



The League of Women Voters of Oklahoma

A VOTER GUIDE TO THE FIVE STATE QUESTIONS ON THE NOVEMBER 2, 2010, BALLOT ON WHICH THE LEAGUE OF WOMEN VOTERS OF OKLAHOMA HAS TAKEN A POSITION

In addition to providing nonpartisan voter information on issues, the League has a long and distinguished history of research and study that leads to membership consensus and a "Position" on important public policies. The League's Position leads us to OPPOSE five (5) of the eleven (11) proposed state questions to appear on the November 2, 2010, ballot.

STATE QUESTION NO. 744

INITIATIVE PETITION NO. 391

The measure repeals a Section of the State Constitution. The repealed section required the Legislature annually to spend \$42.00 for each common school student. Common schools offer pre-kindergarten through twelfth grade.

The measure also adds a new Article to the Constitution. It 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.

The measure deals with money spent on day-to-day operations of the schools and school districts. This includes spending on instructions, support services and non-instruction services. The measure does not deal with money spent to pay debt, on buildings or on other capital needs. The measure requires that increased spending begin in the first fiscal year after its passage. It requires that the surrounding state average be met in the third fiscal year after passage.

The measure does not raise taxes, nor does it provide new funding for the new spending requirements.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

THE LEAGUE OF WOMEN VOTERS OPPOSES THIS QUESTION BECAUSE:

- The League has long discouraged the earmarking of state revenues and been in favor of a flexible system of taxation.
- The projected cost of this measure is \$1.7 billion over the three-year phase in period without identifying any new revenue source.
- This measure would mandate a substantial increase in taxes, a significant decrease in critical public services or combination of the two.
- This formula-based measure takes per-pupil funding out of the hands of our elected representatives and gives it to policy makers in surrounding states.

STATE QUESTION NO. 746

LEGISLATIVE REFERENDUM NO. 347

This measure amends statutes relating to voting requirements. It 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 persons 65 years of age or older.

In lieu of such a document, voters could present voter identification cards issued by the County Election Board.

A person who cannot or does not present the required identification may sign a sworn statement and cast a provisional ballot. Swearing to a false statement would be a felony. These proof of identity requirements also apply to in-person absentee voting. If adopted by the people, the measure would become effective July 1, 2011.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

THE LEAGUE OF WOMEN VOTERS OPPOSES THIS LEGISLATION BECAUSE:

- The right to vote is the first principle of a free society. Any restriction on that right strikes at the heart of freedom.
- The right to vote has been a basic principle of League of Women Voters since its origin in 1920. We fought to gain the vote for women, for minorities and for 18 year-olds, and worked to remove barriers to voting like poll taxes and literacy tests.
- This amendment effectively raises a new barrier for all Oklahomans, especially the elderly, poor and minority populations.
- Cost is estimated to be up to \$100,000 a year. It is an irresponsible expenditure on an unnecessary program at a time of serious recession and large cuts in critical state services, e.g. education and medical services.
- There has been absolutely no evidence of in-person voter fraud in Oklahoma.
- Voters are already identified by the election boards and at the polls.
- There will be longer lines, especially during heavy turnout elections.
- Precinct officials will be hard to recruit because of the burdensome requirement to inspect voter identification, match it to the register and to process numerous provisional ballots.

STATE QUESTION NO. 751 LEGISLATIVE REFERENDUM NO. 351

This measure amends the State Constitution. It adds a new Article to the Constitution. That Article deals with the State's official actions. It dictates the language to be used in taking official State action. It 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.

These language requirements apply to the State's "official actions." The term "official actions" is not defined. The Legislature could pass laws determining the application of the language requirements. The Legislature would also pass laws implementing and enforcing the language requirements.

No lawsuit based on State law could be brought on the basis of a State agency's failure to use a language other than English. Nor could such a lawsuit be brought against political subdivisions of the State.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

THE LEAGUE OF WOMEN VOTERS OPPOSES THIS AMENDMENT BECAUSE:

- The League strongly endorses citizen participation in their government.
 - This measure discriminates against new citizens in their ability to transact normal business with the state.
 - Government forms are difficult enough when English is a citizen's first language.
 - When English is a citizen's second language, the state should be as accommodating and responsive to Oklahomans as businesses are.
 - What constitutes acceptable English is not defined.
 - The state's "Official actions" are not defined.
 - Federal exemptions are not defined.
 - The confusing language in this proposition would encourage constitutional challenges, costly to taxpayers to defend.
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STATE QUESTION NO. 755 LEGISLATIVE REFERENDUM NO. 355

This measure amends the State Constitution. It changes a section that deals with the courts of this state. It would amend Article 7, Section 1. It makes courts rely on federal and state law when deciding cases. It forbids courts from considering or using international law. It forbids courts from considering or using Sharia Law.

International law is also known as the law of nations. It deals with the conduct of international organizations and independent nations, such as countries, states and tribes. It deals with their relationship with each other. It also deals with some of their relationships with persons.

The law of nations is formed by the general assent of civilized nations. Sources of international law also include international agreements, as well as treaties.

Sharia Law is Islamic law. It is based on two principal sources, the Koran and the teaching of Mohammed.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

THE LEAGUE OF WOMEN VOTERS OPPOSES THIS MEASURE BECAUSE:

- The League has a long-held Position that the "Constitution should express only fundamental law and principle."
 - If passed, it will impact Oklahoma's oil industry doing business in foreign countries
 - Rejecting laws of one religious faith is prejudicial for practitioners of that faith in court.
 - The judiciary should be free from any restrictions in its duty to interpret and apply the law.
 - The foundation of U.S. law is the English Common Law and is considered when deciding cases.
 - Religious discrimination will potentially result in First Amendment challenges and costs to Oklahoma taxpayers to defend.
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STATE QUESTION NO. 756 LEGISLATIVE REFERENDUM NO. 356

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

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

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

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES

AGAINST THE PROPOSAL — NO

THE LEAGUE OF WOMEN VOTERS OPPOSES THIS MEASURE BECAUSE:

- The League believes that quality, affordable health care should be available to all U.S. residents. Other U.S. health care policy goals should include the equitable distribution of services, efficient and economical delivery of care, advancement of medical research and technology and a reasonable total national expenditure level for health care.
- Furthermore, the League believes that all Americans should have access to a basic level of care that includes the prevention of disease, health promotion and education, primary care (including prenatal and reproductive health), acute care, long-term care and mental health care.
- Federal matching dollars may be in jeopardy if this proposition is adopted, creating a major budget crisis in the state.
- "Federal law would preempt some or all of the proposed measure."