Election, I am able to provide the following information.

The total votes cast for the office of Governor at the General Election in 2014 were 824,831. Signature requirements for the types of petitions listed below are derived by applying the parenthetical percentages indicated and are valid from November 13, 2014, through November 13, 2018.

Referendum (5%).....41,242

Initiative (8%).....65,987

Initiative for Constitutional Change (15%).....123,725

Rejected Initiative or Referendum Measures (25%).....206,208

Signature requirements for certain types of petitions are based on the total votes cast in the last General Election for President. In the November 6, 2012, General Election, the total votes cast for Presidential Electors were 1,334,872. Signature requirements for the following types of petitions are derived by applying the parenthetical percentages indicated and are valid from November 14, 2012, through November 15, 2016.

Independent Presidential Electors (3%).....40,047

Unrecognized Party Presidential Electors (3%).....40,047

047220

The signature requirement for a petition for formation of a new political party is based on the total votes cast in the last General Election either for Governor or for electors for President and Vice President. In the November 4, 2014, General Election, the total votes cast for Governor were 824,831. The signature requirement for the following petition is derived by applying the parenthetical percentage indicated and is valid from November 13, 2014, through November 15, 2016.

Formation of New Political Party (5%) 41,242

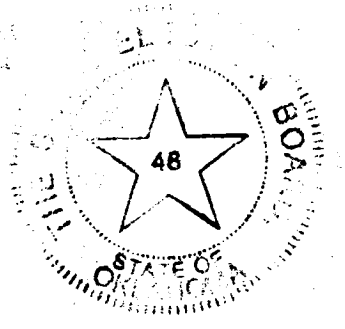
Sincerely,

PAUL ZIRIAX, Secretary
State Election Board

This is a true and correct copy of a document on file with the State Election Board.

(Seal)

12-18-2014



ATTACHMENT 'D'

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED
AUG 18 2016
OKLAHOMA SECRETARY OF STATE

August 18, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary Benge:

In accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), 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 fails to adequately explain the effect of the proposition because, as among other things:

- it does not explain that marijuana will be a non-prescription drug nor accurately explain the role of the physician;
- it does not sufficiently address zoning restrictions insofar as it fails to specify that a municipality's power to restrict or change zoning laws is limited; and
- it does not explain that the measure would not affect constitutionally-enacted federal law to the contrary.

Having found that the Proposed Ballot Title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), within ten business days, prepare a ballot title which complies with the law and furnish a copy to you.

Sincerely,

E. Scott Pruitt
Attorney General

313 N.E. 21ST STREET • OKLAHOMA CITY, OK 73105 • (405) 521-3921 • FAX: (405) 521-6246

recycled paper

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

AUG 25 2016

OKLAHOMA SECRETARY
OF STATE

August 25, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary 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 34 O.S.Supp.2015, § 9(D)(1), prepared the following Ballot Title. The Ballot Title reads as follows:

BALLOT TITLE FOR STATE QUESTION NO. 788

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and

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recycled paper

caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____

AGAINST THE MEASURE – NO _____

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

Respectfully submitted,

E. Scott Pruitt
Attorney General

Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

FILED
SUPREME COURT
STATE OF OKLAHOMA
AUG 29 2016
MICHAEL S. RICHIE
CLERK

August 29, 2016

Chief Justice John Reif
The Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 1
Oklahoma City, Oklahoma 73105

RE: OKLAHOMA SUPREME COURT CASE No. O-115287

STATE QUESTION 788, INITIATIVE PETITION 412 (subject: Medical Marijuana)

Dear Chief Justice Reif:

In addition to the "Secretary of State's Certification to the Court of the Physical Signature Count for State Question 788, Initiative Petition 412" (filed with the Supreme Court Clerk's office August 25, 2016), please accept for filing a true and accurate copy of the Oklahoma Attorney General's Ballot Title for State Question 788, on record with our office as of August 25, 2016.

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

Enc: Attorney General's Ballot Title (SQ788, IP412)

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was placed in Interagency Mail on August 29, 2016 to the following party;

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

I also hereby certify that a true and accurate copy of the foregoing was placed in USPS mail, regular first-class, on August 29, 2016, addressed to the proponent(s) of record for SQ788.

Proponent(s) of record for State Question 788
Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

Enclosure

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

AUG 25 2016

OKLAHOMA SECRETARY OF STATE

August 25, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary 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 34 O.S.Supp.2015, § 9(D)(1), prepared the following Ballot Title. The Ballot Title reads as follows:

BALLOT TITLE FOR STATE QUESTION NO. 788

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and

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recycled paper

caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____

AGAINST THE MEASURE – NO _____

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

Respectfully submitted,

E. Scott Pruitt
Attorney General

1034509562

ORIGINAL

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP - 6 2016
MICHAEL S. RICHIE
CLERK

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

CHIP PAUL AND PHILIP WINTERS OKLAHOMANS FOR HEALTH,	)	
	)	
Petitioners,	)	
	)	
Vs	)	Case No. #115322
	)	
THE HONORABLE SCOTT PRUITT, ATTORNEY GENERAL OF OKLAHOMA,	)	
	)	
Respondent.	)	

PETITIONER'S APPLICATION TO ASSUME ORIGINAL JURISDICTION AND COMBINED PETITION TO REVIEW THE ABLLOT TITLE OF INITIATIVE PETITION 412

DAVID R. SLANE, OBA# 16156
427 N. Meridian Avenue
Oklahoma City, OK 73107
(405) 319-1800
(405) 319-1802 Facsimile
davidrslane@hotmail.com

ATTORNEY FOR PETITIONERS

* **Note to file**: This copy of Supreme Court document number 1034509562 was downloaded, for SOS record purposes, from the OSCN.net website. Copy of such was not received by our office via regular USPS mail from Petitioners, as of 09/30/2016. – A.C. (S.O.S office 9/30/2016)

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

IN RE: INITIATIVE PETITION NO. 412	)	**No. _____**

BRIEF OF PETITIONER/PROPONENT REQUESTING REVIEW OF SUBSTITUTED BALLOT TITLE PREPARED BY THE ATTORNEY GENERAL IN CONNECTION WITH INITIATIVE PETITION 412

This is a statutorily authorized appeal initiated pursuant to Title 34 O.S. 2015 § 9, whereby the petitioner seeks review and substitution of the corrected ballot titled proffered by the Oklahoma Attorney General on August 25, 2016, included and incorporated herein by reference.

THE FACTS CONCERNING BACKGROUND AND HISTORY OF FILING

This legal action is taken on behalf of two parties, Chip Paul, co-chairman for Oklahomans for Health and Philip Winters, one of the valid voter signatures to Initiative Petition Number 412. This is a measure which would amend Oklahoma law to wit: "This measure amends the Oklahoma State Statutes. A yes vote legalizes the licensed use, sale and growth of marijuana in Oklahoma for medicinal purposes and must be approved by an Oklahoma Board Certified Physician. The State Department of Health will issue medical marijuana licenses if the applicant is eighteen years or older and an Oklahoma resident. A special exception will be granted to an applicant under the age of eighteen, however these applications must be signed by two physicians and a parent or legal guardian. The Department will also issue seller, grower, packaging, transportation, research and caregiver licenses. Individual and retail businesses must meet minimal requirements to be licensed to sell marijuana to licensees. The punishment for unlicensed

possession of permitted amounts of marijuana for individuals who can state a medical condition is a fine not exceeding four hundred dollars. Fees and zoning restrictions are established. A seven percent state tax is imposed on medical marijuana sales." (**See Exhibit A, attached hereto and incorporated herein by reference**) The measure is to be approved or rejected by the legal voters of the State of Oklahoma at the regular general election to be held on November 8, 2016 or a later date designated by the Governor of the State of Oklahoma.

Pursuant to the statutory requirements found in Title 34 O.S. § 9.D.1, the Oklahoma Secretary of State informed the Attorney General of the filing of the petition and submitted the same to him for review as to legal correctness. The Attorney General, "within five (5) business days after the filing of the measure and ballot title…shall notify the Secretary of State whether or not the proposed ballot title complies with applicable law" *Id.* He did so by notification dated August 18, 2016. (**See Exhibit B, attached hereto and incorporated herein by reference**) The Attorney General submitted a new ballot title on the proposed question to the Oklahoma Secretary of State on August 25, 2016. To wit:

"This measure legalizes the licensed use, sale and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same acceptable standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- Submits a valid application;
- Is eighteen years or older, and
- Is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retain sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $ 400.

Local government cannot use zoning laws to prevent the opening of a retain marijuana store. This measure does not change federal law, which make use, sale, and growth of marijuana illegal."

(See Exhibit C, attached hereto and incorporated herein by reference)

PETITIONER'S OBJECTION TO SUBSTITUTED BALLOT TITLE

1. THE PETITIONER'S ORIGINAL BALLOT TITLE DOES NOT RUN AFOUL OF OKLAHOMA LAW AND IS LEGALLY CORRECT

The Attorney General is to review the petition "for review as to legal correctness under 34 O.S. § 9(D)1.

Petitioners believe the Initiative Petition and Ballot Title complied with the law. Title 34 § 9(B) clearly outlines the requirements for "the suggested ballot title":

> " B. The parties submitting the measure shall also submit a suggested ballot title which shall be filed on a separate sheet of paper and shall not be deemed part of the petition. The suggested ballot title:
>
> 1. Shall not exceed two hundred (200) words;

2. Shall explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;
3. Shall be written on the eighth-grade reading comprehension level;
4. Shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;
5. Shall not reflect partiality in its composition or contain any argument for or against the measure;
6. Shall contain language which clearly states that a "yes" vote is a vote in favor of the proposition and a "no" vote is a vote against the proposition; and
7. Shall not contain language whereby a "yes" vote is in fact, a vote against the proposition and a "no" vote is, in fact, a vote in favor of the proposition."

The proposed title submitted by the Petitioner complies with § 9(B).

2. THE SUBSTITUTED BALLOT TITLE NEGATES THE INTENT OF THE ORIGINALLY FILED INITIATIVE PETITON

The Attorney General proposed ballot title rewritten explains;

The measure would "legalize the licensed use, sale and growth of marijuana in Oklahoma." Further, "There are no qualifying medical conditions identified".

This language would mislead the voters and or make argument against or show partiality. Specifically, he would lead voters to believe they are either legalizing marijuana for general purposes and/or would confuse voters by his language used rather than the original language of marijuana for medical purposes. Specifically, "marijuana for medicinal purposes and must be approved by an Oklahoma Board certified Physician".

The Attorney General's proposed ballot title violates Title 34(B)(4) in that it "shall not reflect partiality".

The Attorney General expresses his belief that "the measure does not change federal law, which make use, sale and growth of marijuana illegal".

Thus, would mislead voters and or make argument against or show partiality.

CONCLUSION

Pursuant to Title 34 O.S. § 10.A, the Petitioner respectfully requests this Court to reject the Attorney General's amended ballot title in reference to Initiative Petition No. 412 and restore the Petitioner's ballot title in Exhibit A to the Petition.

Respectfully submitted,

David R. Slane, OBA# 16156
427 N. Meridian Avenue
Oklahoma City, OK 73107
(405) 319-1800
(405) 319-1802 Facsimile
davidrslane@hotmail.com
ATTORNEY FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of September, 2016 a true and correct copy of the above and foregoing instrument was mailed postage prepaid to the following:

Scott Pruitt
Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105

Oklahoma Secretary of State
2300 N. Lincoln Blvd.
Room 101
Oklahoma City, OK 73105

David R. Slane

FILED
APR 11 2016
OKLAHOMA SECRETARY OF STATE

PROPOSED BALLOT TITLE

This measure amends the Oklahoma State Statutes. A yes vote legalizes the licensed use, sale, and growth of marijuana in Oklahoma for medicinal purposes. A license is required for use and possession of marijuana for medicinal purposes and must be approved by an Oklahoma Board Certified Physician. The State Department of Health will issue medical marijuana licenses if the applicant is eighteen years or older and an Oklahoma resident. A special exception will be granted to an applicant under the age of eighteen, however these applications must be signed by two physicians and a parent or legal guardian. The Department will also issue seller, grower, packaging, transportation, research and caregiver licenses. Individual and retail businesses must meet minimal requirements to be licensed to sell marijuana to licensees. The punishment for unlicensed possession of permitted amounts of marijuana for individuals who can state a medical condition is a fine not exceeding four hundred dollars. Fees and zoning restrictions are established. A seven percent state tax is imposed on medical marijuana sales.

Shall the proposal be approved?

For the proposal	-	YES
Against the proposal	-	NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

EXH. VA

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED
AUG 18 2016
OKLAHOMA SECRETARY OF STATE

August 18, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary Benge:

In accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), 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 fails to adequately explain the effect of the proposition because, as among other things:

- it does not explain that marijuana will be a non-prescription drug nor accurately explain the role of the physician;
- it does not sufficiently address zoning restrictions insofar as it fails to specify that a municipality's power to restrict or change zoning laws is limited; and
- it does not explain that the measure would not affect constitutionally-enacted federal law to the contrary.

Having found that the Proposed Ballot Title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), within ten business days, prepare a ballot title which complies with the law and furnish a copy to you.

Sincerely,

E. Scott Pruitt
Attorney General

313 N.E. 21ST STREET • OKLAHOMA CITY, OK 73105 • (405) 521-3921 • FAX: (405) 521-6246

recycled paper

Exhibit B

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

AUG 25 2016

OKLAHOMA SECRETARY OF STATE

August 25, 2016

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

RE: Ballot Title for State Question No. 788, Initiative Petition No. 412

Dear Secretary 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 34 O.S.Supp.2015, § 9(D)(1), prepared the following Ballot Title. The Ballot Title reads as follows:

BALLOT TITLE FOR STATE QUESTION NO. 788

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and

313 N.E. 21ST STREET • OKLAHOMA CITY, OK 73105 • (405) 521-3921 • FAX: (405) 521-6246

recycled paper

EXH - C

caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

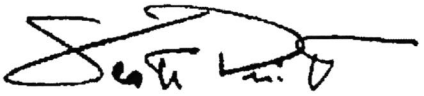
SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____

AGAINST THE MEASURE – NO _____

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

Respectfully submitted,



E. Scott Pruitt
Attorney General

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP 12 2016
MICHAEL S. RICHIE
CLERK

IN RE:	)	
	)	
INITIATIVE PETITION NO. 412,	)	No. 115,287
	)	
STATE QUESTION NO. 788.	)	

STATE OF OKLAHOMA, TO:

CHRIS BENGE, SECRETARY OF STATE, STATE OF OKLAHOMA

GREETINGS:

RECEIVED
SEP 13 2016
OKLAHOMA SECRETARY
OF STATE

ORDER

An initiative petition has been circulated in the State of Oklahoma, seeking the approval by the electorate of State Question No. 788, a proposed new law, to be codified at Oklahoma Statutes Title 63, §420, which would legalize medical marijuana for residents with a recommendation from an Oklahoma Board Certified Physician and legalize medical marijuana dispensaries with growing and processing licenses.

In accordance with 34 O.S. Supp. 2015 § 8, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office Governor in the November, 2014 general election. Okla. Const. Art. 5 § 2. The signatures on the petition appear numerically sufficient.

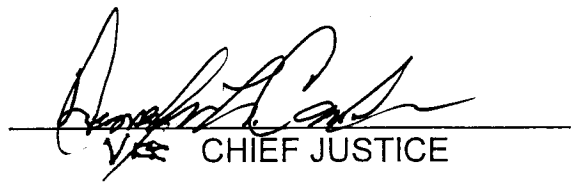
The Secretary of State is directed forthwith to cause to be published in at least one newspaper of general circulation in the State of Oklahoma, a public notice

of the filing of Initiative Petition No. 412, State Question No. 788, and of the apparent numerical sufficiency of the signatures. The Secretary of State shall also publish the text of the ballot title as rewritten by the Attorney General pursuant to 34 O.S.Supp.2015 § 9(D). The notice shall advise that any citizen of the State of Oklahoma may file a written objection to the signature count, or the rewritten ballot title, in the office of the Clerk of the Supreme Court of the State of Oklahoma, with a copy directed to the proponents of the petition and the Attorney General. Any such objection must be filed with the Clerk of the Supreme Court not later than ten (10) days from the date of publication. A copy of the objection must also be filed with the Secretary of State.

Proceedings in the Supreme Court to resolve any objection shall be in accordance with 34 O.S.Supp.2015 §§ 8-11, and such other procedures as may be ordered by the Court.

The Secretary of State is directed to obtain verified proof of publication of the notice herein directed, and to file the same with the Clerk of this Court as a return to this order.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE THIS 12th DAY OF SEPTEMBER, 2016.



VICE CHIEF JUSTICE

ALL JUSTICES CONCUR.

80

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP 13 2016
MICHAEL S. RICHIE
CLERK

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

ORIGINAL

Tuesday, September 13, 2016

THE CLERK IS DIRECTED TO ENTER THE FOLLOWING ORDERS OF THE COURT:

115,322 - CHIP PAUL and PHILIP WINTERS OKLAHOMA FOR HEALTH v. THE HONORABLE SCOTT PRUITT, ATTORNEY GENERAL OF OKLAHOMA

The Court notes the filing of this cause prior to this Court's September 2, 2016 order in Case No. 115,287 *In Re: Initiative Petition No. 412, State Question No. 788.* This cause will be considered along with any other written objections filed pursuant to this Court's September 12th order in Case No. 115,287. 34 O.S. §8.

115,099 - ARTHUR L. BEEN, JR. v. MARIE RAMSEY-HIRST, CANADIAN COUNTY COURT CLERK, *et al.*

This cause is dismissed on the motion of the petitioner.

115,278 - MARGO RADEBAUGH v. THE HONORABLE ALLEN J. WELCH, Judge of the District Court of Oklahoma County, Seventh Judicial District of the State of Oklahoma, *et al.*

This cause is dismissed on the motion of the petitioner.

Rec'd (date) 9/13/2016
Posted TS
Mailed TS
Distrib TS
Publish yes P

VICE CHIEF JUSTICE

* **Note to file**: This copy of Supreme Court document number 1034509681 was downloaded, for SOS record purposes, from the OSCN.net website. Copy of such has not been received by our office.

— A.C. (S.O.S office 9/30/2016)

Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

September 13, 2015

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

Dear Ms. Shea:

Please find enclosed the Notice of the Filing of Signatures and the Numerical Sufficiency thereof and the Text of the Preliminary Ballot Title as Rewritten by the Attorney General for State Question 788, Initiative Petition 412. By Supreme Court order (case no. O-115,287) and per Title 34 O.S. § 8, the publication must appear in at least one newspaper of general circulation in the State of Oklahoma. Please have the enclosed notice published in both *The Oklahoman* and the *Tulsa World* as soon as possible.

Also, upon the completion of publication, please provide our office with corresponding Affidavits of Publication. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Chris Benge
Secretary of State
and Native American Affairs

2300 N. Lincoln Blvd., Suite 101 • Oklahoma City, OK 73105-4897 • (405) 521-3912 • Fax (405) 521-3771

NOTICE OF THE FILING OF SIGNATURES AND THE APPEARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 788, INITIATIVE PETITION NUMBER 412

NOTICE is hereby given that on August 11, 2016 six (6) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 788, Initiative Petition 412.

NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 § 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient.

NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponent(s) of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 §§ 8-11, and such other procedures as may be ordered by the Court.

Proponent(s) of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave.
Owasso, Oklahoma 74055

PRELIMINARY BALLOT TITLE FOR SQ 788, as rewritten by the Attorney General

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____
AGAINST THE MEASURE – NO _____

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

DONE, BY ORDER OF THE SUPREME COURT THIS 13TH DAY OF SEPTEMBER, 2016.

Chris Benge
Oklahoma Secretary of State
and Native American Affairs

(/)

klahoman.com/replica) Thursday, September 15

(http://facebook.com/TheOklahoman)

(http://twitter.com/theoklahoman)

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Legal Notices / Legal Notices Classified

NOTICE OF THE FILING OF SIGNATURES AND THE APPEARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE **ATTORNEY GENERAL FOR STATE QUESTION NUMBER 788, INITIATIVE PETITION NUMBER 412** NOTICE is hereby given that on August 11, 2016 six (6) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 788, Initiative Petition 412. NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 ? 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient. NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponent(s) of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 ?? 8-11, and such other procedures as may be ordered by the Court. Proponent(s) of record for State Question 788, Initiative Petition 412: Oklahomans for Health 8751 N. 117th E Ave. Owasso, Oklahoma 74055 PRELIMINARY BALLOT TITLE FOR SQ 788, as rewritten by the Attorney General This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who: •submits a valid application, •is eighteen years or older, and •is an Oklahoma resident. Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400. Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal. SHALL THE MEASURE BE APPROVED? FOR THE MEASURE - YES AGAINST THE MEASURE - NO A ?YES? vote is a vote in favor of this measure. A ?NO? vote is a vote against this measure. DONE, BY ORDER OF THE SUPREME COURT THIS 13TH DAY OF SEPTEMBER, 2016. Chris Benge Oklahoma Secretary of State and Native American Affairs

HOMES (HTTP://NEWSOK.COM/MARKETPLACE/H

JOBS (HTTP://NEWSOK.COM/MARKETPLACE/JC

Ride (HTTP://BESTRIDE.COM/)

CATEGORIES

ANIMALS

Cats (4) (/classifieds/2016-09-15/animals/cats/2016-09-15)

Cattle & Livestock (2) (/classifieds/2016-09-15/animals/cattle-and-livestock/2016-09-15)

Dogs (98) (/classifieds/2016-09-15/animals/dogs/2016-09-15)

Exotic Animals (2) (/classifieds/2016-09-15/animals/exotic-animals/2016-09-15)

Horses Equipment & Supplies (1) (/classifieds/2016-09-15/animals/horses-equipment-and-supplies/2016-09-15)

Pigeons (1) (/classifieds/2016-09-15/animals/pigeons/2016-09-15)

AUTOMOTIVE

Acura (6) (/classifieds/2016-09-15/automotive/acura/2016-09-15)

LEGALS

289801

Published in the Tulsa World, Tulsa County, Oklahoma, September 15, 2016

NOTICE OF THE FILING OF SIGNATURES AND THE APPEARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERALFOR STATE QUESTION NUMBER 788, INITIATIVE PETITION NUMBER 412 NOTICE is hereby given that on August 11, 2016 six (6) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 788, Initiative Petition 412. NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 § 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient. NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponent(s) of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 §§ 8-11, and such other procedures as may be ordered by the Court. Proponent(s) of record for State Question 788, Initiative Petition 412: Oklahomans for Health 8751 N. 117th E Ave. Owasso, Oklahoma 74055

PRELIMINARY BALLOT TITLE FOR SQ 788, as

rewritten by the Attorney General

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who: submits a valid application, is eighteen years or older, and is an Oklahoma resident. Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400. Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal. SHALL THE MEASURE BE APPROVED? FOR THE MEASURE - YES _____ AGAINST THE MEASURE - NO _____ A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure. DONE, BY ORDER OF THE SUPREME COURT THIS 13TH DAY OF SEPTEMBER, 2016. Chris Benge Oklahoma Secretary of State and Native American Affairs

Location:

801 Signatures. The Court

Listing ID: b223f020-e42f-5acd-8832-ecb4013c24c2

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Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP 29 2016
MICHAEL S. RICHIE
CLERK

September 29, 2016

HAND DELIVERED

Chief Justice John Reif
The Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 1
Oklahoma City, Oklahoma 73105

RE: Return on Supreme Court publication order – Supreme Court Case No. O-115,287
State Question 788, Initiative Petition 412

Dear Chief Justice Reif:

In accordance with the Supreme Court Order filed September 12, 2016 (received by SOS office September 13, 2016), I herewith submit to the Court, the enclosed proofs of publication for the *Notice of the Filing of Signatures and the Apparent Numerical Sufficiency thereof and the Text of the Preliminary Ballot Title as Rewritten by the Attorney General for State Question 788, Initiative Petition 412*. I also certify that said notice was published Thursday, September 15, 2016 in both THE OKLAHOMAN and TULSA WORLD.

Enclosures:

A. Copy of Supreme Court Order filed September 12, 2016 (S.C. Case No. O-115,287)
B. Oklahoma Press Service - Proof of Publication, Order Number 16-09-49 (*THE OKLAHOMAN*)
C. Oklahoma Press Service - Proof of Publication, Order Number 16-09-49 (*TULSA WORLD*)

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

Chris Benge

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

CERTIFICATE OF HAND DELIVERY AND MAILING

I hereby certify that a true and accurate copy of the foregoing was hand delivered on September 29, 2016, to the following party;

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

I also hereby certify that a true and accurate copy of the foregoing, was placed in USPS mail, regular first-class, on September 29, 2016, addressed to the following parties;

Oklahomans for Health
8751 N 117th E Ave
Owasso, Oklahoma 74055

COUNSEL FOR PROPONENTS

Brady Henderson
ACLU of Oklahoma Foundation
3000 Paseo Drive
Oklahoma City, Oklahoma 73103

Ryan Kiesel
ACLU of Oklahoma Foundation
3000 Paseo Drive
Oklahoma City, Oklahoma 73103

Chris Benge

Chris Benge
Oklahoma Secretary of State and
Native American Affairs

Enclosure “A”

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP 12 2016
MICHAEL S. RICHIE
CLERK

IN RE:	)	
	)	
INITIATIVE PETITION NO. 412,	)	No. 115,287
	)	
STATE QUESTION NO. 788.	)	

STATE OF OKLAHOMA, TO:

CHRIS BENGE, SECRETARY OF STATE, STATE OF OKLAHOMA

GREETINGS:

RECEIVED
SEP 13 2016
OKLAHOMA SECRETARY
OF STATE

ORDER

An initiative petition has been circulated in the State of Oklahoma, seeking the approval by the electorate of State Question No. 788, a proposed new law, to be codified at Oklahoma Statutes Title 63, §420, which would legalize medical marijuana for residents with a recommendation from an Oklahoma Board Certified Physician and legalize medical marijuana dispensaries with growing and processing licenses.

In accordance with 34 O.S. Supp. 2015 § 8, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office Governor in the November, 2014 general election. Okla. Const. Art. 5 § 2. The signatures on the petition appear numerically sufficient.

The Secretary of State is directed forthwith to cause to be published in at least one newspaper of general circulation in the State of Oklahoma, a public notice

of the filing of Initiative Petition No. 412, State Question No. 788, and of the apparent numerical sufficiency of the signatures. The Secretary of State shall also publish the text of the ballot title as rewritten by the Attorney General pursuant to 34 O.S.Supp.2015 § 9(D). The notice shall advise that any citizen of the State of Oklahoma may file a written objection to the signature count, or the rewritten ballot title, in the office of the Clerk of the Supreme Court of the State of Oklahoma, with a copy directed to the proponents of the petition and the Attorney General. Any such objection must be filed with the Clerk of the Supreme Court not later than ten (10) days from the date of publication. A copy of the objection must also be filed with the Secretary of State.

Proceedings in the Supreme Court to resolve any objection shall be in accordance with 34 O.S.Supp.2015 §§ 8-11, and such other procedures as may be ordered by the Court.

The Secretary of State is directed to obtain verified proof of publication of the notice herein directed, and to file the same with the Clerk of this Court as a return to this order.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE THIS 12th DAY OF SEPTEMBER, 2016.

VICE CHIEF JUSTICE

ALL JUSTICES CONCUR.

Enclosure “B”

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City,OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Proof of Publication
Order Number 16-09-49

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-THE OKLAHOMAN, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-THE OKLAHOMAN in consecutive issues on the following dates-to-wit:

Insertion: 09/15/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE $2,005.76

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
22 day of September 2016.

(Notary Public)

NOTARY PUBLIC SEAL
JENNIFER GILLILAND
Notary Public in and for the
State of Oklahoma
Commission #10004909
My Commission expires 5/18/2018

NOTICE OF THE FILING OF SIGNATURES AND THE APPEARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 788, INITIATIVE PETITION NUMBER 412

NOTICE is hereby given that on August 11, 2016 six (6) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 788, Initiative Petition 412.

NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 § 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 67,801 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient.

NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponent(s) of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 §§ 8-11, and such other procedures as may be ordered by the Court.

Proponent(s) of record for State Question 788, Initiative Petition 412:

Oklahomans for Health
8751 N. 117th E Ave.
Owasso, Oklahoma 74055

PRELIMINARY BALLOT TITLE FOR SQ 788, as rewritten by the Attorney General

This measure legalizes the licensed use, sale, and growth of marijuana in Oklahoma. There are no qualifying medical conditions identified. Possession and use of marijuana is authorized through a medical marijuana license that is valid for two years, rather than by prescription. An Oklahoma board certified physician must recommend the license using the same accepted standards for recommending other medications, and must sign the application for the license. The State Department of Health must issue a license to an applicant who:

- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE - YES
AGAINST THE MEASURE - NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

DONE, BY ORDER OF THE SUPREME COURT THIS 13TH DAY OF SEPTEMBER, 2016.

Chris Benge
Oklahoma Secretary of State
and Native American Affairs

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Registered To: Oklahoma Press Association

Enclosure “C”

Oklahoma Press Service

3601 North Lincoln Blvd.
Oklahoma City,OK 73105-
Voice (405) 499-0020 Fax (405) 499-0048

Proof of Publication
Order Number 16-09-49

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-TULSA WORLD - Legal, a Daily newspaper printed and published in the city of TULSA, county of Tulsa, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-TULSA WORLD - Legal in consecutive issues on the following dates-to-wit:

Insertion: 09/15/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE $141.55

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
22 day of September 2016.

(Notary Public)

NOTARY PUBLIC SEAL
JENNIFER GILLILAND
Notary Public in and for the
State of Oklahoma
Commission #10004909
My Commission expires 6/18/2018

289801

Published in the Tulsa World, Tulsa County, Oklahoma, September 15, 2016

NOTICE OF THE FILING OF SIGNATURES AND THE APPEARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 788, INITIATIVE PETITION NUMBER 412

NOTICE is hereby given that on August 11, 2016 six (6) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 788, Initiative Petition 412.

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Oklahomans for Health
8751 N. 117th E Ave.
Owasso, Oklahoma 74055

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- submits a valid application,
- is eighteen years or older, and
- is an Oklahoma resident.

Applications for individuals under eighteen must be signed by two physicians and by a parent or legal guardian. The Department also issues seller, grower, packaging, transportation, research, and caregiver licenses to those who meet certain minimal requirements. A 7 percent state tax is imposed on retail sales of marijuana. Unlicensed possession by an individual who claims to have a medical condition is punishable by a fine not exceeding $400.

Local government cannot use zoning laws to prevent the opening of a retail marijuana store. This measure does not change federal law, which makes use, sale, and growth of marijuana illegal.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE - YES _____
AGAINST THE MEASURE - NO _____

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

DONE, BY ORDER OF THE SUPREME COURT THIS 13TH DAY OF SEPTEMBER, 2016.

Chris Benge
Oklahoma Secretary of State
and Native American Affairs

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IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA
SEP 29 2016
MICHAEL S. RICHIE
CLERK

In Re:	)	
INITIATIVE PETITION NO. 412,	)	No. 115,287
STATE QUESTION NO. 788	)	

NOTICE OF OBJECTION TO SIGNATURE COUNT CERTIFIED BY OKLAHOMA SECRETARY OF STATE

COME NOW, Chip Paul and Phillip Winters, Oklahomans for Health, Proponents of the Initiative Petition at issue herein, and give notice of their objection to a portion of the signature count certified by the Oklahoma Secretary of State in its August 25 letter to the Chief Justice of this Honorable Court. This objection is made pursuant to the Court's Order of September 12, 2016, and in compliance with 34 O.S. § 8(K). In support of said objection, Proponents state as follows:

1. On or about August 25, 2016, the Oklahoma Secretary of State certified that Initiative Petition No. 412 received 67,801 valid signatures, following the physical counting of 3,895 pages of signatures. This certification letter is attached as Exhibit A.

2. The required number of signatures to place No. 412 before Oklahoma voters in 65,987. As such, the signature count certified by the Secretary of State is sufficient to put State Question 788 to a vote of the people. Proponents do not challenge or object to this sufficiency.

3. Exhibit A also certified that signatures appearing on pages 3,806 through 3,891 were "not included in such physical count due to improper/incomplete notarizations or incomplete circulator affidavits." Exhibit A, at 1. Proponents object to the certified signature count solely concerning the exclusion of a portion of these pages, as more fully set out below.

RECEIVED
SEP 30 2016
OKLAHOMA SECRETARY
OF STATE

4. Proponents' review of pages 3,806 through 3,891 indicates many of them should be subject to counting under Oklahoma law. This objection to their exclusion will become moot if no challenge has been or is timely filed with this Court to the overall sufficiency of signatures to place State Question 788 on the ballot. Should no challenge be filed, Proponents intend to move to dismiss this objection due to mootness, as preservation of Proponents' rights to challenge the exclusion of signatures will no longer be necessary.

5. When examining potential notarization defects or affidavit defects, 34 O.S. § 6.1(A)(7), in pertinent part, requires exclusion only of signatures in which "a notary has failed to sign, the seal of the notary is absent, the commission of the notary has expired, or the expiration date is not on the signature sheet." 34 O.S. § 6.1(A)(7).

6. Proponents' review of pages 3,806 through 3,891 demonstrates the following apparent notarization omissions or errata that Proponents contend should not invalidate the lawfully rendered signatures of the Oklahoma voters included therein:

   a. On pages 3,807, 3,809, 3,816, 3,823, 3,842, 3,855, 3,857-3,859, and 3,861-3,863, the county was omitted from the style appearing at the top of the petitioner's affidavit. However, the state of Oklahoma was listed at the top, along with all other requisite information for substantial compliance with 34 O.S. §6. As such, this insubstantial omission should not preclude counting of the signatures appearing on these pages.

   b. On pages 3,878-3,880 and 3,882, a scrivener's error appears in which one element of the date of notarization was mistakenly filled in to match the notary's date of commission expiration. The remainder of the date is filled in accurately. The error is readily intelligible and giving effect to the scrivener's error would create the absurdity of certifying that the pages in question were notarized in 2017 and 2020 respectively. As such, this insubstantial error should not preclude counting of the signatures appearing on these pages.

c. Page 3,806 includes no defect apparent on its face, but further research indicates that the notary's listed address may not match the address currently displayed in an online public record check of the state's notary public database. However, the notary public otherwise completed the notarization correctly, signed and sealed it, and is registered as currently in active commission as a notary public, and thus empowered to complete the process required by 34 O.S. § 6. As such, a records discrepancy as to the notary's address should not preclude counting of the signatures on this page.

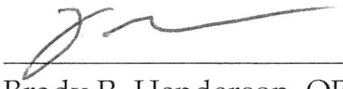
d. Pages 3,808, 3,811-3,815, 3,817-3,818, 3,824-3,825, 3,827-3,841, 3,843-3,854, and 3,856 contain both the omission of County detailed in Subsection a., above, and the address discrepancy detailed above in Subsection c., but no apparent substantive deficiencies. The combination of insubstantial omission and insubstantial records discrepancy should not preclude counting of the signatures on these pages.

7. None of the omissions or errata discussed are listed in 34 O.S. § 6.1 as reasons for exclusion from counting.

8. Inclusion of the pages described above would add presumptively up to 977 signatures to the signature count for State Question 788, beyond the 67,801 previously certified by the Oklahoma Secretary of State.

WHEREFORE, Proponents give notice of their objection, and their request that the pages detailed above be examined and, if the Court finds it appropriate, added to the signature count for State Question 788. Should this request be made moot by the absence of any challenge to the sufficiency of signatures to place State Question 788 before the electorate, Proponents will move this Court to dismiss this objection as soon as practicable.

Respectfully submitted,



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bhenderson@acluok.org

Ryan Kiesel, OBA#21254
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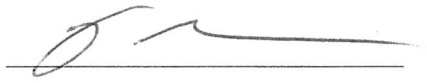
(405) 525-3831, (405) 524-2296 (fax)
rkiesel@acluok.org
Attorneys for Proponents herein

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 29th day of September, 2016, a true and correct copy of the above Entry is being filed with the Secretary of State via hand delivery, at 2300 N. Lincoln Blvd., Ste. 101, Oklahoma City, Oklahoma, 73105, and is being delivered to the Honorable Scott Pruitt, Oklahoma Attorney General, at 313 NE 21st St., Oklahoma City, Oklahoma, 73069, via hand-delivery.



Brady Henderson

Chris Benge
Secretary of State
and
Native American Affairs

ORIGINAL

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 25, 2016

#115287

HAND DELIVERED

Chief Justice John Reif
The Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 1
Oklahoma City, Oklahoma 73105

Updated

RE: Secretary of State's Certification to the Court of the Physical Signature Count for State Question 788, Initiative Petition 412 (subject: Medical Marijuana)

Dear Chief Justice Reif:

Pursuant to the provisions of Title 34 O.S., Sections 6.1 and 8, the Secretary of State certifies to the Supreme Court the following details:

- Six (6) boxes of signature pamphlets, for State Question 788, Initiative Petition 412, were received by our office on August 11, 2016.
- The Secretary of State began the physical count of signatures on August 18, 2016 at 1:00 p.m. Said count was concluded on August 23, 2016 at 4:00 p.m.
- Individual signature sheets are page numbered 1 through 3,895 and bound in a total of 20 volumes. Volumes 1 through 19 contain 200 signature sheets per volume and Volume 20 contains a total of 95 signature sheets.
- Several signatures on page 3,804 were not included in the count as they were duplicates of signatures which had first appeared and were counted on page 3,803.
- Page numbers 3,806 through 3,891 were not included in such physical count due to either improper/incomplete notarizations or incomplete circulator affidavits.
- The Secretary of State certifies the total number of signatures counted for State Question 788, Initiative Petition 412 is **67,801**.
- The Secretary of State affirms the State Election Board has certified that a total of 824,831 votes were cast for the office of Governor at the General Election in November 2014.

Exhibit A

- The Secretary of State also certifies that proponents' proposed ballot title was submitted to the Attorney General's office August 15, 2016 for review as to legal correctness. The Attorney General's ballot title review was filed with the Secretary of State's office on August 18, 2016.

In support of the details so certified, please find attached the following documents:

A. Copy of State Question 788, Initiative Petition 412
B. Tabulation Sheets for SQ 788, IP 412
C. Total votes cast as certified by the State Election Board--SOS Doc# 047220
D. Attorney General's ballot title review, filed with S.O.S. 08-18-2016

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was hand delivered, on August 25, 2016 to the following party;

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

I also hereby certify that a true and accurate copy of the foregoing was placed in USPS mail, regular first-class, on August 25, 2016, addressed to the proponent(s) of record for SQ788.

Proponent(s) of record for State Question 788
Oklahomans for Health
8751 N. 117th E Ave
Owasso, Oklahoma 74055

Chris Benge

Chris Benge
Oklahoma Secretary of State and
Native American Affairs