A Joint Resolution authorizing the Secretary of State to call a special election to be held on a day to be designated by the Governor, for the purpose of electing a member of the State Board of Equalization, and for other purposes.
ENGROSSED SENATE
JOINT
RESOLUTION NO. 8

BY: MesPADDEN of the SENATE
and
SANDLIN 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 THE OKLAHOMA CONSTITUTION, AMENDING
SECTION 35 OF ARTICLE X THEREOF; REMOVING
THE REQUIREMENT THAT VOTERS IN ELECTIONS
PROVIDED FOR BY SAID SECTION BE PROPERTY
TAXPAYERS; PROVIDING A BALLOT TITLE; AND
ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
THE 1ST SESSION OF THE 33RD OKLAHOMA LEGISLATURE:

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 amendments to Section 35 of Article X
of the Oklahoma Constitution, to read as follows:

§ 35. (a) Any unrepealed city, town and any county may
issue, by and with the consent of the majority of the qualified
taxpaying voters of said municipality city, town or county voting
on the question at an election held for the purpose, bonds in sums
provided by such majority at such election for the purpose of secur-
ing and developing industry within or near the said municipality
city, town holding the election, or within the county holding the
election.

(b) Such bonds shall bear interest at a rate not to exceed six
percent (6%) per annum and shall be sold only at public sale after
twenty (20) days' advertisement in a newspaper having a bona fide
circulation in the municipality city, town or county issuing such
bonds, provided, however, that the said municipality or county may
exchange such bonds for bonds of like amount, rate of interest, and
length of issue.

(c) To provide for the payment of all such bonds outstanding,
principal, and interest as they mature, the municipality each city, town or county issuing such bonds may levy a special tax, payable annually, in a total amount not to exceed five (5) mills on the dollar, in addition to the legal rate permitted, on the real and personal taxable property therein; provided, however, the municipality city, town or county may, from time to time, suspend the collection of such annual levy when not required for the payment of its bonds; and provided further, however, that in no event shall the real and personal taxable property in any city or town be subject to a special tax in excess of five (5) mills for bonds issued hereunder.

(d) Such bonds shall be serial, maturing annually after three (3) years from date of issue, and shall be paid as they mature, and no such bonds shall be issued for a period longer than thirty (30) years.

(e) (1) The governing body of the municipality city, town or the county commissioners of the county shall exercise jurisdiction over the sale or exchange of any such bonds voted by the electors at an election held for that purpose and shall expend economically the funds so provided.

(2) In the expenditure and use of proceeds from the sale of said bonds, the said governing body is hereby authorized and directed to coordinate its industrial development plans and projects insofar as practicable with similar plans and projects of local industrial development agencies and the Oklahoma Industrial Finance Authority, as set forth in § 34 of Article X of the Constitution, so as to supplement funds to be derived from these and other sources, including federal aid available to economically depressed areas, if any; and to the extent that federal requirements shall require sub-ordination of liens securing loans from the Oklahoma Industrial Finance Authority or from other sources, as a condition to the obtaining of such federal aid, the same is hereby approved and authorized.

(f) The election on the issuance of such bonds shall be held at such time as the governing body of the municipality city or town may designate by ordinance, or as the county commissioners of the county may designate by order, which ordinance or order shall

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state the sum total of the issue, the dates of maturities thereof, and
shall fix the date of election so that it shall not occur earlier than
thirty (30) days after the passage of the said ordinance or the granting
of said order. The said election shall be held and conducted, the
vote thereof canvassed, and the result thereof declared under the law
and in the manner now or hereafter provided for municipal elections
when the election is held by a municipality, city or town and in the
manner now or hereafter provided for county elections when the
election is held by a county, so far as the same may be applicable,
except as herein otherwise provided. Notice of the election shall
be given by the mayor of the municipality city or town or by the county
commissioners of the county by advertisement weekly for at least four
times in some newspaper having a bona fide circulation in the said
municipality city, town or county, with the last publication to be not
less than ten (10) days prior to the date of the said election. Only
qualified taxing voters of the said municipality city, town or
county shall have a right to vote at the said election. The result of
the said election shall be proclaimed by the mayor of the municipality
city or town or by the county commissioners of the county, and the
result as proclaimed shall be conclusive, unless attacked in the
courts within thirty (30) days after the date of such proclamation.

SECTION 2. The ballot title for the proposed amendment to the
Oklahoma Constitution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. 136
State Question No. 479

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment

amending Section 35, Article X, Oklahoma Constitution, which
provides for elections on city, town and county public
utility bonds and on city, town and county bonds for securing
and developing industry, to remove the requirement that
voters in such elections be property taxpayers

be approved by the people?

YES

NO

SHALL THE PROPOSED AMENDMENT BE APPROVED?
SECTION 3. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file one copy thereof, including said ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next ensuing special election held throughout the state, or on the date of the next ensuing statewide primary election, whichever is earlier, 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 as and in the manner provided by law.

Passed the Senate the 22nd day of February, 1971.

[Signature]
President Pro Tempore of the Senate

Passed the House of Representatives the ___ day of ___
1971.

[Signature]
Speaker of the House of Representatives

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ENR. S. J. R. NO. 8

Passed the Senate the 22nd day of February, 1971, and correctly enrolled the 10th day of March, 1971.

[Signature]
President of the Senate

Passed the House of Representatives the 9th day of March, 1971.

[Signature]
Speaker of the House of Representatives

Enrolled in accordance with Senate Bill No. 116 of the Twenty-Seventh Legislature.

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 11th day of March, 1971, at 2:00 o'clock P.M.

By: [Signature]
March 11, 1971

Honorable John Rogers
Secretary of State
State Capitol Building
Oklahoma City, Oklahoma  73102

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. Supp. 1970 §9, he has examined the proposed ballot title to Enrolled Senate Joint Resolution No. 8 of the 1st Regular Session of the 33rd Oklahoma Legislature, which together with a copy of said Resolution, was delivered to him on March 11, 1971, and from that 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. 186. State Question No. 470.

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amend

amending Section 35, Article X, to the Oklahoma State Constitution, prescribing the procedure for issuing bonds and administering elections on city, town and county General Obligation Limited Tax Bonds for securing and developing industry and to remove the requirement that voters in such elections be property taxpayers.
Honorable John Rogers  
March 11, 1971  
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be approved by the people?  

\[\square\text{YES}\]

\[\square\text{NO}\]

SHALL THE PROPOSED AMENDMENT BE APPROVED?

I call to your attention your responsibilities with regard to purposed Constitutional Amendments, as outlined in 34 O.S., Supp. 1970, 89, supra.

Sincerely,

LARRY DERRYBERRY  
ATTORNEY GENERAL OF OKLAHOMA

[Signature]

Michael D. Tinney  
Assistant Attorney General

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