

ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1095

By: Mass, Erwin, Matlock,
Pope (Tim) and Widener
of the House

and

Stipe of the Senate

(environment and natural resources - Department of
Environmental Quality - Board of Health)

WHEREAS, the Department of Environmental Quality was created in 1992, in part, to ensure that complaints of the public, concerns regarding environmental issues and the regulatory concerns of industry were adequately addressed in this state; and

WHEREAS, the Oklahoma Legislature, in creating the Department of Environmental Quality, intended for the Department to be a vigorous, progressive, responsive, community-friendly agency, a citizen and regulated community advocate, and an aggressive but fair regulator of the state environmental regulatory and protection laws; and

WHEREAS, the Department of Environmental Quality has increased administrative and regulatory costs for its environmental programs particularly in private sewage, private and public water and solid waste to such an extent and without a specific and accurate determination of administrative costs that to many people of this state, the fees have become a tax burden; and

WHEREAS, the Department of Environmental Quality has developed costly rural offices, separate and apart from other local state regulatory agencies rather than working in conjunction with the other local agencies to prevent waste, duplicate inspections and

provide efficient and adequate services to rural and local communities as authorized and directed pursuant to Section 2-3-101 of Title 27A of the Oklahoma Statutes; and

WHEREAS, it is the intent of the Legislature that services be provided to rural and local communities in a less costly, more efficient and less duplicative manner following the direction and objective of Section 2-3-101 of Title 27A of the Oklahoma Statutes; and

WHEREAS, the Department of Environmental Quality was specifically mandated to require a system of training for all personnel who render review and inspection services in order to ensure uniform statewide application of laws and rules; and

WHEREAS, the Oklahoma Legislature has received numerous complaints of strong-arm tactics, agency secrecy, preferential treatment with regard to regulated entities, employee misapplications and confusion as to current agency rules and the failure to properly and fairly enforce the provisions of the Oklahoma Environmental Quality Code and the rules promulgated thereto; and

WHEREAS, the Oklahoma Legislature has a duty to provide an efficient nonduplicative, least costly, responsive, open, easily accessible, fair and consistent statewide environmental policy for the public, the business community and local governments to follow and, in particular, has a need for all agencies to comply with the statutes and to be straightforward and honest in their dealings with the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE:

SECTION 1. It is hereby the intent of the Legislature that the private sewage, private and public water and solid waste programs of the Department of Environmental Quality and the Environmental Quality Board be transferred to the State Department of Health. All

powers and duties, personnel, funds, assets and liabilities of the Environmental Quality Board and the Department of Environmental Quality relating to such programs shall be transferred to the State Department of Health and to the State Board of Health.

Passed the House of Representatives the 6th day of March, 1996.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate