

ENROLLED SENATE JOINT RESOLUTION 37
ENACTED BY THE SECOND REGULAR SESSION OF THE
50TH LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 734
LEGISLATIVE REFERENDUM NUMBER 342

RECEIVED: MAY 16, 2006

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 37

By: Crain and Corn of the
Senate

and

Sullivan and Terrill 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 6A of Article X of the Constitution of the State of Oklahoma; modifying provisions related to freeport exemption; authorizing enactment of laws governing application for exemption; providing for information to be included with application; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 50TH 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 Section 6A of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 6A. A. All property consigned to a consignee in this State from outside this State to be forwarded to a point outside this State, which is entitled under the tariffs, rules, and regulations approved by the Interstate Commerce Commission to be forwarded at through rates from the point of origin to the point of destination, if not detained within this State for a period of more than ninety (90) days, shall be deemed to be property moving in interstate commerce, and no such property shall be subject to taxation in this State; provided, that goods, wares and merchandise, whether or not moving on through rates, shall be deemed to move in interstate commerce, and not subject to taxation in this State if not detained more than nine (9) months where such goods, wares and merchandise are so held for assembly, storage, manufacturing, processing or fabricating purposes; provided, further, that personal property consigned for sale within this State must be assessed as any other personal property.

B. The Legislature shall enact laws governing the procedures for making application to the county assessor for purposes of the exemption authorized by this section, including the time as of which

the application must be filed and information to be included with the application.

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 amends the Oklahoma Constitution. It amends Section 6A of Article 10. This section provides an exemption from property tax. The exemption applies to goods that are shipped into the state, but which do not remain in the state for more than ninety days. This is sometimes known as the freeport exemption. This measure would allow laws to be enacted. The laws could provide for an application process to claim this exemption. The laws could require the application to be filed by a certain date. The laws could require certain information to be included with the application. The application would be filed with the county assessor.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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 _____

Passed the Senate the 15th day of May, 2006.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2006.

Presiding Officer of the House
of Representatives

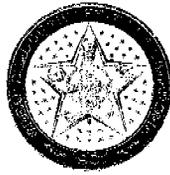
OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

16th day of May 2006
at 2:52 o'clock P M.

By: _____

ENR. S. J. R. NO. 37



W. A. DREW EDMONDSON
ATTORNEY GENERAL OF OKLAHOMA

May 22, 2006

M. Susan Savage, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

The Honorable Mike Morgan
President Pro Tempore
422 State Capitol Building
Oklahoma City, Oklahoma 73105

The Honorable Todd Hiatt
Speaker of the House of Representatives
401 State Capitol Building
Oklahoma City, Oklahoma 73105

FILED
MAY 22 2006
OKLAHOMA SECRETARY
OF STATE

Re: Ballot Title for State Question No. 734, Legislative Referendum No. 342

Dear Secretary Savage, Senator Morgan and Representative Hiatt:

We have, in accordance with the provisions of 34 O.S. Supp. 2005, § 9(C), reviewed the Ballot Title for the above referenced State Question and conclude that it is in harmony with the law. As a Title 34 Ballot Title Review, this letter does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W.A. Edmondson".

W.A. DREW EDMONDSON
ATTORNEY GENERAL

WAE/ab



Brad Henry
Governor

FILED

SEP 01 2006

OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT

EXECUTIVE PROCLAMATION

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the authority vested in me by Section 3 of Article V and Section 1 of Article XXIV of the Oklahoma Constitution and Section 12 of Title 34 of the Oklahoma Statutes, do hereby order that State Question Number 734, Legislative Referendum Number 342, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at the general election to be held statewide on November 7, 2006.

The substance of the measure is as follows:

This measure amends the Oklahoma Constitution. It amends Section 6A of Article 10. This section provides an exemption from property tax. The exemption applies to goods that are shipped into the state, but which do not remain in the state for more than ninety days. This is sometimes known as the freeport exemption. This measure would allow laws to be enacted. The laws could provide for an application process to claim this exemption. The laws could require the application to be filed by a certain date. The laws could require certain information to be included with the application. The application would be filed with the county assessor.

Copies of this Executive Proclamation shall be distributed to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Secretary of the State Election Board. The Secretary of the State Election Board and the secretaries of the appropriate county election boards are hereby directed to take all actions necessary to conduct the aforesaid election.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 1st day of September, 2006.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

BRAD HENRY

Brad Henry

[Signature]





Oklahoma State Election Board

ROOM B-6 • BOX 53156 • STATE CAPITOL • OKLAHOMA CITY, OKLAHOMA 73152 • (405) 521-2391

November 16, 2006

The Honorable Brad Henry
Governor of the State of Oklahoma
Room 212, State Capitol
Oklahoma City, Oklahoma 73105

Dear Governor Henry:

Pursuant to the provisions of 26 O.S. 2001, §12-118, the State Election Board herewith certifies the results of the vote at the General Election on November 7, 2006, on the following measures:

STATE QUESTION NO. 724
LEGISLATIVE REFERENDUM NO. 339

YES: 771,054
NO: 107,294

STATE QUESTION NO. 725
LEGISLATIVE REFERENDUM NO. 340

YES: 464,664
NO: 402,577

STATE QUESTION NO. 733
LEGISLATIVE REFERENDUM NO. 341

YES: 461,615
NO: 417,377

Governor Henry
November 16, 2006
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STATE QUESTION NO. 734
LEGISLATIVE REFERENDUM NO. 342

YES: 540,816
NO: 316,188

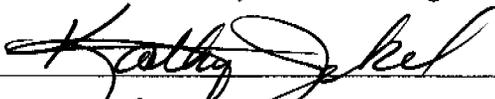
Sincerely,



MICHAEL CLINGMAN, Secretary
State Election Board

MC/mf

Receipt of the above hereby is acknowledged on this 16th day of November, 2006.

By: 
Time: 4:10 pm



Brad Henry
Governor

FILED

NOV 29 2006

OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT

EXECUTIVE PROCLAMATION

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 12-118 of Title 26 of the Oklahoma Statutes and the Certification by the State Election Board, hereby proclaim State Question 734 to have passed. The results of the election held on November 7, 2006, on State Question 734, Legislative Referendum No. 342 are as follows:

Total Votes – 857,004

YES – 540,816

NO – 316,188

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 29 day of November 2006.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Brad Henry

Attest:

M. Ann Davis
Secretary of State