

THE HOUSE OF REPRESENTATIVES
Thursday, April 9, 2009

House Joint
Resolution No. 1050

HJR 1050

HOUSE JOINT RESOLUTION NO. 1050 - By: DORMAN 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 amendment of rule OAC 380:55-1-2 to add the definitions of
12 “inflatable amusement device”, “large inflatable amusement device” and “small inflatable
13 amusement device” does not reflect the intent of the Oklahoma Legislature; the

1 amendment of rule OAC 380:55-5-5(1) to include “inflatable rides” in the category of
2 “kiddie rides” does not reflect the intent of the Oklahoma Legislature; and the
3 promulgation of permanent rule OAC 380:55-13-2(m) does not reflect the intent of the
4 Oklahoma Legislature.

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

8 SECTION 1. The Legislature hereby disapproves the definitions of “inflatable
9 amusement device”, “large inflatable amusement device”, and “small inflatable
10 amusement device” contained in the amendments to permanent rule OAC 380:55-1-2.

11 SECTION 2. The Legislature hereby disapproves the amendment to permanent
12 rule OAC 380:55-5-5(1).

13 SECTION 3. The Legislature hereby disapproves permanent rule OAC 380:55-13-
14 2(m).

15 SECTION 4. The Secretary of State is directed to distribute copies of this
16 resolution to the Governor, the Commissioner of Labor, and the editor of “The Oklahoma
17 Register”.

18 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
19 AGENCY OVERSIGHT, dated 04-08-09 - DO PASS.