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1996 by SB651, by Sen. Larry Dickerson, D-Poteau, and Rep. Mike Mass, D-Hartshorne.

State Question 671, which arose from HJR1010, by Rep. Betty Boyd, D-Tulsa, and Sen. Angela Monson, D-Tulsa, amends the state constitution to allow multi-year contracts not to exceed three years for school superintendents. The measure was also on its way to easy passage.

Currently, school districts are limited to one-year contracts with their superintendents.

Also receiving voters' approval were three proposals for ad valorem reform — 675, 676 and 677.

State Question 675 caps locally assessed real property tax ratios at 13.5 percent with a floor of 11 percent and places a 10 percent to 15 percent cap on all tangible personal property ratios, including locally assessed businesses. The measure also provides for the stabilization of the assessment ratio on all state assessed property at the level in effect on Jan. 1, 1996 — 22.85 percent, 22.85 percent for public service property and 11.07 percent for airline and railroad property.

The ratio of locally assessed real and tangible personal property would not be increased except with approval of the voters of a county at an election called by the county commissioners or by a petition of the voters. Increases in the assessment ratios also cannot be increased within the limits by more than one percentage point per year.

State Question 676 limits an increase in the fair cash value of any locally assessed

real property to five percent in any taxable year. The cap will not apply in any year when title to the property is transferred, changed or conveyed to another person or when improvements have been made on the property.

Additionally, the question, which passed, provides that counties not in compliance with laws or regulations governing the valuation of locally assessed real property will not be subject to the cap until the county is deemed to be in compliance. The cap will not apply to personal property or public service cor-

poration property.

State Question 677 freezes the tax value of homes owned by those over the age of 65 with gross incomes of \$25,000 or less and passed. Under the terms of the proposal, any improvements made to such property shall be assessed and added to the assessed value of the property.

The freeze will remain in place until the owner dies, the owner's income exceeds the qualifying amount or the ownership of the property is changed.

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plies a technical and biased meaning:

- That the attorney general's reference to the legalization and enforceability of gambling debts in the ballot title is a misstatement of the proposed amendment;

- That the attorney general's statement that the measure opens the door for Indian tribes to engage in new form of gambling is a purely speculative consequence; and

- That the textual allusion that state limits and standards would have limited or no effect on Indian gambling is a misstatement of the law.

The Court rejected each of the constitutional challenges, but agreed, to an extent, with some of the arguments raised over the form of the state question, resulting in amendments to the ballot measure's language.

Concerning Hughes' claim that the ballot title contained misleading statements, the Court agreed that the statement that "[T]he measure opens the door for Indian tribes to engage in the new forms of gambling" "may mislead the voter into believing that 'opening the doors' is akin to 'opening the floodgates.'" The Court amended that sentence of the ballot title to read:

"The measure would allow Indian tribes to request an agreement to operate a gambling casino."

Additionally, the statement, "State limits and standards would have limited or no effect on Indian gambling," posed a problem for both the proposal's opponent and the Court. Specifically, the Court said, the state-

ment, combined with information not included in the ballot title, "may mislead voters into believing that casino gambling on Indian land will be an unregulated activity."

As a result, the Court ordered that statement be removed from the ballot title, along with the statement, "The State could not tax Indian gambling."

On the question of the legalization of gambling debts, the Court agreed with Hughes that the statement contained in the title was "overly broad and could lead voters to believe that gambling debts other than those authorized by the proposed measure would be made legal and enforceable," and ordered four words be added to that statement in the title, so that it reads, "The measure makes gambling debts incurred at authorized casinos legal and enforceable."

Concerning the "gaming" versus "gambling" issue, the Court sided with the Attorney General's Office, saying it could not conclude that the use of "gambling" instead of "gaming" is contrary to the command of statutory law.

Combined with the Court's amendments to specific statements in the ballot title and the deletion of other language, the Court determined the question to be "legally sufficient for submission to the people of Oklahoma."

Consideration of the question could come during a special election called by the governor, although such an election is unlikely, or in two years, during the next general election.

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"Inside the polling booth every American man and woman stands as the equal of every other American man and woman. There they have no superiors, There they have no masters save their own minds and consciences."

*Franklin D. Roosevelt
speech in Worcester, Massachusetts
Oct. 21, 1936*