

A Resolution

Providing for the Submission of a Proposed Amendment to the Constitution, Providing that all Taxer Paid by Certain Public Service Corporations for Maintenance of Common Schools be Distributed as are other Common School Funds

Be it Resolved by the Senate and House of Representatives of the Fourth Legislature in Special Session assembled:

That the Secretary of State is hereby instructed to prepare and submit to the voters of this State for their adoption or rejection at the special election to be held throughout the State August 5th. 1913, the following proposed amendment to the Constitution: same, if adopted, to constitute a new Section to be known as Section 12a of Article 19, and to read as follows:

"Section 12a. All taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company, pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one county in this State shall be paid into the Common School Fund and distributed as are other Common School Funds of this State."

Adopted by the Senate the 27th day of March, 1913.

C. J. ...
President of the Senate

Adopted by the House of Representatives the 21st day of April, 1913.

James ...
Speaker of the House

Approved April 24th 1913
La. C. ...
Governor of the State of New York

SENATE JOINT RESOLUTION NO. 1.

By Russell and Barrett of the
Senate; and Pruett of the Hou

A RESOLUTION
PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT
TO THE CONSTITUTION, PROVIDING THAT ALL TAXES PAID
BY CERTAIN PUBLIC SERVICE CORPORATIONS FOR MAIN-
TENANCE OF COMMON SCHOOLS BE DISTRIBUTED AS
ARE OTHER COMMON SCHOOL FUNDS.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTH
LEGISLATURE IN SPECIAL SESSION ASSEMBLED:

That the Secretary of State is hereby instructed to prepare and
submit to the voters of this State for their adoption or rejection at the
special election to be held throughout the state August 5th, 1913, the fol-
lowing proposed amendment to the Constitution; same, if adopted, to constitu-
a new Section to be known as Section 12a of Article 10, and to read as foll-
ows:

"Section 12a. All taxes collected for the maintenance of the
common schools of this State, and which are levied upon the property of any
railroad company, pipe line company, telegraph company, or upon the property
of any public service corporation which operates in more than one county in
this State, shall be paid into the Common School Fund and distributed as are
other Common School Funds of this State."

Adopted by the Senate the 27th day of March, 1913.

C B Kenrdick
President protem of the Senate.

Adopted by the House of Representatives the 21st day of April, 1913.

J.H. Maxey
Speaker of the House.

Approved April 24th 1913

LEE CRUCE
Governor of the State of Oklahoma

Correctly enrolled
Geo. Fields, Jr.,
for the committee.

June 19, 1913.

To the Honorable
Campbell Russell, Warner, Okla.
Chas. Barrett, Shawnee, Okla.

Gentlemen:

I beg to advise that there has not been filed in this office ballot title for the Referendum Petition provided for by Senate Joint Resolution No. 1, of which you are the authors. You will, therefore, prepare a ballot title and file copy in this office and one copy with the Attorney General.

Very respectfully,

Secretary of State.

PROPOSED BALLOT TITLE FOR SENATE JOINT RESOLUTION No.1.

The gist of the Amendment is to provide that all taxes paid for maintenance of the common schools by the General Public Service Corporations (those operating in more than one county of the State) shall be paid into the common school fund of the State and distributed per capita to all the school children of the State- Covers Rail Roads Pipe Lines and Telegraph whether operating in more than one county or not.

23rd 3rd June
A
K.L.H.

CHAS. WEST,
ATTORNEY GENERAL
SMITH C. MATSON
WILLIAM C. REEVES
CHARLES L. MOORE
EDWARD G. SPILMAN
ASSISTANT ATTORNEYS GENERAL

STATE OF OKLAHOMA
OFFICE OF THE
ATTORNEY GENERAL

OKLAHOMA CITY

PLEASE REFER TO INITIALS ~~REC-1~~

June 25, 1913.

To the
Secretary of State.

S i r:

The proposed ballot title for Senate Joint Reso-
lution No. 1 is disapproved, and in lieu thereof this
office has prepared and herewith transmits another form,
as follows:

The gist of the amendment isto provide
that all taxes levied for the maintenance of the
common schools of this state upon the property of
any railroad company, pipeline or telegraph com-
pany, or of any other public service corporation
which operates in more than one county in this
State, shall be paid into the common school fund
and distributed as a part of said fund.

Very respectfully,

THE ATTORNEY GENERAL,

By *Gish*

*At. Linnick
no. 57
Ref-20
Filed
April 24
1913*

June 29
1818

A R G U M E N T.

In favor of the adoption of the amendment proposed by Senate Joint Resolution No.1, prepared by Joint Committee of Senators and Representatives.

The General Public Service Corporation Properties of the State are supported by the patronage of the whole people, hence the justice of distributing this school tax paid ^{by} them, to all school children of the State, is generally conceded.

The claim of some that this cannot be legally done, would be more tenable if the State of Missouri had not successfully enforced a similar law since 1875.

In Missouri they distribute the "Building Tax" as well as the maintenance tax.

This amendment does not include the "Building Tax" as most school districts have already issued bonds, and the "Building Tax" will still go to the school district in which the property is located.

State Auditor's Report for 1912, Page 213, shows \$259,810,049 assessed value of Public Service Corporation Property in Oklahoma. An average levy of four mills upon this property, would produce a Million Dollars annually--or approximately Two Dollars per annum for our 532,885 school children (See Page 53, of the 1912 Report of the State Superintendent of Public Instruction.) This will be net gain, ("or velvet") to 64 per cent of the school districts of the State, which contains no Public Service Corporation Property, and now get none of this tax.

Seven per cent of the school districts of the State (containing cities and towns) have less than one-half the average per capita value of the entire State in these properties, and

these cities and towns will get, under the provisions of this amendment, (on an average) double the amount of tax from this source that they are getting at present.

Just a few "Horrible Examples" compiled from figures taken from official reports of the State Auditor and the State Superintendent of Public Instruction are sufficient to show the rank injustice of the present method of this tax being retained by the school districts through which the lines of such Public Service Corporations pass.

Assessed value of Public Corporation Property per school child for the entire State as shown by the figures quoted above, is \$487.55. Washington County is the richest of any in the State (per capita) in ~~the~~ Public Service Corporation values (\$14,726.161) —nearly Three Thousand Dollars per school child for that County.

School District No. 30 (Bartlesville) contains 2,429 of these school children, yet school district No. 30 contains only \$346.875 of the General Public Service Corporation values, or \$138.68 per school child. School district No. 30 contains 48 per cent of all the school children in the county, and barely two and one-third per cent of the Public Service Corporation values of the county--less than one-third the average of the State.

School district No. 22 (Tulsa City) in Tulsa County has 4,614 school children and \$938,522 in General Public Service Corporation values, as against over Seventeen Million for the county. School district No. 22 contains 45 per cent of the school children of Tulsa County, and less than six per cent of her Public Service Corporation values. School district No. 22 in Tulsa County, now receives tax upon \$203.00 of General Public Service Corporation Property for each school child--less than one-half the per capita for the entire State, as shown above.

School district No. 80, Pittsburgh County, (McAlester) has \$202.00 per capita in General Public Service Corporation values for each of her 2,842 school children.

School district No. 20 in Muskogee County has \$156.96 per capita of General Public Service Corporation values for each of her 6,868 school children.

~~177~~ School district No. 57 (Enid) in Garfield County, contains \$788.216 assessed value of General Public Service Corporation Properties, and 3,088 school children, \$258.49 per capita--53 per cent of the average of the State.

Some men will vote against their personal interest because a matter is just and right.

Some men vote against what is just and right because it is to their personal advantage; but when any man votes against justice and fair play and his own interest all in one vote, it is unquestionably caused by a misapprehension of the facts.

The unanimous vote of 71 per cent of the school districts of the State should be for the amendment, if the voters of these districts will vote for justice, fair play, and their own interest all with the same vote.

Tax payers in districts having large Public Service and Corporation values comparatively few children, will have to vote against their individual interest if they vote for the amendment--this will be voting for justice for all, instead of personal advantage to self.

As to where this additional money will come from; 1st. The Public Service Corporation Property of the State is now paying approximately 1.1 mills less school tax than is paid on the average of all property of the State, including their property in the general average.

Under this amendment they will pay approximately the same rate as the general average of other property. This will

mean an increase in the school tax collected upon these prop-
 erties of more than a quarter of a Million Dollars annually.
 This increase will also apply to the local property in the school
 districts, having a large amount of Public Service Corporation
 Property and comparatively few school children. It will mean
 an increase of tax for property owners in ^{such} districts, but their
 rate will not be increased (on the average) above what others
 pay--others who, equally with them, furnish the patronage which
 support these Public Service Corporation Properties.

<u>Campbell Russell</u>	Senator, <u>27th</u> Dist.
<u>E. J. Irrell</u>	<u>Dist 11</u>
<u>Benjamin P. Coffey</u>	<u>23^d Dist</u>
<u>Engene Watkins</u>	<u>8th Dist</u>
<u>E. R. Metcher</u>	<u>2nd District</u>
<u>Chas. F. Bennett</u>	<u>13th District</u>
<u>W. M. D. Briggs</u>	<u>3rd Dist</u>
	Representative County.
<u>Theodore Pruett</u>	<u>Caddo</u>
<u>W. H. Woodard</u>	<u>Swainson</u>
<u>N. E. Sharp</u>	<u>Cleveland</u>
<u>W. L. Curtis</u>	<u>Sequoyah Co. Okla</u>
<u>A. L. Cook</u>	<u>Adoka Co.</u>
<u>J. C. Lemoine</u>	<u>Grant Co.</u>
<u>E. G. Vosburgh</u>	<u>Woodward Co.</u>

ARGUMENT.

In favor of the adoption
of the amendment proposed
by Senate Joint Resolution
No. 1, prepared by Joint
Committee of Senators and
Representatives.

W. H. T. 13

