

THE HOUSE OF REPRESENTATIVES
Wednesday, May 19, 2010

House Joint
Resolution No. 1088

HJR 1088

HOUSE JOINT RESOLUTION NO. 1088 - By: BANZ of the House.

A Joint Resolution waiving the thirty-legislative-day review period for permanent rule of the Oklahoma Department of Veterans Affairs; 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, disapprove any rule or portion thereof at any time, and waive the thirty-
5 legislative-day review period; and

6 WHEREAS, pursuant to Section 63.3 of Title 72 of the Oklahoma Statutes, the War
7 Veterans Commission shall have the authority to promulgate rules for the operation and
8 maintenance of the Oklahoma Department of Veterans Affairs; and

9 WHEREAS, an administrative rule submitted for legislative review after April 1
10 shall be approved by the Legislature only if the Legislature is in regular session and has
11 failed to disapprove such rule within thirty (30) legislative days after such rule has been
12 submitted; and

1 WHEREAS, if the Legislature shall adjourn before the expiration of said thirty (30)
2 legislative days of submission of such rule, then the rule is carried over for consideration
3 by the Legislature during the next regular legislative session, but alternatively, an
4 agency may request direct legislative approval or waiver of the thirty-legislative-day
5 review period; and

6 WHEREAS, the Oklahoma Department of Veterans Affairs has requested waiver of
7 the thirty-legislative-day review period; and

8 WHEREAS, the promulgation of permanent rule OAC 770:10-1-4, which was
9 adopted by the Commission on April 26, 2010, is consistent with legislative intent and
10 the public policy of this state.

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

14 SECTION 1. The Legislature hereby waives the thirty-legislative-day review period
15 for permanent rule OAC 770:10-1-4.

16 SECTION 2. The Secretary of State is directed to distribute copies of this
17 resolution to the Governor, the Executive Director of the Oklahoma Department of
18 Veterans Affairs, and the editor of "The Oklahoma Register".

19 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES AND
20 AGENCY OVERSIGHT, dated 05-18-10 - DO PASS.