

HJR 1066 – By Calvey and Liebmann of the House and Shurden of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 6 of Article XXVIII of the Constitution of the State of Oklahoma; modifying prohibition of sales of alcoholic beverages by package stores on certain days; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 50TH 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 Section 6 of Article 28 of the Constitution of the State of Oklahoma to read as follows:

Section 6. (a) It shall be unlawful for any retail package store to sell, at retail, any alcoholic beverage:

On the first day of the week, commonly called Sunday;

~~On the day of any National, State, County or City Election, including primary elections, during the hours the polls are open;~~ and

On Decoration or Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(b) The voters of any county electing to authorize sales of alcoholic beverages by the individual drink for on-premises consumption under Section 4 hereof may designate as days on which such sales are not authorized, any or all of those days listed in subsection (a) of this section. It shall be unlawful for any licensee or person to make any such sale within any such county on days so designated.

(c) Any licensee or person violating the provisions of this section shall be deemed guilty of a misdemeanor and any license issued pursuant to provisions of this act shall be revoked upon conviction for such sale in violation 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 amends the Oklahoma Constitution. It amends Article 28. This Article deals with sales of alcoholic beverages. Section 6 of Article 28 bans the sale of alcoholic beverages by package stores on certain days. Package store sales of these beverages are prohibited on election days while the polls are open. This measure would remove the ban on sales on election days. If this measure passes, package stores could sell alcoholic beverages on election days.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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.

SJR 37 – By Crain and Corn of the Senate and Sullivan and Terrill of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 6A of Article X of the Constitution of the State of Oklahoma; modifying provisions related to freeport exemption; authorizing enactment of laws governing application for exemption; providing for information to be included with application; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 4. 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 Section 6A of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 6A. A. All property consigned to a consignee in this State from outside this State to be forwarded to a point outside this State, which is entitled under the tariffs, rules, and regulations approved by the Interstate Commerce Commission to be forwarded at through rates from the point of origin to the point of destination, if not detained within this State for a period of more than ninety (90) days, shall be deemed to be property moving in interstate commerce, and no such property shall be subject to taxation in this State; provided, that goods, wares and merchandise, whether or not moving on through rates, shall be deemed to move in interstate commerce, and not subject to taxation in this State if not detained more than nine (9) months where such goods, wares and merchandise are so held for assembly, storage, manufacturing, processing or fabricating purposes; provided, further, that personal property consigned for sale within this State must be assessed as any other personal property.

B. The Legislature shall enact laws governing the procedures for making application to the county assessor for purposes of the exemption authorized by this section, including the time as of which the application must be filed and information to be included with the application.

SECTION 5. 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 amends the Oklahoma Constitution. It amends Section 6A of Article 10. This section provides an exemption from property tax. The exemption applies to goods that are shipped into the state, but which do not remain in the state for more than ninety days. This is sometimes known as the freeport exemption. This measure would allow laws to be enacted. The laws could provide for an application process to claim this exemption. The laws could require the application to be filed by a certain date. The laws could require certain information to be included with the application. The application would be filed with the county assessor.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 6. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, 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.