

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE JOINT
4 RESOLUTION 1109

By: Derby

5
6 AS INTRODUCED

7 A Joint Resolution disapproving permanent rules of
8 the Oklahoma Department of Environmental Quality; and
9 directing distribution.

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11 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the
12 Oklahoma Statutes, the Legislature reserves the right to designate
13 the method for rule promulgation, establish policy, approve, delay,
14 suspend, veto, or amend the implementation of any rule or proposed
15 rule while under review by the Legislature, determine that a rule is
16 not consistent with legislative intent, and suspend any rule or any
17 portion thereof at any time; and

18 WHEREAS, pursuant to Section 2-2-101 of Title 27A of the
19 Oklahoma Statutes, the Oklahoma Environmental Quality Board is
20 responsible for adopting rules as necessary and appropriate to carry
21 out the duties and responsibilities of the Oklahoma Department of
22 Environmental Quality; and

23 WHEREAS, the Legislature recognizes that all or portions of OAC
24 252:301-1-9, OAC 252:305-1-11, OAC 252:606 Appendices B, C, D, E,

1 and F, OAC 252:616-3-3, OAC 252:621-3-3, OAC 252:631-3-21, OAC
2 252:641-23-4, OAC 252:656-3-9 and OAC 252:710-1-12, which were
3 adopted by the Oklahoma Environmental Quality Board on February 29,
4 2008, in their current form, may not be consistent with legislative
5 intent and the public policy of the State of Oklahoma.

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
7 AND THE SENATE OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

8 SECTION 1. The Legislature hereby disapproves the following
9 rules or designated portions of the following rules which were
10 adopted by the Oklahoma Environmental Quality Board on February 29,
11 2008: 252:301-1-9(d), OAC 252:305-1-11(f), paragraph 12 of OAC
12 252:606 Appendix B, paragraph 10 of OAC 252:606 Appendix C,
13 paragraph J of OAC 252:606 Appendix D, paragraph I of OAC 252:606
14 Appendix E, paragraphs d and e of OAC 252:606 Appendix F, OAC
15 252:616-3-3(e), OAC 252:621-3-3(c), OAC 252:631-3-21(f), OAC
16 252:641-23-4, OAC 252:656-3-9(d) and OAC 252:710-1-12(e).

17 SECTION 2. The Secretary of State is directed to distribute
18 copies of this resolution to the Governor, the Chair of the Oklahoma
19 Environmental Quality Board, the Executive Director of the Oklahoma
20 Department of Environmental Quality, and the editor of "The Oklahoma
21 Register".

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23 51-2-11309 ALA 05/13/08

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