

Senate Joint Resolution No. 1

By Russell

Being a Proposed Amendment to the Constitution of the State of Oklahoma, Providing that all Taxes Paid by certain Public Service Corporations for Maintenance of Common Schools be Distributed as are other Common School Funds in this State.

Be It Resolved By The Senate And House Of Representatives Of The State Of Oklahoma:

That the Secretary of State is hereby instructed to prepare and submit to the voters of this State in accordance with the law, at the next general election held throughout the State, the following proposed amendment to the Constitution of the State of Oklahoma:

Should a majority of all votes cast in the election at which such proposed amendment is voted on vote in favor of said amendment, the same shall thereupon become a part of the Constitution of this State and shall constitute a new section to be known as Section Twelve A (12a) of Article Ten (10) and shall read as follows:

Section 12a.

The Legislature shall provide for the payment into the public school funds of this State of all taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company, pipe line company, telegraph company or other public service corporation which operates in more than one county in this State, and such taxes shall be distributed as are other common school funds of this State, Provided, this shall not be construed to apply to any county levy made in aid of the common schools of such county as authorized in Section nine (9) of this Article.

Passed by the Senate January 27, 1910.

Passed by the House of Representatives March 10, 1910.

J. G. Shaver

President Pro Tempore of the Senate

Approved Mch 17<sup>th</sup> 1910

W. H. Jackson  
W. B. Moore

Bert Wilson

Speaker of the House of Representatives

SENATE JOINT RESOLUTION NO. 1.

By Russell and Barrett of the  
Senate; and Pruett of the Hou

A RESOLUTION  
PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT  
TO THE CONSTITUTION, PROVIDING THAT ALL TAXES PAID  
BY CERTAIN PUBLIC SERVICE CORPORATIONS FOR MAIN-  
TENANCE OF COMMON SCHOOLS BE DISTRIBUTED AS  
ARE OTHER COMMON SCHOOL FUNDS.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTH  
LEGISLATURE IN SPECIAL SESSION ASSEMBLED:

That the Secretary of State is hereby instructed to prepare and  
submit to the voters of this State for their adoption or rejection at the  
special election to be held throughout the state August 5th, 1913, the fol-  
lowing proposed amendment to the Constitution; same, if adopted, to constitute  
a new Section to be known as Section 12a of Article 10, and to read as follows:

"Section 12a. All taxes collected for the maintenance of the  
common schools of this State, and which are levied upon the property of any  
railroad company, pipe line company, telegraph company, or upon the property  
of any public service corporation which operates in more than one county in  
this State, shall be paid into the Common School Fund and distributed as are  
other Common School Funds of this State."

Adopted by the Senate the 27th day of March, 1913.

C B Kenrdiek  
President protem of the Senate.

Adopted by the House of Representatives the 21st day of April, 1913.

J.H. Maxey  
Speaker of the House.

Approved April 24th 1913

LEE CRUCE  
Governor of the State of Oklahoma

Correctly enrolled  
Geo. Fields, Jr.,  
for the committee.

June 19, 1913.

To the Honorable  
Campbell Russell, Warner, Okla.  
Chas. Barrett, Shawnee, Okla.

Gentlemen:

I beg to advise that there has not been filed in this office ballot title for the Referendum Petition provided for by Senate Joint Resolution No. 1, of which you are the authors. You will, therefore, prepare a ballot title and file copy in this office and one copy with the Attorney General.

Very respectfully,

Secretary of State.

PROPOSED BALLOT TITLE FOR SENATE JOINT RESOLUTION No.1.

The gist of the Amendment is to provide that all taxes paid for maintenance of the common schools by the General Public Service Corporations ( those operating in more than one county of the State) shall be paid into the common school fund of the State and distributed per capita to all the school children of the State- Covers Rail Roads Pipe Lines and Telegraph whether operating in more than one county or not.

23rd 9th June  
A. L. H. H.



## A R G U M E N T.

In favor of the adoption of the amendment proposed by Senate Joint Resolution No.1, prepared by Joint Committee of Senators and Representatives.

The General Public Service Corporation Properties of the State are supported by the patronage of the whole people, hence the justice of distributing this school tax paid <sup>by</sup> them, to all school children of the State, is generally conceded.

The claim of some that this cannot be legally done, would be more tenable if the State of Missouri had not successfully enforced a similar law since 1875.

In Missouri they distribute the "Building Tax" as well as the maintenance tax.

This amendment does not include the "Building Tax" as most school districts have already issued bonds, and the "Building Tax" will still go to the school district in which the property is located.

State Auditor's Report for 1912, Page 213, shows \$259,810,049 assessed value of Public Service Corporation Property in Oklahoma. An average levy of four mills upon this property, would produce a Million Dollars annually--or approximately Two Dollars per annum for our 532,885 school children ( See Page 53, of the 1912 Report of the State Superintendent of Public Instruction.) This will be net gain, ("or velvet") to 64 per cent of the school districts of the State, which contains no Public Service Corporation Property, and now get none of this tax.

Seven per cent of the school districts of the State ( containing cities and towns) have less than one-half the average per capita value of the entire State in these properties, and

these cities and towns will get, under the provisions of this amendment, (on an average) double the amount of tax from this source that they are getting at present.

Just a few "Horrible Examples" compiled from figures taken from official reports of the State Auditor and the State Superintendent of Public Instruction are sufficient to show the rank injustice of the present method of this tax being retained by the school districts through which the lines of such Public Service Corporations pass.

Assessed value of Public Corporation Property per school child for the entire State as shown by the figures quoted above, is \$487.55. Washington County is the richest of any in the State (per capita) in ~~the~~ Public Service Corporation values (\$14,726.161) --nearly Three Thousand Dollars per school child for that County.

School District No. 30 (Bartlesville) contains 2,429 of these school children, yet school district No. 30 contains only \$346.875 of the General Public Service Corporation values, or \$138.68 per school child. School district No. 30 contains 48 per cent of all the school children in the county, and barely two and one-third per cent of the Public Service Corporation values of the county--less than one-third the average of the State.

School district No. 22 (Tulsa City) in Tulsa County has 4,614 school children and \$938,522 in General Public Service Corporation values, as against over Seventeen Million for the county. School district No. 22 contains 45 per cent of the school children of Tulsa County, and less than six per cent of her Public Service Corporation values. School district No. 22 in Tulsa County, now receives tax upon \$203.00 of General Public Service Corporation Property for each school child--less than one-half the per capita for the entire State, as shown above.

School district No. 80, Pittsburgh County, (McAlester) has \$202.00 per capita in General Public Service Corporation values for each of her 2,842 school children.

School district No. 20 in Muskogee County has \$156.96 per capita of General Public Service Corporation values for each of her 6,868 school children.

~~177~~ School district No. 57 (Enid) in Garfield County, contains \$788.216 assessed value of General Public Service Corporation Properties, and 3,088 school children, \$258.49 per capita--53 per cent of the average of the State.

Some men will vote against their personal interest because a matter is just and right.

Some men vote against what is just and right because it is to their personal advantage; but when any man votes against justice and fair play and his own interest all in one vote, it is unquestionably caused by a misapprehension of the facts.

The unanimous vote of 71 per cent of the school districts of the State should be for the amendment, if the voters of these districts will vote for justice, fair play, and their own interest all with the same vote.

Tax payers in districts having large Public Service and Corporation values' comparatively few children, will have to vote against their individual interest if they vote for the amendment--this will be voting for justice for all, instead of personal advantage to self.

As to where this additional money will come from; 1st. The Public Service Corporation Property of the State is now paying approximately 1.1 mills less school tax than is paid on the average of all property of the State, including their property in the general average.

Under this amendment they will pay approximately the same rate as the general average of other property. This will

mean an increase in the school tax collected upon these prop-  
 erties of more than a quarter of a Million Dollars annually.  
 This increase will also apply to the local property in the school  
 districts, having a large amount of Public Service Corporation  
 Property and comparatively few school children. It will mean  
 an increase of tax for property owners in <sup>such</sup> districts, but their  
 rate will not be increased (on the average) above what others  
 pay--others who, equally with them, furnish the patronage which  
 support these Public Service Corporation Properties.

<u>Campbell Russell</u>	Senator, <u>27th</u> Dist.
<u>E. J. Lively</u>	<u>Dist 11</u>
<u>R. P. Miller</u>	<u>23rd Dist</u>
<u>Ernie Walrus</u>	<u>8th Dist</u>
<u>E. R. Mitchell</u>	<u>2nd District</u>
<u>Chas. F. Bennett</u>	<u>13th District</u>
<u>W. M. D. Briggs</u>	<u>3rd Dist</u>
	Representative County.
<u>Theodore Pruett</u>	<u>Caddo</u>
<u>W. H. Woodard</u>	<u>Swainson</u>
<u>N. E. Sharp</u>	<u>Cleveland</u>
<u>W. L. Curtis</u>	<u>Sequoyah Co. Okla</u>
<u>A. L. Cook</u>	<u>Adka Co.</u>
<u>J. C. Lemoine</u>	<u>Grant Co.</u>
<u>E. G. Vosburgh</u>	<u>Woodward Co.</u>

ARGUMENT.

In favor of the adoption  
of the amendment proposed  
by Senate Joint Resolution  
No. 1. prepared by Joint  
Committee of Senators and  
Representatives.

*Wm. T. B.*

State Question No. 57. Issued by order of the Legislature

Yes	No.	No.	Yes	No.
Adair,	410	197	1542	1453
Airala,	686	524	559	1133
Atoka,	650	223	784	1133
Beaver,	1383	81	437	171
Beckham,	867	297	777	186
Blaine,	636	334	539	51
Bryan,	1977	803	644	64
Caddo,	1508	517	573	239
Canadian,	485	664	1343	377
Carters,	1315	331	367	147
Cherokee,	633	67	711	309
Choctaw,	730	259	1255	271
Ciavara,	393	18	157	534
Cleveland,	1000	167	144	256
Coal,	1335	313	697	134
Comanche,	684	250	2204	553
Cotton,	602	143	583	286
Craig,	319	230	233	326
Creek,	512	437	237	391
Custer,	943	549	436	569
Delaware,	437	50	794	244
DeWitt,	557	159	1897	1963
Ellis,	725	159	1178	275
Garfield,	1000	153	2106	486
Gavin,	1079	326	363	241
Grady,	937	773	908	62
Grant,	659	623	238	409
Greene,	775	224	739	102
Harmon,	474	149	754	96
Harper,	673	85	559	173
Haskell,	1567	305	927	202
Hughes,	1144	460	616	255
Jackson,	664	410	231	502
Jefferson,	745	332	200	90
Jehnton,	1082	313	145	1250
Jay,	615	913	846	415
Kingfisher,	808	254	1245	500
Kiowa,	953	604	695	281
Latimer,	867	353		
			575*	53330
				50295
				Total..

The returns show the high vote to be 94,904

State Question No. 57, Issued by order of the Legislature has carried by constitutional

majority of 15,875

I, Ben W. Riley, Secretary of the State Election Board of the State of Oklahoma, do hereby certify that the above and foregoing is a true and correct vote cast for and against State Question Number Fifty-seven (57), Issued by order of the Legislature, in each and every County in the State of Oklahoma at the Special Election held on the Fifth day of August, A.D. 1913, as shown by the official returns of the respective County Election Boards of the State of Oklahoma, and now appears of record in the office of the State Election Board of the State of Oklahoma.

In testimony whereof I hereunto set my hand and affix my official seal of office, this fourteenth day of August, A.D. 1913.



*Ben W. Riley*  
SECRETARY ELECTION BOARD.