

1 STATE OF OKLAHOMA

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

3 HOUSE CONCURRENT
4 RESOLUTION 1090

By: Wright of the House

5 and

6 Aldridge of the Senate

7
8 AS INTRODUCED

9 A Concurrent Resolution disapproving permanent rules
10 of the Department of Environmental Quality; and
11 directing distribution.

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

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

1 WHEREAS, the Legislature recognizes that all or portions of OAC
2 252:301-1-9, OAC 252:305-1-11, OAC 252:606 Appendices B, C, D, E,
3 and F, OAC 252:616-3-3, OAC 252:621-3-3, OAC 252:631-3-21, OAC
4 252:641-23-4, OAC 252:656-3-9 and OAC 252:710-1-12, which were
5 adopted by the Environmental Quality Board on February 29, 2008, in
6 their current form, may not be consistent with legislative intent
7 and the public policy of the State of Oklahoma.

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
9 OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE, THE SENATE
10 CONCURRING THEREIN:

11 SECTION 1. The Legislature hereby disapproves the following
12 rules or designated portions of the following rules which were
13 adopted by the Environmental Quality Board on February 29, 2008:
14 252:301-1-9(d), OAC 252:305-1-11(f), paragraph 12 of OAC 252:606
15 Appendix B, paragraph 10 of OAC 252:606 Appendix C, paragraph J of
16 OAC 252:606 Appendix D, paragraph I of OAC 252:606 Appendix E,
17 paragraphs d and e of OAC 252:606 Appendix F, OAC 252:616-3-3(e),
18 OAC 252:621-3-3(c), OAC 252:631-3-21(f), OAC 252:641-23-4, OAC
19 252:656-3-9(d) and OAC 252:710-1-12(e).

20 SECTION 2. The Secretary of State is directed to distribute
21 copies of this resolution to the Governor, the Chair of the
22 Environmental Quality Board, the Executive Director of
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24

1 the Department of Environmental Quality, and the editor of "The
2 Oklahoma Register".

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4 51-2-11377 ALA 05/16/08

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