

REPORT ON STATE QUESTION SUMMIT-Anne Masters

The League of Women Voters of Oklahoma held a State Questions Summit on July 21, 2018 from 12:30 – 3:30 p.m. in the Stillwater Public Library. Norman League members Doris Kupfer, Judy Reynolds, Eva McGinnis and Anne Masters attended. A panel of experts discussed the pros and cons of state questions that will appear on the ballot in November.

The panel, moderated by League member, Mary Jane Lindeman, included Gary Jones, State Auditor and recent Republican candidate for Governor; State Senator Julie Daniels representing District 29 and former Mayor of Bartlesville; James Davis, Ph.D. Oklahoma State University Emeritus Professor of American Politics and past candidate for Oklahoma Lieutenant Governor; Wayne Green, Tulsa World Columnist and Editorial Page Editor; and Representative Emily Virgin, District 44 of Norman.

The panel reviewed the following State Questions that have qualified for the ballot:

- The Governor has set State Question 794 for a vote on the November 6 General Election ballot. Also called Marsy's Law, this measure amends the provisions of the Oklahoma Constitution and guarantees certain rights for crime victims. These rights would now be protected in a manner equal to the defendant's rights. Pro: More victim's rights need to be in the Constitution because statutory rights are insufficient. Establishes same standard for application of rights across the state. Extends definition of victim to family members. Insures that changes can't be legislated. Con: Shields DAs and law enforcement from liability. Could be considered an unfunded mandate as there are financial implications. Conflicts with other constitutional rights and competes with some of national Bill of Rights.
- On July 23, the Governor also set State Question 793 for a vote on the November 6 General Election ballot. The question adds Section 3 to Article 20 of the Oklahoma Constitution and involves allowing eye care facilities inside large retail stores like Walmart and Target. Most states already allow this. It would amend the state constitution to allow optometrists and opticians to practice in retailers and allow the legislature to regulate them. Currently, Oklahoma law prohibits getting eyes examined and filling eyeglasses prescriptions within the same store. Pros: May lead to more competitive pricing, saving money for consumers. Cons: There are health concerns about sufficient oversight to protect patients. There are also concerns about eliminating small town and rural access to eye care.
- State Question 800 is on the on November 6, 2018 ballot in Oklahoma as a legislatively referred constitutional amendment. It creates a new fund called "The Oklahoma Vision Fund" (future vision, nothing to do with the previous question about eye care.) Also called the Oil and Gas Development Tax Revenue Investment Fund Amendment, this question would create an additional fund to be used for short falls. A bill that would have accomplished this was passed through a bipartisan effort with 40 co-authors in the Senate, spearheaded by Senator John Sparks, but was vetoed by the Governor. State Question 800 says that beginning July 1, 2020, five percent (5%) of gross production taxes on both oil and gas would be deposited into the Fund. After that fiscal year, the percentage would increase by two-tenths percentage points each year. Other monies could be deposited into the Fund if provided by law. The State

Treasurer would deposit four percent (4%) of the principal amount of the Fund into the State General Revenue Fund each year. The Fund would be subject to an investment standard known as the prudent investor rule. The Fund could be invested in stocks and similar securities. Not more than five percent (5%) of the monies in the Fund could be used for payment of debt obligations issued by the State of Oklahoma, state government entities or local government entities. Pro: Establishes a fund that could even out the future ups and downs of income from the gross production tax. Con: Takes money from current state budgets to establish and build the fund.

- State Question 798, the Governor and Lieutenant Governor Joint Ticket Amendment, is on the November 6 ballot as a legislatively referred constitutional amendment. It amends the Oklahoma Constitution by adding a new Section 3.1 to Article. It would provide that a voter would cast one vote for both offices. The persons running for these offices would run as a team. The procedure for the joint nomination and election of candidates for those offices would be set by law. This would begin in 2026. Pro: Enables a Governor to choose the Lieutenant Governor who can best help in the implementation of the platform upon which the Governor ran for office. Also, the Lieutenant Governor position currently has few responsibilities. Con: Eliminates the voter's choice of the Lieutenant Governor.
- State Question 801 is on the November 6 ballot as a legislatively referred constitutional amendment. It amends Section 10 of Article 10 of the Oklahoma Constitution. It expands the uses permitted for certain ad valorem (property) taxes levied by a school district. Currently, ad valorem tax revenue is placed in a building fund. In this question the fund is changed to allow use for operations as deemed necessary by a school district. Pro: Allows use of some local bond funds currently not available for operations, specifically salaries, to be used for operations as well as construction. Cons: Most districts do not have sufficient bond funds for building and maintenance of facilities and would not have funds available. It is the State Legislature's responsibility to provide for operations, not local communities.

State Question 788 on Medical Marijuana was on the June 26 State Primary ballot and was approved, but as we have seen in the news, how it will be implemented has not been decided. There are two additional State Questions on marijuana that are not scheduled: State Question 796 on Medical Marijuana (with different provisions than SQ 788) and State Question 797 on Recreational Marijuana. The panelists felt that signatures would not be collected in time for these questions to be placed on the November 6 General Election ballot and their future is unknown.

Addendum summary by Eva McGinnis

NLWV members Doris Kupfer, Judy Reynolds, Anne Masters and Eva McGinnis attended a State Questions Summit in Stillwater on July 21.

There were five panel members discussing the questions. They were James Davis, a retired political science professor at OSU; Julie Daniels, state senator; Gary Jones, state auditor; Emily Virgin, district 44 representative; and

Wayne Green, editorial page editor from the Tulsa World. The questions were read by Mary Jane Lindeman and each panel member had 2-3 minutes to respond. The following state questions were discussed:

Question 794, also called Marsy's Law, which amends the provisions of the Oklahoma Constitution that guarantees certain rights for crime victims.

Question 800 creates a new fund called "The Oklahoma Vision Fund" or Oil and Gas Development Tax Revenue Investment Fund, Fund would even up the ups and downs of income from the gross production tax.

Question 798 calls for a joint ticket in the election of Governor and Lieutenant Governor, thus ensuring they would be of the same party.

Question 801 expands the uses permitted for certain ad valorem taxes. This would expand the use of this money to allow use for operations deemed necessary by the school district.

The governor has set SQ 794 for a vote on the Nov 6 election. 798, 800 an 801 election dates have not yet been set.