

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE JOINT  
4 RESOLUTION 1014

By: McEachin of the House

5 and

6 Newhouse of the Senate

7  
8  
9 AS INTRODUCED

10 A Joint Resolution directing the Secretary of State  
11 to refer to the people for their approval or  
12 rejection a proposed amendment to the Constitution of  
13 the State of Oklahoma by adding a new Section 1A to  
14 Article I; clarifying the power of Congress to  
15 control navigable waters; providing ballot title; and  
16 directing filing.

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
18 1ST SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for  
20 their approval or rejection, as and in the manner provided by law,  
21 the following proposed amendment to the Constitution of the State of  
22 Oklahoma by adding a new Section 1A to Article I thereof, to read as  
23 follows:

24 The power inferred through the Commerce Clause of the United  
States Constitution to assure that navigable waterways remain open

1 is limited to that assurance and in no way delegates to the Congress  
2 of the United States the power to regulate water quality or  
3 impoundment, such power being reserved to the people of the state of  
4 Oklahoma, including the right to compact with others states pursuant  
5 to Section 10 of Article I of the United States Constitution.

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

9 BALLOT TITLE

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

11 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

12 This measure amends the Oklahoma Constitution. It clarifies the  
13 rights of the federal government and the state of Oklahoma  
14 concerning waterways. It makes clear that the power of the  
15 United States Congress is limited to making sure that navigable  
16 waterways remain open and that other powers pertaining to water,  
17 such as quality and impoundment, are powers retained by the  
18 states. It further declares that the state has the power to  
19 enter into compacts with other states, as guaranteed by the  
20 United States Constitution.

21 SHALL THE PROPOSAL BE APPROVED?

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

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

24

1 SECTION 3. The Chief Clerk of the House of Representatives,  
2 immediately after the passage of this resolution, shall prepare and  
3 file one copy thereof, including the Ballot Title set forth in  
4 SECTION 2 hereof, with the Secretary of State and one copy with the  
5 Attorney General.

6

7 56-1-6286 SD 01/17/17

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24