

THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 2009

House Joint
Resolution No. 1049

HJR 1049

HOUSE JOINT RESOLUTION NO. 1049 - By: LIEBMANN of the House.

A Joint Resolution disapproving permanent rules of the Oklahoma Department of Labor; 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 460 and 471 of Title 40 of the Oklahoma Statutes,
6 the Commissioner of Labor shall be responsible for adopting and promulgating rules as
7 necessary and appropriate for the safe installation, maintenance, use, operation, and
8 inspection of all amusement rides necessary for the protection of the general public using
9 amusement rides, and the Department of Labor shall be responsible for adopting and
10 promulgating rules for the certification of amusement ride operators; and

11 WHEREAS, the promulgation and/or amendment of permanent rules OAC 380:55-
12 1-2, OAC 380:55-5-5, OAC 380:55-13-1, and OAC 380:55-13-2, which were finally adopted

1 by the Commission on February 26, 2009, do not reflect the intent of the Oklahoma
2 Legislature.

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

6 SECTION 1. The Legislature hereby disapproves permanent rules OAC 380:55-1-2,
7 OAC 380:55-5-5, OAC 380:55-13-1, and OAC 380:55-13-2.

8 SECTION 2. The Secretary of State is directed to distribute copies of this
9 resolution to the Governor, the Commissioner of Labor, and the editor of “The Oklahoma
10 Register”.

11 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
12 AGENCY OVERSIGHT, dated 04-15-09 - DO PASS.