



Robert G. McCampbell
Direct Line: (405) 235-5567
rmccampbell@gablelaw.com

One Leadership Square, 15th Floor
211 North Robinson
Oklahoma City, OK 73102-7255
(405) 235-5500
www.gablelaw.com

March 21, 2017


Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 101
Oklahoma City, OK 73105-4897

Re: Initiative Petition

Dear Secretary:

Please accept for filing the enclosed initiative petition and the Proponents' suggested ballot title. This proposed amendment would add a new Section 3 to Article XX to the Oklahoma Constitution. The initiative petition requests that the proposed amendment be submitted to the voters at the general election on November 6, 2018 or at an earlier special election if so ordered by the Governor.

Sincerely yours,


Robert G. McCampbell
and Travis V. Jett
of the Firm
Gable Gotwals, P.C.
Counsel for Proponents

RGM/lf
Enclosure
cc : Oklahoma Attorney General Mike Hunter
S387796

RECEIVED

MAR 21 2017

OKLAHOMA SECRETARY
OF STATE

FILED

MAR 21 2017

OKLAHOMA SECRETARY
OF STATE

PROPOSED BALLOT TITLE

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

Shall this proposal be approved by the people?

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. 793 Initiative Petition No. 415

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.

FILED

INITIATIVE PETITION

MAR 21 2017

To the Honorable Mary Fallin, Governor of Oklahoma:

**OKLAHOMA SECRETARY
OF STATE**

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution 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 6th day of November, 2018, (or such earlier 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 days from _____. The question we herewith submit to our fellow voters is:

Shall the following proposed new Section 3 to Article 20 of the Constitution be approved?

BE IT ENACTED BY THE PEOPLE OF OKLAHOMA THAT A NEW SECTION 3 OF ARTICLE 20 OF THE OKLAHOMA CONSTITUTION BE APPROVED:

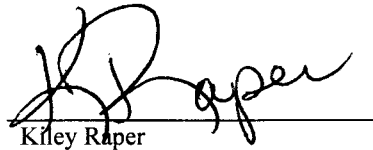
§ 3. RIGHT OF OPTOMETRISTS AND OPTICIANS TO PRACTICE IN RETAIL MERCANTILE ESTABLISHMENT

- A. No law shall restrain, abridge or infringe on the ability of optometrists or opticians to practice their respective professions within a retail mercantile establishment.
- B. No law shall discriminate against an optometrists or opticians based to the location and setting of their practice.
- C. No law shall require an optometric office located within a retail mercantile establishment to have an entrance opening on a public street, hall, lobby, or corridor.
- D. No law shall restrain, abridge or infringe on the ability of a retail mercantile establishment to sell, allow the sale, or provide for the sale of optical goods and services, upon prescription, to the general public within the premises of the retail mercantile establishment.
- E. Notwithstanding the limitations of this section, the Legislature may, by statute:
 - 1. limit or prohibit optometrists from performing laser or nonlaser surgical procedures within a retail mercantile establishment;
 - 2. limit the number of office locations at which an optometrist may practice;
 - 3. maintain licensing requirements for the practice of optometry, provided those requirements do not impose restrictions on the location where

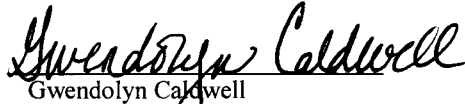
services are provided or otherwise conflict with subsections A–D of this section;

4. require that an optometric office, when located within a retail mercantile establishment, be located within a separate area or room of that establishment, provided that any such requirement must permit direct access to and from the optometric office from inside the retail mercantile establishment; or
 5. impose minimum health and safety standards for optical goods and services, provided such standards do not discriminate against any provider of optical goods and services.
- F. Nothing in this section or in Article 23, § 8 of this Constitution shall be construed as prohibiting optometrists or opticians from agreeing with a retail mercantile establishment to limit the scope of their practice.
- G. This section shall become effective upon adoption, and laws in conflict with this section shall be deemed null and void. After this section is effective, an optometrist, optician, or retail mercantile establishment may bring a declaratory judgment action to determine whether this section affects the validity of a law.
- H. As used in this section:
1. “Law” means any state or local law, including statutes, regulations, rules, ordinances, zoning provisions, and judicial decisions, either now in force or hereafter enacted or issued;
 2. “Optometrist” means a person licensed in Oklahoma to practice optometry;
 3. “Optician” means a person who fills prescriptions for ophthalmic lenses, including but not limited to spectacles and contact lenses, from licensed optometrists or ophthalmologists;
 4. “Optical goods and services” means eyewear, including prescription spectacles and contact lenses, and all services associated with providing, modifying, and repairing such eyewear; and
 5. “Retail mercantile establishment” means a business establishment selling merchandise to the general public.

Name and Address of Proponents:



Kiley Raper
19005 Hill Valley Way
Edmond, OK 73012



Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, OK 73107

SIGNATURES

The gist of the proposition is as follows: This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

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| | | | | | | | |
|-----|--------------------------|------------|---------|------|-------|-----|--------|
| 1. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 2. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 3. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 4. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 5. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 6. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 7. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 8. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 9. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 10. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 11. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 12. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 13. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 14. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 15. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 16. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 17. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 18. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 19. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 20. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |

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 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 or her residence as stated.

Circulator's Signature

Mailing Address

City State Zip Code

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

Notary Public

My Commission Expires:

Address

My Commission Number:

City State Zip Code

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

March 21, 2017

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Dear Proponent(s):

This acknowledges receipt of the petition submitted to our office, which has been designated as State Question Number 793, Initiative Petition Number 415, and filed accordingly this 21st day of March 2017.

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.

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
Web: <https://www.sos.ok.gov/gov/default.aspx>

Cc: Gable Gotwals Counsel

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

March 22, 2017

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

Dear Ms. Shea:

Please find enclosed the following for publication;

- Notice of Filing for State Question 793, Initiative Petition 415

Per Title 34 O.S. § 8, the publication 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,

A handwritten signature in black ink, appearing to read "Tod Wall", written over a horizontal line.

Tod Wall
Acting Secretary of State

**NOTICE OF THE FILING OF STATE QUESTION 793, INITIATIVE PETITION 415,
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 March 21, 2017, State Question 793, Initiative Petition 415 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 793, Initiative Petition 415 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.

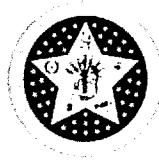
Proponents of record for State Question 793, Initiative Petition 415:

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Tod Wall
Acting Secretary of State

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

March 22, 2017

RECEIVED

MAR 22 2017

OFFICE OF THE
GOVERNOR

HAND DELIVERED

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 793, Initiative Petition 415**, was sufficiently filed with the Office of the Secretary of State on Tuesday, March 21, 2017. Proponents of record for said petition is as follows;

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Please find enclosed a true and exact copy of State Question 793, Initiative Petition 415 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,

A handwritten signature in black ink, appearing to read "Tod Wall", written over a horizontal line.

Tod Wall
Acting Secretary of State

Amy Canton

From: SOS ExecutiveLegislative
Sent: Tuesday, March 21, 2017 1:05 PM
Subject: SQ793, IP415 filed with the Secretary of State's office today, March 21, 2017

| Tracking: | Recipient | Delivery |
|-----------|-------------------------------|------------------------------|
| | 'Brittoni Lantz' | |
| | 'Cara Rodriquez' | |
| | Chris Benge | Delivered: 3/21/2017 1:04 PM |
| | 'Jan Preslar' | |
| | 'keisha landry (AG's office)' | |
| | 'Keisha Schultz' | |
| | 'mike.hunter@oag.ok.gov' | |
| | | |
| | 'Trent Shores' | |

Good Afternoon All:

Please find below a link to STATE QUESTION 793, INITIATIVE PETITION 415 filed with the Secretary of State's office today, March 21, 2017.

<https://www.sos.ok.gov/documents/Questions/793.pdf>

Should you have any questions, please do not hesitate to contact our office.

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
Web: <https://www.sos.ok.gov/gov/default.aspx>

Amy Canton

From: Merrill Williamson <merrill.williamson@oag.ok.gov> on behalf of Mike Hunter <mike.hunter@oag.ok.gov>
To: Amy Canton
Sent: Thursday, March 23, 2017 4:23 PM
Subject: Read: SOS record update: SQ793, IP415 filed with the Secretary of State's office today, March 21, 2017

Your message

To:
Subject: SOS record update: SQ793, IP415 filed with the Secretary of State's office today, March 21, 2017
Sent: Thursday, March 23, 2017 4:23:13 PM (UTC-06:00) Central Time (US & Canada)

was read on Thursday, March 23, 2017 4:23:07 PM (UTC-06:00) Central Time (US & Canada).

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

March 24, 2017

HAND DELIVERED

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

RECEIVED

MAR 24 2017

**STATE ELECTION
BOARD**

Dear Secretary Ziriox:

Please be advised that an initiative petition, designated as **State Question 793, Initiative Petition 415**, was sufficiently filed with the Office of the Secretary of State on Tuesday, March 21, 2017. Proponents of record for said petition is as follows;

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

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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,

A handwritten signature in black ink, appearing to read "Tod Wall".

Tod Wall
Acting Secretary of State

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Thursday, March 30, 2017 07:37 AM

Page 1

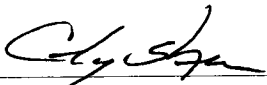
Proof of Publication Order Number 17-03-76

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: 03/26/2017

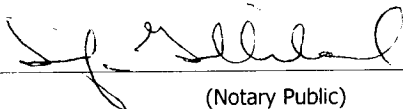
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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 \$794.66



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
30 day of March 2017.



(Notary Public)

NOTICE OF THE FILING OF STATE QUESTION 793, INITIATIVE PETITION 415, 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 March 21, 2017, State Question 793, Initiative Petition 415 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 793, Initiative Petition 415 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.

Proponents of record for State Question 793, Initiative Petition 415:

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Tod Wall
Acting Secretary of State



Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Thursday, March 30, 2017 07:37 AM

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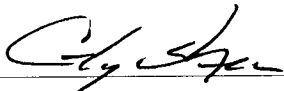
Proof of Publication Order Number 17-03-76

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Insertion: 03/26/2017

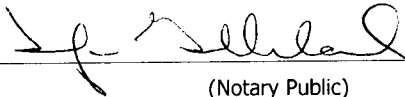
That said newspaper has been published continuously and uninterrupted in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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 \$57.22



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
30 day of March 2017.



(Notary Public)



353849

Published in the Tulsa World, Tulsa County, Oklahoma,
March 26, 2017

NOTICE OF THE FILING OF STATE QUESTION 793, INITIATIVE PETITION 415, 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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Oklahoma Press Service

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Voice (405) 499-0020 Fax (405) 499-0048

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Page 1

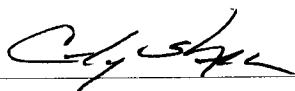
Proof of Publication Order Number 17-03-76

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: 03/27/2017

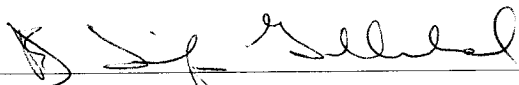
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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
30 day of March 2017.



(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION 793, INITIATIVE PETITION 415, 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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19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Tod Wall
Acting Secretary of State

ORIGINAL



**IN THE SUPREME COURT OF THE
STATE OF OKLAHOMA**

**FILED
SUPREME COURT
STATE OF OKLAHOMA**

APR -7 2017

**MICHAEL S. RICHIE
CLERK**

**OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS and
DR. MICHELLE WELCH**

PETITIONERS,

v.

**KILEY RAPER and
GWEDNOLYN CALDWELL**

RESPONDENTS.

No. #11593 8



APPLICATION TO ASSUME ORIGINAL JURISDICTION

**V. GLENN COFFEE, OBA # 14563
CARA RODRIGUEZ, OBA #21794
DENISE LAWSON, OBA #31532
-Of the Firm-
GLENN COFFEE & ASSOCIATES, PLLC
P.O. Box 437
Oklahoma City, OK 73101
Phone: (405) 601-1616
gcoffee@glenncoffee.com
cara@glenncoffee.com
denise@glenncoffee.com**

**ATTORNEYS FOR PETITIONERS,
OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS AND
DR. MICHELLE WELCH**

APRIL 7, 2017

Petitioners, the Oklahoma Association of Optometric Physicians (“OAOP”) and Dr. Michelle Welch, come now, asking this Court to assume original jurisdiction and to review the constitutionality of State Question 793, Initiative Petition 415 (“Petition”) which was filed with the Oklahoma Secretary of State on March 21, 2017. 34 O.S. § 8(B); OKLA. SUP. CT. R. 1.194. As will be shown in the brief in support of this application, the Petition is unconstitutional because it embraces more than one general subject in violation of Section 1, Article 24 of the Oklahoma Constitution.

PARTIES

1. OAOP is an Association of approximately 600 optometric physicians with its headquarters at 4850 N. Lincoln, Blvd., Suite A, Oklahoma City, Oklahoma 73105. OAOP’s mission is to lead optometric physicians through education and opportunities to improve vision, eye care, and health care. OAOP has five core values: (1) integrity in all endeavors, (2) unity of profession, (3) servitude to humanity, (4) competence through medical educational excellence, and (5) pioneering the vision for tomorrow’s leadership.

2. Petitioner Dr. Michelle Welch, President of OAOP, is a citizen of Oklahoma and has lived in Oklahoma for approximately 47 years. Dr. Welch is a registered voter in Mayes County, Oklahoma, and is an Idabel-based optometric physician who sees Oklahoma patients on a regular basis.

THE COURT’S JURISDICTION

3. The Petition was filed with the Oklahoma Secretary of State on March 21, 2017, and a copy of that Petition is attached as Exhibit A to the Appendix.

4. On March 26, 2017, the Secretary of State caused to be published in the Daily Oklahoman and the Tulsa World a Notice of the Petition, attached as Exhibit B to the Appendix, pursuant to 34 O.S. § 8(B). That section provides that “any citizen or citizens of the

state may file a protest as to the constitutionality of the petition, by a written notice to the Supreme Court and to the proponent or proponents filing the petition” and that such protest must be brought within ten business days after publication.” *Id.*

5. Petitioners are “any citizen or citizens of the state” and are thus qualified to protest the constitutionality of the Petition. *See id.*

6. The Secretary of State’s Notice was published on March 26, 2017. Counting business days, and therefore excluding Saturdays and Sundays, the tenth business day is April 7, 2017. This challenge is filed within the ten business days.

5. Further, pursuant to 34 O.S. § 8(B), a challenge to the constitutionality of the Petition must be filed with the Supreme Court. And Supreme Court Rule 1.194 provides that proceedings in the Supreme Court to determine protests or objections to initiative petitions “shall be treated as an original action.”

MERITS

6. Section 1, Article 24 of the Oklahoma Constitution provides that “[n]o proposal for the amendment or alteration of th[e] Constitution which is submitted to the voters shall embrace more than one general subject and the voters shall vote separately for or against each proposal submitted” OKLA. CONST. art. 24, § 1.

7. The Petition’s newly-proposed Section 3, Article 20 of the Oklahoma Constitution is titled “right of optometrists and opticians to practice in retail mercantile establishment.” *See* Ex. A, § 3. This would presumably constitute the proposed amendment’s one general subject. But optometrists and opticians are two distinct professions, one of which practices “the science and art of examining the human eye and measurement of the powers of vision,” 59 O.S. § 581(A), the other of which fills a prescription for corrective lenses and applies them “to the human face for the aid or correction of visual or ocular anomalies of the human eye, 59 O.S. §

942(B). A scheme combining these two professions for inclusion in retail shops constitutes logrolling in violation of the cited constitutional provision.

8. The Petition violates Section 1, Article 24 of the Oklahoma Constitution in that it violates the prohibition against logrolling and should not proceed to a vote of the people.

CONCLUSION

For the reasons stated here and for those reasons set forth in the accompanying Brief in Support, this Court should assume original jurisdiction and hold that the Petition should not proceed to a vote of the people.

Respectfully submitted,



V. GLENN COFFEE, OBA #14963

CARA RODRIGUEZ, OBA #21794

DENISE LAWSON, OBA #31532

-Of the Firm-

GLENN COFFEE & ASSOCIATES, PLLC

P.O. Box 437

Oklahoma City, OK 73101

Phone: (405) 601-1616

gcoffee@glenncoffee.com

cara@glenncoffee.com

denise@glenncoffee.com

**ATTORNEYS FOR PETITIONERS,
OKLAHOMA ASSOCIATION OF OPTOMETRIC
PHYSICIANS AND DR. MICHELLE WELCH**

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2017, a true and correct copy of the foregoing was mailed by First Class U.S. Mail, postage prepaid, addressed to the following:

Attorney General's Office
State of Oklahoma
313 N.E. 21st Street
Oklahoma City, OK 73105

Secretary of State's Office
State of Oklahoma
101 State Capitol
Oklahoma City, OK 73105

Robert G. McCampbell
Travis V. Jett
GABLE GOTWALS, P.C.
One Leadership Square
15th Floor
211 N. Robinson
Oklahoma City, OK 73102
Counsel for the Proponents



Glenn Coffee

ORIGINAL



IN THE SUPREME COURT OF THE
STATE OF OKLAHOMA

OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS and
DR. MICHELLE WELCH

PETITIONERS,

v.

KILEY RAPER and
GWEDNOLYN CALDWELL

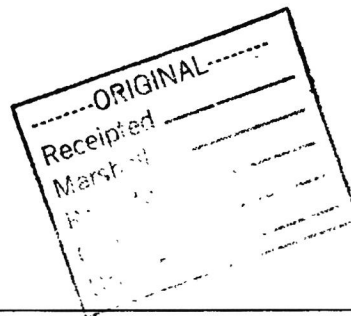
RESPONDENTS.

FILED
SUPREME COURT
STATE OF OKLAHOMA

APR - 7 2017

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CLERK

No. **#115938**



BRIEF IN SUPPORT OF APPLICATION
TO ASSUME ORIGINAL JURISDICTION

V. GLENN COFFEE, OBA # 14563
CARA RODRIGUEZ, OBA #21794
DENISE LAWSON, OBA #31532
-Of the Firm-
GLENN COFFEE & ASSOCIATES, PLLC
P.O. Box 437
Oklahoma City, OK 73101
Phone: (405) 601-1616
gcoffee@glenncoffee.com
cara@glenncoffee.com
denise@glenncoffee.com

ATTORNEYS FOR PETITIONERS,
OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS AND
DR. MICHELLE WELCH

APRIL 7, 2017

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On March 21, 2017, State Question 793, Initiative Petition 415 (“Petition”) was filed with the Oklahoma Secretary of State. The Petition proposes a new Section 3, Article 20 to the Oklahoma Constitution, treating optometrists and opticians in like fashion. But combining these distinct professions presents Oklahoma voters with an unpalatable all-or-nothing choice. Petitioners Oklahoma Association of Optometric Physicians and Dr. Michelle Welch thus request this Court assume original jurisdiction and hold that the Petition violates Section 1, Article 24 of the Oklahoma Constitution.

I. INTRODUCTION

In the classic *Jane Eyre*, Charlotte Bronte described the eye as the soul’s faithful but unconscious interpreter.¹ Indeed, the importance of the human eye extends beyond plain sight---the eye perceives context, shape, and color in our world, and it assists in reading body language and discerning emotion within a heated marital dispute or tough business negotiation. And while optometrists and opticians may both work in connection with the eye, their roles are patently distinct: one is a medical professional charged with evaluating the health of the human eye, the other a trained supplier of goods.

Optometrists---the medical professionals trained and learned in caring for the eyes---have as “the Ideal, The Reserve, And the Duty of” their profession “TO KEEP the visual welfare of the patient uppermost at all times” and “TO PROMOTE in every possible way . . . better care of the visual needs of mankind.” OAC 505:10-5-12(1)-(2). For this reason, the public policy of this State requires optometrists to “be free from any appearance of commercialism.” 59 O.S. § 593. Permitting otherwise runs the risk of shifting the optometrist’s uppermost interest in the visual

¹ Bronte, Charlotte, *Jane Eyre* (1847) (“The soul, fortunately, has an interpreter---often an unconscious but still a faithful interpreter---in the eye.”).

welfare of the patient by which he is bound to an interest in a one-size-fits-all business model for the provision of health care needs.

Opticians, those who “duplicate, measure, adapt, fit, prepare, dispense, or adjust” lenses and frames, are not so bound, however. 59 O.S. § 942(B)(1)(a). Indeed, the optometrists writing the prescriptions that opticians fill “remain responsible for the full effect of the appliances so furnished by the other person.” *Id.* § 942(B)(2).

By combining optometrists and opticians---two distinct professions---within the sections of the newly-proposed Section 3, Article 20 of the Oklahoma Constitution, the Petition’s proponents have violated Oklahoma’s prohibition against logrolling. The Court should assume original jurisdiction and hold that the Petition should not be presented for a vote of the people.

II. **BACKGROUND**

The Petition’s proposed Section 3, Article 20 of the Oklahoma Constitution purports to add a “right of optometrists and opticians to practice in retail mercantile establishment[s].” Retail mercantile establishments is specifically defined as “a business establishment selling merchandise to the general public,” or generally speaking, a retail shop.

Section 3 creates this new right for optometrists and opticians by indicating that:

- No law shall infringe on the right of optometrists and opticians to practice “their respective professions” in a retail shop;
- No law shall discriminate against either professional on the basis of the location of their practice;
- No law shall require an optometrist’s office to have an entrance opening onto a public street, hall, lobby, or corridor if located in a retail shop; and
- No law shall infringe on an optician’s right to sell or to provide for the sale to the general public of prescription optical goods and services within a retail shop.

Despite Section 3's invitation to optometrists and opticians alike to begin practicing in a retail shop, the proposed amendment nevertheless permits the Legislature to enact certain limitations if it so chooses, including limitations on the performance of laser eye surgery in a retail shop, on the separation between an optometrist's office and a retail shop, and the imposition of minimum health and safety standards. Regardless, such limitations "must permit direct access to and from the" optometrist's office from the retail shop and even the minimum health and safety standards cannot "discriminate against any provider of optical goods and services." In short, the new Section 3 permits, to the maximum extent possible, a commercialization of both the provision of medical services through an optometrist's office and access to optical goods, which commercialization is directly at odds with an optometrist's provision of medical care under Oklahoma law.

III. **SUMMARY OF THE ARGUMENT**

Section 1, Article 24 of the Oklahoma Constitution provides that amendments or alterations of the Constitution may only embrace one general subject. OKLA. CONST. art. 24, § 1. This limitation on proposed amendments ensures that voters when going to the polls will not be forced to make all-or-nothing decisions with respect to amendments that should be considered separately. In this case, the voters are being asked to decide whether they want access to (1) optometric offices and (2) optical shops in places like Wal-Mart. But what is being presented to voters as a consistent and workable whole actually presents two separate considerations.

First, Oklahoma law acknowledges the many distinctions between optometric offices---an eye doctor's office---and retail shops filling prescriptions for corrective lenses. Second, regulations have been implemented to keep optometric offices clean and free from any surroundings that could threaten health and safety when providing visual care. Third, and most importantly, Oklahoma law has long shielded the practice of optometry from the taint of commercialization,

going so far as to deem it public policy, so that optometry is held to a high professional standard. These concerns do not extend in the same degree or kind to suppliers of optical goods. Voters should thus get to choose whether they want medical optical services to be provided at Wal-Mart independent of purchasing prescription optical goods there---and not be compelled to choose both or neither. And as presented, the Petition does not afford voters that choice.

IV. ARGUMENTS AND AUTHORITIES

“The right of initiative petition is not absolute. There are limits, both constitutional and statutory, on the process.” *In re Initiative Petition No. 344, State Question No. 630*, 1990 OK 75, 797 P.2d 326. Section 1, Article 24 of the Oklahoma Constitution provides one such constitutional limit. It provides that “[n]o proposal for the amendment or alteration of th[e] Constitution which is submitted to the voters shall embrace more than one general subject and the voters shall vote separately for or against each proposal submitted” OKLA. CONST. art. 24, § 1. The Petition in this case is violative of that provision.

A.

The Petition violates the one general subject provision by combining optometrists and opticians under the auspices of a single common scheme that in reality presents two or more amendments.

Under Section 1, Article 24, “an amendment must embrace only one general subject.” *In re Initiative Petition No. 344*, 1990 OK 75, ¶ 5, 797 P.2d at 328. In *In re Initiative Petition No. 314*, 1980 OK 174, 625 P.2d 595, this Court explained both the policy and the rule governing the one general subject provision. *Id.* ¶ 59, 625 P.2d at 603. The Court held that the policies underlying the provision contemplated two objectives: (1) the prevention of the public’s deceit “by the presentation of a proposal which is misleading or the effect of which is concealed or not readily understandable” and (2) the prevention of logrolling---“the combining of unrelated proposals in order to secure approval by appealing to different groups which will support the entire proposal

in order to secure some part of it” even if disapproving of the other parts. *In re Initiative Petition No. 344*, 1990 OK 75, ¶ 7, 797 P.2d at 329 (citing *In re Initiative Petition No. 314*, 1980 OK 174, ¶ 59, 625 P.2d at 603). It is the latter objective that is implicated in this case.

The rule employed by the Court to test a petition against these policies provides that the proposed amendment passes muster if the amendment “constitute[s] a consistent and workable whole on the general topic embraced” and if, logically speaking, the amendment “should stand or fall as a whole.” *In re Initiative Petition No. 344*, 1990 OK 75, ¶ 8, 797 P.2d at 329 (citing *In re Initiative Petition No. 314*, 1980 OK 174, ¶ 62). Conversely, “if any one of the propositions, although not directly contradicting the others, does not refer to such matters, or if it is not such that the voter supporting it would reasonably be expected to support the principle of the others, then there are in reality two or more amendments to be submitted, and the proposed amendment falls within the constitutional prohibition.” *Id.*

For example, in *In re Initiative Petition No. 344*, this Court examined an amendment that proposed repealing the existing Article VI governing the executive branch and replacing it with a new Article VI. 1990 OK 75, ¶ 1, 797 P.2d at 327. Article VI specifically defined the executive branch, and all proposed provisions related to the executive branch. 1990 OK 75, ¶ 9, 797 P.2d at 329. But employing the test set out above, the Court held that “[t]he sections are not so intertwined as to require that they be adopted at the same time in order to preserve the integrity of each section.” *Id.*

So too here. While on first blush the provisions of this Petition may all generally relate to the right of optometrists and opticians to practice their professions in retail shops, the ability of these distinct professions to do so does not stand or fall as a whole. Indeed, existing law and the public policy of this State demonstrate that the voters may very well wish to separately consider the ability of an optometrist versus an optician to practice their respective professions in a retail

shop, and such separate consideration is exactly what the one general subject provision aims to preserve.

1.

Optometrists and opticians represent two distinct professions.

Despite the Petition's combined treatment of optometrists and opticians, the statutes governing their respective roles demonstrate that these professions are distinct and separable.

Under 59 O.S. § 581, "[t]he practice of optometry is defined to be the science and art of examining the human eye and measurement of the powers of vision by the employment of any means." *Id.* § 581(A). The practice of optometry also includes treatment through laser surgery, and even non-laser surgery if the Oklahoma Board of Examiners in Optometry authorizes non-laser surgery. *Id.* Optometrists are trained in diagnosing conditions of the human eye and prescribing corrective lenses. *Id.* Optometrists may also prescribe controlled dangerous substances including hydrocodone. *Id.* § 581(B). To qualify as an optometrist, a practitioner must have "met the undergraduate requirements and [be] a graduate of an accredited school of optometry, conferring the degree of Doctor of Optometry" 59 O.S. § 584.

Opticians, on the other hand, "may, in accordance with a written prescription or its duplicate, measure, adapt, fit, prepare, dispense, or adjust such lenses, spectacles, eyeglasses, prisms, tinted lenses, frames or appurtenances thereto, to the human face for the aid or correction of visual or ocular anomalies of the human eye" 59 O.S. § 942(B)(1)(a). Or as the United States Supreme Court defined them, opticians are "artisan[s] qualified to grind lenses, fill prescriptions, and fit frames." *Williamson v. Lee Optical of Okla., Inc.*, 348 U.S. 483, 486 (1955). Notwithstanding their technical proficiency in filling prescriptions and fitting frames, "[t]he physician or optometrist writing such prescription shall remain responsible for the full effect of

the appliances so furnished.” § 942(B)(2). Other Oklahoma law providing any further requirement or qualification for serving as an optician appears lacking.

In short, these two professions are clearly distinct---one is a medical professional, the other a trained supplier of goods. Indeed, the statutes applicable to them are even codified independently, with the laws regarding the practice of optometry at Chapter 13 of Title 59 and the sale of optical goods at Chapter 24. The distinction between these professions underscores the fact that voters may very well wish to purchase their next set of prescription glasses while shopping at Wal-Mart, but may find it imprudent for Wal-Mart to begin renting space to eye doctors. This voter choice is only further exemplified by the emphasis placed on health and safety standards governing optometrist’s offices as discussed more fully below.

2.
Optometrists are highly regulated medical professionals who must comply with health and safety regulations.

In *Massengale v. Oklahoma Board of Examiners in Optometry*, 2001 OK 55, ¶ 1, 29 P.3d 558, this Court reviewed an association between an optometrist and an optical supplier. *Id.* ¶ 1, 29 P.3d at 560. It noted that “optometry is a public health issue.” *Id.* ¶ 22, 29 P.3d at 568. And even though this Court found that the arrangement reviewed there had not degraded or reduced the quality of visual care in that case, *id.* ¶ 21, 29 P.3d at 568, the Court took care to note that its “decision . . . should not be heralded as a departure from the general recognition that regulations relating to visual care are within the state’s police power,” *id.* ¶ 23, 29 P.3d at 568.

To be sure, the State has exercised its police power by providing that the Board of Optometry “shall have the right to promulgate such rules and regulations as may be necessary to put into effect the provisions of this chapter. Said rules may prescribe which acts are detrimental to the general public health or welfare and may prescribe a minimum standard of sanitation, hygiene, and professional surroundings.” 59 O.S. § 585(A)(5). Pursuant to Section 585, the Board,

in fact, promulgated rules which provide that “[a]ll optometric offices . . . must at all times be kept clean and free from any . . . surroundings that will make or tend to make same unsanitary or unhygienic.” OAC 505:10-5-1(1) (emphasis added).

Along those lines, that same regulation further provides that “[t]he patient’s entrance to each optometric office in this state shall open on a public street, hall, lobby or corridor.” OAC 505:10-5-1(2). And “[n]o Optometrist shall practice Optometry in a room or part of a room occupied in whole or in part by a wholesale or retail mercantile establishment, or maintain an optometric office therein, or in connection therewith.” OAC 505:10-5-1(4).

With respect to optometrists, the correction of visual anomalies is so directly related to public safety that the State clearly has an interest in regulating the practices and procedures governing the provision of those services. For that reason, an optometric office cannot be located inside a retail shop, and access to such an office must be through a public street or hall. Moreover, the requirement that optometric offices be kept clean and free from any surroundings that would tend to make them unsanitary or unhygienic could very well collide with their inclusion in a big box store. Access to these very distinct locations---an eye doctor’s office versus an optical shop--does not present the same health and safety considerations, and a Petition proposing changes to these distinct professions fails to present amendments that must stand or fall together.

3.

Oklahoma has a strong public policy in favor of rejecting the commercialization of optometry.

Finally, Oklahoma’s public policy regarding optometry goes hand-in-glove with the State’s power to regulate the health and safety of the healing arts. Section 593, Title 59 of the Oklahoma Statutes provides that

[i]t is the public policy of the State of Oklahoma that optometrists rendering visual care to its citizens shall practice in an ethical, professional manner; that their practices be free from any appearance of commercialism; that the visual welfare of the patient be the prime consideration at all times; and that optometrists

shall not be associated with any nonprofessional person or persons in any manner which might degrade or reduce the quality of visual care received by the citizens of this State.

59 O.S. § 593 (emphasis added). This public policy is taken so seriously that the rules promulgated in connection therewith provide that any optometrist lawfully providing his services through a professional entity like a PLLC must assure the Board of Optometry that he understands that Oklahoma law prohibits “practicing with the appearance of commercialism or association with any nonprofessional person in any manner which might degrade or reduce the quality of visual care received by citizens of this state.” OAC 505:10-5-15(1)(B)(iii)(III).

In *Williamson*, the United States Supreme Court addressed the public policy concerns regarding commercialism in a challenge to the constitutionality of a provision that, among other things, prohibited any person from “purporting to do eye examination or visual care to occupy space in [a] retail store” which retailed merchandise to the general public---the business model floated here. 348 U.S. at 491. The Court noted that the provision was “an attempt to free the profession, to as great an extent as possible, from all taints of commercialism” and that it “might be easy for an optometrist with space in a retail store to be merely a front for the retail establishment.” *Id.* The Court contended that “[g]eographical location may be an important consideration in a legislative program which aims to raise the treatment of the human eye to a strictly professional level.” *Id.*

The Petition here represents a rejection of Oklahoma’s long-standing public policy that has as its goal the shielding of optometry from the influences of commercialism. And the conflicts of interest that may entangle an optometrist with the taint of commercialism do not extend to the same extent to the provider of optical goods who is already engaged in commercialism, even though the provision of those goods must also be insulated to some degree from general merchandising. *See* 59 O.S. § 596. Thus, while the Petition may present a better business model

for big box stores seeking to open their doors to eye doctor's offices and retail shops alike, such model is at odds with the public policy considerations that have historically and specifically insulated optometrists from such attempts.

As such, in the face of such rejection, the voter must be given the opportunity to consider the proposed amendments in light of the distinctions between these logrolled services: the professional administration of visual care versus the preparation and sale of prescription lenses. And these amendments do not rise and fall together but, given the distinctions between the professions, the emphasis on health and safety with respect to optometry, and the public policies identified, must be considered separately. To do otherwise is violative of Section 1, Article 24 of the Oklahoma Constitution.

V. Conclusion

For these reasons, Petitioners ask this Court to assume original jurisdiction and to hold that the Petition violates Section 1, Article 24 of the Oklahoma Constitution and that it should therefore not be submitted for a vote of the people.

Respectfully submitted,



V. GLENN COFFEE, OBA # 14563

CARA RODRIGUEZ, OBA #21794

DENISE LAWSON, OBA #31532

-Of the Firm-

GLENN COFFEE & ASSOCIATES, PLLC

P.O. Box 437

Oklahoma City, OK 73101

Phone: (405) 601-1616

gcoffee@glenncoffee.com

cara@glenncoffee.com

denise@glenncoffee.com

**ATTORNEYS FOR PETITIONERS,
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MICHELLE WELCH**

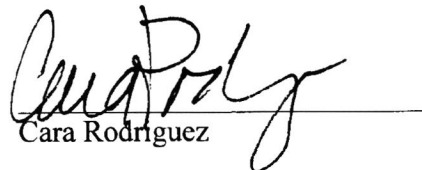
CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2017, a true and correct copy of the foregoing was mailed by First Class U.S. Mail, postage prepaid, addressed to the following:

Attorney General's Office
State of Oklahoma
313 N.E. 21st Street
Oklahoma City, OK 73105

Secretary of State's Office
State of Oklahoma
101 State Capitol
Oklahoma City, OK 73105

Robert G. McCampbell
Travis V. Jett
GABLE GOTWALS, P.C.
One Leadership Square
15th Floor
211 N. Robinson
Oklahoma City, OK 73102
Counsel for the Proponents


Cara Rodriguez

ORIGINAL



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS and
DR. MICHELLE WARD,

Petitioners,

v.

KILEY RAPER and GWENDOLYN
CALDWELL,

Respondents.

No. 115,938

FILED
SUPREME COURT
STATE OF OKLAHOMA
APR 10 2017
MICHAEL S. RICHIE
CLERK

| | |
|--------------|---|
| Rec'd (date) | 4-10-17 |
| Posted | <input checked="" type="checkbox"/> |
| Mailed | <input checked="" type="checkbox"/> |
| Distrib | <input checked="" type="checkbox"/> |
| Publish | yes <input checked="" type="checkbox"/> no <input type="checkbox"/> |

ORDER

Proponents of Initiative Petition No. 415, State Question 793, and any other interested parties may respond to the constitutional challenge brought by Petitioners/Protestants by no later than April 25, 2017. 34 O.S.Supp.2015 § 8(C).

Oral presentation before a Referee of this Court is hereby scheduled for May 4, 2017, at 10:30 a.m.

DONE BY ORDER OF THE SUPREME COURT THIS 10th DAY OF APRIL, 2017.

VICE CHIEF JUSTICE

2018 OK 13

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

Oklahoma Association of Optometric)
Physicians and Dr. Michelle Welch)

Petitioners,)

v.)

Kiley Raper and Gwendolyn Caldwell)

Respondents.)

FILED
SUPREME COURT
STATE OF OKLAHOMA

FEB - 6 2018

No. 115,938
For Official Publication

CLERK

IN RE INITIATIVE PETITION NO. 415, STATE QUESTION NO. 793
ORIGINAL PROCEEDING TO DETERMINE THE VALIDITY OF INITIATIVE
PETITION NO. 415, STATE QUESTION NO. 793

¶ 0 Initiative Petition No. 415, State Question No. 793, proposes to amend Article 20 of the Oklahoma Constitution by adding a new Section 3. The purpose of the amendment is to merge the rights and restrictions placed on optometrists and opticians, while eliminating restraints on the ability to practice their professions in retail mercantile establishments. A protest was filed contesting the validity of the initiative petition as unconstitutional logrolling in violation of the general subject requirement mandated in Okla. Const. art. 24, § 1.

ORIGINAL JURISDICTION ASSUMED
INITIATIVE PETITION NO. 415 STATE QUESTION NO. 793
DECLARED LEGALLY VALID

V. Glenn Coffee, Cara Rodriguez, Denise Lawson, GLENN COFFEE & ASSOCIATES, Oklahoma City, Oklahoma, for Petitioners.

Robert G. McCampbell, Travis V. Jett, GABLEGOTWALS, Oklahoma City, Oklahoma for Respondents.

RECEIVED

FEB 07 2018

OKLAHOMA SECRETARY
OF STATE

Colbert, J.

¶ 1 The sole issue presented for consideration is whether Initiative Petition No. 415, State Question No. 793, satisfies the single subject requirement of article 24, section 1, of the Oklahoma Constitution. We limit our inquiry to deciding the “challenges fundamental to the validity of the Petition as a whole.” In re Initiative Petition No. 348, State Question No. 640, 1991 OK 110, ¶ 2, 820 P.2d 772, 774. In doing so, we reemphasize that it is the prerogative of the Oklahoma voters, not this Court, to determine the propriety of Initiative Petition No. 415. See Id. For the reasons expressed herein, we conclude that the proposed amendment embraces one general subject—the provision of optical care services within retail mercantile establishments—and therefore, complies with article 24, section 1, of the Oklahoma Constitution. In so holding, the proponents of the petition may proceed with the remaining statutory requirements.

I. BACKGROUND

A. The Current Law.

¶ 2 Current Oklahoma law prohibits any optometrist or optician from practicing their profession within a retail mercantile establishment. Okla. Stat. tit. 59, § 596.¹ The purpose of the prohibition is to “establish a minimum standard of

¹ Section 596 states:

It shall be unlawful for any optometrist to render optometric care in any retail, mercantile establishment which sells merchandise to the general public; and it shall be unlawful for any person to display, dispense, sell, provide or otherwise

sanitation, hygiene and professional surroundings." Okla. Admin. Code tit. 505:10-5-1. To this end, no optometrist may practice his or her profession within a room or part of a room occupied by a wholesale or retail mercantile establishment. Id. at 505:10-5-1 (4). In addition, all patient entrances for all optometric offices must open onto a "public street, hall, lobby or corridor." Id. at 505:10-5-1 (2). Further, the law directs the Oklahoma Board of Examiners for Optometry to prescribe such rules and regulations as necessary to effect the minimum health and safety standards and to determine what constitutes unprofessional or unethical actions in relation thereto. Okla. Stat. tit. 59, § 585 (A)(5).

B. The Challenged Measure.

¶ 3 On March 21, 2017, Kiley Raper and Gwendolyn Caldwell (Proponents) filed Initiative Petition No. 415, State Question No. 793 (Initiative Petition) with the Oklahoma Secretary of State. By initiative process, the Initiative Petition seeks to amend Article 20 of the Oklahoma Constitution by adding a new section. The proposed section, Section 3, changes existing law by permitting optometrists and

purvey to the public, prescription eyeglasses, prescription lenses, frames or mountings for prescription lenses, within or on the premises of in any manner, any retail or mercantile establishment in which the majority of the establishment's income is not derived from the sale of such prescription optical goods and materials.

Okla. Stat. tit. 59, § 596.

opticians to practice their trades in retail mercantile establishments, such as a Wal-Mart or an enclosed shopping mall. The section purports to eliminate any location restraints on the two occupations by prohibiting laws that: (1) discriminate based on location or setting of the practice, (2) require an optometric office, within a retail mercantile establishment, to have an entrance opening onto a public street, hall, lobby or corridor, or (3) restrain, abridge or infringe on the ability of the retail mercantile establishment from selling, allowing the sale, or providing for the sale of optical goods and services, upon prescription, to the general public within the premises of the retail mercantile establishment. The proposed ballot title also preserves Legislative authority to "restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards."²

² The relevant text of the proposed ballot title and initiative petition are as follows:

PROPOSED BALLOT TITLE

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may

practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

Shall this proposal be approved by the people?

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.

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution 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 6th day of November, 2018, (or such earlier 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 days from _____. The question we herewith submit to our fellow voters is:

Shall the following proposed new Section 3 to Article 20 of the Constitution be approved?

BE IT ENACTED BY THE PEOPLE OF OKLAHOMA THAT A NEW SECTION 3 OF ARTICLE 20 OF THE OKLAHOMA CONSTITUTION BE APPROVED:

§ 3. RIGHT OF OPTOMETRISTS AND OPTICIANS TO PRACTICE IN RETAIL MERCANTILE ESTABLISHMENT

- A. No law shall restrain, abridge or infringe on the ability of optometrists or opticians to practice their respective professions within a retail mercantile establishment.

-
- B. No law shall discriminate against an optometrists or opticians based to [sic] the location and setting of their practice.
- C. No law shall require an optometric office located within a retail mercantile establishment to have an entrance opening on a public street, hall, lobby, or corridor.
- D. No law shall restrain, abridge or infringe on the ability of a retail mercantile establishment to sell, allow the sale, or provide for the sale of optical goods and services, upon prescription, to the general public within the premises of the retail mercantile establishment.
- E. Notwithstanding the limitations of this section, the Legislature may, by statute:
1. limit or prohibit optometrists from performing laser or nonlaser surgical procedures within a retail mercantile establishment;
 2. limit the number of office locations at which an optometrist may practice;
 3. maintain licensing requirements for the practice of optometry, provided those requirements do not impose restrictions on the location where services are provided or otherwise conflict with subsections A–D of this section;
 4. require that an optometric office, when located within a retail mercantile establishment, be located within a separate area or room of that establishment, provided that any such requirement must permit direct access to and from the optometric office from inside the retail mercantile establishment; or
 5. impose minimum health and safety standards for optical goods and services, provided such standards do not discriminate against any provider of optical goods and services.
- F. Nothing in this section or in Article 23, § 8 of this Constitution

¶ 4 Petitioners, Oklahoma Association of Optometric Physicians (OAOP) and Dr. Michelle Ward (collectively Opponents), filed an Application to Assume Original Jurisdiction, seeking review of the Initiative Petition's constitutionality under article 24, section 1, of the Oklahoma Constitution. Opponents allege that

shall be construed as prohibiting optometrists or opticians from agreeing with a retail mercantile establishment to limit the scope of their practice.

- G. This section shall become effective upon adoption, and laws in conflict with this section shall be deemed null and void. After this section is effective, an optometrist, optician, or retail mercantile establishment may bring a declaratory judgment action to determine whether this section affects the validity of a law.
- H. As used in this section:
1. "Law" means any state or local law, including statutes, regulations, rules, ordinances, zoning provisions, and judicial decisions, either now in force or hereafter enacted or issued;
 2. "Optometrist" means a person licensed in Oklahoma to practice optometry;
 3. "Optician" means a person who fills prescriptions for ophthalmic lenses, including but not limited to spectacles and contact lenses, from licensed optometrists or ophthalmologists;
 4. "Optical goods and services" means eyewear, including prescription spectacles and contact lenses, and all services associated with providing, modifying, and repairing such eyewear; and
 5. "Retail mercantile establishment" means a business establishment selling merchandise to the general public.

optometrists and opticians are two distinct professions, one a medical provider / prescription writer; and the latter, a supplier / prescription filler. Because of the distinctions, Opponents contend that including both professions in one initiative petition that permits their respective professions to render services in retail shops violates the general subject rule and constitutes logrolling under article 24, section 1.

¶ 5 Proponents defend the measure, emphasizing the long-standing interrelationship between the two professions in the commercial context. Proponents' express objective is based on the idea that each step in the optical care delivery chain—eye examination and prescription (optometrist), and fitting for eye wear (optician)—can be accomplished in one convenient location: retail mercantile establishments. According to the Proponents, eye wear retailers and retail mercantile establishments should be able to compete with optometrists who can offer the convenience of one stop shopping for eye examination and purchase of eye wear. Thus, the effect and stated goal of the petition is to permit the expansion of optical care services into retail mercantile establishments.

II. DISCUSSION

¶ 6 “The first power reserved by the people is the initiative . . . ”. Okla. Const. art. 5, § 2. Inherent, is “the power to propose laws and amendments to the Constitution and to enact or reject the same at the polls independent of the

Legislature, and also reserve power at their own option to approve or reject at the polls any act of the Legislature.” Okla. Const. art. 5, § 1. When presented with a challenge to an initiative petition, this Court will assume original jurisdiction to determine the validity of the proposed initiative petition. In re Initiative Petition 403, State Question No. 779, 2016 OK 1 , ¶ 3, 367 P.3d 472, 474. A proposed ballot initiative, then, will not be refused or declared invalid in advance of a vote of the people without a “clear or manifest” showing of unconstitutionality. Id. (citing In re Initiative Petition No. 358, State Question No. 658, 1994 OK 27, ¶ 7, 870 P.2d 782, 785). “Opponents bear the burden of demonstrating the proposed initiative petition presented in this case clearly and manifestly violates the Oklahoma Constitution.” Id. (citing In re Initiative Petition No. 362, State Question No. 669, 1995 OK 77, ¶ 12, 899 P.2d 1145, 1151).

¶ 7 We recognize that the power of the people “to institute change through the initiative process is a fundamental characteristic [and entitlement] of Oklahoma government.” Id. (citing In re Initiative Petition No. 360, State Question No. 662, 1994 OK 97, ¶ 9, 879 P.2d 810, 814). Accordingly, this Court will diligently protect that entitlement. Id. We have said,

The right of the initiative is precious, and it is one which this Court is zealous to preserve to the fullest measure of the spirit and the letter of the law. Because the right of the initiative is so precious, all doubt as to the construction of pertinent provisions is resolved in favor of the initiative. The initiative power should not be crippled, avoided, or denied by technical construction by the courts.

Id. (quoting In re Initiative Petition No. 382, State Question No. 729, 2006 OK 45, ¶ 3, 142 P.3d 400, 403 (internal citations omitted)). As a result, we limit consideration of the challenged provision accordingly.

A. ONE GENERAL SUBJECT RULE

¶ 8 The gravamen of Opponents' challenge is that Initiative Petition No. 415, State Question No. 793, embraces more than one general subject, in violation of article 24, section 1; and is thus, unconstitutional logrolling. That constitutional provision, in relevant part, states:

No proposal for the amendment or alteration of this Constitution which is submitted to the voters shall embrace more than one general subject and the voters shall vote separately for or against each proposal submitted; provided, however, that in the submission of proposals for the amendment of this Constitution by articles, which embrace one general subject, each proposed article shall be deemed a single proposal or proposition.

Okla. Const. art. 24, § 1.

¶ 9 The purpose of the one general subject rule, as set out in article 24, section 1, of the Oklahoma Constitution, is "to prevent imposition upon or deceit of the public by the presentation of a proposal which is misleading or the effect of which is concealed or not readily understandable," . . . and to "afford the voters freedom of choice and prevent 'logrolling,' or the combining of unrelated proposals in order to secure approval by appealing to different groups which will support the entire proposal in order to secure some part of it although perhaps

disapproving of other parts.” In re Initiative Petition No. 314, State Question No. 550, 1980 OK 174, ¶ 59, 625 P.2d 595, 603 (quoting Fugina v. Donovan, 259 Minn. 35, 104 N.W.2d 911, 914 (1960)); See also In re Initiative Petition No. 403, ¶ 13, 367 P.3d at 477. “Logrolling” is defined as the “practice of ensuring the passage of a law by creating one choice in which a legislator or voter is forced to assent to an unfavorable provision to secure passage of a favorable one” or the converse. Douglas v. Cox Ret. Prop., Inc., 2013 OK 37, ¶ 4, 302 P.3d 789, 792. In examining an anti-logrolling claim, we apply the germaneness test. Thomas v. Henry, 2011 OK 53, ¶ 26, 260 P.3d 1251, 1260. Our focus “is whether a voter (or legislator) is able to make a choice without being misled [or] forced to choose between two unrelated provisions contained in one measure.” Id. That is, if it appears that the provisions are misleading or so unrelated that the voters would be faced with an “unpalatable all-or-nothing choice,” then an unconstitutional logrolling has occurred Id.; Douglas, ¶ 6, 302 P.3d at 792. The purpose of this Court’s examination is “not to hamper legislation but to prevent the legislature from making a bill ‘veto proof’ by combining two totally unrelated subjects in one bill.” Thomas, ¶ 26, 260 P.3d at 1260.

¶ 10 Opponents’ summary contention is that, although both Optometrists and Opticians work in connection with the eyes, their roles are patently distinct—one being a medical professional and the other a trained supplier of optical goods.

They assert that since the proposed measure removes any restrictions prohibiting the locations of both professions, it must be presented in two separate proposals. Opponents' claim is that the Initiative Petition is not a workable whole; but instead, two separate and distinct considerations in contravention of the one general subject rule. To support their Petition, Opponents point to Initiative Petition No. 344, State Question No. 630, 1990 OK 75, 797 P.2d 326, and In re Initiative Petition No. 314, 1980 OK 174, 625 P.2d 595. But, Opponents' argument is unavailing.

¶ 11 At the outset, we note that under existing law, most statutory sections governing each of the professions are codified in title 59 under separate chapters: Chapter 13 for optometrists and Chapter 24 for Sale of Optical Goods. See, Okla. State. tit. 59, §§ 581 et seq. and Okla. Stat. tit. 59, §§ 941 et seq., respectively. Yet, there exists some crossover in the statutes governing the two professions. See Okla. Stat. tit. 59, § 943.1-943.3 (rules governing both professions in relation to their responsibilities in prescribing and providing eyewear); Okla. Stat. tit. 59, § 596 (prohibits both optometrists and opticians from practicing in retail mercantile establishments); and Okla. Stat. tit. 59, § 942(B) (specifies that the optician fills the prescription for optical devices prescribed by the optometrist, but that the optometrist remains responsible for the full effect of the appliance). Clearly, a statutory and regulatory scheme exists which displays

a natural interrelationship between the two professions. In any case, the main thrust of the current governing statutes and administrative rules is focused on delivering high quality visual care services while ensuring that the health and safety of the consuming public are protected. Okla. Stat. tit. 59, § 585 (A)(5).

¶ 12 Notwithstanding the obvious interrelationship between the two professions, Opponents urge us to apply the reasoning employed in Initiative Petition No. 344, 1990 OK 75, 797 P.2d 326. The proponents there attempted to repeal and replace Article VI of the Oklahoma Constitution in its entirety. The main thrust of the initiative petition was to redefine the executive branch. The proponents claimed that the initiative only implicated one general subject as all of the sections within the initiative related to the executive branch of State government. Id. Upon our examination, we determined that the initiative petition completely redefined the executive branch and addressed numerous subjects. At least twenty-six areas were implicated and identified by this Court. And, “[m]any of the changes made by the . . . [p]etition [were] not incidental or necessary to an overall design” of the initiative. Id. ¶ 6, 797 P.2d at 328-29. The subjects were too loosely connected, misleading, and included subject matters which were only tenuously related to the other topics involved. Thus, we held that the initiative under review violated the anti-logrolling provision because it simply did not give the voters a choice. Id. ¶ 9, 797 P.2d at 329.

¶ 13 This Court faced the same considerations in examining the initiative petition in In re Initiative Petition No. 314, 1980 OK 174, 625 P.2d 595. There, the proponents nominally claimed that the initiative encompassed the single subject of controlling alcoholic beverages within this State. Id. ¶ 37, 625 P.2d at 600. Again, after close examination, the Court identified up to twenty-one separate changes to the Constitution that would be affected should the initiative become law. The Court concluded that the subject areas were so separate and diverse that they must “fall as a whole.” Id. ¶ 75, 625 P.2d at 607. No interdependence between the proposed sections existed, especially since the subjects were so diverse as to include permitting, franchising and liquor by the drink. Id. In order to pass constitutional muster, the Court determined that there needed to be at least three separate proposals to embrace all of the elements put forth in the initiative then under review. Id. ¶ 81, 625 P.2d at 608.

¶ 14 The takeaway of Initiative Petition No. 344, 1990 OK 75, 797 P.2d 326, and In re Initiative Petition No. 314, 1980 OK 174, 625 P.2d 595, is not that an initiative petition cannot contain multiple provisions. But, rather, the multiple provisions must be interrelated and interdependent, forming an interlocking package. In re Initiative Petition No. 403, ¶ 12, 367 P.3d at 476.

¶ 15 A recent case decided by this Court is more akin to the Initiative Petition advanced here. In In re Initiative Petition No. 403, 2016 OK 1, 367 P.3d 472,

proponents of an initiative petition sought to add a new article to the Oklahoma Constitution, Article 13-C, creating the Oklahoma Education Improvement Fund, to improve and create funding mechanisms for public education within the State. Id. ¶ 1, 367 P.3d at 473. The initiative included seven separate articles. Upon this Court's review, we determined that each of the articles were "reasonably interrelated and interdependent, forming an interlocking 'package'." Id. ¶ 12, 367 P.3d at 476 (quoting In re Initiative Petition No. 314, ¶ 67, 625 P.2d at 605). As the initiative was drafted so that each component was necessary to the accomplishment of one general design, we held that the initiative did not violate the anti-logrolling provision. Id.

¶ 16 This Court examined another multi-provision initiative petition in In re Initiative Petition No. 360, 1994 OK 97, 879 P.2d 810. There, we examined an initiative that imposed term limits on federally elected Oklahoma representatives serving in the United States Congress. The initiative involved two separate and distinct, yet related, occupations: U.S. Representatives and U.S. Senators. ¶ 3, 879 P.2d at 813. There, the opponents asserted that the proposal encompassed two separate subjects—namely, term limits for U.S. Representatives and term limits for U.S. Senators. ¶ 6, 879 P.2d at 813. In our reasoning, we acknowledged that the proposal could have been brought in two separate initiatives, but concluded that voters could reasonably recognize that the goal of

the initiative, as a whole, was to limit the terms of congressional representatives, thereby making the use of two initiatives superfluous. ¶ 20, 879 P.2d at 817. We held that the one general subject rule had not been violated. Id. In that case, the sole purpose of the initiative was to limit the terms of service for federally elected representatives and the initiative accomplished that goal. ¶ 19, 879 P.2d at 817. There, the one general subject was term limits. ¶ 20, 879 P.2d at 817.

¶ 17 Turning to the challenged Initiative Petition here—the proposed measure impacts two separate professions, both relating to the provision of services for eye care health. Yet, each profession is reliant upon the other. One profession provides diagnostic and prescriptive services for correction of vision problems (optometrists); and, the other profession carries out and implements those prescribed solutions (opticians). Although the measure is comprised of multiple elements, it, nonetheless, creates a single general design that stands as a whole. The one general subject is the expansion of optical care delivery services located in retail mercantile establishments for two interrelated eye care professions. Like the initiatives examined in In re Initiative Petition No. 360 and In re Initiative Petition No. 403, it is reasonable to conclude that voters will recognize that the sole objective is to expand the eye health care delivery services available within the State. Should the Initiative Petition pass, both the diagnostic side (optometrists) and the eyewear delivery side (opticians), may deliver their

respective services in retail or wholesale mercantile establishments. Whereas here—two separate and distinct, though interrelated occupations are impacted—we find that no unconstitutional logrolling has occurred. Therefore, we conclude that Initiative Petition No. 415, State Question 793, does not constitute logrolling in contravention of the one general subject requirement found within article 24, section 1, of the Oklahoma Constitution. Under the anti-logrolling provision, an initiative petition may only contain one general subject in order to pass constitutional muster. See In re Initiative Petition No. 314, 1980 OK 174, 625 P.2d 595. In the current case, we find that it does. We hold that the Initiative Petition affects only one general area, laws relating to the practice of optometrists and opticians within retail mercantile establishments.

B. PUBLIC POLICY - COMMERCIALISM - POLICE POWERS

¶ 18 Opponents finally urge that public policy and statutory restrictions against commercialism weigh against validation of Initiative Petition No. 415, State Question 793. Specifically, Opponents allege that the challenged measure would be in contravention of Okla. Stat. tit. 59, § 593 which states that:

It is the public policy of the State of Oklahoma that optometrists rendering visual care to its citizens shall practice in an ethical, professional manner; that their practices be free from any appearance of commercialism; that the visual welfare of the patient be the prime consideration at all times; and that optometrists shall not be associated with any nonprofessional person or persons in any manner which might degrade or reduce the quality of visual care received by the citizens of this state.

Okla Stat. tit. 59, § 593. Opponents also cite Massengale v. Oklahoma Bd. of Exam'rs in Optometry, 2001 OK 55, 29 P.3d 558, in support of the proposition that an arrangement or association between optometrists and opticians has the potential for leading to degradation of, or reduced quality of, visual care contrary to the requirements set out in section 593.

¶ 19 Opponents raise an extensive, yet hypothetical, argument against the proposed Initiative Petition based on the perceived taint of commercialism should the Initiative Petition pass. Nevertheless, this is beyond the scope of today's review.

¶ 20 Lastly, Opponents also infer that passage of the Initiative Petition will in some way hinder the State's right to exercise its police power to continue to regulate the occupations for the health and safety benefits of the public. Opponents argument is without foundation in this regard. The plain text of Initiative Petition No. 415, State Question 793, expressly reserves to the Legislature the authority to establish "health and safety standards for optical goods and services". The Massengale court also reaffirmed Legislative police powers for the purpose of safety regulation. ¶23, 29 P.3d at 568. Based on a reading of the Initiative Petition, optometrists and opticians remain subject to legislatively enacted laws and the governing bodies regulating their respective professions. This Court will not assume that either profession would be permitted

to practice in an unsafe or unhealthy manner as a result of the voters' election to pass the Initiative Petition.

III. CONCLUSION

¶ 21 For the reasons discussed herein, we find that Initiative Petition No. 415, State Question 793, contains one general subject and does not constitute logrolling in violation of article 24, section 1, of the Oklahoma Constitution. In so holding, the proponents of the petition may proceed with the remaining statutory requirements.

ORIGINAL JURISDICTION ASSUMED
INITIATIVE PETITION NO. 415 STATE QUESTION NO. 793
DECLARED LEGALLY VALID

CONCUR: Gurich, V.C.J, Kauger, Edmondson, Colbert, Reif, and Wyrick, JJ.
NOT PARTICIPATING: Winchester, J.
DISSENT BY SEPARATE WRITING: Combs, C.J.



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

OKLAHOMA ASSOCIATION
OF OPTOMETRIC PHYSICIANS
and DR. MICHELLE WELCH,

Petitioners,

v.

KILEY RAPER and GWENDOLYN
CALDWELL,

Respondents.

FILED
SUPREME COURT
STATE OF OKLAHOMA

FEB - 6 2018

No. 115,938

For Official Publication

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| Rec'd (date) | J-6-18 |
| Posted | |
| Mailed | |
| Distrib | |
| Publish | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |

COMBS, C.J., dissenting:

¶1 Initiative Petition No. 415, State Question No. 793 constitutes unconstitutional logrolling in violation of Okla. Const. art. 24, § 1. It presents voters with an unpalatable all-or-nothing choice by simultaneously loosening restrictions on very different professions that have separate regulatory concerns. *See Thomas v. Henry*, 2011 OK 53, ¶26, 260 P.3d 1251 ("The question is not how similar two provisions in a proposed law are, but whether ... the provisions ... are so unrelated that many of those voting on the law would be faced with an unpalatable all-or-nothing choice."). If any one of the propositions in an initiative petition such as this is not such that the voter supporting it would reasonably be expected to support the principle of the others, then there are in reality two or more

amendments to be submitted and the proposed amendment falls within the constitutional prohibition. *In re Initiative Petition No. 344, State Question No. 630*, 1990 OK 75, ¶8, 797 P.2d 326; *In re Initiative Petition No. 314*, 1980 OK 174, ¶62, 625 P.2d 595.

¶2 Though the work of optometrists and opticians is related, inasmuch as both professions are part of the eye care industry, they are still very different when it comes to role, practice and regulation. As Petitioners correctly point out, optometrists are medical professionals and opticians are trained suppliers of specialized goods. Optometrists are subject to strict licensing and regulation, in part focused on providing a safe and clean environment. *See* 59 O.S. 2011 § 585(A)(5); OAC 505:10-5-1. In the end, optometrists are held responsible for the devices furnished by opticians. *See* 59 O.S. 2011 § 942(B)(2). The differences between the two roles are fairly stark. In fact, the differences between the two are similar to the differences between dentists and denturists; differences which this Court has noted repeatedly over the past few decades. *Butler v. Bd. of Governors of Registered Dentists of Okla.*, 1980 OK 162, 619 P.2d 1262; *Berry v. Bd. of Governors of Registered Dentists of Okla.*, 1980 OK 45, 611 P.2d 628; *Bd. of Governors of Registered Dentists of Okla. v. Burk*, 1976 OK 70, 551 P.2d 1122.

¶3 Respondents and the majority both cite to *In re Initiative Petition No. 360, State Question No. 662*, 1994 OK 97, 879 P.2d 810, where this Court

determined that a proposed amendment did not violate the constitution merely because it attempted to enact term limits on both Senators and Representatives, though each have distinct responsibilities. Those two jobs, though having separate responsibilities, do not suffer from the same stark difference that is medical professional vs. craftsman and they do not have different impacts on public health. What matters is the choice forced upon the voter, and in this matter it is easy to see why a voter might reasonably favor looser regulation and expanded access to opticians but balk at the same changes being made to the profession of optometry. Respectfully, I must dissent.

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA



OKLAHOMA ASSOCIATION OF
OPTOMETRIC PHYSICIANS and
DR. MICHELLE WARD,

Petitioners,

v.

KILEY RAPER and
GWENDOLYN CALDWELL,

Respondents.

FILED
SUPREME COURT
STATE OF OKLAHOMA

FEB - 6 2018

CLERK

Case No. 115,938

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| Received | 2/6/2018 |
| Docketed | ES |
| Marshaled | |
| COA/OPC | |
| COA/TUL | |

MOTION TO SHORTEN TIME FOR REHEARING

Come now the Respondents, Kiley Raper and Gwendolyn Caldwell, and respectfully move that this Court reduce the period allowed to petition for rehearing to five days. In support of this motion, the Respondents would show the Court as follows:

1. The Respondents are the proponents of Initiative Petition No. 415.
2. The Respondents filed the Initiative Petition on March 21, 2017, with the intent of being on the ballot for the general election in November 2018.
3. The ballots for the general election will be printed shortly after the Runoff Primary election scheduled for August 28, 2018.
4. The Court ruled against the protest filed in this case earlier today.
5. In *OCPA Impact v. Sheehan*, 2016 OK 84 377 P.3d 138, the Court shortened the period to file a petition for rehearing in an initiative petition case in similar circumstances. "Due to the exigencies related to the element of time affecting the situation involved herein,

the usual 20-day period allowed by Okla. Sup. Ct. R. 1.13, 12 O.S. 2011, ch. 15, app.1, for the filing of petitions for rehearing generally, is, as applied to this case, reduced to five business days from the date of this opinion.” *Id.* at ¶12. Due to the exigent circumstances here, the Court should similarly shorten the period allowed for the filing of a petition for rehearing.

6. The Secretary of State cannot allow the signature period to begin until “all appeals, protests and rehearings have been resolved or the period for such has expired.” 34 O.S. § 8(E).

7. A petition for rehearing is unlikely in view of the fact that only one justice dissented.

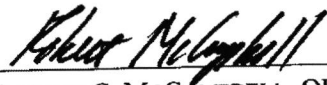
8. This was a straightforward protest dealing with a single issue. A petition for rehearing, if necessary, will not be a complex matter.

9. A period of five days is more than sufficient to allow the protestants to prepare a petition for rehearing if necessary.

CONCLUSION

Wherefore, Respondents respectfully request that this Court shorten the time allowed to file a petition for rehearing in this matter to five days.

DATED this 6th day of February 2018.



ROBERT G. MCCAMPBELL, OBA No. 10390
TRAVIS V. JETT, OBA No. 30601
– of the firm –

GABLEGOTWALS
ONE LEADERSHIP SQUARE, 15TH FLOOR
211 NORTH ROBINSON AVENUE
OKLAHOMA CITY, OK 73102
TELEPHONE: (405) 235-5500
FACSIMILE: (405) 235-2875
rmccampbell@gablelaw.com
tjett@gablelaw.com
ATTORNEYS FOR PROPONENTS,
KILEY RAPER AND GWENDOLYN CALDWELL

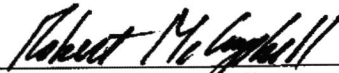
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing was served by email and U.S. mail postage prepaid this 6th day of February 2018, to:

V. Glenn Coffee
Cara Rodriguez
Denise Lawson
Glenn Coffee & Associates, PLLC
P.O. Box 437
Oklahoma City, OK 73101
gcoffee@glenncoffee.com
cara@glenncoffee.com
denise@glenncoffee.com

Office of the Attorney General
State of Oklahoma
313 N.E. 21st Street
Oklahoma City, OK 73105

Office of the Secretary of State
State of Oklahoma
101 State Capitol
Oklahoma City, OK 73105



Robert G. McCampbell
Travis V. Jett

S423533

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA

FEB - 8 2018

Oklahoma Association of Optometric
Physicians and Dr. Michell Welch,

Petitioners,

v.

No. 115,938

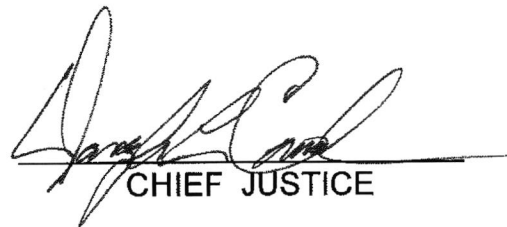
Kiley Raper and Gwendolyn
Caldwell,

Respondents.

ORDER

Respondents' motion to shorten the time for rehearing is granted. Due to the exigent circumstances of this case, the 20-day period allowed by Rule 1.13 of the Oklahoma Supreme Court Rules for filing a petition for rehearing is reduced to six business days from the date of the opinion. See *OCPA Impact v. Sheehan*, 2016 OK 84, 377 P.3d 138. Any petition for rehearing must therefore be filed by the close of business at 5:00 p.m. on February 14, 2018.

DONE BY ORDER OF THE SUPREME COURT this 8th day of February, 2018.


CHIEF JUSTICE

RECEIVED

FEB 08 2018

OKLAHOMA SECRETARY
OF STATE

Dave Lopez
Secretary of State,
Education and Workforce



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

February 27, 2018

USPS TRACKING # **9114 9014 9645 0929 2430 22**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

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 793, Initiative Petition Number 415** is set to begin on March 8, 2018 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 June 5, 2018. The current signature requirement for amendments or additions to the Oklahoma Constitution is 123,725.

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,

A handwritten signature in black ink, appearing to read "Dave Lopez".

Dave Lopez
Secretary of State,
Education and Workforce

Cc: Gable Gotwals, Counsel for Proponents

Dave Lopez
Secretary of State,
Education and Workforce



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

February 27, 2018

USPS TRACKING # **9114 9014 9645 0929 2430 53**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

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 793, Initiative Petition Number 415** is set to begin on March 8, 2018 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 June 5, 2018. The current signature requirement for amendments or additions to the Oklahoma Constitution is 123,725.

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,

A handwritten signature in black ink that reads "Dave Lopez".

Dave Lopez
Secretary of State,
Education and Workforce

Cc: Gable Gotwals, Counsel for Proponents

Dave Lopez
Secretary of State,
Education and Workforce



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

February 27, 2018

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

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 793, Initiative Petition Number 415** is set to begin on March 8, 2018 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 June 5, 2018. The current signature requirement for amendments or additions to the Oklahoma Constitution is 123,725.

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,

A handwritten signature in black ink, appearing to read "Dave Lopez", written over a horizontal line.

Dave Lopez
Secretary of State,
Education and Workforce

Cc: Gable Gotwals, Counsel for Proponents

USPS TRACKING # **9114 9014 9645 0929 2430 46**
& CUSTOMER For Tracking or inquiries go to USPS.com
RECEIPT or call 1-800-222-1811.

State Question No. 793 Initiative Petition No. 415

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.

FILED

INITIATIVE PETITION

MAR 21 2017

To the Honorable Mary Fallin, Governor of Oklahoma:

OKLAHOMA SECRETARY
OF STATE

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution 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 6th day of November, 2018, (or such earlier 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 days from _____. The question we herewith submit to our fellow voters is:

March 8, 2018

Shall the following proposed new Section 3 to Article 20 of the Constitution be approved?

BE IT ENACTED BY THE PEOPLE OF OKLAHOMA THAT A NEW SECTION 3 OF ARTICLE 20 OF THE OKLAHOMA CONSTITUTION BE APPROVED:

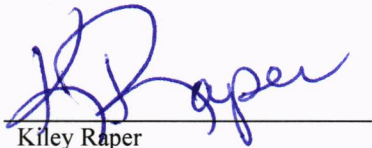
§ 3. RIGHT OF OPTOMETRISTS AND OPTICIANS TO PRACTICE IN RETAIL MERCANTILE ESTABLISHMENT

- A. No law shall restrain, abridge or infringe on the ability of optometrists or opticians to practice their respective professions within a retail mercantile establishment.
- B. No law shall discriminate against an optometrists or opticians based to the location and setting of their practice.
- C. No law shall require an optometric office located within a retail mercantile establishment to have an entrance opening on a public street, hall, lobby, or corridor.
- D. No law shall restrain, abridge or infringe on the ability of a retail mercantile establishment to sell, allow the sale, or provide for the sale of optical goods and services, upon prescription, to the general public within the premises of the retail mercantile establishment.
- E. Notwithstanding the limitations of this section, the Legislature may, by statute:
 - 1. limit or prohibit optometrists from performing laser or nonlaser surgical procedures within a retail mercantile establishment;
 - 2. limit the number of office locations at which an optometrist may practice;
 - 3. maintain licensing requirements for the practice of optometry, provided those requirements do not impose restrictions on the location where

services are provided or otherwise conflict with subsections A–D of this section;

4. require that an optometric office, when located within a retail mercantile establishment, be located within a separate area or room of that establishment, provided that any such requirement must permit direct access to and from the optometric office from inside the retail mercantile establishment; or
 5. impose minimum health and safety standards for optical goods and services, provided such standards do not discriminate against any provider of optical goods and services.
- F. Nothing in this section or in Article 23, § 8 of this Constitution shall be construed as prohibiting optometrists or opticians from agreeing with a retail mercantile establishment to limit the scope of their practice.
- G. This section shall become effective upon adoption, and laws in conflict with this section shall be deemed null and void. After this section is effective, an optometrist, optician, or retail mercantile establishment may bring a declaratory judgment action to determine whether this section affects the validity of a law.
- H. As used in this section:
1. “Law” means any state or local law, including statutes, regulations, rules, ordinances, zoning provisions, and judicial decisions, either now in force or hereafter enacted or issued;
 2. “Optometrist” means a person licensed in Oklahoma to practice optometry;
 3. “Optician” means a person who fills prescriptions for ophthalmic lenses, including but not limited to spectacles and contact lenses, from licensed optometrists or ophthalmologists;
 4. “Optical goods and services” means eyewear, including prescription spectacles and contact lenses, and all services associated with providing, modifying, and repairing such eyewear; and
 5. “Retail mercantile establishment” means a business establishment selling merchandise to the general public.

Name and Address of Proponents:



Kiley Raper
19005 Hill Valley Way
Edmond, OK 73012



Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, OK 73107

SIGNATURES

The gist of the proposition is as follows: This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

WARNING

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| | | | | | | | |
|-----|--------------------------|------------|---------|------|-------|-----|--------|
| 1. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 2. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 3. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 4. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 5. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 6. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 7. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 8. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 9. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 10. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 11. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 12. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 13. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 14. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 15. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 16. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 17. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 18. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 19. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 20. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |

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 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 or her residence as stated.

Circulator's Signature

Mailing Address

City State Zip Code

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

Notary Public

My Commission Expires:

Address

City State Zip Code

My Commission Number:

May 24, 2018

FILED

MAY 24 2018

**OKLAHOMA SECRETARY
OF STATE**

The Honorable Tod Wall
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 122
Oklahoma City, OK 73105

Re: State Question 793, Initiative Petition No. 415


Dear Mr. Secretary:

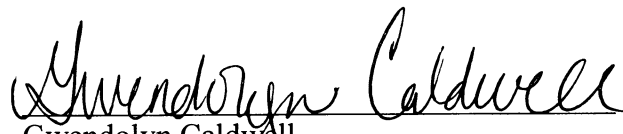
Pursuant to 34 O.S. § 8(G), the undersigned Proponents hereby certify that:

1. All signed petitions that will be filed have already been filed with the Secretary of State;
2. No more petitions are in circulation; and
3. Proponents will not circulate any more petitions.

Proponents request that the Secretary of State begin the counting process.

Sincerely,


Kiley Raper
19005 Hill Valley Way
Edmond, OK 73012


Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma, OK 73107

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

FILED

MAY 24 2018

**OKLAHOMA SECRETARY
OF STATE**

May 24, 2018

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Dear Proponent(s):

This letter is to acknowledge receipt of 50 boxes containing signature pamphlets filed with our office May 24, 2018, on behalf of **State Question Number 793, Initiative Petition Number 415**.

As required by law, the petition boxes have been sealed. The boxes will not be opened until the signature counting process begins. Also, per Title 34 O.S. §8(G), proponents of a referendum or an initiative petition may terminate the circulation period any time during the ninety-day circulation period by certifying to the Secretary of State that; all signed petitions have already been filed with the Secretary of State, no more petitions are in circulation, and the proponents will not circulate any more petitions. Such certification by the proponents was filed successfully with our office, May 24, 2018.

Pursuant to 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 instructions and information.

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,

A handwritten signature in black ink, appearing to read "Tod Wall".

Tod Wall
Secretary of State

Cc: Gable Gotwals Counsel – Legal counsel for proponents of record

Tod Wall
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

RECEIVED
RECEPTIONIST

MAY 24 2018

May 24, 2018

ATTORNEY GENERAL

HAND DELIVERED

The Honorable Mike Hunter
Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

Dear Attorney General Hunter:

Pursuant to 34 O.S., § 8(H), the proponents of State Question 793, Initiative Petition 415 have timely filed signed copies of said petition. Per 34 O.S. § 9(D), the proposed ballot title of SQ 793, IP 415 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,

A handwritten signature in black ink, appearing to read "Tod Wall".

Tod Wall
Secretary of State

Enclosures:

- Proposed Ballot Title – SQ793, IP415
- Initiative Petition 415, State Question 793



MIKE HUNTER
ATTORNEY GENERAL

FILED

JUN 01 2018

OKLAHOMA SECRETARY
OF STATE

Dawn Elizabeth Cash
First Assistant Attorney General

June 1, 2018

James Williamson, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 122
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 793, Initiative Petition No. 415

Dear Secretary Wall:

In accordance with the provisions of 34 O.S.Supp.2017, § 9(D), we have reviewed the ballot title for the above-referenced State Question and conclude that it complies with applicable law. As a Title 34 ballot title review, this letter does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying changes in the law, nor on the ability of federal law to preempt the changes in law.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Cash".

Dawn Cash
First Assistant Attorney General

James A. Williamson
Secretary of State



Mary Fallin
Governor

June 14, 2018

FILED
SUPREME COURT
STATE OF OKLAHOMA
JUN 14 2018
JOHN D. HADDEN
CLERK

#117108

HAND DELIVERED

Chief Justice Douglas Combs
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 793, Initiative Petition 415 (subject: Right of Optometrists and Opticians
to practice in a retail mercantile establishment)**

Dear Chief Justice Combs:

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:

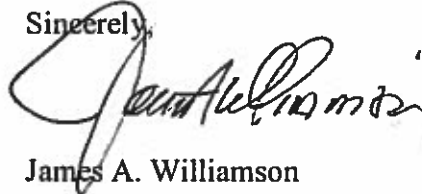
- Fifty (50) boxes of signature pamphlets, for State Question 793, Initiative Petition 415, were received by our office on May 24, 2018.
- Proponents' filed certification of early filing of signature pamphlets with the Secretary of State, May 24, 2018.
- The Secretary of State began the physical count of signatures on June 4, 2018 at 1:00 p.m. and concluded such on June 11, 2018 at 4:00 p.m.
- Individual signature sheets are page numbered 1 through 14,511 and bound in a total of 73 volumes. Volumes 1 through 72 contain 200 signature sheets per volume and Volume 73 contains a total of 111 signature sheets.
- Page numbers 14,480 through 14,511 were not included in such physical count due to either improper or incomplete notarizations by a notary public or incomplete circulator affidavits.
- The Secretary of State certifies the total number of signatures counted for State Question 793, Initiative Petition 415 is **249,451**.
- 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 May 24, 2018 for review as to legal correctness. The Attorney General's ballot title review was filed with the Secretary of State's office on June 1, 2018.

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

- A. Copy of Proponents' certification of early filing of signature pamphlets
- B. Copy of State Question 793, Initiative Petition 415
- C. Copy of SOS signature tabulation sheets for SQ 793, IP415 (73 sheets total)
- D. Copy of total votes cast as certified by the State Election Board--SOS Doc# 047220
- E. Copy of Proponents' Proposed Ballot Title
- F. Attorney General's ballot title review, filed with S.O.S. 06/01/2018

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

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Williamson", written over the word "Sincerely,".

James A. Williamson
Secretary of State

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was hand delivered, on June 14, 2018 to the following party;


The Honorable Mike Hunter
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 June 14, 2018, addressed to the proponent(s) of record for SQ793.

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Gable Gotwals, Counsel for Proponents
One Leadership Square, 15th Floor
211 North Robinson
Oklahoma City, Oklahoma 73102


James A. Williamson
Secretary of State

ATTACHMENT “A”

May 24, 2018

The Honorable Tod Wall
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 122
Oklahoma City, OK 73105

FILED

MAY 24 2018

**OKLAHOMA SECRETARY
OF STATE**

Re: State Question 793, Initiative Petition No. 415

Dear Mr. Secretary:

Pursuant to 34 O.S. § 8(G), the undersigned Proponents hereby certify that:

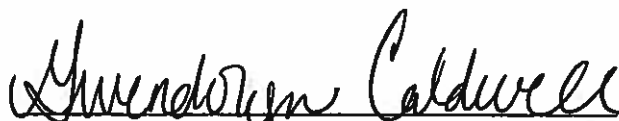
1. All signed petitions that will be filed have already been filed with the Secretary of State;
2. No more petitions are in circulation; and
3. Proponents will not circulate any more petitions.

Proponents request that the Secretary of State begin the counting process.

Sincerely,



Kiley Raper
19005 Hill Valley Way
Edmond, OK 73012



Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma, OK 73107

ATTACHMENT “B”

State Question No. 793 Initiative Petition No. 415

WARNING

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FILED

INITIATIVE PETITION

MAR 21 2017

To the Honorable Mary Fallin, Governor of Oklahoma:

**OKLAHOMA SECRETARY
OF STATE**

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution 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 6th day of November, 2018, (or such earlier 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 days from March 8, 2018. The question we herewith submit to our fellow voters is:

Shall the following proposed new Section 3 to Article 20 of the Constitution be approved?

BE IT ENACTED BY THE PEOPLE OF OKLAHOMA THAT A NEW SECTION 3 OF ARTICLE 20 OF THE OKLAHOMA CONSTITUTION BE APPROVED:

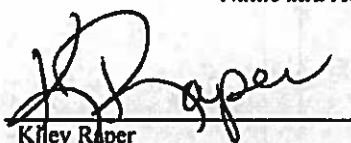
§ 3. RIGHT OF OPTOMETRISTS AND OPTICIANS TO PRACTICE IN RETAIL MERCANTILE ESTABLISHMENT

- A. No law shall restrain, abridge or infringe on the ability of optometrists or opticians to practice their respective professions within a retail mercantile establishment.
- B. No law shall discriminate against an optometrists or opticians based to the location and setting of their practice.
- C. No law shall require an optometric office located within a retail mercantile establishment to have an entrance opening on a public street, hall, lobby, or corridor.
- D. No law shall restrain, abridge or infringe on the ability of a retail mercantile establishment to sell, allow the sale, or provide for the sale of optical goods and services, upon prescription, to the general public within the premises of the retail mercantile establishment.
- E. Notwithstanding the limitations of this section, the Legislature may, by statute:
 - 1. limit or prohibit optometrists from performing laser or nonlaser surgical procedures within a retail mercantile establishment;
 - 2. limit the number of office locations at which an optometrist may practice;
 - 3. maintain licensing requirements for the practice of optometry, provided those requirements do not impose restrictions on the location where

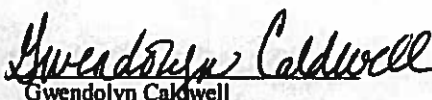
services are provided or otherwise conflict with subsections A–D of this section;

4. require that an optometric office, when located within a retail mercantile establishment, be located within a separate area or room of that establishment, provided that any such requirement must permit direct access to and from the optometric office from inside the retail mercantile establishment; or
 5. impose minimum health and safety standards for optical goods and services, provided such standards do not discriminate against any provider of optical goods and services.
- F. Nothing in this section or in Article 23, § 8 of this Constitution shall be construed as prohibiting optometrists or opticians from agreeing with a retail mercantile establishment to limit the scope of their practice.
- G. This section shall become effective upon adoption, and laws in conflict with this section shall be deemed null and void. After this section is effective, an optometrist, optician, or retail mercantile establishment may bring a declaratory judgment action to determine whether this section affects the validity of a law.
- H. As used in this section:
1. “Law” means any state or local law, including statutes, regulations, rules, ordinances, zoning provisions, and judicial decisions, either now in force or hereafter enacted or issued;
 2. “Optometrist” means a person licensed in Oklahoma to practice optometry;
 3. “Optician” means a person who fills prescriptions for ophthalmic lenses, including but not limited to spectacles and contact lenses, from licensed optometrists or ophthalmologists;
 4. “Optical goods and services” means eyewear, including prescription spectacles and contact lenses, and all services associated with providing, modifying, and repairing such eyewear; and
 5. “Retail mercantile establishment” means a business establishment selling merchandise to the general public.

Name and Address of Proponents:



Kiley Raper
19005 Hill Valley Way
Edmond, OK 73012



Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, OK 73107

SIGNATURES

The gist of the proposition is as follows: This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

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| | | | | | | | |
|-----|--------------------------|------------|---------|------|-------|-----|--------|
| 1. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 2. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 3. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 4. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 5. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 6. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 7. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 8. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 9. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 10. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 11. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 12. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 13. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 14. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 15. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 16. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 17. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 18. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 19. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |
| 20. | Signature of Legal Voter | Print Name | Address | City | State | Zip | County |

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 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 or her residence as stated.

Circulator's Signature

Mailing Address

City State Zip Code

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

Notary Public

Address

City State Zip Code

My Commission Expires:

My Commission Number:

ATTACHMENT “C”

0. *

17. +
13. +
18. +
18. +
14. +
18. +
15. +
17. +
20. +
20. +
20. +
20. +
20. +
16. +
17. +
15. +
20. +
20. +
20. +
19. +
19. +
18. +
11. +
6. +
20. +
20. +
19. +
20. +
20. +
19. +
19. +
10. +
19. +
18. +

18. -
18. +
19. +
19. +
18. +
15. +
14. +
19. +
14. +
5. +
5. +
14. +
1. +
18. +
46. +
46. -
20. +
18. +
18. +
20. +
19. +

15. +
20. +

11. +
19. +
18. +
18. +
20. +
20. +

200.....

3,340. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 1

Consisting of 200 signature sheets

Page numbered 1 through 200

with approximately 3,340 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 2

Consisting of 200 **signature sheets**

Page numbered 201 **through** 400

with approximately 3,386 **signatures**

0• *

20• +

19• +

18• +

18• +

20• +

16• +

17• +

20• +

11• +

6• +

19• +

20• +

19• +

17• +

1• +

16• +

20• +

18• +

9• +

17• +

17• +

20• +

18• +

18• +

20• +

14• +

20• +

17• +

19• +

20• +

19• +

17• +

20• +

19• +

19• +

7• +

17• +

8• +

20• +

17• +

19• +

18• +

200

3,386• *

0. *
19. +
20. +
20. +
20. +
17. +
18. +
20. +
18. +
8. +
17. +
15. +
20. +
19. +
16. +
19. +
19. +
20. +
18. +
9. +
18. +
19. +
13. +
16. +
8. +
19. +
18. +
19. +
19. +
17. +
17. +
10. +
15. +
18. +
16. +
18. +
20. +
19. +
20. +
17. +
19. +
18. +
18. +
20. +
20. +
20. +
12. +
15. +
16. +
19. +
20. +
8. +
20. +
18. +
20. +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 3

Consisting of 200 signature sheets

Page numbered 401 through 600

with approximately 3,347 signatures

0• *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

0• *

VOLUME NO. 4

Consisting of 200 signature sheets

Page numbered 601 through 800

with approximately 3,470 signatures

5• +

19• +

19• +

19• +

18• +

16• +

16• +

17• +

19• +

19• +

18• +

17• +

9• +

20• +

16• +

18• +

20• +

18• +

17• +

18• +

14• +

19• +

20• +

17• +

20• +

16• +

18• +

17• +

15• +

20• +

20• +

18• +

20• +

20• +

20• +

20• +

20• +

20• +

20• +

20• +

18• +

19• +

20• +

20• +

11• +

18• +

16• +

19• +

18• +

16• +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 5

Consisting of 200 signature sheets

Page numbered 801 through 1,000

with approximately 3,328 signatures

20• +
19• +
15• +
15• +
16• +
14• +
13• +
14• +
18• +
20• +
19• +
18• +
10• +
20• +
11• +
18• +
17• +
17• +
19• +
19• +
16• +
20• +
14• +
16• +
20• +
14• +
19• +
20• +
18• +
20• +
17• +
16• +
16• +
17• +
13• +
12• +

7• +
19• +
19• +
20• +

0* *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 6

Consisting of 200 **signature sheets**

Page numbered 1001 **through** 1200

with approximately 3,376 **signatures**

17• +
14• +
20• +
20• +
18• +
8• +
5• +
20• +
19• +
18• +
14• +
16• +
17• +
20• +
20• +
17• +
16• +
16• +
20• +
20• +
17• +
19• +
14• +
16• +
12• +
15• +
16• +
16• +
17• +
17• +
17• +
16• +

18• +
2• +
15• +
4• +
7• +
15• +
7• +
16• +
19• +
16• +
17• +
18• +
17• +
14• +
5• +
16• +
18• +
8• +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 7

Consisting of 200 **signature sheets**

Page numbered 1201 **through** 1400

with approximately 3,221 **signatures**

0. *

10. +

19. +

19. +

20. +

17. +

15. +

20. +

20. +

18. +

18. +

18. +

20. +

18. +

19. +

20. +

6. +

17. +

18. +

20. +

18. +

20. +

18. +

12. +

17. +

16. +

17. +

15. +

18. +

20. +

20. +

19. +

17. +

17. +

18. +

19. +

19. +

9. +

16. +

14. +

19. +

3. +

9. +

20. +

20. +

27. +

17. +

18. +

17. +

13. +

18. +

0* *

0* *

19* +

20* +

19* +

19* +

16* +

15* +

18* +

10* +

17* +

13* +

16* +

16* +

16* +

18* +

16* +

16* +

14* +

16* +

17* +

20* +

19* +

18* +

20* +

16* +

20* +

20* +

20* +

20* +

18* +

17* +

5* +

17* +

20* +

13* +

20* +

20* +

17* +

20* +

8* +

15* +

20* +

18* +

19* +

20* +

16* +

1* +

17* +

20* +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 8

Consisting of 200 signature sheets

Page numbered 1401 through 1600

with approximately 3,364 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 9

Consisting of 200 signature sheets

Page numbered 1601 through 1800

with approximately 3407 signatures

0° *

17° +

20° +

16° +

17° +

17° +

18° +

14° +

18° +

19° +

18° +

15° +

20° +

16° +

5° +

18° +

20° +

4° +

20° +

19° +

20° +

20° +

20° +

20° +

20° +

20° +

19° +

20° +

20° +

20° +

20° +

20° +

20° +

17° +

16° +

19° +

20° +

19° +

19° +

18° +

19° +

18° +

13° +

20° +

5° +

17° +

13° +

17° +

20° +

15° +

17° +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 10

0. *

19. +

20. +

10. +

20. +

19. +

20. +

18. +

20. +

18. +

18. +

19. +

19. +

13. +

18. +

13. +

10. +

18. +

16. +

17. +

18. +

13. +

13. +

15. +

20. +

18. +

19. +

18. +

20. +

20. +

18. +

20. +

12. 19. +

18. +

19. +

16. +

16. +

17. +

18. +

19. +

16. +

Consisting of 200 signature sheets

Page numbered 1801 through 2000

with approximately 3490 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 11

Consisting of 200 **signature sheets**

Page numbered 2001 **through** 2200

with approximately 3425 **signatures**

10. *

13. +
10. +
14. +
19. +
20. +
20. +
19. +
20. +
19. +
20. +
17. +
13. +
18. +
17. +
19. +
20. +
17. +
19. +
18. +
19. +
19. +
18. +
14. +
18. +
18. +
16. +
18. +
20. +
17. +
15. +
19. +
17. +
19. +
19. +
18. +
20. +
17. +

16. +
15. +
20. +
18. +
15. +
18. +
9. +
13. +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 12

Consisting of 200 signature sheets

Page numbered 2201 through 2400

with approximately 3504 signatures

18" +
19" +
17" +
18" +
20" +
18" +
19" +
19" +
17" +
19" +
19" +
19" +
20" +
16" +
5" +
20" +
17" +
19" +
18" +
20" +
18" +
15" +
13" +
12" +
18" +
13" +
12" +
16" +
14" +
12" +
18" +
15" +
5" +
20" +
20" +
19" +
6" +
10" +
20" +
19" +
18" +
3" +
18" +
20" +
19" +
19" +
20" +
20" +
18" +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 13

Consisting of 200 signature sheets

Page numbered 2401 through 2600

with approximately 3374 signature

18. +
19. +
5. +
19. +
19. +
19. +
20. +
19. +
19. +
17. +
18. +
13. +
18. +
5. +
20. +
19. +
19. +
14. +
17. +

19. +
20. +
15. +
11. +
15. +
14. +
17. +
13. +
20. +

10 *
18 +
19 +
19 +
18 +
19 +
19 +
20 +
20 +
20 +
17 +
14 +
17 +
20 +
19 +
20 +
15 +
19 +
18 +
20 +
20 +
19 +
18 +
15 +
9 +
16 +
18 +
19 +
19 +
19 +
20 +
20 +
20 +
20 +
16 +
12 +
17 +
16 +
20 +
19 +
19 +
16 +
19 +
13 +
18 +
19 +
19 +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 14

Consisting of 200 **signature sheets**

Page numbered 2601 **through** 2800

with approximately 3347 **signatures**

0* *

19* +

18* +

18* +

19* +

9* +

20* +

20* +

19* +

18* +

18* +

18* +

18* +

20* +

20* +

20* +

20* +

19* +

17* +

18* +

19* +

19* +

20* +

18* +

19* +

20* +

6* +

17* +

11* +

17* +

11* +

17* +

15* +

19* +

18* +

18* +

20* +

20* +

20* +

15* +

20* +

19* +

19* +

20* +

20* +

20* +

16* +

20* +

20* +

17* +

19* +

20* +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 15

Consisting of 200 signature sheets

Page numbered 2801 through 3000

with approximately 3425 signatures

1) *

1) *

20) +

20) +

20) +

19) +

19) +

17) +

20) +

13) +

16) +

16) +

14) +

17) +

13) +

1) +

10) +

11) +

11) +

14) +

17) +

16) +

6) +

10) +

16) +

19) +

20) +

20) +

14) +

20) +

13) +

19) +

14) +

19) +

18) +

19) +

18) +

18) +

15) +

5) +

1) +

15) +

19) +

20) +

18) +

19) +

20) +

17) +

14) +

12) +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 16

Consisting of 200 **signature sheets**

Page numbered 3001 **through** 3200

with approximately 3,368 **signatures**

0 *
16 +
18 +
16 +
18 +
19 +
19 +
20 +
19 +
20 +
17 +
17 +
18 +
19 +
19 +
17 +
20 +
19 +
18 +
11 +
20 +
20 +
20 +
20 +
19 +
17 +
17 +
16 +
20 +
20 +
19 +
19 +
19 +
16 +
16 +
7 +
12 +
11 +
20 +
17 +
15 +
20 +
20 +
20 +
20 +
19 +
20 +
17 +
20 +
20 +
18 +
18 +
20 +
20 +
19 +
17 +
17 +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 17

Consisting of 200 **signature sheets**

Page numbered 3201 **through** 3400

with approximately 3481 **signatures**

20 +
1 +
13 +
19 +
14 +
19 +
17 +
15 +
18 +
20 +
19 +
16 +
14 +
9 +
16 +
19 +
19 +
18 +
19 +
18 +
16 +
20 +
19 +
20 +
20 +
7 +
17 +
20 +
14 +
18 +
17 +
18 +
17 +
20 +
20 +
16 +
12 +
3 +
19 +
18 +
18 +
13 +
18 +
20 +
19 +
20 +
16 +
10 +
1 +
8 +
16 +
19 +
3 +
20 +
17 +
16 +
17 +
17 +
19 +
19 +
17 +
18 +
16 +
19 +
18 +
15 +
16 +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 18

Consisting of 200 signature sheets

Page numbered 3401 through 3600

with approximately 3448 signatures

10* *
17* +
19* +
20* +
20* +
20* +
10* +
20* +
20* +
19* +
19* +
10* +
16* +
19* +
20* +
20* +
20* +
15* +
18* +
18* +
16* +
19* +
17* +
16* +
18* +
18* +
16* +
20* +
15* +
20* +
15* +
13* +
18* +
18* +
14* +
16* +
20* +
18* +
14* +
15* +
19* +
16* +
20* +
20* +
18* +
18* +
20* +
5* +
20* +
19* +
1* +
9* +
0* +
17* +
13* +
8* +
4* +
20* +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 19

Consisting of 200 **signature sheets**

Page numbered 3601 **through** 3800

with approximately 3359 **signatures**

11 *
18 +
19 +
19 +
19 +
18 +
13 +
13 +
17 +
17 +
20 +
12 +
15 +
13 +
16 +
20 +
19 +
18 +
17 +
19 +
20 +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 21

Consisting of 200 **signature sheets**

Page numbered 4001 **through** 42000

with approximately 3396 **signatures**

20 +
18 +
20 +
15 +
17 +
18 +
20 +
18 +
20 +
19 +
19 +
19 +
17 +

20 +
20 +
17 +
20 +

210

3396 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 22

Consisting of 200 **signature sheets**

Page numbered 4201 **through** 4400

with approximately 3505 **signatures**

0 * *

11 +

20 +

17 +

19 +

18 +

16 +

17 +

20 +

13 +

19 +

11 +

18 +

15 +

14 +

20 +

19 +

11 +

20 +

4 +

20 +

4 +

16 +

16 +

16 +

14 +

210

3, 35 *

1 *

15 +

13 +

15 +

17 +

18 +

20 +

20 +

21 +

19 +

20 +

19 +

20 +

19 +

18 +

19 +

18 +

18 +

20 +

16 +

14 +

15 +

17 +

15 +

18 +

20 +

17 +

6 +

20 +

13 +

11 +

20 +

18 +

20 +

14 +

19 +

14 +

14 +

15 +

17 +

19 +

13 +

19 +

20 +

17 +

19 +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 23

Consisting of 200 signature sheets

Page numbered 4401 through 4600

with approximately 3609 signatures

| | |
|----|---|
| 11 | + |
| 31 | + |
| 31 | + |
| 20 | + |
| 20 | + |
| 13 | + |
| 17 | + |
| 17 | + |
| 14 | + |
| 17 | + |
| 17 | + |
| 17 | + |
| 20 | + |
| 20 | + |
| 16 | + |
| 19 | + |
| 18 | + |
| 20 | + |
| 20 | + |
| 18 | + |

Consisting of 200 signature sheets

with approximately 3470 signatures

0. *
20. +
19. +
20. +
20. +
20. +
19. +
17. +
19. +
20. +
20. +
19. +
19. +
19. +
16. +
14. +
16. +
18. +
15. +
17. +
20. +
17. +
15. +
15. +
19. +
10. +
19. +
20. +
19. +
20. +
20. +
20. +
19. +
15. +
17. +
18. +
18. +
18. +
20. +
19. +
20. +
20. +
18. +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 25

Consisting of 200 signature sheets

Page numbered 4801 through 5000

with approximately 3585 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 26

Consisting of 200 **signature sheets**

Page numbered 5001 **through** 5200

with approximately 3410 **signatures**

0. *

17. +

20. +

20. +

20. +

18. +

19. +

20. +

13. +

2. +

19. +

18. +

18. +

18. +

20. +

18. +

18. +

16. +

19. +

16. +

16. +

18. +

18. +

17. +

16. +

17. +

-

19. +

19. +

18. +

19. +

15. +

13. +

12. +

19. +

20. +

20. +

16. +

10. +

17. +

16. +

17. +

17. +

16. +

14. +

19. +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 27

Consisting of 200 signature sheets

Page numbered 5201 through 5400

with approximately 3470 signatures

15. +
6. +
18. +
20. +
16. +
16. +
18. +
18. +
18. +
19. +
18. +
18. +
15. +
4. +
20. +
12. +
18. +
19. +

20. +
19. +
17. +
18. +
20. +

20. +

200

3,470. *

0° *

20° +

20° +

20° +

20° +

20° +

18° +

19° +

20° +

18° +

20° +

20° +

20° +

19° +

19° +

19° +

17° +

20° +

18° +

19° +

2° +

20° +

20° +

16° +

9° +

14° +

10° +

17° +

17° +

20° +

17° +

19° +

17° +

18° +

18° +

19° +

17° +

19° +

18° +

18° +

19° +

18° +

17° +

19° +

19° +

19° +

16° +

16° +

16° +

16° +

7° +

10° +

19° +

18° +

°

3,364° *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 28

Consisting of 200 signature sheets

Page numbered 5401 through 5600

with approximately 3364 signatures

0° *
18° +
20° +
18° +
20° +
17° +
19° +
17° +
19° +
20° +
19° +
18° +
19° +
19° +
15° +
20° +
3° +
18° +
19° +
14° +
12° +
17° +
16° +
19° +
19° +
13° +
9° +
16° +
17° +
16° +
20° +
20° +
15° +
20° +
19° +
15° +
20° +
19° +
19° +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 29

Consisting of 200 **signature sheets**

Page numbered 5601 **through** 5800

with approximately 3334 **signatures**

200° *
134° *

0° *

19° +

20° +

19° +

19° +

16° +

16° +

18° +

20° +

19° +

20° +

19° +

20° +

20° +

18° +

19° +

17° +

20° +

16° +

1° +

9° +

14° +

18° +

18° +

20° +

20° +

18° +

19° +

18° +

20° +

20° +

18° +

19° +

18° +

18° +

20° +

20° +

200

3,466° *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 30

Consisting of 200 signature sheets

Page numbered 5801 through 6000

with approximately 3466 signatures

0° *
18° +
11° +
10° +
19° +
17° +
16° +
17° +
1° +
19° +
13° +
10° +
17° +
20° +
17° +
15° +
17° +
17° +
14° +
15° +
16° +
16° +
18° +
14° +
17° +
18° +
18° +
19° +
19° +
18° +
17° +
18° +
20° +
200°
3,297° *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 31

Consisting of 200 **signature sheets**

Page numbered 6001 **through** 6200

with approximately 3297 **signatures**

0° *

17° +

16° +

16° +

16° +

17° +

16° +

12° +

5° +

12° +

14° +

15° +

17° +

20° +

19° +

18° +

20° +

19° +

19° +

20° +

15° +

16° +

18° +

20° +

19° +

12° +

20° +

20° +

16° +

11° +

200

3,495° *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 32

Consisting of 200 **signature sheets**

Page numbered 6201 **through** 6400

with approximately 3495 **signatures**

0° *

19° +

16° +

15° +

3° +

19° +

19° +

19° +

14° +

18° +

15° +

19° +

19° +

13° +

18° +

15° +

16° +

16° +

18° +

6° +

15° +

19° +

17° +

14° +

19° +

20° +

19° +

19° +

18° +

19° +

15° +

17° +

15° +

17° +

1° +

"

210

1,382° *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 33

Consisting of 200 signature sheets

Page numbered 6401 through 6600

with approximately 3382 signatures

2° +
4° +
8° +
13° +
10° +
20° +
10° +
15° +
16° +
13° +
18° +
18° +
17° +
15° +
16° +
19° +
14° +
16° +
15° +
19° +
19° +
20° +
17° +
15° +
15° +
20° +
14° +
19° +
20° +
19° +
20° +
18° +
7° +
15° +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 34

Consisting of 200 signature sheets

Page numbered 6601 through 6800

with approximately 3413 signatures

19° +
19° +
18° +

200

1,413 *

0. *

18. +

19. +

18. +

18. +

19. +

16. +

15. +

19. +

19. +

18. +

17. +

15. +

15. +

17. +

18. +

19. +

20. +

19. +

17. +

2. +

19. +

19. +

200.

3,423. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 35

Consisting of 200 signature sheets

Page numbered 6801 through 7000

with approximately 3423 signatures

0° *

19° +

20° +

17° +

16° +

15° +

1° +

17° +

14° +

20° +

20° +

17° +

18° +

19° +

18° +

19° +

17° +

19° +

20° +

20° +

20° +

17° +

20° +

18° +

19° +

20° +

19° +

20° +

20° +

18° +

17° +

18° +

5° +

20° +

19° +

20° +

19° +

20° +

20° +

20° +

15° +

10° +

20° +

15° +

20° +

19° +

20°

3,534 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 36

Consisting of 200 signature sheets

Page numbered 7001 through 7200

with approximately 3534 signatures

0. *

13. +

19. +

19. +

20. +

18. +

9. +

12. +

15. +

17. +

1. +

16. +

19. +

20. +

18. +

17. +

18. +

20. +

20. +

19. +

19. +

18. +

19. +

18. +

18. +

19. +

20. +

19. +

..

200

3,602. *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 37

Consisting of 200 **signature sheets**

Page numbered 7201 **through** 7400

with approximately 3,602 **signatures**

0° *
20° +
20° +
18° +
19° +
19° +
20° +
18° +
20° +
8° +
6° +
6° +
19° +
14° +
16° +
20° +
19° +
17° +
18° +
20° +
20° +
20° +
19° +
20° +
18° +
18° +
20° +
20° +
20° +
20° +
20° +
19° +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 38

Consisting of 200 signature sheets

Page numbered 7401 through 7600

with approximately 3420 signatures

200:
3,420° *

0° *
19° +
20° +
19° +
13° +
9° +
19° +
18° +
19° +
20° +
20° +
19° +
20° +
19° +
19° +
17° +
18° +
4° +
18° +
19° +
17° +
9° +
8° +
20° +
19° +
20° +
17° +
18° +
20° +
19° +
17° +
17° +
19° +
20° +
19° +
19° +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 39

Consisting of 200 **signature sheets**

Page numbered 7601 **through** 7800

with approximately 3370 **signatures**

0° *

20° +

18° +

19° +

20° +

15° +

20° +

18° +

20° +

3° +

20° +

20° +

3° +

19° +

20° +

20° +

5° +

20° +

20° +

20° +

18° +

19° +

18° +

18° +

20° +

19° +

19° +

17° +

19° +

19° +

2 0

3,614 *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 40

Consisting of 200 signature sheets

Page numbered 7801 through 8,000

with approximately 3614 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 41

Consisting of 200 **signature sheets**

Page numbered 8001 **through** 8200

with approximately 3459 **signatures**

0° *

20° +

18° +

19° +

17° +

14° +

14° +

16° +

18° +

19° +

12° +

17° +

17° +

19° +

17° +

16° +

19° +

18° +

17° +

19° +

20° +

20° +

19° +

20° +

10° +

20° +

19° +

15° +

17° +

1° +

14° +

15° +

10° +

17° +

17° +

18° +

"

20

3,459 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 42

Consisting of 200 **signature sheets**

Page numbered 8201 **through** 8400

with approximately 3660 **signatures**

0° *

14° +
19° +
18° +
19° +
15° +
16° +
18° +
20° +
17° +
19° +
19° +
18° +
1° +
18° +
20° +
19° +
20° +
18° +
19° +

13° +

20° +

17° +

210

3, 60° *

0. *

16. +
18. +
16. +
19. +
18. +
17. +
19. +
15. +
19. +
20. +
18. +
20. +
16. +
18. +
18. +
19. +
16. +
16. +
18. +
18. +
19. +
20. +
20. +
15. +
15. +
17. +
18. +
20. +
20. +
19. +
18. +
17. +
15. +
19. +
17. +
11. +
15. +
17. +
17. +
14. +
15. +
20. +
20. +
17. +
20. +
19. +
18. +
16. +
15. +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 43

Consisting of 200 signature sheets

Page numbered 8401 through 8600

with approximately 3498 signatures

200.....:

3,498. *

0. *

18. +

19. +

16. +

20. +

19. +

19. +

20. +

19. +

19. +

18. +

20. +

8. +

11. +

9. +

16. +

19. +

20. +

20. +

19. +

17. +

13. +

20. +

19. +

20. +

20. +

18. +

19. +

20. +

19. +

17. +

20. +

19. +

20. +

19. +

17. +

20. +

18. +

19. +

18. +

20. +

19. +

20. +

13. +

19. +

20. +

19. +

20. +

17. +

20. +

16. +

200.....

3,578. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 44

Consisting of 200 signature sheets

Page numbered 8601 through 8800

with approximately 3578 signatures

0 • *

20 • +

16 • +

17 • +

18 • +

18 • +

18 • +

14 • +

8 • +

20 • +

20 • +

14 • +

19 • +

20 • +

19 • +

18 • +

18 • +

18 • +

17 • +

19 • +

20 • +

20 • +

20 • +

19 • +

20 • +

20 • +

15 • +

18 • +

20 • +

19 • +

17 • +

20 • +

18 • +

18 • +

19 • +

19 • +

20 • +

19 • +

19 • +

18 • +

19 • +

20 • +

18 • +

19 • +

20 • +

20 • +

200 • • • • •

3,440 • *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 45

Consisting of 200 signature sheets

Page numbered 8801 through 9000

with approximately 3440 signatures

0 *
19 +
20 +
20 +
20 +
20 +
19 +
16 +
16 +
19 +
20 +
19 +
17 +
19 +
19 +
19 +
20 +
20 +
20 +
20 +
20 +
20 +
19 +
15 +
19 +
20 +
14 +
16 +
19 +
17 +
18 +
20 +
19 +
20 +
16 +
8 +
20 +
19 +
20 +
15 +
16 +
18 +

19 +
15 +
10 +
14 +
12 +

200.....

3,503 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 46

Consisting of 200 **signature sheets**

Page numbered 9001 **through** 9200

with approximately 3503 **signatures**

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 47

Consisting of 200 **signature sheets**

Page numbered 9201 **through** 9400

with approximately 3543 **signatures**

0 *

0 *

10 +

19 +

17 +

12 +

18 +

16 +

18 +

16 +

20 +

20 +

20 +

20 +

20 +

20 +

20 +

20 +

19 +

20 +

19 +

20 +

19 +

20 +

18 +

18 +

20 +

10 +

20 +

20 +

17 +

10 +

19 +

17 +

17 +

20 +

17 +

20 +

15 +

19 +

18 +

200.....

3,543 *

0 *

12 : +
17 : +
16 : +
18 : +
18 : +
20 : +
16 : +
18 : +
1 : +
1 : -
15 : +
17 : +
20 : +
20 : +
20 : +
18 : +
18 : +
19 : +
20 : +
20 : +
20 : +
20 : +
19 : +
20 : +
20 : +
19 : +
18 : +
20 : +
14 : +
20 : +
19 : +

18 : +
19 : +
18 : +
14 : +
18 : +
18 : +
16 : +
17 : +
18 : +

18 : +
18 : +
19 : +
20 : +
20 : +
19 : +
18 : +
20 : +
20 : +
18 : +
17 : +
19 : +

200.....

3,535 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 48

Consisting of 200 signature sheets

Page numbered 9401 through 9600

with approximately 3535 signatures

0 : *

19 : +

20 : +

20 : +

20 : +

20 : +

19 : +

20 : +

17 : +

17 : +

19 : +

20 : +

19 : +

20 : +

19 : +

17 : +

17 : +

20 : +

5 : +

19 : +

18 : +

19 : +

20 : +

18 : +

15 : +

14 : +

14 : +

14 : -

17 : +

4 : +

17 : +

17 : +

16 : +

18 : +

19 : +

19 : +

20 : +

18 : +

19 : +

20 : +

20 : +

20 : +

19 : +

16 : +

17 : +

17 : +

17 : +

20 : +

20 : +

200,.....

3,389. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 49

Consisting of 200 signature sheets

Page numbered 9601 through 9800

with approximately 3389 signatures

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 50

Consisting of 200 signature sheets

Page numbered 9,801 through 10,000

with approximately 3450 signatures

0 : *

19 : +

17 : +

19 : +

18 : +

20 : +

19 : +

19 : +

20 : +

19 : +

18 : +

19 : +

17 : +

20 : +

18 : +

19 : +

20 : +

20 : +

20 : +

19 : +

18 : +

20 : +

19 : +

17 : +

14 : +

13 : +

19 : +

200.....

3,450 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 51

Consisting of 200 signature sheets

Page numbered 10,001 through 10,200

with approximately 3358 signatures

0 *

16 : +
20 : +
18 : +
17 : +
16 : +
18 : +
18 : -
16 : +
18 : +
19 : +
19 : +
20 : +
20 : +
18 : +
2 : +
18 : +
16 : +
17 : +
14 : +
16 : +
8 : +
20 : +
17 : +
20 : +
20 : +
17 : +
18 : +
20 : +
19 : +
2 : +

200..... :

3,358 *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 52

Consisting of 200 **signature sheets**

Page numbered 10201 **through** 10400

with approximately 3399 **signatures**

0 *

20 : +

19 : +

20 : +

19 : +

19 : +

17 : +

20 : +

19 : +

20 : +

13 : +

19 : +

17 : +

20 : +

20 : +

20 : +

16 : +

16 : +

18 : +

19 : +

19 : +

16 : +

18 : +

18 : +

20 : +

20 : +

20 : +

19 : +

20 : +

20 : +

17 : +

18 : +

20 : +

20 : +

18 : +

17 : +

17 : +

20 : +

17 : +

16 : +

16 : +

200.....

3,399 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 53

Consisting of 200 signature sheets

Page numbered 10401 through 10600

with approximately 3450 signatures

0 *
7 +
20 +
20 +
19 +
20 +
19 +
20 +
19 +
19 +
20 +
19 +
19 +
20 +
19 +
18 +
16 +
12 +
20 +
19 +
19 +
18 +
18 +
20 +
18 +
18 +
18 +
18 +
19 +
19 +
20 +
19 +
15 +
18 +
19 +
200.....
3,450 *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 54

Consisting of 200 signature sheets

Page numbered 10,601 through 10,800

with approximately 3461 signatures

0* *

18+ +

20+ +

19+ +

19+ +

16+ +

18+ +

20+ +

12+ +

18+ +

16+ +

19+ +

20+ +

19+ +

11+ +

3+ +

20+ +

20+ +

19+ +

16+ +

15+ +

11+ +

13+ +

17+ +

19+ +

19+ +

20+ +

19+ +

20+ +

1+ +

20+ +

6+ +

18+ +

15+ +

20+ +

20+ +

200.....

3,461* *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 55

Consisting of 200 signature sheets

Page numbered 10,801 through 11,000

with approximately 3330 signatures

0* *

4* +

20* +

19* +

16* +

15* +

15* +

19* +

20* +

20* +

20* +

19* +

18* +

19* +

19* +

20* +

2* +

17* +

20* +

18* +

17* +

17* +

10* +

20* +

19* +

18* +

16* +

17* +

200.....

3,330* *

0 *
19 +
18 +
17 +
20 +
20 +
19 +
18 +
18 +
7 +
7 +
18 +
16 +
13 +
16 +
3 +
16 +
20 +
18 +
19 +
19 +
17 +
19 +
19 +
19 +
16 +
19 +
17 +
20 +
20 +
20 +
19 +
19 +
18 +
18 +
20 +
17 +

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 56

Consisting of 200 signature sheets

Page numbered 11,001 through 11,200

with approximately 3411 signatures

200.....
3,411 *

0. *

18. +
20. +
14. +
20. +
19. +
18. +
1. +
20. +
20. +
20. +
20. +
20. +
20. +
20. +
18. +
18. +
18. +
19. +
20. +
18. +
19. +
20. +
20. +
19. +
17. +
20. +
19. +
17. +
13. +
17. +
19. +
20. +
16. +
15. +
19. +
4. +
17. +
13. +

200.....

3,562. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 57

Consisting of 200 signature sheets

Page numbered 11,201 through 11,400

with approximately 3562 signatures

50. +
8. +
50. +
12. +
18. +
50. +

0. *

18. +
19. +
20. +
16. +
15. +
20. +
19. +
12. +
16. +
16. +
8. +
20. +
20. +
20. +
11. +
17. +
16. +
13. +
16. +
20. +
18. +
20. +
20. +

20. +
11. +
7. +
6. +
16. +
19. +
19. +
18. +
18. +
2. +
19. +
20. +
20. +
20. +
20. +

19. +
20. +
19. +
20. +
18. +
18. +
16. +
17. +

200.....

3,402. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 58

Consisting of 200 signature sheets

Page numbered 11401 through 11600

with approximately 3402 signatures

12. +
50. +
50. +
15. +

0. *
18. +
20. +
20. +
15. +
8. +
17. +
15. +
9. +
14. +
12. +
16. +
20. +
16. +
11. +
18. +
9. +
11. +
13. +
15. +
20. +
19. +
20. +
19. +
19. +
14. +
11. +
17. +
1. +

20. +
19. +
20. +
15. +
19. +
200.....
3,390. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 59

Consisting of 200 signature sheets

Page numbered 11601 through 11800

with approximately 3390 signatures

12. +
12. +
12. +
15. +
50. +
12. +
50. +
12. +

0. *

19. +
20. +
19. +
7. +
1. +
18. +
18. +
19. +
20. +
20. +
20. +
20. +
19. +
20. +
20. +
20. +
20. +
18. +
20. +
19. +
15. +
18. +
17. +
20. +
19. +
17. +
16. +
19. +

17. +
17. +
19. +

19. +
17. +
20. +
19. +
19. +
20. +

200.....

3,497. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 60

Consisting of 200 signature sheets

Page numbered 11801 through 12000

with approximately 3497 signatures

0• *

20• +

15• +

19• +

18• +

18• +

18• +

16• +

18• +

15• +

17• +

19• +

12• +

13• +

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5• +

18• +

200•.....

3,440• *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 61

Consisting of 200 signature sheets

Page numbered 12,001 through 12,200

with approximately 3,440 signatures

30. +
2. +
5. +
18. +
50. +
18. +
18. +
80. +
12. +
50. +
50. +
18. +

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 62

Consisting of 200 **signature sheets**

Page numbered 12,201 **through** 12,400

with approximately 3529 **signatures**

0. *

20. +
18. +
19. +
19. +
20. +
17. +
14. +
20. +
20. +
14. +
18. +
20. +
20. +
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18. +
15. +
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15. +
12. +
13. +
18. +
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6. +
20. +
19. +

200.....

3,529. *

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11• +

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19• +

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11• +

9• +

20• +

6• +

11• +

20• +

200•.....

3,567• *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 63

Consisting of 200 signature sheets

Page numbered 12,401 through 12,600

with approximately 3567 signatures

12• +
19• +
14• +
18• +
19• +
1• +
14• +
19• +
18• +
19• +
11• +
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17• +
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20• +

17• +
18• +
11• +
19• +

200.....

3,502• *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 64

Consisting of 200 **signature sheets**

Page numbered 12,601 **through** 12,800

with approximately 3502 **signatures**

0• *

8• +

20• +

18• +

19• +

8• +

14• +

19• +

17• +

20• +

17• +

1• +

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20• +

200•.....

3,537• *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 65

Consisting of 200 signature sheets

Page numbered 12,801 through 13,000

with approximately 3537 signatures

0. *

19. +

17. +

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19. +

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19. +

19. +

200.....

3,618. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 66

Consisting of 200 signature sheets

Page numbered 13001 through 13200

with approximately 3618 signatures

0. *

18. +

19. +

17. +

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17. +

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18. +

17. +

18. +

19. +

20. +

20. +

19. +

200.....

3,508. *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 67

Consisting of 200 **signature sheets**

Page numbered 13201 **through** 13400

with approximately 3508 **signatures**

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 68

Consisting of 200 signature sheets

Page numbered 13401 through 13600

with approximately 3424 signature

0. *
20. +
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17. +
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20. +
20. +
6. +
11. +
19. +
20. +
18. +
20. +
19. +
9. +
13. +
20. +
3. +
10. +
20. +
18. +
12. +
18. +
200.....
3,424. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 69

Consisting of 200 signature sheets

Page numbered 13601 through 13800

with approximately 3514 signatures

0. *

20. +

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14. +

17. +

20. +

20. +

20. +

200.....

3,514. *

**STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415**

VOLUME NO. 70

Consisting of 200 signature sheets

Page numbered 13801 through 14000

with approximately 3443 signatures

0• *

20• +

18• +

17• +

13• +

18• +

18• +

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18• +

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200••••••••••

3,443• *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 71

Consisting of 200 signature sheets

Page numbered 14001 through 14200

with approximately 3328 signatures

0• *

20• +

2• +

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14• +

20• +

17• +

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18• +

200•.....

3,328• *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 72

Consisting of 200 **signature sheets**

Page numbered 14201 **through** 14400

with approximately 3,415 **signatures**

0• *

19• +

19• +

17• +

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200•.....

3,415• *

STATE QUESTION NO. 793
INITIATIVE PETITION NO. 415

VOLUME NO. 73

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18• +
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16• +
14• +
10• +
0• +
0• +
0• +
0• +
0• +
0• +
0• +
0• +

Consisting of 111 signature sheets

Page numbered 14401 through 0/4511

with approximately 1,255 signatures

ATTACHMENT “D”



Oklahoma State Election Board

ROOM B-6 • BOX 53158 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2311

FILED

November 20, 2014

DEC 18 2014

OKLAHOMA SECRETARY
OF STATE

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

Dear Mr. Bengé:

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

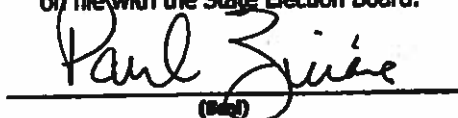
The signature requirement for a petition for formation of a new political party is based on the total votes cast in the last General Election either for Governor or for electors for President and Vice President. In the November 4, 2014, General Election, the total votes cast for Governor were 824,831. 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

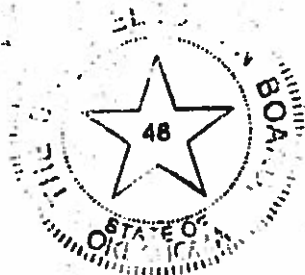
Sincerely,


PAUL ZIRIAS, Secretary
State Election Board

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


(S&S)

12-18-2014



ATTACHMENT “E”

FILED

MAR 21 2017

**OKLAHOMA SECRETARY
OF STATE**

PROPOSED BALLOT TITLE

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of a retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

Shall this proposal be approved by the people?

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.

ATTACHMENT

“F”



MIKE HUNTER
ATTORNEY GENERAL

FILED

JUN 01 2018

OKLAHOMA SECRETARY
OF STATE

Dawn Elizabeth Cash
First Assistant Attorney General

June 1, 2018

James Williamson, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 122
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 793, Initiative Petition No. 415

Dear Secretary Wall:

In accordance with the provisions of 34 O.S.Supp.2017, § 9(D), we have reviewed the ballot title for the above-referenced State Question and conclude that it complies with applicable law. As a Title 34 ballot title review, this letter does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying changes in the law, nor on the ability of federal law to preempt the changes in law.

Sincerely,

Dawn Cash
First Assistant Attorney General

ORIGINAL



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA

JUN 25 2018

JOHN D. HADDEN
CLERK

IN RE:

STATE QUESTION NO. 793,

INITIATIVE PETITION NO. 415

| | |
|--------------|---|
| Rec'd (date) | 6/25/18 |
| Posted | PK |
| Mailed | PK |
| Distrib | PK |
| Publish | yes <input checked="" type="checkbox"/> no <input type="checkbox"/> |

No. 117,108

STATE OF OKLAHOMA, TO:

JAMES A. WILLIAMSON, SECRETARY OF STATE, STATE OF OKLAHOMA

GREETINGS:

ORDER

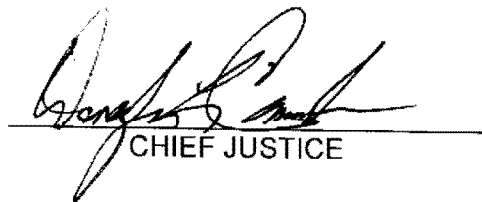
The Court recognizes the Secretary of State's certification of the physical signature count for State Question No. 793, Initiative Petition No. 415, filed in this cause pursuant to 34 O.S.Supp.2015 § 8(H). The Secretary of State certifies the total number of signatures counted for State Question No. 793, Initiative Petition No. 415, is 249,451. According to the Oklahoma State Election Board, the minimum number required for an initiative petition for constitutional change is 123,725 (or 15% of the total number of votes cast for the Office of Governor at the General Election in 2014). The number of signatures certified by the Secretary of State is hereby declared numerically sufficient.

The Secretary of State is therefore directed forthwith to cause to be published in at least one newspaper of general circulation in this State a notice of the filing of

the signed petitions and their apparent sufficiency. The text of the ballot title shall be included in the public notice, which shall also advise that any citizen or citizens of the State may file an objection to the count made by the Secretary of State, and that such objection must be effected by written notice to the Supreme Court, with copies of the filed objection or objections sent to the proponents of the Initiative Petition. The notice shall further advise that any objection must be filed within ten (10) business days after publication and must relate only to the validity or number of the signatures or a challenge to the ballot title. The notice shall also advise that copies of the objection to the count or ballot title shall be filed with the Supreme Court, the Attorney General, and the Secretary of State. 34 O.S.Supp.2015 § 8(I).

The Secretary of State shall obtain verified proof of publication of the required notice and shall cause such proof to be filed with the Clerk of this Court as a return to this order.

DONE BY THE ORDER OF THE SUPREME COURT IN CONFERENCE
THIS 25th DAY OF JUNE, 2018.



CHIEF JUSTICE

Combs, C.J., Gurich, V.C.J. and Kauger, Edmondson, Colbert, Reif, Wyrick and Darby, JJ., concur;
Winchester, J., not participating.

James A. Williamson
Secretary of State



Mary Fallin
Governor

June 27, 2018

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 Apparent Numerical Sufficiency thereof and the Text of the Proposed Ballot Title as Reviewed by the Attorney General for State Question 793, Initiative Petition 415". In accordance with the Supreme Court order, filed June 25, 2018 (SC case no. O-117,108) and per Title 34 O.S. § 8, please publish the enclosed notice, as soon as possible, in both *The Oklahoman* and the *Tulsa World*.

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

Sincerely,

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

Amy Canton
Acting Assistant Secretary of State

Oklahoma Press Service

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

Tuesday, July 10, 2018 11:14 AM

Page 1

Proof of Publication Order Number 18-06-98

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: 06/30/2018

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 \$116.47

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of July 2018.

(Notary Public)



NOTICE OF THE FILING OF SIGNATURES AND THE APPARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PROPOSED BALLOT TITLE AS REVIEWED BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 793, INITIATIVE PETITION NUMBER 415

NOTICE is hereby given that on May 24, 2018 fifty (50) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 793, Initiative Petition 415.

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 249,451 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 123,725, being 15% 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 Proposed Ballot Title as reviewed 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 793, Initiative Petition 415:

| | |
|------------------------|-------------------------------|
| Kiley Raper | Gwendolyn Caldwell |
| 19005 Hill Valley Way | 2221 NW 18th Street |
| Edmond, Oklahoma 73012 | Oklahoma City, Oklahoma 73107 |

PROPOSED BALLOT TITLE FOR SQ 793, as reviewed by the Attorney General

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

SHALL THIS PROPOSAL BE APPROVED BY THE PEOPLE?

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.

DONE, BY ORDER OF THE SUPREME COURT THIS 27th DAY OF JUNE, 2018.

James A. Williamson
Oklahoma Secretary of State

RECEIVED

JUL 12 2018

OKLAHOMA SECRETARY
OF STATE

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Tuesday, July 10, 2018 11:14 AM

Page 1


Proof of Publication Order Number 18-06-98

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: 06/30/2018

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 \$87.95


(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of July 2018.


(Notary Public)



NOTICE OF THE FILING OF SIGNATURES AND THE APPARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PROPOSED BALLOT TITLE AS REVIEWED BY THE ATTORNEY GENERAL FOR

STATE QUESTION NUMBER 793, INITIATIVE PETITION NUMBER 415

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Proponent(s) of record for State Question 793, Initiative Petition 415:

| | |
|------------------------|-------------------------------|
| Kiley Raper | Gwendolyn Caldwell |
| 19005 Hill Valley Way | 2221 NW 18th Street |
| Edmond, Oklahoma 73012 | Oklahoma City, Oklahoma 73107 |

PROPOSED BALLOT TITLE FOR SQ 793, as reviewed by the Attorney General

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

SHALL THIS PROPOSAL BE APPROVED BY THE PEOPLE?

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.

DONE, BY ORDER OF THE SUPREME COURT THIS 27th DAY OF JUNE, 2018.

James A. Williamson
Oklahoma Secretary of State

RECEIVED

JUL 12 2018

OKLAHOMA SECRETARY
OF STATE

James A. Williamson
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

July 16, 2018

FILED
SUPREME COURT
STATE OF OKLAHOMA
JUL 17 2018
JOHN D. HADDEN
CLERK

Office of the Clerk
Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 4
Oklahoma City, Oklahoma 73105

RE: Supreme Court case no. 117,108 - State Question 793, Initiative Petition 415

Secretary of State's Return on Supreme Court order, filed June 25, 2018

In accordance with the Supreme Court order filed June 25, 2018 (SC case no. 117,108), 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 Proposed Ballot Title as Reviewed by the Attorney General for State Question 793, Initiative Petition 415". I also certify that said notice was published Saturday, June 30, 2018 in both *The Oklahoman* and *Tulsa World*.

Attachments:

- A. Copy of Supreme Court order filed June 25, 2018 (Court document no. 1040393913)
- B. Oklahoma Press Service - Proof of Publication – *The Oklahoman*
- C. Oklahoma Press Service - Proof of Publication – *Tulsa World*

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

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Williamson".

James A. Williamson
Secretary of State

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing was placed in Interagency Mail, on July 16, 2018 to the following party;


The Honorable Mike Hunter
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 July 16, 2018, addressed to the proponent(s) of record for SQ793.

Kiley Raper
19005 Hill Valley Way
Edmond, Oklahoma 73012

Gwendolyn Caldwell
2221 NW 18th Street
Oklahoma City, Oklahoma 73107

Gable Gotwals, Counsel for Proponents
One Leadership Square, 15th Floor
211 North Robinson
Oklahoma City, Oklahoma 73102


James A. Williamson
Secretary of State

ATTACHMENT “A”

15
ORIGINAL



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

IN RE:
STATE QUESTION NO. 793,
INITIATIVE PETITION NO. 415

| | |
|--------------|--|
| Rec'd (date) | 6/25/18 |
| Posted | <i>PK</i> |
| Mailed | <i>PK</i> |
| Distrib | <i>PK</i> |
| Publish | yes <input checked="" type="checkbox"/> no |

No. 117,108

FILED
SUPREME COURT
STATE OF OKLAHOMA

JUN 25 2018

JOHN D. HADDEN
CLERK

STATE OF OKLAHOMA, TO:

JAMES A. WILLIAMSON, SECRETARY OF STATE, STATE OF OKLAHOMA

GREETINGS:

ORDER

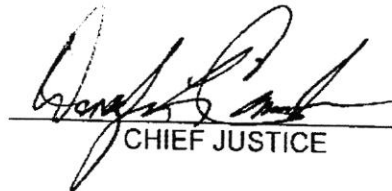
The Court recognizes the Secretary of State's certification of the physical signature count for State Question No. 793, Initiative Petition No. 415, filed in this cause pursuant to 34 O.S.Supp.2015 § 8(H). The Secretary of State certifies the total number of signatures counted for State Question No. 793, Initiative Petition No. 415, is 249,451. According to the Oklahoma State Election Board, the minimum number required for an initiative petition for constitutional change is 123,725 (or 15% of the total number of votes cast for the Office of Governor at the General Election in 2014). The number of signatures certified by the Secretary of State is hereby declared numerically sufficient.

The Secretary of State is therefore directed forthwith to cause to be published in at least one newspaper of general circulation in this State a notice of the filing of

the signed petitions and their apparent sufficiency. The text of the ballot title shall be included in the public notice, which shall also advise that any citizen or citizens of the State may file an objection to the count made by the Secretary of State, and that such objection must be effected by written notice to the Supreme Court, with copies of the filed objection or objections sent to the proponents of the Initiative Petition. The notice shall further advise that any objection must be filed within ten (10) business days after publication and must relate only to the validity or number of the signatures or a challenge to the ballot title. The notice shall also advise that copies of the objection to the count or ballot title shall be filed with the Supreme Court, the Attorney General, and the Secretary of State. 34 O.S.Supp.2015 § 8(I).

The Secretary of State shall obtain verified proof of publication of the required notice and shall cause such proof to be filed with the Clerk of this Court as a return to this order.

DONE BY THE ORDER OF THE SUPREME COURT IN CONFERENCE
THIS 25th DAY OF JUNE, 2018.


CHIEF JUSTICE

Combs, C.J., Gurich, V.C.J. and Kauger, Edmondson, Colbert, Reif, Wyrick and Darby, JJ., concur;
Winchester, J., not participating.

ATTACHMENT “B”

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Tuesday, July 10, 2018 11:14 AM

Page 1

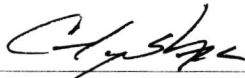
Proof of Publication Order Number 18-06-98

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: 06/30/2018

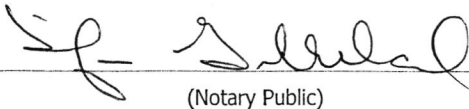
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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 \$116.47



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of July 2018.



(Notary Public)



NOTICE OF THE FILING OF SIGNATURES AND THE APPARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PROPOSED BALLOT TITLE AS REVIEWED BY THE ATTORNEY GENERAL FOR

STATE QUESTION NUMBER 793, INITIATIVE PETITION NUMBER 415

NOTICE is hereby given that on May 24, 2018 fifty (50) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for State Question 793, Initiative Petition 415.

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 249,451 signatures. The Court further recognizes that the number of signatures necessary to place the measure before the electorate is 123,725, being 15% 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 Proposed Ballot Title as reviewed 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 793, Initiative Petition 415:

| | |
|------------------------|-------------------------------|
| Kiley Raper | Gwendolyn Caldwell |
| 19005 Hill Valley Way | 2221 NW 18th Street |
| Edmond, Oklahoma 73012 | Oklahoma City, Oklahoma 73107 |

PROPOSED BALLOT TITLE FOR SQ 793, as reviewed by the Attorney General

This measure adds a new Section 3 to Article 20 of the Oklahoma Constitution. Under the new Section, no law shall infringe on optometrists' or opticians' ability to practice within a retail mercantile establishment, discriminate against optometrists or opticians based on the location of their practice, or require external entrances for optometric offices within retail mercantile establishments. No law shall infringe on retail mercantile establishments' ability to sell prescription optical goods and services. The Section allows the Legislature to restrict optometrists from performing surgeries within retail mercantile establishments, limit the number of locations at which an optometrist may practice, maintain optometric licensing requirements, require optometric offices to be in a separate room of retail mercantile establishment, and impose health and safety standards. It does not prohibit optometrists and opticians from agreeing with retail mercantile establishments to limit their practice. Laws conflicting with this Section are void. The Section defines "laws," "optometrist," "optician," "optical goods and services," and "retail mercantile establishment."

SHALL THIS PROPOSAL BE APPROVED BY THE PEOPLE?

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.

DONE, BY ORDER OF THE SUPREME COURT THIS 27th DAY OF JUNE, 2018.

James A. Williamson
Oklahoma Secretary of State

RECEIVED

JUL 12 2018

OKLAHOMA SECRETARY
OF STATE

ATTACHMENT “C”

Oklahoma Press Service

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

Tuesday, July 10, 2018 11:14 AM

Page 1

Proof of Publication Order Number 18-06-98

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: 06/30/2018

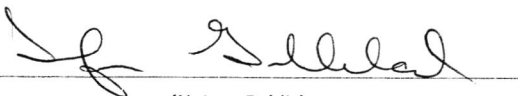
That said newspaper has been published continuously and uninterrupted in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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 \$87.95



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
10 day of July 2018.



(Notary Public)



NOTICE OF THE FILING OF SIGNATURES AND THE APPARENT NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PROPOSED BALLOT TITLE AS REVIEWED BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 793, INITIATIVE PETITION NUMBER 415

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SHALL THIS PROPOSAL BE APPROVED BY THE PEOPLE?

FOR THE PROPOSAL - YES AGAINST THE PROPOSAL - NO

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DONE, BY ORDER OF THE SUPREME COURT THIS 27th DAY OF JUNE, 2018.

James A. Williamson
Oklahoma Secretary of State

RECEIVED

JUL 12 2018

OKLAHOMA SECRETARY
OF STATE



Mary Fallin
Governor

FILED

JUL 23 2018

OKLAHOMA SECRETARY
OF STATE

**EXECUTIVE DEPARTMENT
EXECUTIVE PROCLAMATION**

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the provisions of Section 1 of Article V of the Oklahoma Constitution, Section 12 and 25 of Title 34 of the Oklahoma Statutes, and the referral by the Secretary of State, do hereby declare that Initiative Petition Number 415, State Question 793, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at an election to be held statewide on the general election date of November 6, 2018.


The substance of the measure amends the Oklahoma Constitution by adding a new Section 3 to Article 20 which protects optometrists' or opticians' ability to practice in retail establishments and allows the legislature to regulate optometrists' and opticians' practices within the retail establishments.

Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 23 day of July, 2018.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA


MARY FALLIN

ATTEST

JAMES A. WILLIAMSON, SECRETARY OF STATE
1907