

THE HOUSE OF REPRESENTATIVES
Thursday, March 25, 2010

House Joint
Resolution No. 1086

HJR 1086

HOUSE JOINT RESOLUTION NO. 1086 - By: FAUGHT of the House and JUSTICE of the Senate.

A Joint Resolution disapproving permanent rule of the Oklahoma Water Resources Board; and directing distribution.

1 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma
2 Statutes, the Legislature reserved 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 Section 1085.2 of Title 82 of the Oklahoma Statutes, the
6 Oklahoma Water Resources Board shall be responsible for adopting and promulgating
7 such rules and make orders as it may deem necessary or convenient to the exercise of any
8 of the powers or the performance of any of the duties conferred or imposed upon the
9 Board; and

10 WHEREAS, the promulgation of permanent rule OAC 785:5-1-10, which was finally
11 adopted by the Board on February 9, 2010, does not reflect the intent of the Oklahoma
12 Legislature.

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

4 SECTION 1. The Legislature hereby disapproves permanent rule OAC 785:5-1-10.

5 SECTION 2. The Secretary of State is directed to distribute copies of this
6 resolution to the Governor, the Executive Director of the Oklahoma Water Resources
7 Board, and the editor of “The Oklahoma Register”.

8 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
9 AGENCY OVERSIGHT, dated 03-24-10 - DO PASS, As Coauthored.