

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE JOINT
RESOLUTION 1071

By: Reynolds

AS INTRODUCED

A Joint Resolution relating to permanent rules of the State Election Board; approving as amended permanent rule OAC 230:35-3-99, which relates to disposing of Precinct Registries; changing the retention time period; directing publication and 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, approve, delay, suspend, veto, or amend the implementation of any rule or proposed rule while under review by the Legislature, determine that a rule is not consistent with legislative intent, and suspend any rule or any portion thereof at any time, and the Legislature may disapprove any rule or amendment to a rule which has been transmitted for legislative review; and

WHEREAS, pursuant to Section 2-107 of Title 26 of the Oklahoma Statutes, the State Election Board may promulgate, repeal or modify such rules or regulations as the Secretary deems necessary to facilitate and assist in achieving and maintaining uniformity in the application, operation and interpretation of the state and federal election laws and a maximum degree of correctness, impartiality and efficiency in administration of the election laws; and

WHEREAS, permanent rule OAC 230:35-3-99 establishes the document retention time period for disposing of Precinct Registries; and

WHEREAS, the Legislature recognizes that OAC 230:35-3-99, which was adopted by the State Election Board on March 16, 1995, and submitted to the Legislature and the Governor on March 22, 1995, in its current form, may not be consistent with legislative intent and the public policy of this state.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby amends and approves as amended permanent rule OAC 230:35-3-99 to read as follows:

Precinct Registries shall be retained for ~~24~~ 60 months from the date of the election and shall be subject to public inspection during regular office hours.

SECTION 2. The Secretary of State is directed to cause OAC 230:35-3-99, as amended by Section 1 of this resolution, to be published in "The Oklahoma Register" and codified in the Oklahoma Administrative Code.

SECTION 3. The Secretary of State is further directed to distribute copies of this resolution to the Governor, the Secretary of the State Election Board, 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.

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