

ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1031

By: Sweeden of the House

and

Gumm of the Senate

A Joint Resolution relating to a proposed permanent rule of the State Department of Health; disapproving proposed permanent rule OAC 310:641-3-30, which relates to an air ambulance license; 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 at any time; and

WHEREAS, pursuant to paragraph 4 of Section 1-2503 of Title 63 of the Oklahoma Statutes, the State Department of Health shall be responsible for the licensing of providers of ambulance services; and

WHEREAS, proposed permanent rule OAC 310:641-3-30 establishes additional requirements for inspection and licensure of air ambulance operators; and

WHEREAS, the Legislature recognizes that proposed permanent rule OAC 310:641-3-30, adopted by the State Board of Health on March 20, 2003, submitted to the Governor and the Legislature for consideration on March 28, 2003, is inconsistent with legislative intent, exceeds the statutory authority of the State Department of Health, violates state statute and violates the public policy of this state.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
AND THE SENATE OF THE 1ST SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves permanent rule
OAC 310:641-3-30.

SECTION 2. The Secretary of State is hereby directed to
distribute copies of this resolution to the Governor, the
Commissioner of Health, 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 12th day of May, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2003.

Presiding Officer of the Senate