

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE JOINT
RESOLUTION NO. 1089

By: Roach

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Article IX-A; authorizing use of public funds for certain purposes; authorizing exemption of property from ad valorem taxation for certain purposes; prescribing procedural requirements for passage of legislation; stating legislation passed constitute exceptions to certain provisions of Oklahoma Constitution; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND 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 by adding Article IX-A to the Constitution of the State of Oklahoma to read as follows:

Section 1. A. Upon passage with an affirmative vote of two-thirds (2/3) of those members elected to and constituting both the Oklahoma State Senate and the Oklahoma House of Representatives, legislation authorizing the use of public funds for grants, loans, investments, incentives, tax exemption or other forms of direct use of public funds for the benefit of a private business entity or a combination of private business entities and public or quasi-public governmental entities, shall constitute an exception to the provisions of:

1. Article V, Section 50 of the Oklahoma Constitution regarding exemption of property from taxation;

2. Article X, Section 14 of the Oklahoma Constitution regarding use of public funds for private purposes;

3. Article X, Section 15 of the Oklahoma Constitution regarding the making of gifts, loans or equity investments; and

4. Article X, Section 20 of the Oklahoma Constitution regarding the imposition or use of state revenue for the benefit of political subdivisions.

B. Legislation passed by the chambers of the Legislature in conformity with the requirements of subsection A of this section shall be deemed to constitute an exception to the requirements which would otherwise be imposed pursuant to the provisions enumerated in paragraphs 1 through 4 of subsection A 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 add a new Article 9A. This article would be called "Economic Development". If the measure passes, laws could be passed to use public funds to help business. Instead of amending the Constitution each time public funds were to be used, the Legislature could pass the law with a certain vote. To use public funds to help a business, the bill would need to receive at least two-thirds (2/3) approval in the Legislature. If the bill passed with this vote and the Governor signed it, public funds could be used to help a private business. Laws could also be passed to lower the amount of property tax that a business must pay.

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.

46-2-8419

MAH