

THE HOUSE OF REPRESENTATIVES
Wednesday, February 20, 2008

House Joint
Resolution No. 1081

HOUSE JOINT RESOLUTION NO. 1081 - By: BLACKWELL of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to the Constitution of the State of Oklahoma by repealing Sections 1 and 1.A of Article XXVIII and by adding a new Section 1B to Article XXVIII; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF
THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

1 SECTION 1. The Secretary of State shall refer to the people for their approval or
2 rejection, as and in the manner provided by law, the following proposed amendments to
3 the Constitution of the State of Oklahoma, repealing Sections 1 and 1.A and adding a
4 new Section 1B to Article XXVIII of the Constitution of the State of Oklahoma to read as
5 follows:

6 Section 1B. A. The Alcoholic Beverage Laws Enforcement Commission is hereby
7 abolished. All duties, powers and responsibilities of the Alcoholic Beverage Laws
8 Enforcement Commission relating to the licensing of wholesalers shall be transferred to
9 the Oklahoma Tax Commission. The remainder of the duties, powers and

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1 responsibilities of the Alcoholic Beverage Laws Enforcement Commission shall be
2 transferred to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control.

3 B. The Legislature shall provide for the orderly transfer of the duties, powers and
4 responsibilities of the Alcoholic Beverage Laws Enforcement Commission, as well as the
5 personnel, property, records, assets and liabilities of the Alcoholic Beverage Laws
6 Enforcement Commission, to both the Oklahoma Tax Commission and the Oklahoma
7 State Bureau of Narcotics and Dangerous Drugs Control.

8 C. Effective July 1, 2009, the Oklahoma Tax Commission shall be responsible for
9 the licensing of wholesalers with regard to the alcoholic beverage laws of this state and
10 the Oklahoma Tax Commission shall have the power and authority to develop and
11 enforce rules and to enforce the laws and rules prescribed by the Legislature.

12 D. Effective July 1, 2009, the Oklahoma State Bureau of Narcotics and Dangerous
13 Drugs Control shall have responsibility for the remaining alcoholic beverage laws of this
14 state and the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall
15 have the power and authority to develop and enforce rules and to enforce the laws and
16 rules prescribed by the Legislature.

17 E. The provisions of this amendment shall become effective July 1, 2009.

18 SECTION 2. The Ballot Title for the proposed Constitutional amendment as set
19 forth in SECTION 1 of this resolution shall be in the following form:

20 **BALLOT TITLE**

21 Legislative Referendum No. ____

State Question No. ____

22 **THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

1 This measure amends the Oklahoma Constitution. It repeals Sections 1 and 1.A of
2 Article 28 of the Constitution. It amends the article dealing with alcoholic
3 beverages. The amendments would do away with the Alcoholic Beverage Laws
4 Enforcement Commission. This is the state agency that enforces the liquor laws in
5 this state. If this measure passes, two state agencies would enforce liquor laws.
6 The Tax Commission would be in charge of licensing wholesalers. The state drug
7 agency would be in charge of the rest of the liquor laws.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL — YES _____

10 AGAINST THE PROPOSAL — NO _____

11 SECTION 3. The Chief Clerk of the House of Representatives, immediately after
12 the passage of this resolution, shall prepare and file one copy thereof, including the
13 Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with
14 the Attorney General.

15 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-19-08 - DO PASS.