

Chris Bengé
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 29, 2014

FILED

MAY 29 2014

Mr. Jonathan Pollnow
417.5 S. Knoblock St., Apt A
Stillwater, OK 74074

OKLAHOMA SECRETARY
OF STATE

Dear Mr. Pollnow:

This will acknowledge receipt of the petition for filing which has been designated as:

State Question Number 772
Referendum Petition Number 24

filed this 29th day of May, 2014 at 11:28 A.M.

Pursuant to 34 O.S. § 9, after the filing of the petition and prior to the gathering of signatures, the Secretary of State shall submit the proposed ballot title of this petition to the Attorney General for review as to legal correctness.

Please be aware that once the ballot title review is completed, there will be a Notice of Filing published, as required by 34 O.S. § 8, in which any citizen or citizens of the state may file a protest as to the constitutionality of the petition or the ballot title.

Refer to 34 O.S. for circulation and filing of signatures. Should your due date for signature filing fall on a weekend or holiday or a day that this office is closed for business, pursuant to 25 O.S. § 82.1 (C) and in accordance with AG Opinion 76-195, the due date for this petition will fall on the next succeeding business day that this office is open for business.

If our office may be of further assistance, please do not hesitate to contact the Executive Legislative Division at (405) 522-4564.

Sincerely,

Chris Bengé
Secretary of State

Jonathan Pollnow
417.5 S. Knoblock St.
Apt. A
Stillwater, OK 74074
405-762-0591

May 29, 2014

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

Dear Chris Benge, Secretary of State for the state of Oklahoma,

The following document is an application for a petition for referendum, in accordance with §34-1 of the Oklahoma Statutes. Please consider me the contact to direct to for all inquiries including media.

Respectfully,

Jonathan Pollnow

04-29-2014

FILED
MAY 29 2014
OKLAHOMA SECRETARY
OF STATE

FILED

MAY 29 2014

**OKLAHOMA SECRETARY
OF STATE**

BALLOT TITLE

THE GIST OF THE PROPOSITION IS AS FOLLOWS: Shall S.B. 1456, entitled "An Act relating to public utilities; amending 17 O.S. 2011, Section 156, which relates to distributed generation costs; defining terms; modifying prohibition relating to recovery of certain fixed costs from electric customers utilizing certain distributed generation; prohibiting subsidization of certain costs among customer class; requiring rate tariff adjustment by certain date; and providing an effective date," signed by the governor of Oklahoma on April 21, 2014, be approved by the people of Oklahoma?

SHALL ENROLLED SENATE BILL No. 1456 BE APPROVED?

For S.B. 1456 – YES

Against S.B. 1456 – NO

FILED

MAY 29 2014

OKLAHOMA SECRETARY
OF STATE

State Question No. 772 Referendum Petition No. 24

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.

PETITION FOR REFERENDUM

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that Enrolled Senate Bill No. 1456, entitled, "An Act relating to public utilities; amending 17 O.S. 2011, Section 156, which relates to distributed generation costs; defining terms; modifying prohibition relating to recovery of certain fixed costs from electric customers utilizing certain distributed generation; prohibiting subsidization of certain costs among customer class; requiring rate tariff adjustment by certain date; and providing an effective date," passed by the 54th Legislature of the State of Oklahoma, at the regular session of said legislature, shall be referred to the people of the State for their approval or rejection at the regular election to be held on the 4th day of November, 2014, or at any special election which the Governor of the State may call for such purpose at which the same may be submitted, 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 April 21st, 2014.

The question we herewith submit to our fellow voters is:

Shall the following bill of the legislature be approved?

ENROLLED SENATE
BILL NO. 1456

An Act relating to public utilities; amending 17 O.S. 2011, Section 156, which relates to distributed generation costs; defining terms; modifying prohibition relating to recovery of certain fixed costs from electric customers utilizing certain distributed generation; prohibiting subsidization of certain costs among customer class; requiring rate tariff adjustment by certain date; and providing an effective date.

SUBJECT: Electrical power distribution requirements

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 156, is amended to read as follows:

Section 156. A. As used in this section:

1. "Distributed generation" means:

- a. a device that provides electric energy that is owned, operated, leased or otherwise utilized by the customer,
- b. is interconnected to and operates in parallel with the retail electric supplier's grid and is in compliance with the standards established by the retail electric supplier,

- c. is intended to offset only the energy that would have otherwise been provided by the retail electric supplier to the customer during the monthly billing period,
- d. does not include generators used exclusively for emergency purposes,
- e. does not include generators operated and controlled by a retail electric supplier, and
- f. does not include customers who receive electric service which includes a demand-based charge.

2. "Fixed charge" means any fixed monthly charge, basic service, or other charge not based on the volume of energy consumed by the customer, which reflects the actual fixed costs of the retail electric supplier.

3. "Retail electric supplier" means an entity engaged in the furnishing of retail electric service within the State of Oklahoma and is rate regulated by the Oklahoma Corporation Commission.

B. No ~~public utility~~ retail electric supplier shall increase rates charged or enforce a surcharge ~~on the basis of the use or installation of a solar energy device by a consumer~~ above that required to recover the full costs necessary to serve customers who install distributed generation on the customer side of the meter after the effective date of this act.

C. No retail electric supplier shall allow customers with distributed generation installed after the effective date of this act to be subsidized by customers in the same class of service who do not have distributed generation.

D. A higher fixed charge for customers within the same class of service that have distributed generation installed after the effective date of this act, as compared to the fixed charges of those customers who do not have distributed generation, is a means to avoid subsidization between customers within that class of service and shall be deemed in the public interest.

E. Retail electric suppliers shall implement tariffs in compliance with this act no later than December 31, 2015.

SECTION 2. This act shall become effective November 1, 2014.

Name and Address of Proponents:

Mr. Jonathan Pollnow
417.5 S. Knoblock St. Apt. A
Stillwater, OK 74074

Mr. Bob Waldrop
1524 NW 21st
Oklahoma City, OK 73106

SIGNATURES

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall Senate Bill 1456, entitled "An Act relating to public utilities; amending 17 O.S. 2011, Section 156, which relates to distributed generation costs; defining terms; modifying prohibition relating to recovery of certain fixed costs from electric customers utilizing certain distributed generation; prohibiting subsidization of certain costs among customer class; requiring rate tariff adjustment by certain date; and providing an effective date," passed by the 54th Legislature of the State of Oklahoma, be put to a vote of the people of Oklahoma?

1.	SIGNATURE OF LEGAL VOTER	PRINT NAME	ADDRESS	CITY	ZIP	COUNTY
2.	SIGNATURE OF LEGAL VOTER	PRINT NAME	ADDRESS	CITY	ZIP	COUNTY
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19.	SIGNATURE OF LEGAL VOTER	PRINT NAME	ADDRESS	CITY	ZIP	COUNTY
20.	SIGNATURE OF LEGAL VOTER	PRINT NAME	ADDRESS	CITY	ZIP	COUNTY

Chris Bengé
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 29, 2014

hand delivered

The Honorable E. Scott Pruitt
Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

Re: State Question 772, Referendum Petition 24

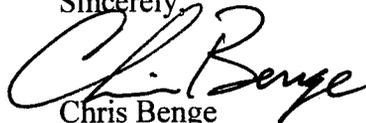
Dear Attorney General Pruitt:

You are hereby notified that Mr. Johathan Pollnow, 417.5 S. Knoblock St. Apt.A, Stillwater, OK 74074, filed a Referendum Petition on May 29, 2014, with the Secretary of State. This petition is designated as State Question Number 772, Referendum Petition Number 24.

The proposed ballot title is hereby submitted to you for review as to legal correctness pursuant to the provisions of 34 O.S., Sec. 9(D).

If additional information is needed, or if our office may be of further assistance, please let us know.

Sincerely,


Chris Bengé
Secretary of State

Enclosure: State Question Number 772, Referendum 24

RECEIVED
RECEPTIONIST

MAY 29 2014

ATTORNEY GENERAL

Chris Bengé
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 29, 2014

hand delivered

The Honorable Mary Fallin
Governor, State of Oklahoma
Room 212, State Capitol
Oklahoma City, Oklahoma 73105

RECEIVED

MAY 29 2014

**OFFICE OF THE
GOVERNOR**

Re: State Question 772, Referendum Petition 24

Dear Governor Fallin:

Please be aware that Mr. Johathan Pollnow, 417.5 S. Knoblock St. Apt.A, Stillwater, OK 74074, filed a Referendum Petition on May 29, 2014, with the Secretary of State. This petition is designated as State Question Number 772, Referendum Petition Number 24.

The proposed ballot title has been submitted to the Attorney General for review as to legal correctness pursuant to the provisions of 34 O.S., Sec. 9(D).

If additional information is needed, or if our office may be of further assistance, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Chris Bengé".

Chris Bengé
Secretary of State

Enclosure: State Question Number 772, Referendum 24



Chris Bengé
Secretary of State

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

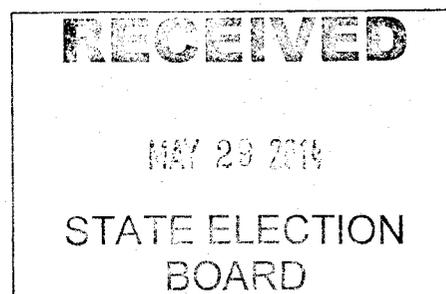
May 29, 2014

hand delivered

The Honorable Paul Ziriak
Secretary, Oklahoma State Election Board
Room 3, State Capitol
Oklahoma City, Oklahoma 73105

Re: State Question 772, Referendum Petition 24

Dear Secretary Ziriak:



Please be aware that Mr. Johathan Pollnow, 417.5 S. Knoblock St. Apt.A, Stillwater, OK 74074, filed a Referendum Petition on May 29, 2014, with the Secretary of State. This petition is designated as State Question Number 772, Referendum Petition Number 24.

The proposed ballot title has been submitted to the Attorney General for review as to legal correctness pursuant to the provisions of 34 O.S., Sec. 9(D).

If additional information is needed, or if our office may be of further assistance, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Chris Bengé".

Chris Bengé
Secretary of State

Enclosure: State Question Number 772, Referendum 24



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

JUN 4 2014

June 4, 2014

OKLAHOMA SECRETARY
OF STATE

Chris Benge, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 772, Referendum Petition No. 24

Dear Secretary Benge:

In accordance with the provisions of 34 O.S.2011, § 9(D), we have reviewed the proposed Ballot Title for the above-referenced State Question and conclude that it does not comply with applicable laws for the following reason:

It does not explain the effect of the proposition as it simply references the Senate Bill and amended statute but offers no explanation of the effect of the legislation which is the subject of the referendum.

Having found that the Ballot Title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.2011, § 9(D), within ten (10) business days, prepare a Ballot Title which complies with the law.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a large, stylized, illegible scribble.

E. SCOTT PRUITT
ATTORNEY GENERAL

ESP/ab



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

June 18, 2014

FILED

JUN 18 2014

OKLAHOMA SECRETARY
OF STATE

Chris Bengé, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Boulevard, Room 101
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 772, Referendum Petition No. 24

Dear Secretary Bengé:

Having found that the proposed Ballot Title for the above-referenced State Question did not comply with applicable laws we, in accordance with the provisions of 34 O.S.2011, § 9(D), have prepared the following Ballot Title. As a Title 34 ballot title review, the following does not constitute an Attorney General Opinion on the merits or the constitutionality of the proposed changes in the law, nor the ability of federal law to preempt the changes in the law. The Ballot Title reads as follows:

BALLOT TITLE

Title 17, Section 156 of the Oklahoma Statutes prevents utility companies from increasing rates or imposing surcharges on customers who use a solar energy device. On April 15, 2014, Senate Bill No. 1456 (the measure), which amends Title 17, Section 156, was passed by the Fifty-Fourth Legislature.

This measure is now being referred to the people under the constitutional power of referendum. If a majority of votes cast by the people are "yes" the measure will take effect and be in force. If a majority of votes are "no" the measure will not take effect.

If the measure becomes law, electric utility companies may increase rates or impose a surcharge on some customers using their own electric generating devices, such as solar panels or wind turbines, to recover the full costs necessary to serve those customers. Some customers, such as those only using generators exclusively for emergency purposes, are not included in the new rates or surcharges.

The measure also prohibits electric utility companies from charging some customers who do not have electric generating devices a higher rate in order to subsidize similar

customers who do have the devices.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", with a horizontal line extending to the right.

E. Scott Pruitt
Attorney General

ESP/ab

Chris Bengé
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

June 19, 2014

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

Dear Ms. Shea:

Please publish the attached Notice of Filing for State Question Number 772, Referendum Petition Number 24. Pursuant to 34 O.S. § 8, the publication must appear in at least one newspaper of general circulation in the State of Oklahoma. Please publish in *The Oklahoman*, *Tulsa World*, and the *Journal Record* as soon as possible.

Also, please provide the Secretary of State with a verified proof of publication of the Notice. Should you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads 'Chris Bengé'.

Chris Bengé
Secretary of State

Enc: Notice of Filing

cc: Mr. Jonathan Pollnow
417.5 S. Knoblock St., Apt. A
Stillwater, OK 74074

Mr. Bob Waldrop
1524 NW 21st
Oklahoma City, OK 73160

**NOTICE OF THE FILING OF
STATE QUESTION NUMBER 772
REFERENDUM PETITION NUMBER 24**

NOTICE is hereby given that on May 29, 2014, State Question Number 772, Referendum Petition Number 24, was filed in the Office of the Secretary of State.

The ballot title for this referendum petition is as follows:

Title 17, Section 156 of the Oklahoma Statutes prevents utility companies from increasing rates or imposing surcharges on customers who use a solar energy device. On April 15, 2014, Senate Bill No. 1456 (the measure), which amends Title 17, Section 156, was passed by the Fifty-Fourth Legislature.

This measure is now being referred to the people under the constitutional power of referendum. If a majority of votes cast by the people are "yes" the measure will take effect and be in force. If a majority of votes are "no" the measure will not take effect.

If the measure becomes law, electric utility companies may increase rates or impose a surcharge on some customers using their own electric generating devices, such as solar panels or wind turbines, to recover the full costs necessary to serve those customers. Some customers, such as those only using generators exclusively for emergency purposes, are not included in the new rates or surcharges.

The measure also prohibits electric utility companies from charging some customers who do not have electric generating devices a higher rate in order to subsidize similar customers who do have the devices.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL – YES _____

AGAINST THE PROPOSAL – NO _____

NOTICE is hereby given that, as provided in 34 O.S. § 8 and 10, any citizen or citizens of the state may file a protest as to the constitutionality of the petition or as to the ballot title, by a written notice to the Oklahoma Supreme Court and to the proponent or proponents filing the petition. Proponents filing are: Mr. Jonathan Pollnow, 417.5 S. Knoblock St., Apt. A, Stillwater, OK, 74074 and Mr. Bob Waldrop, 1524 NW 21st, Oklahoma City, OK, 73160. Any such protest must be filed within ten (10) days after this publication. A copy of the protest shall be filed with the Secretary of State.



Chris Bengé
Secretary of State

Chris Bengé
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

June 19, 2014

Mr. Jonathan Pollnow
417.5 S. Knoblock St., Apt. A
Stillwater, OK 74074

Mr. Bob Waldrop
1524 NW 21st
Oklahoma City, OK 73160

RE: State Question No. 772, Initiative Referendum No. 24

Dr. Mr. Pollnow,

Pursuant to the provisions of 34 O.S.2011, Sec. 9 (D), the Attorney General has reviewed the Ballot Title for State Question No. 772, Initiative Referendum No. 24.

Please find enclosed the Proposed Ballot Title for said state question, along with the Notice of Publication required by 34 O.S. Sec. 8 & 10, advising any citizen or citizens of the state may file a protest as to the constitutionality of the petition or as to the ballot title, by a written notice the Oklahoma Supreme Court and the proponents.

Sincerely,

A handwritten signature in black ink that reads "Chris Bengé".

Chris Bengé
Secretary of State

Encs: Proposed Ballot Title
Notice of Publication



www.OkPress.com

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020

Fax (405) 499-0048

Monday, June 30, 2014 10:10 AM

Page 1

Proof of Publication - Order Number 14-06-74

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: 06/23/2014

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 \$61.30

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this 30 day of June 2014.

(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION NUMBER 772 REFERENDUM PETITION NUMBER 24

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SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

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Chris Bengé
Secretary of State



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Oklahoma City, OK 73105-

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

Monday, June 30, 2014 10:10 AM

Page 1

Proof of Publication - Order Number 14-06-74

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Insertion: 06/22/2014

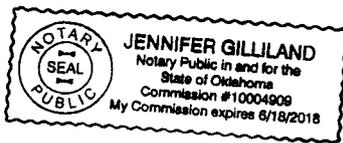
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has 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 \$1,207.36

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this 30 day of June 2014.

(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION NUMBER 772 REFERENDUM PETITION NUMBER 24

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FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

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Secretary of State



www.OkPress.com

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

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

Monday, June 30, 2014 10:10 AM

Page 1

Proof of Publication - Order Number 14-06-74

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: 06/22/2014

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 \$482.45

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this 30 day of June 2014.

(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION NUMBER 772 REFERENDUM PETITION NUMBER 24

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AGAINST THE PROPOSAL - NO

NOTICE is hereby given that, as provided in 34 O.S. § 8 and 10, any citizen or citizens of the state may file a protest as to the constitutionality of the petition or as to the ballot title, by a written notice to the Oklahoma Supreme Court and to the proponent or proponents filing the petition. Proponents filing are: Mr. Jonathan Pollnow, 417.5 S. Knoblock St., Apt. A, Stillwater, OK, 74074 and Mr. Bob Waldrop, 1524 NW 21st, Oklahoma City, OK, 73160. Any such protest must be filed within ten (10) days after this publication. A copy of the protest shall be filed with the Secretary of State.

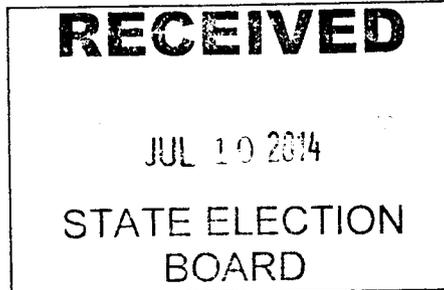
Chris Bengé
Secretary of State

Chris Benge
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE



July 9, 2014

The Honorable Paul Ziriak
Secretary, Oklahoma State Election Board
Room 3, State Capitol
Oklahoma City, Oklahoma 73105

HAND DELIVERED

Re: State Question No. 772, Referendum Petition No. 24

Dear Secretary Ziriak:

In accordance with the provisions of 34 O.S.2011 § 9(D)(2), I herewith transmit a copy of State Question 772, Referendum Petition 24, and I attest that the enclosed copy of Senate Bill 1456 is a true and accurate copy of the measure filed with this office. Also enclosed is the Ballot Title as prepared by the Attorney General. No appeal or protest was filed with the Supreme Court for said petition therefore this concludes the Ballot Title process for this State Question.

Pursuant to 34 O.S., § 8, the signatures for this petition are required to be filed after the ballot title procedure has occurred and all legal issues are resolved. Once the signatures for this petition have been counted and any appeals or protest to the signature count are concluded this office will file notification with your office.

If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Chris Benge". The signature is written in a cursive style with a large initial "C".

Chris Benge
Secretary of State

Encs: Attorney General Ballot Title
State Question 772, Referendum 24
Attested copy of Senate Bill 1456