

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE JOINT
4 RESOLUTION 1081

By: Blackwell

5
6 AS INTRODUCED

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

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
15 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

16 SECTION 1. The Secretary of State shall refer to the people for
17 their approval or rejection, as and in the manner provided by law,
18 the following proposed amendments to the Constitution of the State
19 of Oklahoma, repealing Sections 1 and 1.A and adding a new Section
20 1B to Article XXVIII of the Constitution of the State of Oklahoma to
21 read as follows:

22 Section 1B. A. The Alcoholic Beverage Laws Enforcement
23 Commission is hereby abolished. All duties, powers and
24 responsibilities of the Alcoholic Beverage Laws Enforcement
Commission relating to the licensing of wholesalers shall be

1 transferred to the Oklahoma Tax Commission. The remainder of the
2 duties, powers and responsibilities of the Alcoholic Beverage Laws
3 Enforcement Commission shall be transferred to the Oklahoma State
4 Bureau of Narcotics and Dangerous Drugs Control.

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

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

17 D. Effective July 1, 2009, the Oklahoma State Bureau of
18 Narcotics and Dangerous Drugs Control shall have responsibility for
19 the remaining alcoholic beverage laws of this state and the Oklahoma
20 State Bureau of Narcotics and Dangerous Drugs Control shall have the
21 power and authority to develop and enforce rules and to enforce the
22 laws and rules prescribed by the Legislature.

23 E. The provisions of this amendment shall become effective July
24 1, 2009.

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

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

16 SHALL THE PROPOSAL BE APPROVED?

17 FOR THE PROPOSAL - YES _____

18 AGAINST THE PROPOSAL - NO _____

19 SECTION 3. The Chief Clerk of the House of Representatives,
20 immediately after the passage of this resolution, shall prepare and
21 file one copy thereof, including the Ballot Title set forth in
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23
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1 SECTION 2 hereof, with the Secretary of State and one copy with the
2 Attorney General.

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4 51-2-9774 CJB 01/17/08

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