

A Resolution

ENROLLED SENATE JOINT
RESOLUTION NO. 44

BY: SELMAN and SMITH of the
SENATE

and

McCUNE, SMITHEY, GREEN,
MUSGRAVE, POULOS, and
WIXSON of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA, BY ADDING A NEW SECTION THERETO, TO BE DESIGNATED AS SECTION 6A; PROVIDING THAT TANGIBLE PERSONAL PROPERTY MOVING THROUGH OKLAHOMA FROM ONE STATE TO ANOTHER STATE SHALL NOT SITUS WITHIN OKLAHOMA FOR PURPOSES OF TAXATION; PROVIDING FOR A BALLOT TITLE; AND ORDERING A SPECIAL ELECTION.

Correctly Enrolled: *Richard C. Long* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS
(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

1 ENGROSSED
2 SENATE JOINT
3 RESOLUTION NO. 44

BY: SELMAN and SMITH of the SENATE

and

McCUNE, SMITHEY, GREEN, MUSGRAVE,
and POULOS of the HOUSE

7 A JOINT RESOLUTION DIRECTING THE SECRETARY OF
8 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL
9 OR REJECTION A PROPOSED AMENDMENT TO ARTICLE X
10 OF THE CONSTITUTION OF THE STATE OF OKLAHOMA,
11 BY ADDING A NEW SECTION THERETO, TO BE DESIG-
12 NATED AS SECTION 6A; PROVIDING THAT TANGIBLE
13 PERSONAL PROPERTY MOVING THROUGH OKLAHOMA FROM
14 ONE STATE TO ANOTHER STATE SHALL NOT SITUS
15 WITHIN OKLAHOMA FOR PURPOSES OF TAXATION; PRO-
16 VIDING FOR A BALLOT TITLE; AND ORDERING A
17 SPECIAL ELECTION.

15 BE IT RESOLVED BY THE SENATE OF THE FIRST SESSION OF THE THIRTY-FIRST
16 OKLAHOMA LEGISLATURE:

17 SECTION 1. The Secretary of State shall refer to the people for
18 their approval or rejection, as and in the manner provided by law, the
19 following proposed amendment of Article X of the Constitution of the
20 State of Oklahoma, by adding a new section thereto to be designated as
21 Section 6A:

22 Section 6A. All property consigned to a consignee in this State
23 from outside this State to be forwarded to a point outside this State,
24 which is entitled under the tariffs, rules, and regulations approved by
25 the Interstate Commerce Commission to be forwarded at through rates from
26 the point of origin to the point of destination, if not detained within
27 this State for a period of more than ninety (90) days, shall be deemed
28 to be property moving in interstate commerce, and no such property shall
29 be subject to taxation in this State; provided, that goods, wares and
30 merchandise, whether or not moving on through rates, shall be deemed to
31 move in interstate commerce, and not subject to taxation in this State
32 if not detained more than nine (9) months where such goods, wares and
33 merchandise are so held for assembly, storage, manufacturing, processing
34 or fabricating purposes; provided, further, that personal property con-
35 signed for sale within this State must be assessed as any other personal
36 property.

CORRECTLY ENGROSSED

CORRECTLY ENGROSSED

Richard C. Loman
Chairman, Committee on Engrossed and Enrolled Bills
Richard C. Loman
Chairman, Committee on Engrossed and Enrolled Bills

SECTION 2. The ballot title for the proposed constitutional amendment as set forth in Section 1 of this Resolution 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

Amending Article X of the Constitution of the State of Oklahoma, by adding a new section thereto to be designated as Section 6A, providing that tangible personal property moving through Oklahoma from one state to another state shall not acquire situs within Oklahoma for purposes of taxation

be approved by the people?

YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

NO

SECTION 3. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide runoff primary election, at which time 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.

Passed the Senate the 13th day of April, 1967.

George H. ...
President of the Senate

Passed the House of Representatives the 24th day of April, 1967.

Joseph E. ...
Speaker of the House of Representatives

CORRECTLY ENROLLED
CORRECTLY ENGROSSED
Richard ...
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled: Richard E. Ramsey Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS
(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

ENR. S. J. R. NO. 44

Passed the Senate the 13th day of April, 1967, and correctly enrolled the 24th day of April, 1967.

Clayton McPherson
President *Pro Tempore* of the Senate

Passed the House of Representatives the 24th day of April, 1967.

Ray Pivett
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 25

day of April, 1967,

at 3:00, o'clock P M.

By: *John Rogers*

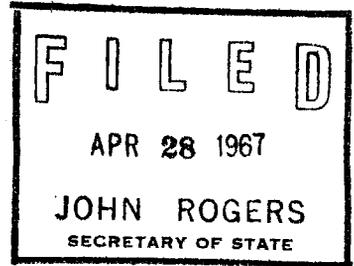
4.28



THE ATTORNEY GENERAL
OF OKLAHOMA

Oklahoma City, Okla. 73105

April 28, 1967



G. T. BLANKENSHIP
ATTORNEY GENERAL

Honorable John Rogers
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma

Dear Mr. Rogers:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. 1961, § 9, he has examined the proposed ballot title to Enrolled Senate Joint Resolution No. 44 of the 1st regular session of the 31st Oklahoma Legislature, which, together with a copy of said resolution was delivered to him on April 25, 1967, and from said examination finds that said ballot title is not in legal form, nor in harmony with the law. Therefore, the Attorney General submits the following ballot title which, in his opinion, is in legal form and in harmony with the law.

BALLOT TITLE

Legislative Referendum No. 159 State Question No. 443

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Article X of the Constitution of the State of Oklahoma by adding a new section there-
to, to be designated as Section 6A, providing
that tangible personal property moving through
Oklahoma from one state to another state shall
not acquire situs within Oklahoma for purposes
of taxation; and providing tangible personal

Mr. Rogers - (2)
April 28, 1967

property held for assembly, storage, manu-
facturing, processing or fabricating purposes
shall not be subject to taxation in Oklahoma
if such property is not detained in the State
more than nine (9) months,

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED? YES
 NO

Inasmuch as 34 O.S. 1961, § 9, supra, expressly provides that

"no appeal shall be allowed as to ballot
titles of constitutional or legislative enact-
ments 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,



G. T. Blankenship
Attorney General

GTB/jae