

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE JOINT
RESOLUTION HJR1029

By: Reynolds

AS INTRODUCED

A Joint Resolution relating to ethics; disapproving proposed amendments to Rules 257:10-1-2 and 257:10-1-13 of the Rules of the Ethics Commission, 74 O.S. 2001, Chapter 62, App., which relate to contributions and electronic filing of required reports for contributions and expenditures; and declaring an emergency.

WHEREAS, the Ethics Commission submitted newly promulgated rules to each House of the Legislature and to the Governor on February 3, 2003, pursuant to the provisions of subsection C of Section 3 of Article XXIX of the Oklahoma Constitution; and

WHEREAS, pursuant to subsection C of Section 3 of Article XXIX of the Oklahoma Constitution, newly promulgated rules of the Ethics Commission may be disapproved by joint resolution, during the legislative session in which the newly promulgated rules are submitted or they shall become effective; and

WHEREAS, certain newly promulgated rules of the Ethics Commission are not consistent with legislative intent and violate 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 paragraph (6) of subsection (a) of newly promulgated Rule 257:10-1-2 of the Rules of the Ethics Commission, 74 O.S. 2001, Chapter 62, App., as it states:

(6) The \$5,000 limitation is to be applied collectively and cumulatively so that any contribution made by the entities as set

forth in the definition of "person" in Section 2 of Chapter 1 of this title, shall be allocated to the individuals owning such entities in their percentage of ownership. Once the limit of \$5,000 is reached, applying all sources to the individual or family, no further contributions can be made during the campaign or calendar year.

SECTION 2. The Legislature hereby disapproves the deletion of and restores subsection (d) of the newly promulgated Rule 257:10-1-13 of the Rules of the Ethics Commission, 74 O.S. 2001, Chapter 62, App., as it states:

(d) Voluntary electronic filing. In lieu of filing paper copies of all required reports, a committee may file such reports by delivering or mailing a computer diskette or electronically transmitting the required form containing the appropriate information to the Commission on form software provided by the Commission. All required reports filed by computer diskette or electronic transmission shall be followed by delivering, faxing or mailing a signed and, if required, notarized copy of the form only without schedules or attachments. The date of receipt of the diskette or electronic transmission shall constitute the date of receipt of the report if, and only if, the paper copy is received or postmarked by the date the report was due.

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 resolution shall take effect and be in full force from and after its passage and approval.

49-1-6485 SFK 03/04/03