

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE JOINT
RESOLUTION NO. 1027

BY: BATES of the HOUSE

and

EASLEY of the SENATE

AS INTRODUCED

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO SECTION 15 OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF OKLAHOMA; PROVIDING FOR THE USE OF STATE MONIES FOR MUNICIPALITIES TO COMPLY WITH FEDERAL GOVERNMENT MANDATES; REQUIRING THE LEGISLATURE TO ENACT CERTAIN LAWS; PROVIDING BALLOT TITLE; AND DIRECTING FILING.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE 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 15 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 15. A. The credit of the State shall not be given, pledged, or loaned to any individual, company, corporation, or association, municipality, or political subdivision of the State, except as provided for in ~~subsection B~~ subsections B and E of this section; nor shall the State become an owner or stockholder in, nor make donation by gift, subscription to stock, by tax, or otherwise, to any company, association, or corporation, except as provided for in subsection B of this section.

B. Pursuant to authority of and subject to requirements of law and according to professional norms established nationally in

similar activities, the Oklahoma Center for the Advancement of Science and Technology or its successor may be authorized to use public funds not exceeding one percent (1%) of total state appropriations for the current fiscal year to promote economic development through grants or loans to individuals, companies, corporations or associations. Pursuant to authority of and subject to requirements of law and according to professional norms established nationally in similar activities, the Oklahoma Center for the Advancement of Science and Technology or its successor may be authorized to use public funds in order to promote economic development by purchase or ownership of stock or to make other investments in private enterprises and to receive income from such investments which are involved with research or patents from projects involving Oklahoma colleges or universities. The Oklahoma Center for the Advancement of Science and Technology or its successor may only use public funds for the purposes authorized in this subsection if a statute specifically authorizing such use is approved by an affirmative vote of at least two-thirds (2/3) of the members elected to the Senate and to the House of Representatives upon final passage of such measure in each of the respective houses and with the approval of the Governor.

C. The Legislature shall only authorize use of public funds by the Oklahoma Center for the Advancement of Science and Technology or its successor as permitted by this section for promotion of economic development by creation of new employment, enhancement of existing employment or by the addition of economic value to goods, services or resources within the State authorized by subsection B herein.

D. The Legislature shall establish procedures to review and evaluate the extent to which the purposes of any statute authorizing use of public funds by the Oklahoma Center for the Advancement of Science and Technology are achieved.

E. The state may provide public funds, in the form of loans or other financial assistance, to municipalities for the purpose of assisting municipalities in providing any form of public service mandated by the federal government. The Legislature shall enact laws to implement the provisions of this subsection.

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 15 of Article 10. This section prohibits the credit of the State from being given, pledged or loaned to other public or private entities. This measure would let state monies be used to help municipalities in this state to comply with mandates from the federal government. The Legislature would pass laws to govern this use of state monies.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.

43-1-5219 DDL