

ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1038

By: Mass, Pettigrew, Askins,
Fields, Gray, Miller
(Doug), Mitchell, Pope
(Tim), Staggs and Turner of
the House

and

Price 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 the Oklahoma Constitution by adding a new section to Article II to be designated as Section 35; requiring approval of voters of this state for the sale or exportation of water out of state by state officials, agencies or the Oklahoma Legislature; clarifying intent of section; authorizing certain sales and exportations; providing certain restrictions; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND SESSION OF THE 48TH 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 Article II of the Constitution of the State of Oklahoma by adding a new Section 35 to read as follows:

Section 35. A. Except as otherwise provided by this section, no state board, commission, committee, authority, department or other such agency of this state nor any elected or appointed officer, member of any state governing body or other person designated to act for a state agency or in behalf of the state or the Oklahoma Legislature shall authorize the sale or exportation of water outside the state until the issue has been referred to the people of this state and the sale or exportation of water has been

approved by a majority of the votes cast on the measure at a statewide election authorizing the sale or exportation of such water.

B. Nothing in this section shall be construed as affecting or intending to affect:

1. The out-of-state sale or exportation of water in the amount of eight million (8,000,000) gallons per month or less by any one private water owner. The joining or combining of water for sale or exportation pursuant to the provisions of this paragraph by two or more private water owners shall not exceed a combined total of eight million (8,000,000) gallons per month without a statewide vote; or

2. The out-of-state sale or exportation of bottled drinking water offered for sale for human consumption or for other consumer uses and that meets federal regulations or state rules pertaining to bottled drinking water.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this act 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 State Constitution. It adds a new Section 35 to Article 2. It requires the people of this state to approve the sale or exportation of water out of state by state officials, state agencies, or the Oklahoma Legislature at an election held for such purpose. It exempts the sale or exportation of water of less than eight million gallons per month and of bottled drinking water from these approval requirements.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this act, 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.

Passed the House of Representatives the 6th day of March, 2002.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2002.

Presiding Officer of the Senate