

STATE NEWS WEEKLY SUMMARY CONTINUED



provides that counties not in compliance with laws or regulations governing the valuation of locally assessed real property will not be subject to the cap until the county is deemed to be in compliance. The cap will not apply to personal property or public service corporation property.

State Question 677 freezes the tax value of homes owned by those over the age of 65 with gross incomes of \$25,000 or less and passed. Under the terms of the proposal, any improvements made to such property shall be assessed and added to the assessed value of the property.

The freeze will remain in place until the owner dies, the owner's income exceeds the qualifying amount or the ownership of the property is changed.

—SHAWN ASHLEY
11/05/96

SUPREME COURT OKAYS GAMBLING INITIATIVE

■(GIT) The Oklahoma Supreme Court on Tuesday gave its unanimous go-ahead for Oklahoma voters to decide the fate of a casino gambling state question.

Supported by a group known as BOOST — Better Opportunities for Oklahoma Students and Taxpayers — State Question 672, through the creation of a new constitutional section, would make four locations immediately eligible for authorized gaming — the pari-mutuel horse racing facilities at Remington Park in Oklahoma City (Oklahoma County) and Blue Ribbon Downs near Sallisaw (Sequoyah County), as well as anywhere in Love County and a specified tax district in Tulsa County. Until five years following the proposal's approval by the voters, casino gambling would not be allowed in the remaining 73 counties.

The proposal also calls for the establishment of a state gaming commission with the power to provide regulation and enforcement of casino gambling, as well as collection of gaming fees from each licensed gaming facility operator, and for criminal penalties for violation of gaming laws and legalization of obligations incurred in the course of authorized gaming. The gaming commission would retain a legislatively-approved amount of the fees collected, while the remaining funds would be earmarked for specific computer-related educational purposes, local governments and correctional institutions.

The question was submitted to the Secretary of State for ballot placement after some 202,993 voter signatures were collected, well above the 149,252 needed.

The petition was challenged by Wallace Hughes, who raised questions concerning the petition's constitutionality and form.

Concerning Hughes' claim that the ballot title contained misleading statements, the Court agreed that the statement that "[T]he measure opens the door for Indian tribes to engage in the new forms of gambling" "may mislead the voter into believing that 'opening the doors' is akin to 'opening the floodgates.'" The Court amended that sentence of the ballot title to read:

"The measure would allow Indian tribes to request an agreement to operate a gambling casino."

Additionally, the statement, "State limits and standards would have limited or no effect on Indian gambling," posed a problem for both the proposal's opponent and the Court. Specifically, the Court said, the statement, combined with information not included in the ballot title, "may mislead voters into believing that casino gambling on Indian land will be an unregulated activity."

As a result, the Court ordered that statement be removed from the ballot title, along with the statement, "The State could not tax Indian gambling."

On the question of the legalization of gambling debts, the Court agreed with Hughes that the statement contained in the title was "overly broad and could lead voters to believe that gambling debts other than those authorized by the proposed measure would be made legal and enforceable," and ordered four words be added to that statement in the title, so that it reads, "The measure makes gambling debts incurred at authorized casinos legal and enforceable."

Concerning the "gaming" versus "gambling" issue, the Court sided with the Attorney General's Office, saying it could not conclude that the use of "gambling" instead of "gaming" is contrary to the command of statutory law.

"It has been well said that a hungry man is more interested in four sandwiches than four freedoms."

Henry Cabot Lodge Jr.
The New York Times, March 29, 1955

Combined with the Court's amendments to specific statements in the ballot title and the deletion of other language, the Court determined the question to be "legally sufficient for submission to the people of Oklahoma."

Consideration of the question could come during a special election called by the governor, although such an election is unlikely, or in two years, during the next general election.

—SHAWN ASHLEY
11/05/96

GOP WINS STATE CONGRESSIONAL SEATS

■(GIT) Oklahoma Republicans appeared successful in their attempt to gain complete control of the state's congressional delegation in Tuesday's general election, reclaiming five of six seats, taking over the sixth and retaining control of state delegation to the United States Senate.

The hottest race of the night came, as expected, in the Third District, where Wes Watkins eked out an apparent win over Darryl Roberts. Throughout the night, the two candidates swapped the lead, with independent Scott Demaree consistently a distant third.

Watkins did what he had to do to win the race — Draw a substantial number of the heavily Democratic Little Dixie voters across party lines to cast their ballots in his favor.

Going into Tuesday's election, the Third District was the only seat held by a Democrat, Rep. Bill Brewster, who announced last year that he would not seek reelection.

In the Second District, which was expected to be almost as hotly contested, Republican Tom Coburn retained his place in the House of Representatives, besting outgoing state House Speaker Glen Johnson.

In the remaining races for the House of Representatives, Republicans easily retained their seats.

District One Congressman and Republican incumbent Steve Largent swept up the largest number of votes, beating Democrat Randolph John Amen and independent Karla Condray.

In the Fourth District, which early predictions indicated would be one of the mostly hotly contested races, Republican incumbent J.C. Watts defeated Democratic challenger and former state representative Ed Crocker with independent Robert T. Murphy picking up the remaining votes.

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