

ENROLLED SENATE JOINT RESOLUTION NO. 42 .
ENACTED BY THE SECOND REGULAR SESSION OF
THE THIRTY-SEVENTH LEGISLATURE OF OKLAHOMA

NUMBERED BY THE SECRETARY OF STATE
LEGISLATIVE REFERENDUM NO. 229, STATE QUESTION 548

RECEIVED: MAY 6, 1980

A Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 42

BY: MURPHY and BOATNER of the
SENATE

and

MANNING, FRIED, THOMPSON
(Mick) and DUCKETT of the
HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF
STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR
REJECTION THE PROPOSED AMENDMENT OF SECTION 26 OF
ARTICLE X OF THE CONSTITUTION OF THE STATE OF
OKLAHOMA; PROVIDING FOR INDEBTEDNESS OF POLITICAL
SUBDIVISIONS; PROVIDING FOR ELECTIONS AND
LIMITATION OF AMOUNT; PROVIDING FOR AN ANNUAL TAX;
RAISING MAXIMUM LIMIT ON SCHOOL DISTRICT BONDED
INDEBTEDNESS; PROVIDING BALLOT TITLE; AND
DIRECTING FILING.

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

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

1 ENGROSSED SENATE
2 JOINT
3 RESOLUTION NO. 42

BY: MURPHY and BOATNER

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8 A JOINT RESOLUTION DIRECTING THE SECRETARY OF
9 STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR
10 REJECTION THE PROPOSED AMENDMENT OF SECTION 26 OF
11 ARTICLE X OF THE CONSTITUTION OF THE STATE OF
12 OKLAHOMA; PROVIDING FOR INDEBTEDNESS OF POLITICAL
13 SUBDIVISIONS; PROVIDING FOR ELECTIONS AND
14 LIMITATION OF AMOUNT; PROVIDING FOR AN ANNUAL TAX;
15 RAISING MAXIMUM LIMIT ON SCHOOL DISTRICT BONDED
16 INDEBTEDNESS; PROVIDING BALLOT TITLE; AND
17 DIRECTING FILING.

18 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
19 2ND SESSION OF THE 37TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for
21 their approval or rejection, as and in the manner provided by law,
22 the following proposed amendment to Section 26 of Article X of the
23 Constitution of the State of Oklahoma, to read as follows:

24 Section 26. Except as herein otherwise provided, no county,
25 city, town, township, school district, or other political
26 corporation, or subdivision of the state, shall be allowed to become
27 indebted, in any manner, or for any purpose, to an amount exceeding,
28 in any year, the income and revenue provided for such year without
29 the assent of three-fifths of the voters thereof, voting at an
30 election, to be held for that purpose, nor in cases requiring such
31 assent, shall any indebtedness be allowed to be incurred to an
32 amount, including existing indebtedness, in the aggregate exceeding
33 five percent (5%) of the valuation of the taxable property therein to
34 be ascertained from the last assessment for state and county purposes
35 previous to the incurring of such indebtedness: Provided, that if a
36 school district has an absolute need therefor, such district may,
with the assent of three-fifths of the voters thereof voting at an
election to be held for that purpose, incur indebtedness to an

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

Al R. McLean

Al R. McLean

Chairman, Committee on Engrossed and Enrolled Bills
John R. McKelvey

Chairman, Committee on Engrossed and Enrolled Bills
John R. McKelvey

Correctly Enrolled:

Correctly Engrossed:

1 amount, including existing indebtedness, in the aggregate exceeding
2 five percent (5%) but not exceeding ~~ten percent (10%)~~ twenty percent
3 (20%) of the valuation of the taxable property therein, to be
4 ascertained from the last assessment for state and county purposes
5 previous to the incurring of such indebtedness, for the purpose of
6 acquiring or improving school sites, constructing, repairing,
7 remodeling or equipping buildings, or acquiring school furniture,
8 fixtures or equipment; and such assent to such indebtedness shall be
9 deemed to be a sufficient showing of such absolute need, unless
10 otherwise provided by law. Provided further, that if a city or town
11 has an absolute need therefor, such city or town may, with the assent
12 of three-fifths of the voters thereof voting at an election to be
13 held for that purpose, incur indebtedness to an amount, including
14 existing indebtedness, in the aggregate exceeding five percent (5%)
15 but not exceeding ten percent (10%) of the valuation of the taxable
16 property therein, to be ascertained from the last assessment for
17 state and county purposes previous to the incurring of such
18 indebtedness, and such assent to such indebtedness shall be deemed to
19 be a sufficient showing of such absolute need unless otherwise
20 provided by law. Provided, further, that any county, city, town,
21 school district, or other political corporation, or subdivision of
22 the state, incurring any indebtedness requiring the assent of the
23 voters as aforesaid, shall, before or at the time of doing so,
24 provide for the collection of an annual tax sufficient to pay the
25 interest on such indebtedness as it falls due, and also to constitute
26 a sinking fund for the payment of the principal thereof within
27 twenty-five (25) years from the time of contracting the same, and
28 provided further that nothing in this section shall prevent any
29 school district from contracting with certificated personnel for
30 periods extending one (1) year beyond the current fiscal year, under
31 such conditions and limitations as shall be prescribed by law.

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

BALLOT TITLE

Correctly Enrolled: J. R. McKinnis, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

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

Passed the Senate the 28th day of February, 1980, and correctly enrolled the 5th day of May, 1980.

ACTING

[Signature]
President of the Senate

Passed the House of Representatives the 8th day of April, 1980.

[Signature]
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 6th

day of May, 1980,

at 4:30, o'clock P. M.

[Signature]
By: _____

BEFORE THE SECRETARY OF STATE, STATE OF OKLAHOMA

IN THE MATTER OF PROPOSED BALLOT)
TITLE OF STATE QUESTION NUMBER 548,)
LEGISLATIVE REFERENDUM NUMBER 229)

FILED
MAY 12 1980

TO: THE HONORABLE JEANETTE EDMONDSON,
SECRETARY OF STATE, STATE OF OKLAHOMA
State Capitol Building
Oklahoma City, Oklahoma 73105

OKLAHOMA SECRETARY
OF STATE

NOTICE OF NONCONFORMING BALLOT TITLE

You are hereby notified that pursuant to the provisions of 34 O.S. Supp. 1975, § 9, the Attorney General has examined and considered the proposed ballot title to State Question Number 548, as proposed in Legislative Referendum Number 229. The ballot title as proposed therein, reads as follows:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional amendment

AMENDING SECTION 26 OF ARTICLE X WHICH PROVIDES FOR INDEBTEDNESS OF POLITICAL SUBDIVISIONS; PROVIDING FOR ELECTIONS, LIMITATION OF AMOUNT AND ANNUAL TAX; AND INCREASING MAXIMUM LIMIT ON SCHOOL DISTRICT BONDED INDEBTEDNESS FROM 10% to 20%

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

- YES - FOR THE AMENDMENT
- NO - AGAINST THE AMENDMENT

It is the opinion of the Attorney General that the Ballot Title to State Question Number 548, as proposed in Legislative Referendum Number 229, as above set forth, is defective and is not in harmony with the law of the State of Oklahoma; that the Ballot Title as proposed insufficiently sets forth the gist of the proposition in language that may be readily understood by persons not engaged in the practice of law.

Therefore, pursuant to 34 O.S. Supp. 1975, § 9(B), the Attorney General has prepared and hereby files the following Ballot Title which conforms to and is in harmony with the law of this State, to-wit:

BALLOT TITLE

Legislative Referendum No. 229

State Question No. 548

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional amendment

AMENDING SECTION 26 OF ARTICLE 10 OF THE OKLAHOMA CONSTITUTION BY PROVIDING THAT THE MAXIMUM INDEBTEDNESS THAT MAY BE INCURRED IN ANY YEAR BY A SCHOOL DISTRICT OF THE STATE BE INCREASED FROM TEN PERCENT (10%) TO TWENTY PERCENT (20%) OF THE VALUATION OF THE TAXABLE PROPERTIES THEREIN

be adopted by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

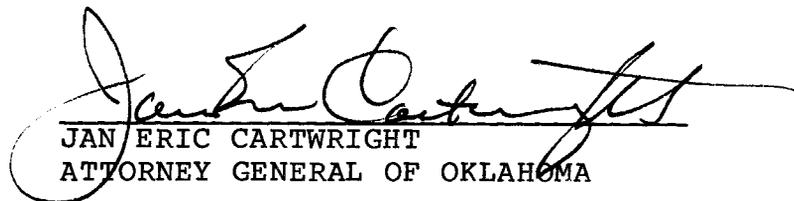


YES - FOR THE AMENDMENT



NO - AGAINST THE AMENDMENT

The Secretary of State is hereby directed to substitute the last above stated Ballot Title in lieu of the Ballot Title proposed by the party submitting State Question Number 548, as contained in Legislative Referendum Number 229.


JAN ERIC CARTWRIGHT
ATTORNEY GENERAL OF OKLAHOMA

CERTIFICATE OF MAILING

This is to certify that on this 12th day of May, 1980, a true and correct copy of the above and foregoing Notice of Non-conforming Ballot Title was mailed to: Lee Slater, Secretary, Oklahoma State Senate, State Capitol Building, Oklahoma City, Oklahoma 73105.


JAN ERIC CARTWRIGHT