



RESOLUTION 08-15-2016 (A)

A RESOLUTION OPPOSING THE PASSAGE OF SQ777 PROHIBITING THE OKLAHOMA LEGISLATURE FROM PASSING LAWS ABRIDGING AGRICULTURAL TECHNOLOGY AND LIVESTOCK AND RANCHING PRACTICES

WHEREAS, the Oklahoma Legislature passed HJR 1012 during the Fifty-Fifth Legislature, First Regular Session authorizing a proposed amendment to Article II of the Oklahoma Constitution forever guaranteeing the rights of farmers and ranchers to engage in farming and ranching practices and prohibiting the Oklahoma Legislature from passing any law which abridges the right of farmers and ranchers to employ agricultural technology and livestock production and ranching practices without a compelling state interest;

WHEREAS, the proposed amendment to Article II of the Oklahoma Constitution has been designated as State Question 777 to be placed on the ballot and voted on by the citizens of the State of Oklahoma on the 8th day of November, 2016;

WHEREAS, the City of The Village recognizes and appreciates the role of the agricultural industry to the economy, culture, and growth of the State of Oklahoma;

WHEREAS, the Oklahoma Legislature is tasked with the passage of laws preserving the health, safety, and welfare of the citizens of Oklahoma, including enabling Oklahoma's regulatory agencies, local governments, and municipal authorities with the authority to implement said laws;

WHEREAS, the obligation to preserve the health, safety, and welfare of the citizens of Oklahoma includes preserving water quality, water quantity, soil quality, and air quality;

WHEREAS, pursuant to the authority granted by the Oklahoma Legislature in Title 11 Oklahoma Statutes Section 37, Oklahoma municipalities are empowered with the creation and management of municipal water utilities, which sets forth the municipal obligations and responsibilities for preserving the supply and quality of water for its citizens;

WHEREAS, pursuant to the authority granted by the Oklahoma Legislature in Title 11 Oklahoma Statutes Section 43, Oklahoma municipalities are empowered with the creation and

implementation of land use and zoning regulations to protect the property rights and its citizens enjoyment of their property, in addition to responsible planning for their communities;

WHEREAS, the Constitution of the State of Oklahoma supersedes any Oklahoma Statute, municipal ordinance, or regulation;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 affords protections and a special designated class for the agricultural industry granted to no other industry in Oklahoma;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 would supersede the laws, regulations, and ordinances potentially impacting agricultural technology, farming and ranching practices;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 threatens the ability of municipalities to fulfill their statutory obligations to preserve the health, safety, and welfare of its citizens;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 threatens the ability of municipalities to fulfill their statutory obligations set forth in Title 11 Oklahoma Statutes Section 37 to provide a stable and safe supply of water for their citizens;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 threatens the ability of municipalities to fulfill their statutory obligations set forth in Title 11 Oklahoma Statutes Section 43 to implement land use controls and zoning regulations, protecting the property rights and their citizens' enjoyment of their property, as well as responsible planning for their communities;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 would threaten the ability of the Oklahoma Legislature, local governments and regulatory agencies to strengthen or implement water quantity, water quality, air quality, land use and zoning laws or regulations which may result in impacts to agricultural technology, farming and ranching practices;

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 would require extensive litigation in the event the Oklahoma Legislature, local governments or regulatory agencies attempt to pass laws, regulations, or ordinances which may result in impacting agricultural technology, farming, and ranching practices;

WHEREAS, municipalities face overwhelming financial burdens related to the maintenance and implementation of municipal water infrastructure resulting from mandates from the United States Environmental Protection Agency, water contamination, and increasing water demand; and

WHEREAS, the proposed amendment to the Oklahoma Constitution contained in State Question 777 could result in increased contamination of municipal water supplies from agricultural runoff, fertilizers, pesticides, or animal waste, increasing the extensive financial burden for municipal water infrastructure maintenance and implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, AS FOLLOWS:

SECTION 1. The City of The Village hereby expresses its opposition to State Question 777, which restricts the Oklahoma Legislature, Oklahoma’s regulatory agencies, local governments, and municipal authorities from fulfilling their obligation to protect the health, safety, and welfare of the citizens of the State of Oklahoma.

SECTION 2. The City of The Village urges its citizens to reject State Question 777 in affirmation of the obligation of the Oklahoma Legislature, Oklahoma’s regulatory agencies, local governments, and municipal authorities to protect the health, safety, and welfare of the citizens of the State of Oklahoma.

SECTION 3. The City Clerk is hereby directed to forward a copy of this resolution to the respective Clerks of the Oklahoma House of Representatives and the Oklahoma Senate, House and Senate members of the City of The Village’s local delegation representing all or parts of the City as well as to the local media.

ADOPTED THIS 15th day of August, 2016.

Hutch Hibbard, Mayor

ATTEST:

City Clerk

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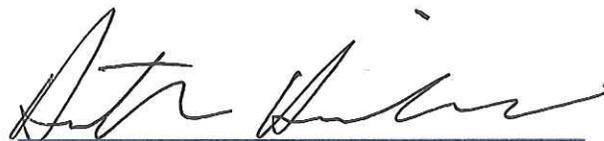
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