

ENROLLED SENATE JOINT RESOLUTION NO. 49
ENACTED BY THE SECOND REGULAR SESSION OF
THE THIRTY-SEVENTH LEGISLATURE OF OKLAHOMA

NUMBERED BY THE SECRETARY OF STATE
LEGISLATIVE REFEREDUM NO. 228, STATE QUESTION NO. 546

RECEIVED: March 11, 1980

A Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 49

BY: HOWARD, CATE, ROZELL,
DAHL and BOATNER of the
SENATE

and

FRIED, CLEVELAND, ARNOLD,
COLE, DAVIS (Don),
DUCKETT, FAIR, HOPKINS,
LANCASTER, RIGGS, HOLT,
and WILSON of the HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION THE PROPOSED AMENDMENT TO SECTION 9 OF ARTICLE X OF THE OKLAHOMA CONSTITUTION; PROVIDING FOR LEVY AND COLLECTION OF AD VALOREM TAXES; SPECIFYING MILLAGE FOR SCHOOL PURPOSES; INCREASING AMOUNT OF EMERGENCY LEVY; PROVIDING FOR COMPUTATION OF LEVY AND CERTIFICATION OF APPROPRIATIONS; ELIMINATING CERTAIN PROVISIONS WHICH HAVE LAPSED; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

Correctly Enrolled: John R. McLane, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

(Enrolled in accordance with Senate Bill No. 116 of the Twenty-seventh Legislature)

1 ENGROSSED SENATE
JOINT
2 RESOLUTION NO. 49

BY: HOWARD, CATE, ROZELL,
DAHL and BOATNER of the
SENATE

and

CLEVELAND of the HOUSE

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11 A JOINT RESOLUTION DIRECTING THE SECRETARY OF
12 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR
13 REJECTION THE PROPOSED AMENDMENT TO SECTION 9 OF
14 ARTICLE X OF THE OKLAHOMA CONSTITUTION; PROVIDING
15 FOR LEVY AND COLLECTION OF AD VALOREM TAXES;
16 SPECIFYING MILLAGE FOR SCHOOL PURPOSES; INCREASING
17 AMOUNT OF EMERGENCY LEVY; PROVIDING FOR
18 COMPUTATION OF LEVY AND CERTIFICATION OF
19 APPROPRIATIONS; ELIMINATING CERTAIN PROVISIONS
20 WHICH HAVE LAPSED; PROVIDING BALLOT TITLE; AND
21 DIRECTING FILING.

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25 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
26 2ND SESSION OF THE 37TH OKLAHOMA LEGISLATURE:

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

31 Section 9. (a) Except as herein otherwise provided, the total
32 taxes for all purposes on an ad valorem basis shall not exceed, in
33 any taxable year, fifteen (15) mills on the dollar, no less than five
34 (5) mills of which is hereby apportioned for school district

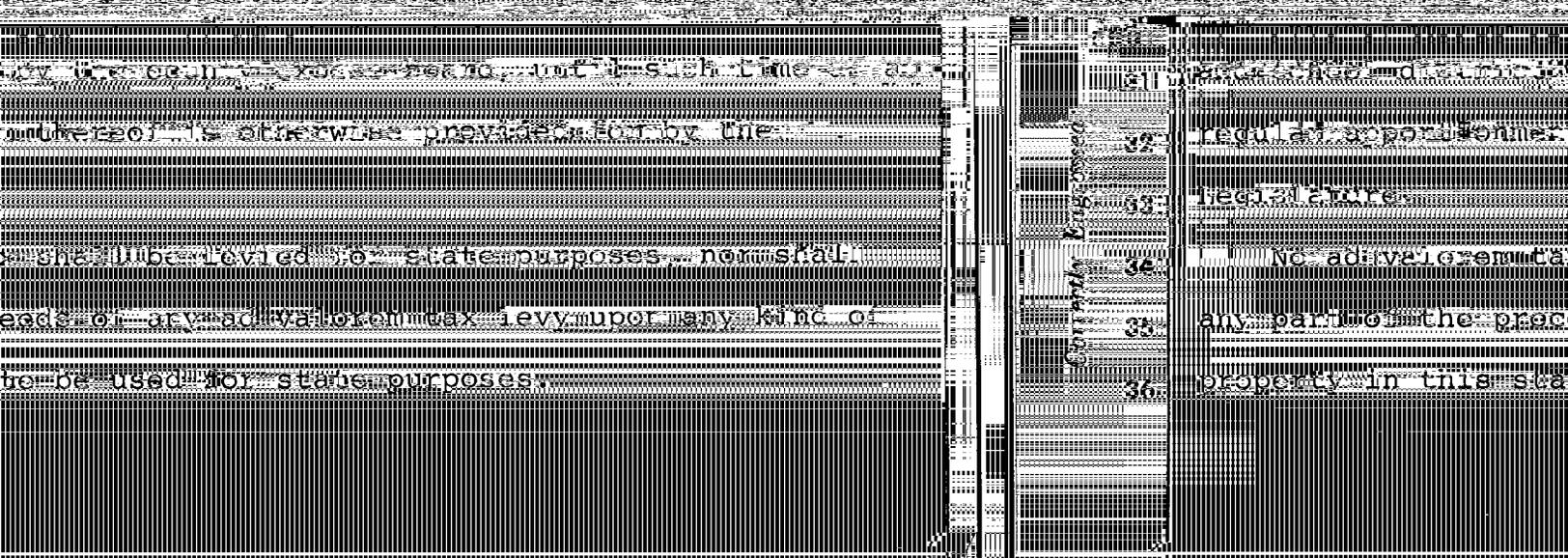
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled:

Committee on Engrossed and Enrolled Bills

John R. Miller

J.R. Miller



1 (b) A tax of four (4) mills on the dollar valuation of all
2 taxable property in the county shall be levied annually in each
3 county of the state for school purposes and, until otherwise provided
4 by law, the proceeds thereof shall be apportioned to the school
5 districts of the county by the county treasurer on the basis of the
6 legal average daily attendance for the preceding school year as
7 certified by the State Board of Education. Provided that in case a
8 school district lies in more than one county, such district shall be
9 deemed a school district of the county having the greater part of the
10 area comprising such district, unless otherwise provided by law, and
11 shall be entitled to participate in the proceeds of such tax on the
12 same basis as districts lying wholly within such county but revenue
13 from such tax on the assessed valuation of the district in other
14 counties shall, when collected, be transmitted to the county
15 treasurer of such county having the greater part of the area
16 comprising the district, unless otherwise provided by law, and be
17 apportioned as hereinbefore provided for the proceeds of such tax on
18 the assessed valuation of such county. Not to exceed seventy-five
19 ~~per-centum~~ percent (75%) of the amount received by a school district
20 from the proceeds of such county levy in any year shall be required
21 to finance the state guaranteed program of such district.

22 (c) Upon certification of a need therefor by the board of
23 education of any school district, an additional tax of not to exceed
24 fifteen (15) mills on the dollar valuation of all taxable property in
25 the district shall be levied for the benefit of the schools of such
26 district.

27 (d) In addition to the levies hereinbefore authorized, any school
28 district may make an emergency levy for the benefit of the schools of
29 such district, in an amount not to exceed ~~five-(5)~~ fifteen (15) mills
30 on the dollar valuation of the taxable property in such district,
31 when approved by a majority of the electors of the district voting on
32 the question at an election called for such purpose. This emergency
33 levy shall provide only sufficient additional revenue to meet the
34 needs of the district each fiscal year as determined by the board of
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Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled:

Chairman, Committee on Engrossed and Enrolled Bills

Correctly Engrossed:

1 such district and must be approved by a majority of the electors
2 voting on said question at such an election for each fiscal year.

3 (d-1) In addition to the levies hereinbefore authorized, any
4 school district may make a local support levy for the benefit of the
5 schools of such district, in an amount not to exceed ten (10) mills
6 on the dollar valuation of the taxable property in such district,
7 when approved by a majority of the ad valorem taxpaying voters voting
8 on said question at an election for each fiscal year called for such
9 purposes. This local support levy shall provide only sufficient
10 additional revenue to meet the needs of the district for each such
11 fiscal year as determined by the board of such district; provided, an
12 elector desiring to vote upon such local support levy must present an
13 ad valorem tax receipt for the year immediately preceding before
14 being issued a ballot, or sign a sworn affidavit certifying the fact
15 of such payment.

16 (e) The amount of revenue from school district ad valorem taxes
17 levied under (a) and (c) of this section which any school district
18 may be required to use to finance its state guaranteed program shall
19 not be in excess of its share, based upon its relative taxpaying
20 ability as may be defined by law, of an amount equivalent to the net
21 proceeds from a fifteen-mill tax levy on the aggregate net assessed
22 valuation of the state; but, until such relative taxpaying ability is
23 defined by the Legislature, the amount of revenue from such taxes
24 which any school district may be required to use to finance its state
25 guaranteed program shall not be in excess of the net proceeds from an
26 ad valorem tax levy of fifteen (15) mills on the dollar net assessed
27 valuation of the district. No part of the proceeds from any ad
28 valorem levy for emergency levy and local support levy under (d) and
29 (d-1) of this section shall be required to finance the state
30 guaranteed program of such district.

31 Nothing in the amendments to the Constitution incorporated herein
32 shall be construed to amend, alter or supersede the present
33 application of Article XII-A, Sections 1 and 2 of the Oklahoma
34 Constitution.

Correctly Engrossed: *Asst. R. M. C.*
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Engrossed: *Asst. R. M. C.*
Chairman, Committee on Engrossed and Enrolled Bills

1 (f) ~~Should the amendment contained in subsection (d-1) hereof be~~
2 ~~adopted on September 14, 1965, the~~ The school board of any school
3 district in the state may ~~within ten (10) days thereafter~~ file with
4 the excise board of the county a supplemental estimate of needs and
5 call a special election within fifteen (15) days after such call upon
6 the new local support levy or emergency levy if not previously
7 submitted, or both. The school board shall advertise notice of such
8 election by publication in at least one issue of a newspaper having
9 general circulation in the school district, or by posting in five
10 public places in the district at least five (5) days before such
11 election. Should the electors of the school district vote such
12 additional levy in such election, the county excise board shall
13 forthwith compute the levy and certify appropriations for all
14 affected school districts and refile the budgets with the county
15 clerk and with the State Auditor. Notice of the filing of said
16 budget shall be given as required by law. The forty-day protest
17 period shall begin immediately upon the filing of said budgets.

18 ~~For the fiscal year 1965-66, the Excise Board of each county~~
19 ~~shall not finally compute the levy nor certify the appropriations for~~
20 ~~the school districts of the State until after the school district~~
21 ~~shall have had the opportunity to hold a special election as provided~~
22 ~~herein.~~

23 ~~Temporary appropriations, up to forty per centum (40%) of the~~
24 ~~estimated funds needed by the school board of any district in the~~
25 ~~State for the fiscal year 1965-66, may be approved any time after the~~
26 ~~beginning of such fiscal year.~~

27 Upon the computation of the levy and certification of
28 appropriations by the excise board, the county assessors shall
29 prepare or revise the tax rolls and deliver the same to the county
30 treasurer who shall proceed with the collection of the taxes as
31 required by law.

32 ~~Should it become necessary, because of the delay in computing~~
33 ~~levies and certifying appropriations as herein provided, the Governor~~
34 ~~may, by executive order, extend the time when taxes will be~~
35 ~~delinquent for the year of 1965, and that year only. -- Such extension~~
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Chairman, Committee on Engrossed and Enrolled Bills
A. R. McCune

Correctly Enrolled:

Chairman, Committee on Engrossed and Enrolled Bills
A. R. McCune

Correctly Engrossed:

1 of-time-shall-be-for-the-minimum-time-necessary-to-permit-the-county
2 assessor-and-county-treasurer-to-perform-their-duties-as-required-by
3 law.

4 SECTION 2. The Ballot Title for the proposed Constitutional
5 amendment as set forth in SECTION 1 of this resolution shall be in
6 the following form:

7 BALLOT TITLE

8 Legislative Referendum No. _____ State Question No. _____

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

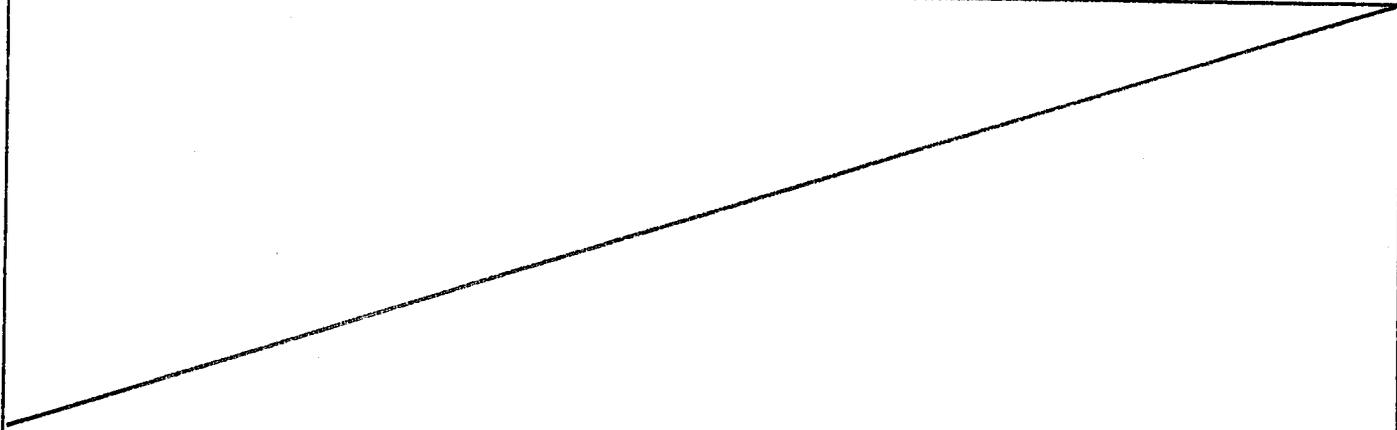
10 Shall a Constitutional amendment
11 amending Section 9 of Article X of the Oklahoma
12 Constitution by modifying the amount of ad valorem
13 taxes which may be used for school purposes by
14 increasing the emergency levy which a school district
15 may make from five (5) mills to fifteen (15) mills on
16 the dollar valuation of the taxable property in the
17 district and by eliminating certain provisions which
18 have lapsed
19 be approved by the people?

21 SHALL THE PROPOSED AMENDMENT BE APPROVED?

22 YES, FOR THE AMENDMENT

23 NO, AGAINST THE AMENDMENT

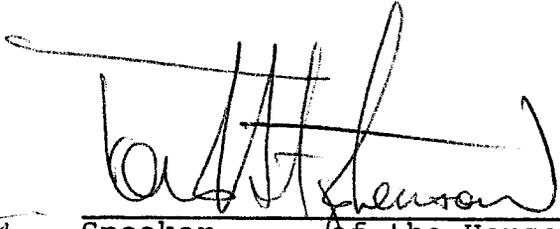
25 SECTION 3. The President Pro Tempore of the Senate shall,
26 immediately after the effective date of this resolution, prepare and
27 file one copy thereof, including the Ballot Title set forth in
28 SECTION 2 hereof, with the Secretary of State and one copy with the
29 Attorney General.



1 Passed the Senate the 5th day of March, 1980.

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4 *acting* Ray Boatman
5 President of the Senate

6 Passed the House of Representatives the 10th day of April,
7 1980.

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11 *acting* Walter H. Johnson
12 Speaker of the House of
13 Representatives

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Chairman, Committee on Engrossed and Enrolled Bills
Chairman, Committee on Engrossed and Enrolled Bills

Correctly Enrolled:

Correctly Engrossed:

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

Passed the Senate the 5th day of March, 1980, and correctly enrolled the 10th day of April, 1980.

acting John R. McClure
President of the Senate

Passed the House of Representatives the 10th day of April, 1980.

acting L. H. Bengtson Jr.
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 11th
day of April, 1980,
at 10:40, o'clock A. M.

By: Esther M. Phillips