

WARNING

"It is a felony for any man 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 sign such petition when he is not a legal voter."

When signed and sworn to return to—

Tom W. Beck

President, Oklahoma Farmers Union.

18 NORTH KLEIN

OKLAHOMA CITY, OKLA.

To the Honorable, E. W. Marland,
Governor of Oklahoma:

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the special election ordered for September the 24th, A. D., 1935, or at the next election held throughout the State 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 and postoffice are correctly written after my name. The time for filing this petition expires September 17th, A. D., 1935.

The question we herewith submit to our fellow voters is: Shall the following proposed amendment to the Constitution be adopted?

A BILL ENTITLED AN ACT

ADOPTING A CONSTITUTIONAL AMENDMENT AUTHORIZING A GRADUATED LAND TAX AND INCLUDING VITALIZING PROVISIONS TO MAKE THE SAME EFFECTIVE; SAME TO CONSTITUTE A NEW ARTICLE OF THE CONSTITUTION, TO BE NUMBERED XII-B AND TO READ AS FOLLOWS:

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

ARTICLE XII-B

GRADUATED LAND TAX

SECTION 1. It is hereby declared to be the policy and the purpose of the people of Oklahoma to encourage home ownership and to discourage excessive land holdings in this State by any person, and to levy and collect on land such graduated or other tax as they may deem best for the public weal.

UNTIL OTHERWISE PROVIDED BY LAW IT IS DECLARED:

(a) Except the real estate of common carriers authorized to be held by them by

the Constitution of this State, and except land covered by the first Proviso in Section two (2) of Article twenty-two (XXII) of this Constitution until the expiration of the time stipulated herein, and except land devoted to forestation, reforestation, or to reclamation, and lands operated principally for grazing purposes; the owner, whether legal or equitable, whether person, firm, association, joint stock association, or corporation, and whether resident or not of this state, of any land in this state, in excess of six hundred forty (640) acres shall, in addition to other ad valorem taxes, pay upon such excess the following annual tax for the purpose of State Old Age Security, which tax is hereby levied, to-wit:

For each one dollar of valuation of such excess acreage, as assessed for taxation ad valorem in the preceding year, the following schedule:

For the first year following the adoption of this amendment—

Five mills where such excess does not exceed 640 acres;
Ten mills on such excess exceeding 640 acres and not exceeding 1,280 acres;
Fifteen mills on such excess exceeding 1,280 acres.

For the next succeeding year, such tax shall be—

Ten mills upon excess not exceeding 640 acres;
Fifteen mills upon such excess exceeding 640 acres and not exceeding 1,280 acres;
Twenty mills upon such excess exceeding 1,280 acres.

For the next succeeding year such tax shall be—

Fifteen mills upon the first 640 acres of such excess;
Twenty mills upon such excess exceeding 640 acres and not exceeding 1,280 acres;
Twenty-five mills upon all excess exceeding 1,280 acres.

Five mills shall continue thus to be added to each succeeding step of such tax for each following year until such annual tax rate shall reach 40, 45, and 50 mills as maxima:

Provided, that land of an assessed value of \$12,000 may, at his option, be exempt to any owner in lieu of only the first 640 acres herein provided: And, Provided further, that where land now owned is sold for a home within five years from the adoption hereof, 98 per cent of all tax theretofore levied thereon hereunder shall be refunded to the owner paying same.

(b) The time when the tax levied hereunder is payable, and when delinquent, and the penalty and lien for non-payment shall be as in the case of other ad valorem taxes; and the State Tax Commission is hereby authorized and directed to collect said tax and to make needful rules and regulations and prescribed forms for the enforcement thereof and to settle all questions that arise hereunder, granting to any taxpayer a hearing and the right to offer evidence, with an appeal from the final order of the Tax Commission to the District Court of the county where any portion of the land is situated, in the same manner as appeals from the county court. The Tax Commission is authorized to retain two (2) per cent of all tax collected hereunder as recoupment for their expense therein.

(c) The above tax levies shall be considered as separate and independent each of all the others and in the event any part of this proposition shall be invalid, inoperative or ineffectual then such invalid, inoperative, or ineffectual part shall not affect the other parts hereof.

THE END.



MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

June 7, 1940

Honorable C.C. Childers,
Secretary of State,
B u i l d i n g.

Dear Sir:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by Section 1, Article 1, Chapter 30, Oklahoma Session Laws 1939, he has examined the proposed Ballot Title of State Question No. 215, Initiative Petition No. 145, which, together with a copy of said Petition, was delivered to him on June 4, 1940 by Mr. Charles West, Attorney for the proponents of said petition, and after said examination the Attorney General finds that said Ballot Title is not in all respects in legal form and in harmony with the law.

Therefore, pursuant to the provisions of the above section, and the duties imposed upon the Attorney General, the Attorney General has prepared and is submitting herewith, for filing in your office, a Ballot Title for said Petition which, in his opinion, conforms to the law. Said Ballot Title is as follows:

"BALLOT TITLE

"State Question No.215 Initiative Petition No.145

THE STATE OF THE PROPOSITION IS AS FOLLOWS:

~~... of a graduate of law on~~
~~... Old Age Security, until~~
~~additional tax upon land~~
~~excess of six hundred and~~
~~from a minimum of five~~
~~fifty mills on the valuation~~
~~to the number of years~~

~~... authorizing the~~
~~and levying for State~~
~~otherwise provided, an~~
~~owned by any person in~~
~~forty acres, graduate~~
~~mills to a maximum of~~
~~of such land, accordin~~

Honorable C.C. Childers

6-7-40

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"such excess land is held and the amount thereof; exempting grazing, forest, reclamation, and certain corporately owned lands; providing for refunds and for enforcement and collection of the tax,

be approved by the people?

YES.

"Shall the amendment be approved?

NO"

Very truly yours,

FOR THE ATTORNEY GENERAL



Houston W. Reeves
Assistant Attorney General

hwr-lme