

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1087

By: Trebilcock of the House

and

Jolley of the Senate

A Joint Resolution disapproving permanent rule of the Corporation Commission; and directing distribution.

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, determine that a rule is not consistent with legislative intent and disapprove any rule or portion thereof at any time; and

WHEREAS, pursuant to Article IX, Section 18 of the Oklahoma Constitution and Section 152 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall have general supervision over all public utilities, including the responsibility of adopting and promulgating rules affecting the services, management, operation and conduct of the business of public utilities; and

WHEREAS, the promulgation of permanent rule OAC 165:5-3-1, which was finally adopted by the Commission on March 30, 2010, does not reflect the intent of the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves permanent rule OAC 165:5-3-1.

SECTION 2. The Secretary of State is directed to distribute copies of this resolution to the Governor, the Chairman of the Corporation Commission, and the editor of "The Oklahoma Register".

Passed the House of Representatives the 4th day of May, 2010.

Presiding Officer of the House of
Representatives

Passed the Senate the 17th day of May, 2010.

Presiding Officer of the Senate