

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE JOINT
6 RESOLUTION NO. 1047

By: Sherrer

7
8 COMMITTEE SUBSTITUTE

9 A Joint Resolution disapproving a permanent rule of
10 the Oklahoma Department of Wildlife Conservation; 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, determine that a
16 rule is not consistent with legislative intent and disapprove any
17 rule or portion thereof at any time; and

18 WHEREAS, pursuant to Sections 3-103, 4-101, 4-110, 5-401, 6-301,
19 6-302 and 6-303 of Title 29 of the Oklahoma Statutes and Sections 1
20 and 3 of Article XXVI of the Oklahoma Constitution, the Oklahoma
21 Department of Wildlife Conservation shall be responsible for
22 adopting and promulgating rules as necessary and appropriate to
23 carry out the duties and responsibilities of the Oklahoma Department
24 of Wildlife Conservation; and

1 WHEREAS, the promulgation of the amendment to permanent rule OAC
2 800:10-1-5(2), which was finally adopted by the Commission on March
3 2, 2009, setting a limit on the number of blue catfish thirty (30)
4 inches in length or larger which a person may take, attempt to take,
5 kill or harvest during any one (1) day does not reflect the intent
6 of the Oklahoma Legislature.

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
8 AND THE SENATE OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

9 SECTION 1. The Legislature hereby disapproves the amendment to
10 permanent rule OAC 800:10-1-5(2).

11 SECTION 2. The Secretary of State is directed to distribute
12 copies of this resolution to the Governor, the Wildlife Conservation
13 Director, and the editor of "The Oklahoma Register".

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15 52-1-7575 LRB 03/31/09

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