

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE
FOR ENGROSSED SENATE
JOINT RESOLUTION NO. 21

BY: HORNER and MILES-LaGRANGE
of the SENATE

and

McCORKELL of the HOUSE

COMMITTEE SUBSTITUTE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO SECTION 9A OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA, WHICH RELATES TO DEPARTMENTS OF HEALTH; PROVIDING AD VALOREM TAX LEVY FOR COUNTY DEPARTMENTS OF HEALTH IN CERTAIN COUNTIES; REQUIRING APPROVAL OF REGISTERED VOTERS OF COUNTY; AUTHORIZING REPEAL OF LEVY BY REGISTERED VOTERS OF COUNTY; 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 10C; REQUIRING CERTAIN ENTITIES TO FILE BUDGETS WITH THE COUNTY; REQUIRING AUDIT; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 43RD 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 9A of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 9A. A. For the purpose of maintaining or aiding in maintaining a department of health within any county of the State with a population of one hundred thousand (100,000) or less

according to the latest Federal Decennial Census, an additional levy not to exceed two and one-half (2 1/2) mills on the dollar of the assessed valuation of the county may be levied annually, when such levy is approved by a majority of the ~~qualified ad valorem tax paying~~ registered voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county. A maximum levy of two and one-half (2 1/2) mills may be made for such purpose after such approval until repealed by a majority of the ~~qualified ad valorem tax paying~~ registered voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county. Such department of health may be maintained jointly or in conjunction with one or more counties, cities, towns or school districts, or any combination thereof, and shall be maintained as now or hereafter provided by law. Nothing herein shall prohibit other levies or the use of other public funds for such department of health.

B. For the purpose of maintaining or aiding in maintaining a department of health within any county of the State with a population of more than one hundred thousand (100,000) according to the latest Federal Decennial Census, an additional levy not to exceed five (5) mills on the dollar of the assessed valuation of the county may be levied annually, when such levy is approved by a majority of the registered voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county. A maximum levy of five (5) mills may be made for such purpose after such approval until repealed by a majority of the registered voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county.

Such department of health may be maintained jointly or in conjunction with one or more counties, cities, towns or school districts, or any combination thereof, and shall be maintained as now or hereafter provided by law. Nothing herein shall prohibit other levies or the use of other public funds for such department of health.

SECTION 2. 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 10C to read as follows:

Section 10C. Any taxing jurisdiction authorized to levy ad valorem taxes shall be required annually to submit a budget to the county excise board or county budget board, whichever is applicable, of the county in which the ad valorem revenue was collected for such board's review. The taxing jurisdiction, within ninety days after the close of the fiscal year, shall cause an independent audit to be prepared of their accounts with such audit being forwarded to the State Auditor and Inspector for review.

SECTION 3. 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 amend Section 9A of Article X of the State Constitution. This measure would raise the limit on property taxes to fund county health departments from 2 1/2 mills to 5 mills in certain counties. It would apply only to those counties with a population in excess of 100,000 persons. Any such levy would have to be approved by a majority of the

registered voters of the county. The registered voters could also vote to repeal the levy.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

SECTION 4. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 2 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 10C to Article X of the State Constitution. This measure requires entities that levy property taxes to file a budget. The budget would be filed with the county excise board or county budget board of the county in which the tax was collected. It would also require the entity to cause an audit to be prepared of their accounts. The audit would be forwarded to the State Auditor and Inspector for review.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

SECTION 5. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Titles set forth in SECTIONS 3 and 4 hereof, with the Secretary of State and one copy with the Attorney General.

43-2-8717

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