

89327 RA 92

R E S O L U T I O N

ENROLLED HOUSE JOINT RESOLUTION NO. 10

BY: BILLINGSLEY.

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE, FOR THEIR APPROVAL OR REJECTION, A PROPOSED AMENDMENT TO SECTION 9, ARTICLE 10, OF THE CONSTITUTION OF THE STATE OF OKLAHOMA, AND ORDERING A SPECIAL ELECTION THEREFOR.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-FIRST LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 9, Article 10, of the Constitution of the State of Oklahoma:

Section 9. Except as herein otherwise provided, the total taxes for all purposes, on an ad valorem basis, shall not exceed, in any taxable year, fifteen (15) mills on the dollar, to be apportioned between county, city, town and school district, by the County Excise Board, until such time as the regular apportionment is otherwise provided for by the Legislature.

No ad valorem tax shall be levied for State purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this State be used for State purposes; provided, however, any County of the State may make an additional ad valorem levy, not exceeding two (2) mills on the dollar valuation, on any property within the county, for separate schools for white and negro children, such aid or money raised therefor to be apportioned as provided by law; provided, further, that upon certification of the need therefor by the governing board, an additional levy of not to exceed one (1) mill on the dollar valuation on any property within the county shall be made by the County Excise Board for separate schools for white and negro children; provided, further, that upon certification of the need therefor by the governing board, an additional levy of not to exceed one (1) mill on the dollar valuation on any property within the county shall be levied by the excise board, the proceeds derived therefrom to be used exclusively for the acquisition of sites and erection of buildings for separate schools for white and negro children; provided further, the annual ad valorem tax rate for school purposes may be increased, in any school district, by an amount not to exceed fifteen (15) mills on the dollar valuation, upon all property in the district, on condition that a majority of the qualified voters of such district voting at an election, vote for such increase, provided, however, that the Legislature shall by proper laws prescribe the manner and method of conducting said election, but until such legislative provision is made, said levy may be made and said election held as now provided by law; and provided further, that limitations on the levy of such additional 15-mill levy may be made hereafter by the Legislature.

Provided, also, an additional levy may be made each year, in the State and in the various subdivisions thereof, on all personal and real property subject to ad valorem taxes, to reasonably take care of bonded and other valid indebtedness of the State and its various subdivisions existing at the time this amendment is adopted and becomes effective, but such necessary additional levy or assessment on such property to take care of such indebtedness existing and owing by the State and its subdivisions at such time shall in no event exceed levy or assessment for which such property would have been liable under the Constitution and laws of the State as same existed immediately prior to the adoption of this amendment. No provision hereof shall be construed to tax churches or schools.

SECTION 2. The ballot title for said proposed amendment shall be in the following form;

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:
Shall a Constitution Amendment Amending Section 9, Article 10, Oklahoma Constitution, so as to provide that upon certification of the need there for by the governing board an additional levy of not to exceed one (1) mill on the dollar

valuation on any property within the county shall be made by the County Excise Board for separate schools for white and negro children be approved by the people? YES

SHALL THE PROPOSED AMENDMENT BE APPROVED? NO

SECTION 3. The President of the Senate shall, immediately after the effective date of this Resolution, prepare and file one (1) copy thereof, including said ballot title, with the Secretary of State and one (1) copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State at the next State wide election, at which the proposed amendment to the Constitution of the State of Oklahoma set forth in Section 3 of this Resolution shall be submitted to the people of Oklahoma for their approval or rejection.

Passed the House of Representatives the 28th day of March, 1947.

G R BOARD
Speaker of the House of Representatives.

Passed the Senate the 28th day of April, 1947.

M O COUNTS
Acting President of the Senate.

APPROVED by the Governor of the State of Oklahoma the 2 day of May, 1947.

ROY J. TURNER
Governor of the State of Oklahoma.

OFFICE OF SECRETARY OF STATE

Received by the Secretary of State

this 3 day of May, 1947

at 9:20 o'clock A.M.

WILBURN CARTWRIGHT

By: E. Kelso.

Correctly Enrolled: Roy Biles, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS.

MAC Q. WILLIAMSON
ATTORNEY GENERAL



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

May 3, 1947

Honorable Wilburn Cartwright
Secretary of State
State Capitol
Oklahoma City 5, Oklahoma

Dear Sir:

You are hereby notified that pursuant to the direction and duty lodged in and imposed upon the Attorney General by 34 O. S. 1941 § 9, he has examined the proposed Ballot Title set forth in Section 2 of "Enrolled House Joint Resolution No. 10", which resolution was passed by the Twenty-first Legislature of Oklahoma on March 28, 1947, a copy of which resolution, including said Ballot Title, was delivered to the Attorney General by Mr. Bob Barr, Chief Clerk of the House of Representatives of the Twenty-first Legislature of Oklahoma on May 2, 1947, and from said examination the Attorney General finds that said Ballot Title is in legal form and in harmony with the law. In this connection, we are quoting said Ballot Title as follows:

"BALLOT TITLE

"Legislative Referendum No. 92 State Question No. 327

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

Amending Section 9, Article 10, Oklahoma Constitution, so as to provide that upon certification of the need therefor by the governing board an additional levy of not to exceed one (1) mill on the dollar valuation on any property within the county shall be made by the County Excise Board for separate schools for white and negro children

be approved by the people?

Honorable Wilburn Cartwright

5-3-47

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....
: : YES
....

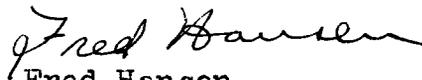
SHALL THE PROPOSED AMENDMENT BE APPROVED?

....
: : NO"
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We are mailing a copy of this letter to Mr. Barr, for the information and files of the House.

Yours very truly,

FOR THE ATTORNEY GENERAL



Fred Hansen
First Assistant Attorney General

FH:br