

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE JOINT  
RESOLUTION NO. 1033

By: Monks

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 3 of Article XXVIII of the Constitution of the State of Oklahoma; removing requirement that beer be sold to every licensed wholesale distributor; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
1ST SESSION OF THE 44TH 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 3 of Article XXVIII of the Constitution of the State of Oklahoma to read as follows:

Section 3. The Legislature shall enact laws providing for the strict regulation, control, licensing, and taxation of the manufacture, sale, distribution, possession, and transportation of alcoholic beverages, consistent with the provisions of this Amendment. Provided, that any manufacturer, or subsidiary of any manufacturer who markets his product solely through a subsidiary or subsidiaries, a distiller, rectifier, bottler, winemaker, ~~brewer~~, or importer of alcoholic beverages except beer, bottled or made in a foreign country, either within or without this state, shall be required to sell such brands or kinds of alcoholic beverages to every licensed wholesale distributor who desires to purchase the same, on the same price basis and without discrimination, and shall

further be required to sell such beverages only to those distributors licensed as wholesale distributors. Winemakers either within or without this state shall be required to sell wine they produce to every licensed wholesale distributor who desires to purchase the wine, but winemakers shall not be required to sell the wine they produce only to licensed wholesale distributors.

Winemakers may sell wine, produced at the winery from grapes and other fruits or berries grown in this state, to consumers on the premises of the winery. All laws passed by the Legislature under the authority of the Article shall be consistent with this provision.

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 would change the Oklahoma Constitution. It would amend Section 3 of Article 28. Article 28 deals with alcoholic beverages. The current language of Section 3 requires brewers to sell beer to all licensed wholesalers of alcoholic beverages. The change would do away with that requirement.

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.

