

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE JOINT
RESOLUTION NO. 1112

By: Webb and Gray

AS INTRODUCED

A Joint Resolution relating to rules of the Board of Regents of Oklahoma Colleges; disapproving adopted permanent rules OAC 500:50-2-3(a) (2) (E) (iv), OAC 500:50-3-3(b) (6) (B), OAC 500:45-2-3(a) (1), OAC 500:45-3-1(d) (12) and (e), OAC 500:45-3-2(h) and OAC 500:45-3-3, regarding Northwestern Oklahoma State University and Northeastern State University; directing adoption and promulgation of certain rules; 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 inconsistent with legislative intent and disapprove any rule or any portion thereof at any time; and

WHEREAS, on May 4, 1997, the Board of Regents of Oklahoma Colleges adopted permanent rules OAC 500:50-2-3(a) (2) (E) (iv), OAC 500:50-3-3(b) (6) (B), OAC 500:45-2-3(a) (1), OAC 500:45-3-1(d) (12) and (e), OAC 500:45-3-2(h) and OAC 500:45-3-3; and

WHEREAS, adopted permanent rule OAC 500:50-2-3(a) (2) (E) (iv) establishes an annual nonborrowers fee of Forty-five Dollars (\$45.00) for individuals using the Northwestern Oklahoma State University library; and

WHEREAS, adopted permanent rule OAC 500:50-3-3(b) (6) (B) increases the CLEP test fee by Five Dollars (\$5.00) for Northwestern Oklahoma State University students; and

WHEREAS, adopted permanent rule OAC 500:45-2-3(a)(1) increases the usage fee of the Northeastern State University Fine Arts Auditorium by One Hundred Dollars (\$100.00) per day; and

WHEREAS, adopted permanent rule OAC 500:45-3-1(d)(12) establishes a Five Dollar (\$5.00) per credit hour fee for Northeastern State University departmental examinations; and

WHEREAS, adopted permanent rule OAC 500:45-3-1(e) establishes a Twenty-five Dollar (\$25.00) records fee for Northeastern State University students; and

WHEREAS, adopted permanent rule OAC 500:45-3-2(h) establishes a fee of Four Dollars and twenty-five cents (\$4.25) if students of Northeastern State University do not complete master's degree requirements the semester for which they applied; and

WHEREAS, adopted permanent rule OAC 500:45-3-3 increases and establishes several fees and provides that "all fees are subject to change without notice"; and

WHEREAS, the Legislature strongly opposes fee increases and considers new fees imposed on the public to be burdensome and excessive; and

WHEREAS, the Legislature recognizes that agencies that change fees without notice are circumventing legislative review.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves adopted permanent rules OAC 500:50-2-3(a)(2)(E)(iv), OAC 500:50-3-3(b)(6)(B), OAC 500:45-2-3(a)(1), OAC 500:45-3-1(d)(12) and (e), OAC 500:45-3-2(h) and OAC 500:45-3-3.

SECTION 2. The Legislature hereby directs and authorizes, in accordance with subsection H of Section 308 of Title 75 of the Oklahoma Statutes, the Board of Regents of Oklahoma Colleges to adopt and promulgate emergency rules for Northwestern Oklahoma State University and Northeastern State University which do not establish

any new fees, reduce the increased fees to the amounts charged under the previously promulgated permanent rules, and eliminate the reference to fee increases without notice.

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Secretary of the Board of Regents of Oklahoma Colleges and the Editor of "The Oklahoma Register".

SECTION 4. 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.

46-2-11534

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