

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE
FOR ENGROSSED SENATE
JOINT RESOLUTION NO. 32

BY: LONG (Ed) and ROBINSON of
the SENATE

and

WIDENER 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 10A OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA; MODIFYING AMOUNT OF AD VALOREM TAX LEVIES FOR SUPPORT OF PUBLIC LIBRARY SYSTEMS; ELIMINATING POPULATION REQUIREMENTS RELATING TO ESTABLISHMENT AND MAINTENANCE OF MULTICOUNTY AND JOINT CITY-COUNTY PUBLIC LIBRARY SYSTEMS; SPECIFYING ALLOWABLE USES OF PROCEEDS OF LEVY; 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 2ND 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 10A of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 10A. To provide funds for the purpose of establishing and maintaining or aiding in establishing and maintaining public

libraries and library services, a special annual recurring ad valorem tax levy of not less than one (1) mill nor more than ~~four~~ ~~(4)~~ eight (8) mills on the dollar of the assessed valuation of all taxable property in the county shall be levied when such levy is approved by a majority vote of the qualified electors of the county voting on the question at an election called for that purpose by the Board of County Commissioners, either upon its own initiative or upon petition initiated by not less than ten percent (10%) of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter until such authority shall be cancelled by a majority vote of the qualified electors of the county voting on the question at an election called for that purpose by the Board of County Commissioners upon petition initiated by not less than twenty percent (20%) of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election.

~~In counties having a population of less than one hundred thousand (100,000), according to the most recent Federal Decennial Census, the~~ The proceeds of such levy shall be used by the county ~~only~~ for such public libraries and library services as are in cooperation with one or more other counties; ~~and in counties having a population of more than one hundred thousand (100,000), according to the most recent Federal Decennial Census, the proceeds of such levy shall be used by the county,~~ for joint city-county public libraries and library services ~~or for such public libraries and library services as are in cooperation with one or more other counties,~~ or for single county public library systems. Nothing herein shall prohibit other levies for public libraries and library

services or the use of other public funds for such purposes. All expenditures of the proceeds of such levies shall be made in accordance with laws heretofore or hereafter enacted concerning such libraries and library services. The provisions hereof shall be self-executing.

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 amends the state Constitution. It amends Section 10A of Article 10. This section deals with public library systems. It also deals with ad valorem taxes used for these libraries. This measure increases the maximum tax levy from four mills to eight mills. It also removes the requirement that 100,000 people must live in a county before the county can set up a multicounty or a joint city-county public library system.

The proceeds of the levy could be used for multicounty, joint city-county or single county public library systems.

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.

43-2-8721

SCE