



THE STATE CHAMBER OF OKLAHOMA
LEGISLATIVE ADVOCATES FOR BUSINESS

State Questions on the 2010 Ballot

(NOTE: All descriptions are taken from the official ballot wording)

SQ 744: Education Funding – Sets a minimum average amount the State must annually spend on common schools. It requires the State to spend annually, no less than the average amount spent on each student by the surrounding states. Those surrounding states are Missouri, Texas, Kansas, Arkansas, Colorado and New Mexico. When the average amount spent by surrounding states declines, Oklahoma must spend the amount it spent the year before. **State Chamber Opposes**

SQ 746: Voter ID – Requires that each person appearing to vote present a document proving their identity. The document must meet the following requirements. It must have the name and photograph of the voter. It must have been issued by the federal, state or tribal government. It must have an expiration date that is after the date of the election. No expiration date would be required on certain identity cards issued to person 65 years of age or older. In lieu of such a document, voters could present voter identification cards issued by the County Election Board. **State Chamber Supports**

SQ 747: Term Limits for Statewide Elected Officials – Limits the number of years a person may serve in each statewide elected office. Service as Governor is limited to eight years. Service as Lieutenant Governor is limited to eight years. Service as Attorney General is limited to eight years. Service as Treasurer is limited to eight years. Service as Commissioner of Labor is limited to eight years. Service as Auditor and Inspector is limited to eight years. Service as Superintendent of Public Instruction is limited to eight years. Service as a Corporation Commissioner is limited to twelve years. **State Chamber has No Position**

SQ 748: Apportionment – Requires the Legislature to make an apportionment after each ten-year federal census. If the Legislature fails to act, an Apportionment Commission must do so. The state question removes all three existing Commission members: Attorney General, Superintendent of Public Instruction, and the State Treasurer.

The measure increases the number of members from three to seven. The President Pro Tempore of the Senate appoints one Democrat and one Republican. The Speaker of the House of Representatives appoints one Democrat and one Republican. The Governor appoints one Democrat and one Republican. The measure provides that the Lieutenant Governor chairs the Commission and is a nonvoting member. It requires orders of apportionment to be signed by at least four members of the Commission.

State Chamber has No Position

SQ 750: Ballot Access – Deals with how many signatures are required on such initiative or referendum petitions. It changes that requirement. "Initiative" is the right to propose laws and constitutional amendments. "Referendum" is the right to reject a law passed by the Legislature.

The following voter signature requirements apply.

8% must sign to propose law

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

5% must sign to order a referendum.

These percentages are based upon the State office receiving the most total votes at the last General Election with the Governor on the ballot.

State Chamber has No Position

SQ 751: English Language for Official Actions – Requires that official State actions be in English. Native American languages could also be used. When Federal law requires, other languages could also be used.

State Chamber has No Position

SQ 752: Judicial Nominating Commission – Adds two at-large members to the Commission. At-large members can come from any Oklahoma congressional district. The Senate President Pro Tempore appoints one of the new at-large members. The Speaker of the House of Representatives appoints the other. At-large members cannot be lawyers. Nor can they have a lawyer in their immediate family. Nor can more than two at-large members be from the same political party.

State Chamber Supports

SQ 754: State Appropriations – Limits how the Constitution could control the appropriations process of the state Legislature. Under the measure the Constitution could not require the Legislature to fund state functions based on:

1. Predetermined constitutional formulas,
2. How much other states spend on a function,
3. How much any entity spends on a function.

Under the measure these limits on the Constitution's power to control appropriations would apply even if a later constitutional amendment changed the Constitution, or a constitutional amendment to the contrary was passed at the same time as this measure. Once adopted, the measure could not be effectively amended or repealed.

State Chamber Supports

SQ 755: State Courts & Laws – Specifies that Oklahoma courts can only use state and federal laws to make decisions. Forbids decisions based on international or "Sharia" law.

State Chamber has No Position

SQ 756: Health Insurance – Prohibits requiring a person to enroll in health insurance and states that an employer can't be forced to provide health insurance for its workers. Allows for an individual to pay directly for treatment and for providers to accept payment directly for treatment. *(NOTE: According to the ballot title: "The measure's effect is limited. It would not affect any law or rule in effect as of January 1, 2010. Nor could the measure affect or negate all federal laws or rules. The United States Constitution has a Supremacy Clause. That clause makes federal law the supreme law of the land. Under that clause Congress has the power to preempt state law. When Congress intends to preempt state law, federal law controls. When Congress intends it, constitutionally enacted federal law would preempt some or all of the proposed measure.")*

State Chamber has No Position

SQ 757: Rainy Day Fund – Increases the amount of money that can be placed in the Constitutional Reserve Fund, also called the Rainy Day Fund. The current maximum is 10% of the previous year's General Fund revenues. This question raises that to 15%.

State Chamber has No Position