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Resolution

ENROLLED HOUSE JOINT
RESOLUTION NO. 540.

BY: POYNOR, WOLF and BAGGETT
of the House
and
BREEDEN and HARRIS
of the Senate

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF THE CONSTITUTION OF OKLAHOMA BY ADDING A NEW SECTION 10A OF ARTICLE X THERETO, PERMITTING AN ADDITIONAL TAX LEVY FOR COOPERATIVE COUNTY LIBRARY PURPOSES IN CERTAIN COUNTIES, AND FOR JOINT CITY-COUNTY LIBRARIES IN CERTAIN COUNTIES, UNDER CERTAIN CONDITIONS; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE TWENTY-SEVENTH 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 the Constitution of Oklahoma, said amendment to be a new Section, to be numbered Section 10A of Article X thereof, as follows:

Section 10A. To provide funds for the purpose of establishing and maintaining or aiding in establishing and maintaining public libraries and library services, a special annual recurring ad valorem tax levy of not less than one (1) mill nor more than two (2) mills on the dollar of the assessed valuation of all taxable property in the county shall be levied when such levy is approved by a majority vote of the qualified electors of the county voting on the question at an election called for that purpose by the Board of County Commissioners, either upon its own initiative or upon petition initiated by not less than ten (10) per cent of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter until such authority shall be cancelled by a majority vote of the qualified

Correctly Enrolled:  Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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electors of the county voting on the question at an election called for that purpose by the Board of County Commissioners upon petition initiated by not less than twenty (20) per cent of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election.

In counties having a population of less than two hundred fifty thousand (250,000), according to the most recent Federal Decennial Census, the proceeds of such levy shall be used by the county only for such public libraries and library services as are in cooperation with one (1) or more other counties having such population of less than two hundred fifty thousand (250,000); and in counties having a population of more than two hundred fifty thousand (250,000), according to the most recent Federal Decennial Census, the proceeds of such levy shall be used by the county only for joint city-county public libraries and library services. Nothing herein shall prohibit other levies for public libraries and library services or the use of other public funds for such purposes. All expenditures of the proceeds of such levies shall be made in accordance with laws heretofore or hereafter enacted concerning such libraries and library services. The provisions hereof shall be self-executing.

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 constitutional amendment

adding a new Section 10A, Article X, of the Oklahoma Constitution, permitting a recurring additional tax levy of not less than one (1) nor more than two (2) mills on the dollar of the value of the taxable property in the county, for public library purposes

in counties of less than two hundred fifty thousand (250,000) population, in cooperation with other such counties, for public joint city-county library purposes in counties of more than two hundred fifty thousand (250,000), to be authorized or terminated at an election called by the Board of County Commissioners, and requiring such elections on initiative petition,

be approved by the people? _____

SHALL THE PROPOSED AMENDMENT BE APPROVED? _____

YES

NO

SECTION 3. The Speaker of the House of Representatives 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 on the date of the run-off primary election in 1960, at which the proposed amendment to the Constitution of the State of Oklahoma, set forth in Section 1 of this Resolution, shall be submitted to the people of Oklahoma for their approval or rejection, as and in the manner provided by law.

Correctly Enrolled: *[Signature]* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Passed the House of Representatives the 8th day of June, 1959.

Clyde G. Lister

Speaker of the House of Representatives.

Passed the Senate the 1st day of July, 1959.

Acting Leon B. Steiner

President of the Senate.

Correctly Enrolled: *[Signature]* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State

this 2 day of July, 1959,

at 9:50 o'clock P. M.

John D. Cannon

BY: *[Signature]*



MAC Q. WILLIAMSON
ATTORNEY GENERAL

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

July 3, 1959

Honorable John D. Conner
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 34 O. S. 1951 § 9, he has examined the proposed ballot title to Enrolled House Joint Resolution No. 540 of the Regular Session of the Twenty-seventh Legislature of the State of Oklahoma, which, together with a copy of said resolution, was delivered to him on July 2, 1959, by the Honorable Clint Livingston, Speaker of the House of Representatives, and from said examination finds that said ballot title is not in legal form and in harmony with the law. The Attorney General, therefore, submits the following ballot title, same being in legal form and in harmony with the law.

BALLOT TITLE

LEGISLATIVE REFERENDUM NO. 127

STATE QUESTION NO. 392

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

permitting recurring additional county ad valorem tax levies of not less than one nor more than two mills on assessed valuation of county for public libraries and library services, proceeds to be used (1) in counties of less than 250,000 population, only in cooperation with one or more other such counties, and (2) in counties of more than 250,000, only for joint city-county public library purposes, said levies to be authorized or terminated at election called by board of county commissioners, and requiring such election on initiative petition,

be approved by the people?

.... YES
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....

SHALL THE PROPOSED AMENDMENT BE APPROVED?

.... NO.
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....

Inasmuch as 34 O. S. 1951 § 9, supra, expressly provides that

"no appeal shall be allowed as to ballot titles of constitutional or legislative enactments proposed by the Legislature which ballot titles have been approved or revised by the Attorney General.",

it is your duty, under the provisions of said section, to immediately

"transmit to the Secretary of the State Election Board an attested copy of the pending proposition, including such approved title."

Yours very truly

FOR THE ATTORNEY GENERAL

APPROVED BY ATTORNEY GENERAL

7-3-1959
FH

Fred Hansen
Fred Hansen

First Assistant Attorney General

FH:LW