

05/20/2014 08:14:40 PM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

**HJR1092**

By: McBride of the House and Sykes of the Senate

Title: Oklahoma Constitution; school bond issues for secure facilities; indebtedness; ballot title; filing.

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Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment.

Respectfully submitted,

HJR1092 CCR (A)  
**HOUSE CONFEREES**

Armes, Don



Billy, Lisa J.



Brown, Mike

Christian, Mike



Coody, Ann



Cox, Doug



Denney, Lee



Dorman, Joe

Hoskin, Chuck

Kern, Sally



Martin, Scott



McCullough, Mark



McDaniel,  
Jeannie

McNiel, Skye

McPeak, Jerry

Morrisette,  
Richard

Nelson, Jason



Newell, Tom

Osborn, Leslie



Ownbey, Pat



Proctor, Eric

Ritze, Mike

Roberts, Sean

Sanders, Mike

Schwartz, Colby



Sears, Earl



Sherrer, Ben

Watson, Weldon

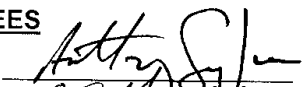
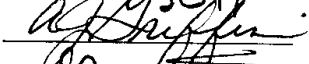

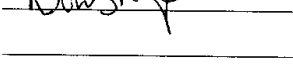


Wesselhoft,  
Paul



HJR1092 CCR A

**SENATE CONFEREES**

Sykes	
Griffin	
Treat	
Sharp	
Sparks	
Ivester	

1 ENGROSSED SENATE AMENDMENT  
2 TO  
3 ENGROSSED HOUSE  
4 JOINT  
5 RESOLUTION NO. 1092

By: McBride, Echols, Turner and  
Wesselhoft of the House

and

Sykes 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 26 of Article X of the Constitution of the State of Oklahoma; authorizing school districts to issue bonds for secure facilities; prescribing procedures for voter approval; prescribing method for determination of sinking fund millage rate; providing indebtedness incurred pursuant to specific provisions included within indebtedness limitation; providing exception; prescribing maximum maturity of obligations; prohibiting submission of question pursuant to specified provision more than one time; setting time limit for submission of question; providing ballot title; and directing filing.

AUTHOR: Add the following Senate Coauthor: Sharp

AMENDMENT NO. 1. Page 1, strike the title to read

"[ proposed amendment - school districts to issue bonds for secure facilities - ballot title - filing ]"

1 Passed the Senate the 23rd day of April, 2014.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2014.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives

1 ENGROSSED HOUSE  
JOINT  
2 RESOLUTION NO. 1092

By: McBride, Echols, Turner and  
Wesselhoft of the House

and

Sykes of the Senate

3  
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8  
9 A Joint Resolution directing the Secretary of State  
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12 voter approval; prescribing method for determination  
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within indebtedness limitation; providing exception;  
14 prescribing maximum maturity of obligations;  
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15 specified provision more than one time; setting time  
limit for submission of question; providing ballot  
16 title; and directing filing.  
17  
18

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
20 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for  
22 their approval or rejection, as and in the manner provided by law,  
23 the following proposed amendment to Section 26 of Article X of the  
24 Constitution of the State of Oklahoma to read as follows:

1       Section 26. (a) Except as herein otherwise provided, no  
2 county, city, town, township, school district, or other political  
3 corporation, or subdivision of the state, shall be allowed to become  
4 indebted, in any manner, or for any purpose, to an amount exceeding,  
5 in any year, the income and revenue provided for such year without  
6 the assent of three-fifths of the voters thereof, voting at an  
7 election, to be held for that purpose, nor, in cases requiring such  
8 assent, shall any indebtedness be allowed to be incurred to an  
9 amount, including existing indebtedness, in the aggregate exceeding  
10 five percent (5%) of the valuation of the taxable property therein,  
11 to be ascertained from the last assessment for state and county  
12 purposes previous to the incurring of such indebtedness: Provided,  
13 that if a school district has an absolute need therefor, such  
14 district may, with the assent of three-fifths of the voters thereof  
15 voting at an election to be held for that purpose, incur  
16 indebtedness to an amount, including existing indebtedness, in the  
17 aggregate exceeding five percent (5%) but not exceeding ten percent  
18 (10%) of the valuation of the taxable property therein, to be  
19 ascertained from the last assessment for state and county purposes  
20 previous to the incurring of such indebtedness, for the purpose of  
21 acquiring or improving school sites, constructing, repairing,  
22 remodeling or equipping buildings, or acquiring school furniture,  
23 fixtures or equipment; and such assent to such indebtedness shall be  
24 deemed to be a sufficient showing of such absolute need, unless

1 otherwise provided by law. Provided further, that if a city or town  
2 has an absolute need therefor, such city or town may, with the  
3 assent of three-fifths of the voters thereof voting at an election  
4 to be held for that purpose, incur indebtedness to an amount,  
5 including existing indebtedness, in the aggregate exceeding five  
6 percent (5%) but not exceeding ten percent (10%) of the valuation of  
7 the taxable property therein, to be ascertained from the last  
8 assessment for state and county purposes previous to the incurring  
9 of such indebtedness, and such assent to such indebtedness shall be  
10 deemed to be a sufficient showing of such absolute need unless  
11 otherwise provided by law. Provided, further, that any county,  
12 city, town, school district, or other political corporation, or  
13 subdivision of the state, incurring any indebtedness requiring the  
14 assent of the voters as aforesaid, shall, before or at the time of  
15 doing so, provide for the collection of an annual tax sufficient to  
16 pay the interest on such indebtedness as it falls due, and also to  
17 constitute a sinking fund for the payment of the principal thereof  
18 within twenty-five (25) years from the time of contracting the same,  
19 and provided further that nothing in this section shall prevent,  
20 under such conditions and limitations as shall be prescribed by law,  
21 any school district from contracting with:

22 (1) certificated personnel for periods extending one (1) year  
23 beyond the current fiscal year; or  
24



1 (2) a school superintendent for periods extending more than one  
2 (1) year, but not to exceed three (3) years beyond the current  
3 fiscal year.

4 (b) If a county approves an exemption of household goods of the  
5 heads of families and livestock employed in support of the family  
6 from ad valorem taxation pursuant to the provisions of subsection  
7 (b) of Section 6 of this article, the percentage limitations on  
8 indebtedness as specified in subsection (a) of this section for  
9 political subdivisions or political corporations located in any such  
10 county shall be adjusted by multiplying the percentage levels  
11 specified in subsection (a) of this section by the millage  
12 adjustment factor as specified in subsection (b) of Section 8A of  
13 this article.

14 (c) ~~If approved by the people, the amendment to this section~~  
15 ~~shall become effective January 1, 1993~~ (1) Effective January 1,  
16 2015, a school district may submit to the voters of such district a  
17 question for approval of the issuance of obligations the proceeds  
18 from sale of which shall be used to acquire, construct, improve and  
19 maintain such facilities as may be required to provide secure areas  
20 within, below or near schools for personal safety. If the issuance  
21 of the obligations is approved by three-fifths (3/5) of the voters  
22 casting votes in such election, the district shall establish a  
23 sinking fund to make payment of principal, interest, reserve amounts  
24 and other costs associated with the issuance of such obligations.

1 Such sinking fund millage rate shall be in addition to any other  
2 sinking fund millage levied by such district. The maximum maturity  
3 of any obligation issued pursuant to this subsection shall not  
4 exceed twenty-five (25) years. No school district may submit a  
5 question to the voters of the district pursuant to the provisions of  
6 this subsection more than one time and such question may not be  
7 submitted by any school district later than November 4, 2019.

8 (2) The principal amount of any indebtedness incurred pursuant  
9 to the provisions of this subsection shall be included within the  
10 limitation on total indebtedness authorized by the provisions of  
11 this section; however, if the voters of a school district approve an  
12 issuance of obligations pursuant to the provisions of this  
13 subsection and at the time as of which such issuance is approved the  
14 school district indebtedness is equal to or greater than ten percent  
15 (10%) of its net assessed valuation, or if at the time such issuance  
16 is approved the school district indebtedness is less than ten  
17 percent (10%) of its net assessed valuation, but the issuance of the  
18 additional obligations would cause the school district to be  
19 indebted in excess of ten percent (10%) of its net assessed  
20 valuation, the obligations authorized by this subsection may be  
21 issued, but the school district shall not thereafter authorize any  
22 other indebtedness until the total principal amount of indebtedness  
23 of the district, including any indebtedness incurred pursuant to the  
24 provisions of this subsection, has been reduced and the school

1 district may thereafter only incur indebtedness subject to the  
2 limitations otherwise imposed pursuant to the provisions of this  
3 section which shall not exceed ten percent (10%) of the net assessed  
4 valuation of the school district.

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 amends  
12 Section 26 of Article 10. School districts could issue bonds or  
13 other obligations to pay for personal safety facilities. The  
14 bonds would have to be approved by three-fifths (3/5) of the  
15 voters of the school district. The amount of debt for these  
16 bonds would be counted in the total debt that a school district  
17 is allowed to incur; however, if a school district voted to  
18 approve these bonds, even if the bonds would be in excess of the  
19 maximum amount of debt, the district could still issue these  
20 bonds. Once these bonds were issued, the school district would  
21 have to reduce its total debt below ten percent (10%) of its net  
22 assessed value in order to issue any additional debt. The bonds  
23 would have to be repaid within twenty-five (25) years. The  
24 annual sinking fund millage rate would be determined each year

1 in order to repay the principal, interest and other costs for  
2 the bonds. A school district would only be allowed to vote on  
3 this type of bond issue one time. A school district would have  
4 to approve this type of bond issue not later than November 4,  
5 2019.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL — YES \_\_\_\_\_

8 AGAINST THE PROPOSAL — NO \_\_\_\_\_

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

14 Passed the House of Representatives the 13th day of March, 2014.

15  
16 \_\_\_\_\_  
17 Presiding Officer of the House  
of Representatives

18 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2014.

19  
20  
21 \_\_\_\_\_  
22 Presiding Officer of the Senate  
23  
24