

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE JOINT

RESOLUTION HJR1074:

Blackburn

AS INTRODUCED

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 of the State of Oklahoma by adding a new section to Article II to be designated as Section 36; prohibiting the sale or exportation of water out of state by state officials, agencies or the Oklahoma Legislature until certain study is completed; 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 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 the Constitution of the State of Oklahoma by adding a new Section 36 to Article II thereof, to read as follows:

Section 36. 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 a comprehensive statewide study is completed which includes an investigation and survey related to the quantity, quality and availability of the water resources of this state and water demands within the state.

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.

C. The provisions of this section shall be independent of and not be limited by the provisions of Section 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 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 36 to Article 2. It prohibits the sale or exportation of water out of state by the state and local government until a comprehensive statewide study has been completed. It exempts the sale or transfer of water less than eight million gallons per month and of bottled drinking water from such requirements.

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 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.

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