

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE JOINT
RESOLUTION 35

By: Sparks

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 Oklahoma Constitution by adding a new Section 44 to Article X; creating the Revenue Replacement Endowment Fund; providing for funding; creating the Revenue Replacement Revolving Fund; providing for funding and expenditure; prohibiting expenditure for certain purpose; providing for transfer of funds to revolving funds; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST SESSION OF THE 56TH 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 the Oklahoma Constitution by adding a new Section 44 to Article X to read as follows:

Section 44. A. There is hereby created in the State Treasury an endowment fund to be designated the "Revenue Replacement Endowment Fund" to support the operation of state government. The endowment fund principal shall consist of annual deposits of at

1 least five percent (5%) of the total collections of the gross
2 production tax for each fiscal year levied on the production of oil
3 and gas prior to any other apportionment of the gross production
4 tax, income and investment return on endowment fund principal, and
5 any other deposits and apportionments from other sources as may be
6 provided by law. The Legislature may direct that any amount above
7 five percent (5%) be deposited for a fiscal year. Funds deposited
8 in the endowment fund shall be invested in the types of instruments
9 in which the State Treasurer is authorized by law to invest.

10 B. There is hereby created in the State Treasury a revolving
11 fund to be designated the "Revenue Replacement Revolving Fund". The
12 fund shall be a continuing fund, not subject to fiscal year
13 limitations, and shall consist of deposits from the Revenue
14 Replacement Endowment Fund and any other deposits as the Legislature
15 may direct. Subject to the provisions of this subsection, all funds
16 accruing to the credit of the revolving fund are hereby appropriated
17 and may be budgeted and expended for fiscal years beginning July 1,
18 2017, in the same manner as the General Revenue Fund is expended;
19 provided, no monies in the revolving fund may be used for debt
20 service payments due on bonds or other financing instruments issued
21 by the State of Oklahoma, counties, municipalities, authorities,
22 commissions, political subdivisions or any other governmental
23 entities.

1 C. Beginning on July 1, 2018, and on July 1 every year
2 thereafter, no more than four percent (4%) of the balance of the
3 Revenue Replacement Endowment Fund shall be transferred from the
4 Endowment Fund into the Revenue Replacement Revolving Fund.

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

8 BALLOT TITLE

9 Legislative Referendum No. _____ State Question No. _____

10 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

11 This measure amends the Oklahoma Constitution. It will add a
12 new Section 44 to Article 10. It will create an endowment fund
13 to be used for state government expenses. At least five
14 percent (5%) of the gross production tax will fund the
15 endowment fund every year. The funds will be invested. Every
16 year no more than four percent (4%) of the funds in the
17 endowment fund will be taken out. This amount will go to a
18 fund that can be spent on state government like general
19 revenue. However, it cannot be spent on debt service on bonds.

20 SHALL THE PROPOSAL BE APPROVED?

21 FOR THE PROPOSAL — YES _____

22 AGAINST THE PROPOSAL — NO _____

23 SECTION 3. The President Pro Tempore of the Senate shall,
24 immediately after the passage of this resolution, prepare and file

1 one copy thereof, including the Ballot Title set forth in SECTION 2
2 hereof, with the Secretary of State and one copy with the Attorney
3 General.

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