

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE JOINT
RESOLUTION NO. 1040

By: Erwin and Gray

AS INTRODUCED

A Joint Resolution relating to certain rule of the Wildlife Conservation Commission regarding Commercial Turtle Harvest; disapproving proposed permanent rule OAC 800:15-9-3(2) (E) and (F); directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or any portion thereof; and

WHEREAS, the Wildlife Conservation Commission adopted proposed permanent rule OAC 800:15-9-3(2) (E) and (F) on February 3, 1997, regarding Commercial Turtle Harvest relating to general operating provisions; and

WHEREAS, pursuant to proposed permanent rule OAC 800:15-9-3(2) (E) and (F), all turtles, except as provided in Section 4-102 of Title 29 of the Oklahoma Statutes, less than four (4) inches in length when measuring the carapace only, from the anterior end to the posterior end, shall not be kept in possession or sold or purchased and must be returned to the water immediately, and all soft shell turtles, except as provided in Section 4-102 of Title 29 of the Oklahoma Statutes, greater than eighteen (18) inches in length when measuring the carapace only, from the anterior end to

the posterior end, shall not be kept in possession or sold or purchased and must be returned to the water immediately; and

WHEREAS, proposed permanent rule OAC 800:15-9-3(2) (E) and (F) regarding Commercial Turtle Harvest relating to general operating provisions does not reflect the intent of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves proposed permanent rule OAC 800:15-9-3(2) (E) and (F), regarding Commercial Turtle Harvest relating to general operating provisions.

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.

46-1-6760

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