

SHORT TITLE: Concurrent Resolution; Oklahoma State Bureau of Investigation; administrative rules; approval; waiver of thirty-legislative-day review period; directing distribution; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE CONCURRENT
RESOLUTION NO. 26

By: Wilkerson of the Senate

and

Askins of the House

AS INTRODUCED

A Concurrent Resolution relating to certain rules adopted by the Oklahoma State Bureau of Investigation regarding investigative services, crimes information unit, applications for concealed handgun licenses, analysis of state DNA offender databank samples, and removal of DNA records from state DNA database; approving proposed permanent rules to be codified at OAC 375:35-1-1, OAC 375:35-1-2, OAC 375:35-3-1, OAC 375:35-3-2, OAC 375:35-3-3, OAC 375:35-3-4, OAC 375:25-1-4.1, OAC 375:30-7-1, OAC 375:30-7-2, OAC 375:30-7-3, OAC 375:30-9-1, and OAC 375:30-9-2; waiving thirty-legislative-day review period; directing distribution; and declaring an emergency.

WHEREAS, pursuant to subsection G of Section 308 of Title 75 of the Oklahoma Statutes, the Legislature may approve any rule and waive the thirty-legislative-day review period for any rule which has been transmitted for legislative review; and

WHEREAS, on April 8, 1997, pursuant to Article I of the Oklahoma Administrative Procedures Act, the Oklahoma State Bureau of Investigation submitted to the Legislature for review proposed permanent rules to be codified at OAC 375:35-1-1, OAC 375:35-1-2, OAC 375:35-3-1, OAC 375:35-3-2, OAC 375:35-3-3, OAC 375:35-3-4, OAC 375:25-1-4.1, OAC 375:30-7-1, OAC 375:30-7-2, OAC 375:30-7-3, OAC 375:30-9-1, and OAC 375:30-9-2 regarding investigative services, crimes information unit, applications for concealed handgun licenses, analysis of state DNA offender databank samples, and removal of DNA records from state DNA database; and

WHEREAS, if the Legislature adjourns the 1997 session before the passage of thirty legislative days from the date the rules were filed with the Legislature without approving the proposed rules and without waiving the thirty-legislative-day review period, the proposed rules will remain pending during the legislative interim and the status of the rules will be uncertain; and

WHEREAS, the Oklahoma State Bureau of Investigation and the public need the certainty of approval of the proposed rules.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1st SESSION OF THE 46th OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Oklahoma State Legislature hereby approves proposed permanent rules submitted on April 8, 1997, by the Oklahoma State Bureau of Investigation to be codified at OAC 375:35-1-1, OAC 375:35-1-2, OAC 375:35-3-1, OAC 375:35-3-2, OAC 375:35-3-3, OAC 375:35-3-4, OAC 375:25-1-4.1, OAC 375:30-7-1, OAC 375:30-7-2, OAC 375:30-7-3, OAC 375:30-9-1, and OAC 375:30-9-2 regarding investigative services, crimes information unit, applications for concealed handgun licenses, analysis of state DNA offender databank samples, and removal of DNA records from state DNA database.

SECTION 2. The Oklahoma State Legislature hereby waives the thirty-legislative-day review period for the proposed permanent rules submitted by the Oklahoma State Bureau of Investigation to be codified at OAC 375:35-1-1, OAC 375:35-1-2, OAC 375:35-3-1, OAC 375:35-3-2, OAC 375:35-3-3, OAC 375:35-3-4, OAC 375:25-1-4.1, OAC 375:30-7-1, OAC 375:30-7-2, OAC 375:30-7-3, OAC 375:30-9-1, and OAC 375:30-9-2 regarding investigative services, crimes information unit, applications for concealed handgun licenses, analysis of state DNA offender databank samples, and removal of DNA records from state DNA database.

SECTION 3. Copies of this resolution shall be distributed to the Governor, the Oklahoma State Bureau of Investigation, 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.

46-1-1609

SB