



Oklahoma State Senate

Legislative Brief

September 2006

Issues Referred to Oklahoma Voters for Approval or Rejection at the 2006 Elections

(see also the list of State Questions compiled by the Secretary of State at
http://www.sos.state.ok.us/exec_initListAll.asp)

Issue: State payments to legislators

State Question 724

Legislative Referendum 339

Originating Legislation: [SJR 5](#) (2005)

Principal Authors: Senator Jay Paul Gumm, Representative Trebor Worthen

Election Date: November 7, 2006

Ballot Title *(as it appears on the Secretary of State web site)*

This measure amends Article V, Section 21 of the State Constitution. That Section deals with State pay to legislators. The amendment restricts State pay to some legislators. The pay restriction would apply to some legislators while in jail or prison. The pay restriction would apply to legislators found guilty of a crime. It would also apply to legislators who plead either guilty or no contest. Affected legislators must return any State pay received for time while in jail or prison.

Issue: Expenditures from Rainy Day Fund for at-risk manufacturers

State Question 725

Legislative Referendum 340

Originating Legislation: [SB 755](#) (2005)

Principal Authors: Senator Debbe Leftwich, Representative John Nance

Election Date: November 7, 2006

Ballot Title *(as it appears on the Secretary of State web site)*

This measure amends the State Constitution. It amends Section 23 of Article 10. The measure deals with the Constitutional Reserve Fund also known as the Rainy Day Fund. The measure allows money to be spent from the Rainy Day Fund. The purpose of the authorized spending is to retain employment for state residents by helping at-risk manufacturers. Payments from the Fund would be used to encourage such manufacturers to make investments in Oklahoma. All such payments from the Fund must be unanimously approved by three State officers. Those officers are the Governor and the head of the Senate and House of Representatives. These officers could only approve payments recommended by an independent committee. Such spending is allowed in years when there is Eighty Million Dollars or more in the Fund and other conditions are met. Such spending is limited to Ten Million Dollars a year. The help given to a manufacturer is limited to ten percent of its in-State capital investments. The Legislature could make laws to carry out the amendment.

Issue: Sales of alcoholic beverages on election days

State Question 733

Legislative Referendum 341

Originating Legislation: [HJR 1066](#) (2006)

Principal Authors: Representative Guy Liebmann, Senator Frank Shurden

Election Date: November 7, 2006

Ballot Title *(as it appears on the Secretary of State web site)*

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.

Issue: Freeport exemption from property tax

State Question 734

Legislative Referendum 342

Originating Legislation: [SJR 37](#) (2006)

Principal Authors: Senator Brian Crain, Representative Daniel Sullivan

Election Date: November 7, 2006

Ballot Title *(as it appears on the Secretary of State web site)*

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.

The Senate staff members listed below may be able to provide further information on the state questions listed in this legislative brief. However, the provisions of Section 16-119 of Title 26 of the Oklahoma Statutes prohibit state officials from directing or authorizing the expenditure of public funds to be used in support of or in opposition to measures being referred to the people for a vote, and provide misdemeanor penalties for offenses. In addition, rules of the Ethics Commission prohibit the use of public funds, property or time to influence the results of a ballot measure. Due to these restrictions, the information on state questions that the Senate staff is able to provide may be limited. Committees raising or expending funds in support of or in opposition to a state question are required to register with the Ethics Commission (www.ethics.ok.gov).

State Question 724: Caroline Dennis, Director of Committee Staff
Cheryl Purvis, Staff Attorney

State Question 725: Joanie Raff, Legislative Analyst

State Question 733: Lexa Shafer, Legislative Analyst
Selden Jones, Staff Attorney

State Question 734: Joanie Raff, Legislative Analyst