

ENROLLED SENATE JOINT RESOLUTION NUMBER 9
ENACTED BY THE FIRST REGULAR SESSION OF THE
FORTIETH LEGISLATURE OF THE STATE OF OKLAHOMA

NUMBERED BY THE SECRETARY OF STATE

LEGISLATIVE REFERENDUM NUMBER 252

STATE QUESTION NUMBER 588

RECEIVED: March 12, 1985

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 9

BY: COMBS, GREEN, SADLER, BOATNER,
DAWSON, TAYLOR and TERRILL of
the SENATE

and
BENSON, BREWSTER, LEFTWICH,
MORRIS, FAIR, CLARK, CONAGHAN,
COTNER, DUCKETT, HENSHAW,
HOLT, HOOPER, KOPPEL, OSBORNE,
RIEGER and SANDERS 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 ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA BY ADDING A NEW SECTION 6B; PROVIDING FOR AN AD VALOREM TAX EXEMPTION FOR QUALIFYING MANUFACTURING CONCERNS; STATING PURPOSE; LIMITING EXEMPTION; DEFINING QUALIFYING MANUFACTURING CONCERN AND MANUFACTURING FACILITY; RESTRICTING EXEMPTION; PROVIDING FOR REIMBURSEMENT OF LOST REVENUE TO AD VALOREM TAX RECIPIENTS; PROVIDING ASSESSED VALUATION OF EXEMPT PROPERTY SHALL BE ADDED TO ASSESSED VALUATION OF TAXABLE PROPERTY FOR COMPUTING DEBT LIMIT FOR POLITICAL SUBDIVISIONS; PROVIDING A BALLOT TITLE; DIRECTING FILING; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 40TH 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 6B to read as follows:

For the purpose of inducing any manufacturing concern to locate or expand manufacturing facilities within any county of this state, a qualifying manufacturing concern shall be exempt from the levy of any ad valorem taxes upon new, expanded or acquired manufacturing facilities for a period of five (5) years.

For purposes of this section, a "qualifying manufacturing concern" means a concern that:

1. Is not engaged in business in this state or does not have property subject to ad valorem tax in this state and constructs a manufacturing facility in this state or acquires an existing facility that has been unoccupied for a period of twelve (12) months prior to acquisition; or

2. Is engaged in business in this state or has property subject to ad valorem tax in this state and constructs a manufacturing facility in this state at a different location from present facilities and continues to operate all of its facilities or acquires an existing facility that has been unoccupied for a period of twelve

(12) months prior to acquisition and continues to operate all of its facilities.

The exemption allowed by this section shall apply to expansions of existing facilities. Provided, however that any exemption shall be limited to the increase in ad valorem taxes directly attributable to the expansion.

For the purposes of this section "manufacturing facilities" shall mean facilities engaged in manufacturing as defined by the Standard Industrial Classification Code and facilities engaged in research and development.

The Legislature shall enact laws to carry out the provisions of this section and to provide for the reimbursement to common schools, county governments, cities and towns, emergency medical services districts, vocational-technical schools, junior colleges, county health departments and libraries for revenues lost to such entities as a result of the exemption provided by this section.

The assessed valuation of property exempt from taxation by virtue of this section shall be added to the assessed valuation of taxable property in computing the limit on indebtedness of political subdivisions contained in Section 26 of this article.

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:

This measure would add a new Section 6B to Article X of the State Constitution. It would exempt certain new manufacturing plants from ad valorem taxes. The exemption would be for five years. The measure defines the types of new plants which would be exempt. The purpose of the measure is to promote new industry growth in this state. The measure would allow the Legislature to pass laws to carry out the terms of the section. It would also allow the state to repay local government units for money lost through the exemption.

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 the 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.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election or special election, whichever occurs first, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection

as and in the manner provided by law.

Correctly Enrolled

John R. McLean

Passed the Senate the 26th day of February, 1985.

acting Samuel F. Roberts
President of the Senate

Passed the House of Representatives the 11th day of March, 1985.

acting Walter Rostenberg
Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

12th day of March, 1985,

at 4:30 o'clock P. M.

By: Estelle M. Phillips



MICHAEL C. TURPEN
ATTORNEY GENERAL

STATE OF OKLAHOMA
STATE CAPITOL, OKLAHOMA CITY, OKLAHOMA 73105

RECEIVED
MAR 14 1985
OKLAHOMA SECRETARY
OF STATE

March 14, 1985

FILED
MAR 14 1985

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

OKLAHOMA SECRETARY
OF STATE

RE: Ballot Title for Legislative Referendum No. 252
State Question Number 588

Dear Secretary Edmondson:

The Attorney General has received your letter dated March 14, 1985, requesting review of the subject Ballot Title as required by 34 O.S.Supp.1984, § 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:

"This measure would add a new Section 6B to Article X of the State Constitution. It would exempt certain new or expanding manufacturing plants from ad valorem taxes. The exemption would be for five years. The measure defines the types of new plants which would be exempt. The purpose of the measure is to promote new industrial growth in this state. The measure would require the Legislature to pass laws to carry out the terms of the section. It would also require the Legislature to provide a way to repay local government units and schools for money lost through the exemption."

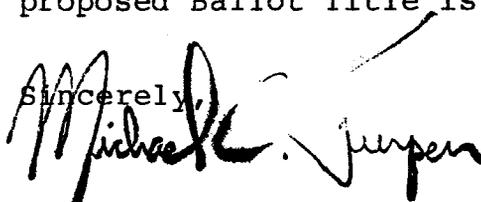
SHALL THE PROPOSED AMENDMENT BE APPROVED BY THE PEOPLE?

- Yes, for the amendment
 No, against the amendment

Jeannette B. Edmondson
March 14, 1985
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The Attorney General has reviewed your proposed official Ballot Title for Legislative Referendum No. 252, State Question No. 588 and certifies that the proposed Ballot Title is in legal form and harmony with the law.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Turpen". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

MICHAEL C. TURPEN
ATTORNEY GENERAL OF OKLAHOMA

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