

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1098

By: Adair of the House

and

Shurden of the Senate

A Joint Resolution relating to a certain emergency rule of the Wildlife Conservation Commission; disapproving certain rule; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Section 250.2 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to determine that a rule is not consistent with legislative intent and disapprove such rule or any portion thereof; and

WHEREAS, pursuant to Section 5-401 of Title 29 of the Oklahoma Statutes, the Legislature authorized the Wildlife Conservation Commission to charge residents not to exceed Ten Dollars (\$10.00) for a special permit or license to participate in open season or hunting in open areas during open season; and

WHEREAS, on or about July 17, 1995, the Wildlife Conservation Commission submitted an emergency rule to the Governor and the Legislature pursuant to the Oklahoma Administrative Procedures Act, which rule was approved by the Governor on August 21, 1995; and

WHEREAS, the Wildlife Conservation Commission exceeds its authority by establishing a fee in the emergency rule in the amount of Eleven Dollars (\$11.00) for a special Bobcat-Raccoon-Gray Fox License; and

WHEREAS, emergency rule OAC 800:25-7-63, relating to Furbearers License Requirements and Fees, does not reflect the intent of 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. The Wildlife Conservation Commission emergency rule OAC 800:25-7-63 is hereby disapproved.

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Director of the Wildlife Conservation Commission and the Editor of "The Oklahoma Register".

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 10th day of April, 1996.

Speaker

of the House of
Representatives

Passed the Senate the 24th day of May, 1996.

President of the Senate