

ENGROSSED HOUSE  
JOINT  
RESOLUTION NO. 1068

By: Leist, Blackburn,  
Blackwell, Calvey, Covey  
Deutschendorf, Ferguson  
Kirby, Mass, Mitchell,  
Rice, Sullivan, Wilt,  
Winchester and Wright of  
the House

and

Shurden 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 Constitution of the State of Oklahoma by adding a new Section 39A to Article X; creating the State Environment and Natural Resources Trust Fund; providing for monies to be deposited to the Fund; authorizing Legislature to designate certain monies; authorizing Legislature to levy certain monies; restricting expenditure of certain monies; authorizing individual subaccounts; providing for transfer of certain monies; requiring the trust fund to be expended only for certain environment-related purposes; prohibiting the Legislature from using the trust fund to replace other state funds; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
2ND SESSION OF THE 49TH 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 X of the Constitution of the State of Oklahoma by adding a new Section 39A to read as follows:

Section 39A. A. A permanent State Environment and Natural Resources Trust Fund is hereby created in the State Treasury. The trust fund shall consist of all monies designated to the trust fund by the Oklahoma Legislature pursuant to this amendment and any

additional public or private funds from grants, gifts, contributions, investments, bequests, interest, reimbursements, matching funds, and such other funds deposited in or designated for deposit to the trust fund.

B. The Oklahoma Legislature may designate, for deposit into the trust fund, available revenues or monies or may levy or assess additional revenue or monies to fund various environmental and natural resources programs or functions for the public purpose of the protection, conservation, preservation and enhancement of the state's air, water, land, fish, wildlife and other natural resources and for matching funds for any federal monies made available for these purposes.

C. Individual subaccounts shall be established by the Oklahoma Legislature in the trust fund as necessary to fund specific or general purposes specified in subsection B of this section. Each subaccount shall consist of all monies collected pursuant to the program or function for which such subaccount has been established by the Oklahoma Legislature. All monies collected for such programs or functions shall be expended only and solely in furtherance of the objectives of such programs, purposes and functions as set forth in the original statute which established the fee.

D. The Legislature shall not use any funds designated for deposit in the trust fund or any funds to supplant or replace other state funds.

E. Monies may be expended from the individual subaccounts within the trust fund by any state agency given the authority and jurisdiction to manage the program or function pursuant to warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

F. The provisions of this section shall be independent of and not be limited by the provisions of Sections 14 and 15 of Article X of the Oklahoma Constitution.

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

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds a new section to the Oklahoma Constitution. The new section creates an environmental trust fund for the protection and enhancement of the state's environment and natural resources. The section allows the Legislature to provide for deposits to the trust fund. It requires the establishment of individual subaccounts. It restricts and prohibits certain expenditures from the trust fund. It provides for expenditures. It makes the section independent from other Constitutional provisions.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES \_\_\_\_\_

AGAINST THE PROPOSAL - NO \_\_\_\_\_

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, 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 26th day of February,  
2004.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2004.

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Presiding Officer of the Senate