ENROLLED HOUSE JOINT RESOLUTION NO. 1040

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 242, STATE QUESTION NUMBER 574

RECEIVED: April 2, 1984

Resolution

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1040

BY: RIGGS of the HOUSE

and

RANDLE of the SENATE

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 BY ADDING A NEW SECTION TO ARTICLE X TO BE DESIGNATED AS SECTION 27B; AUTHORIZING ANY CITY, TOWN, OR COUNTY TO INCUR CERTAIN DEBTS SECURED BY CERTAIN REVENUES FOR THE PURPOSE OF FINANCING A PUBLIC UTILITY OR COMBINATION OF PUBLIC UTILITIES; PROVIDING THAT INDEBTEDNESS SHALL NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE CITY, TOWN, OR COUNTY; PROVIDING FOR CONSTRUCTION OF SECTION; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 39TH 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 amendment to Article X of the Constitution of the State of Oklahoma by adding a new Section 27B to read as follows:

Section 27B. (a) Any city, town, or county of this state may borrow money, issue bonds or other evidences of indebtedness, or execute promissory notes, payable from and secured by revenues or funds over a term of years, for the purpose of financing any public utility or combination of public utilities, upon an affirmative vote of at least three-fourths (3/4) of the members of the governing body of said city, town, or county.

(b) The indebtedness provided for in subsection (a) of this section shall be a limited obligation payable from and secured by a lien and charge against revenues or funds given by the city, town, or county as security for the debt and shall not be a general indebtedness of said city, town, or county for the purpose of any constitutional or statutory limitation.

(c) This section shall be independent and shall not be limited by or limit other existing provisions of the Constitution or statutes relating to financing public utilities.

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

adding a new Section 27B to Article X of the Oklahoma Constitution, which authorizes any city, town, or county of this state to incur certain debts secured by certain revenues or funds for the purpose of financing

a public utility or combination of public utilities, provides that the indebtedness shall not constitute a general indebtedness of the city, town, or county and provides that the provisions of the section shall not limit or be limited by existing provisions of the Constitution or statutes relating to financing public utilities

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives shall, immediately after the effective date 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.

Passed the House of Representatives the 22nd day of February, 1984.

acting Speaker of the House of Representatives

Passed the Senate the 29th day of March, 1984.

ACTING President of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 2nd day of April, 1984, at 2:28, o'clock P. M.

By: Jeannette B. Edmondson

MICHAEL C. TURPEN
ATTORNEY GENERAL
STATE OF OKLAHOMA
STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105

RECEIVED
JUL 24 1984
OKLAHOMA SECRETARY OF STATE

July 23, 1984

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

Re: Ballot Title for Legislative Referendum No. 242, State Question Number 574

Dear Secretary Edmondson:

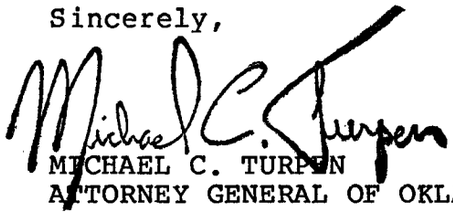
The Attorney General has received your letter dated July 16, 1984, requesting review of the subject Ballot Title as required by 34 O.S.Supp.1983, § 9.

The official Ballot Title as proposed by you reads as follows:

> "This measure would add a new Section 27B to Article X of the Oklahoma Constitution. It would authorize any city, town, or county of this state to acquire certain debts. The debts would be to finance public utilities. To acquire such debts would require an affirmative vote of at least three fourths (3/4) of the members of the governing body of said city, town, or county. The debts would be limited obligations payable from and secured by a lien and charge against revenues or funds given by the city, town, or county. This section shall not limit or be limited by existing provisions of the Constitution or Statutes relating to financing public utilities.
>
> "SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?
>
> "( ) Yes, for the amendment
>
> "( ) No, against the amendment"

The Attorney General has reviewed your proposed official Ballot Title for legal correctness, and finds that the title is in legal form and in harmony with the law, and does hereby so certify.

Sincerely,



MICHAEL C. TURPEN
ATTORNEY GENERAL OF OKLAHOMA

:lmd