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ENROLLED SENATE JOINT RESOLUTION NUMBER 33
ENACTED BY THE SECOND REGULAR SESSION OF THE
THIRTY-NINTH LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE
LEGISLATIVE REFERENDUM NUMBER 240, STATE QUESTION NUMBER 572
RECEIVED: MARCH 22, 1984

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 33

BY: RHODES of the SENATE
and
LANCASTER 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 SECTION 26 OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA; PROVIDING FOR LIMITATIONS ON INDEBTEDNESS OF POLITICAL SUBDIVISIONS; INCREASING MAXIMUM AMOUNT OF INDEBTEDNESS FOR SCHOOL DISTRICTS; REQUIRING VOTER APPROVAL; PROVIDING FOR REPAYMENT OF INDEBTEDNESS; ALLOWING SCHOOL DISTRICTS TO CONTRACT WITH CERTAIN PERSONNEL FOR PERIODS BEYOND CURRENT FISCAL YEAR WITH CERTAIN LIMITATIONS; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 39TH OKLAHOMA LEGISLATURE:

SECTION 1. AMENDATORY 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 amendment to Section 26 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 26. Except as herein otherwise provided, no county, city, town, township, school district, or other political corporation, or subdivision of the state, shall be allowed to become indebted, in any manner, or for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year without the assent of three-fifths of the voters thereof, voting at an election, to be held for that purpose, nor, in cases requiring such assent, shall any indebtedness be allowed to be incurred to an amount, including existing indebtedness, in the aggregate exceeding five percent (5%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness: Provided, that if a 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 amount, including existing indebtedness, in the aggregate exceeding five percent (5%) but not exceeding ~~ten-percent-(10%)~~ fifteen percent (15%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness, for the purpose of acquiring or improving school sites, constructing, repairing, remodeling or equipping buildings, or acquiring school furniture, fixtures or equipment; and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need, unless otherwise provided by law. Provided further, that if a city or town has an absolute need therefor, such city or town 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 amount, including existing indebtedness, in the aggregate exceeding five percent (5%) but not exceeding ten percent (10%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness, and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need unless otherwise provided by law. Provided, further, that any county, city, town, school district, or other political corporation, or subdivision of the state, incurring any indebtedness requiring the assent of the voters as aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within twenty-five (25) years from the time of contracting the same, and provided further that nothing in this section shall prevent any school district from contracting with certificated personnel for periods extending one (1) year beyond the current fiscal year, under such conditions and limitations as shall be prescribed by law.

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 Section 26 of Article X of the Constitution of the State of Oklahoma which provides for indebtedness of political subdivisions by increasing debt limit for school districts from ten percent to fifteen percent; requiring voter approval; providing for repayment of indebtedness; and allowing school districts to contract with certificated personnel for periods beyond current fiscal year with certain limitations

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

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

Correctly Enrolled

John R. McLain

Passed the Senate the 14th day of February, 1984.

Phil Bond
ACTING President of the Senate

Passed the House of Representatives the 21st day of March, 1984.

Mike Murphy
Speaker ^{Pro Tempore} of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

22nd day of March, 1984,

at 12:01 o'clock _____ P. M.

Jeanette B. Gordon

By: _____



MICHAEL C. TURPEN
ATTORNEY GENERAL

STATE OF OKLAHOMA
STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105

September 6, 1984

The Honorable Jeannette B. Edmondson
Secretary of State
State Capitol Building
Oklahoma City, OK 73105

RE: Ballot Title for Legislative Referendum No.240
State Question Number 572

Dear Secretary Edmondson:

The Attorney General has received your letter dated September 5, 1984, requesting review of the subject Ballot Title as required by 34 O.S.Supp.1983, § 9.

The Ballot Title as proposed by you and approved by the Superintendent of Public Instruction, the Speaker of the House of Representatives and the President Pro Tempore of the Senate, reads as follows:

BALLOT TITLE

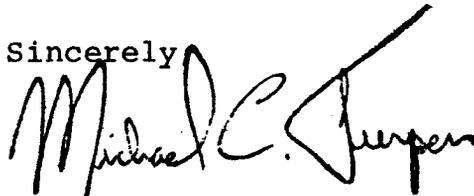
This measure would amend the Oklahoma Constitution. It would amend section 26 of Article X. This section relates to the debt limits of political units of the state. The measure changes the limit on debts a school district may incur for buildings and equipment. The limit is based on the value of the taxable property of the school district. The measure changes the current limit of ten percent (10%) to fifteen percent (15%). Any increase in the limit by a school district would require the approval of the voters of the district.

SHALL THE PROPOSED AMENDMENT BE APPROVED BY THE PEOPLE?

- (1) Yes, for the amendment
- (2) No, against the amendment

The Attorney General has reviewed your proposed official ballot title for Legislative Referendum No.240, State Question No.572 and certifies that the proposed ballot title is in legal form and harmony with the law.

Sincerely

A handwritten signature in black ink that reads "Michael C. Turpen". The signature is written in a cursive style with a large, sweeping initial "M".

MICHAEL C. TURPEN
ATTORNEY GENERAL OF OKLAHOMA

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