STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE JOINT
RESOLUTION NO. 1002 By: Sullivan (John)

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 55 of Article V of the Constitution of the State of Oklahoma; requiring final legislative approval of appropriations for education prior to approval of other appropriation measures; requiring final legislative approval of such measures prior to specific date; requiring final legislative approval of such measures within period of time prior to final passage of other appropriation measures; providing for additional appropriations; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 46TH 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 55 of Article V of the Constitution of the State of Oklahoma to read as follows:

Section 55. A. No money shall ever be paid out of the treasury of this State, nor any of its funds, nor any of the funds under its management, except in pursuance of an appropriation by law, nor unless such payments be made within two and one-half years after the passage of such appropriation act, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated and the object to which it

is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

B. Appropriations for the expenses directly related to the education of students in the common schools of this state shall be passed by the Legislature prior to the final passage of any other measure containing an appropriation. The measure or measures appropriating money for the education of students in the common schools shall have been finally approved by both houses of the Legislature in a manner permitting the measure or measures to be transmitted to the Governor for executive action at least thirty (30) calendar days prior to the date prescribed for the sine die adjournment of the legislative session during which the measure or measures are being considered. Such measure or measures shall also have received final passage at least twenty (20) days prior to the date as of which any other measure containing an appropriation receives final approval by either house of the Legislature.

C. Nothing in this section shall be construed to prohibit the passage of measures containing increases in appropriations for the education of students in the common schools subsequent to the final passage of the measure or measures described in subsection B of this section.

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 amend the Oklahoma Constitution. It would amend Section 55 of Article 5. Each year, the Legislature allows public funds to be spent. The funds are allowed to be spent in bills. These bills are known as spending bills. The Legislature provides some state funds for common schools. These

schools are for students attending grades from kindergarten through twelfth grade. This measure would require common education spending bills to be approved by the Legislature before any other spending bill is approved by the Legislature. It would require spending bills for common education to be approved by the Legislature at least thirty days before the end of the annual legislative session. It would also require these funds to be approved by the Legislature at least twenty days before any other spending bills are approved by the Legislature. Once the funds for common education have been approved by the Legislature, more funds could be spent for this same purpose later in a session.

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.

46-1-5459 MCD