

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE JOINT
4 RESOLUTION 43

By: Anderson

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 a proposed amendment to Section 41 of
10 Article X of the Oklahoma Constitution; conforming
11 language upon passage of certain measure; providing
12 ballot title; ordering special election.

13 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
14 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

15 SECTION 1. The Secretary of State shall refer to the people for
16 their approval or rejection, as and in the manner provided by law,
17 the following proposed amendment to Section 41 of Article X of the
18 Oklahoma Constitution to read as follows:

19 Section 41. A. There is hereby created a trust fund to be
20 known as the "Oklahoma Education Lottery Trust Fund". The trust
21 fund shall consist of the funds transferred to it from the Oklahoma
22 Education Lottery.

23 B. Monies in the Oklahoma Education Lottery Trust Fund shall
24 only be expended for the following educational purposes and
programs:

- 1 1. Kindergarten through twelfth grade public education,
2 including but not limited to compensation and benefits for public
3 school teachers and support employees;
- 4 2. Early childhood development programs;
- 5 3. Tuition grants, loans and scholarships to citizens of this
6 state to enable such citizens to attend colleges and universities
7 located within this state which are accredited by the Oklahoma State
8 Regents for Higher Education or to attend institutions operated
9 under the authority of the Oklahoma Department of Career and
10 Technology Education;
- 11 4. Construction of educational facilities for elementary school
12 districts, independent school districts, the Oklahoma State System
13 of Higher Education, and career and technology education;
- 14 5. Capital outlay projects for elementary school districts,
15 independent school districts, the Oklahoma State System of Higher
16 Education, and career and technology education;
- 17 6. Technology for public elementary school district,
18 independent school district, state higher education, and career and
19 technology education facilities;
- 20 7. Endowed chairs for professors at institutions of higher
21 education operated by the Oklahoma State System of Higher Education;
- 22 8. Programs and personnel of the Oklahoma School for the Deaf
23 and the Oklahoma School for the Blind;
- 24 9. The School Consolidation and Assistance Fund; and

1 10. The Teachers' Retirement System Dedicated Revenue Revolving
2 Fund.

3 C. The Legislature shall appropriate funds from the Oklahoma
4 Education Lottery Trust Fund only for the purposes specified in
5 subsection B of this section. Even when the funds from the trust
6 fund are used for these purposes, the Legislature shall not use
7 funds from the trust fund to supplant or replace other state funds
8 supporting common education, higher education, or career and
9 technology education.

10 D. In order to ensure that the funds from the trust fund are
11 used to enhance and not supplant funding for education, the State
12 Board of Equalization shall examine and investigate appropriations
13 from the trust fund each year. At the meeting of the State Board of
14 Equalization held within five (5) days after the monthly
15 apportionment in February of each year, the State Board of
16 Equalization shall issue a finding and report which shall state
17 whether appropriations from the trust fund were used to enhance or
18 supplant education funding. If the State Board of Equalization
19 finds that education funding was supplanted by funds from the trust
20 fund, the Board shall specify the amount by which education funding
21 was supplanted. In this event, the Legislature shall not make any
22 appropriations for the ensuing fiscal year until an appropriation in
23 that amount is made to replenish the trust fund.

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1 E. The provisions of this section shall not become effective if
2 Enrolled House Bill No. 1278 of the 1st Session of the 49th Oklahoma
3 Legislature is not approved by the people of this state.

4 F. Effective July 1, 2020, all references in this section to
5 "elementary school districts" and "independent school districts"
6 shall mean "county school districts". The Legislature may pass any
7 additional laws that may be required to implement the provisions of
8 this section.

9 SECTION 2. The Ballot Title for the proposed Constitutional
10 amendment as set forth in SECTION 1 of this act shall be in the
11 following form:

12 BALLOT TITLE
13 Legislative Referendum No. _____ State Question No. _____

14 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

15 This measure amends Section 41 of Article 10 of the Oklahoma
16 Constitution. It changes the meaning of the terms "elementary
17 school districts" and "independent school districts". Each
18 would be considered a county school district after a certain
19 date.

20 SHALL THE PROPOSAL BE APPROVED?

21 FOR THE PROPOSAL - YES _____

22 AGAINST THE PROPOSAL - NO _____

23 SECTION 3. A special election is hereby ordered to be held
24 throughout the State of Oklahoma on the date of the next statewide

1 primary or special election which occurs immediately following the
2 date Enrolled Senate Bill No. _____ of the 2nd Session of the 55th
3 Oklahoma Legislature becomes effective as law, at which time the
4 proposed amendment to the Oklahoma Constitution, as set forth in
5 SECTION 1 of this act, shall be submitted to the people of Oklahoma
6 for their approval or rejection as and in the manner provided by
7 law.

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