

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE JOINT
RESOLUTION NO. 11

By: Brown

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 section to Article X to be designated as Section 9E; allowing board or boards of county commissioners to call special election to determine if special parks district should be formed; requiring election to be called upon certain petition; specifying area of district; providing for certain millage levy; specifying purposes therefor; limiting amount thereof; providing for governing board of trustees; specifying appointment procedures, terms, and powers and duties thereof; allowing board to issue bonds for certain purposes upon voter approval; providing for certain special annual ad valorem levy and limiting amount thereof; providing procedures for expansion or dissolution of district or change in millage levy amounts; authorizing Legislature to enact certain laws; providing ballot title; ordering a special election; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST SESSION OF THE 47TH 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 Article X of the Constitution of the State of Oklahoma by adding a new Section 9E to read as follows:

Section 9E. A. The board of county commissioners, or boards of county commissioners if more than one county is involved, may call a special election to determine whether or not a special parks district shall be formed. An election shall also be called by the board or boards involved upon petition signed by not less than ten percent (10%) of the registered voters of the area affected. The area may embrace a county, a part thereof, or more than one county

or parts thereof. All registered voters in such area shall be entitled to vote as to whether or not the district shall be formed, and at the same time and in the same question authorize a tax levy not to exceed three (3) mills for the purpose of providing funds for the purposes of support, organization, operation and maintenance of parks and recreation facilities located or to be located in the district. If the formation of the district and the mill levy are approved by a majority of the votes cast, a special annual recurring ad valorem tax levy of not more than three (3) mills on the dollar of the assessed valuation of all taxable property in the district shall be levied. The number of mills shall be set forth in the election proclamation, and may be increased or decreased in a later election, not to exceed a total levy of three (3) mills. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter.

B. Each district authorized pursuant to the provisions of this section shall be governed by a board of trustees of not fewer than five (5) members. Such trustees shall be chosen by the board or boards of county commissioners; provided, at least one individual shall be from each county or part thereof which is included in the district. The original appointments shall be made for staggered terms, and subsequent appointments shall be made for terms of five (5) years. The board shall have the power and duty to promulgate rules, procedures, and contract provisions and employ such personnel as may be necessary, and shall have such other powers and duties as may be provided by law.

C. The board of trustees may issue bonds, if approved by a vote of the majority of the registered voters of the district voting at a special election called for such purpose. Such bonds shall be issued for the purposes of acquiring property and equipment for parks and recreational facilities in the district and for maintenance thereof. Such bonds may be issued under the terms and

conditions provided by law for the issuance of municipal bonds. Upon issuance of bonds as provided in this subsection, the board of trustees shall levy a special annual ad valorem tax upon the property within the district, payable annually, in a total amount not to exceed three (3) mills on the dollar of the assessed valuation of all taxable property in the district, for the payment of principal and interest on outstanding bonds until such bonds are retired. Such levy shall be in addition to any levy made pursuant to the provisions of subsection A of this section.

D. Any district formed under the provisions of this section may be expanded or dissolved, or the millage levy or levies previously approved therefor may be changed, by a majority vote of the registered voters of the district voting at a special election called for such purpose. Such election may be called by the board or boards of county commissioners or upon petition signed by not less than ten percent (10%) of the registered voters of the district. All elections called under the provisions of this section shall be conducted by the county election board of each county involved.

E. The Legislature is hereby authorized to enact legislation as it deems necessary with respect to the provisions 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 State Constitution. The board or boards of county commissioners would be able to call a special election to allow voters to decide if a special parks district should be formed. An election would also be called upon petition signed by at least 10% of the voters in the district. A tax

levy of up to 3 mills could be approved at the same time. Each district would be run by a board of trustees with at least 5 members. The board could issue bonds, to be funded by an ad valorem tax levy of up to 3 mills. Changes to the district or millage would have to be approved by the voters. The Legislature would be able to enact laws relating to these districts.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election or special election, whichever occurs first, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

SECTION 4. The President Pro Tempore of the Senate, shall 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.

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