

THE HOUSE OF REPRESENTATIVES
Thursday, April 2, 2009

Committee Substitute for
House Joint
Resolution No. 1047

COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 1047 - By:
SHERRER of the House and BURRAGE of the Senate.

A Joint Resolution disapproving a permanent rule of the Oklahoma
Department of Wildlife Conservation; and directing distribution.

1 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma
2 Statutes, the Legislature reserves the right to designate the method for rule
3 promulgation, establish policy, determine that a rule is not consistent with legislative
4 intent and disapprove any rule or portion thereof at any time; and

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

11 WHEREAS, the promulgation of the amendment to permanent rule OAC 800:10-1-
12 5(2), which was finally adopted by the Commission on March 2, 2009, setting a limit on

1 the number of blue catfish thirty (30) inches in length or larger which a person may take,
2 attempt to take, kill or harvest during any one (1) day does not reflect the intent of the
3 Oklahoma Legislature.

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

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

9 SECTION 2. The Secretary of State is directed to distribute copies of this
10 resolution to the Governor, the Wildlife Conservation Director, and the editor of “The
11 Oklahoma Register”.

12 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
13 AGENCY OVERSIGHT, dated 04-01-09 - DO PASS, As Amended and Coauthored.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.