

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1346

By: Begley, Beutler and
Widener of the House

and

Long (Ed) of the Senate

COMMITTEE SUBSTITUTE

An Act 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, which relates to tax levies for cooperative county libraries and joint city-county libraries; increasing millage caps relating to ad valorem tax levies in certain counties for support of library systems; eliminating population requirements relating to use of ad valorem tax revenues for multicounty and joint city-county public library systems; authorizing use of ad valorem tax revenues for libraries and library services authorized by the Legislature; providing ballot title; directing filing; and ordering a special election.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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) 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.

Except as provided in this section, in a county having less than one hundred thousand (100,000) population, according to the most recent Federal Decennial Census, the special annual recurring ad valorem tax levy shall be not less than one (1) mill nor more than four (4) mills on the dollar of the assessed valuation of all taxable property in the county. In a county having less than one hundred thousand (100,000) population, according to the most recent Federal Decennial Census, that provides public libraries and library services in cooperation with one or more counties, one of which is a county having a population of more than one hundred thousand (100,000), and in a county having more than one hundred thousand (100,000) population, according to the most recent Federal Decennial Census, the special annual recurring ad valorem tax levy shall be not less than one (1) mill nor more than six (6) mills on the dollar of the assessed valuation of all taxable property in the county.

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~~ counties are authorized by the Legislature to create, develop, operate, or maintain. 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 Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this act 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 taxes for libraries. This measure would raise the cap on the ad valorem tax levy for libraries from four to six mills in some counties. It would raise the cap in a county with more than 100,000 people. It would also raise the cap in a county with less than 100,000 people if the county is part of a multicounty library system that includes a county with more than 100,000 people. The cap on the ad valorem tax levy for libraries in other counties with less than 100,000 people stays the same. This measure would let a county use these taxes to provide any libraries and library services that are allowed by state law.
SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this act, 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 or special election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this act, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

44-1-0997

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