

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE JOINT
4 RESOLUTION 1047

By: Sherrer

5
6 AS INTRODUCED

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

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

17 WHEREAS, pursuant to Sections 3-103, 4-101, 4-110, 5-401, 6-301,
18 6-302 and 6-303 of Title 29 of the Oklahoma Statutes and Sections 1
19 and 3 of Article XXVI of the Oklahoma Constitution, the Oklahoma
20 Department of Wildlife Conservation shall be responsible for
21 adopting and promulgating rules as necessary and appropriate to
22 carry out the duties and responsibilities of the Oklahoma Department
23 of Wildlife Conservation; and
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1 WHEREAS, the promulgation of permanent new rule OAC 800:10-1-5,
2 which was finally adopted by the Commission on March 2, 2009,
3 setting a limit on the number of blue catfish thirty (30) inches in
4 length or larger which a person may take, attempt to take, kill or
5 harvest during any one (1) day does not reflect the intent of the
6 Oklahoma Legislature.

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

9 SECTION 1. The Legislature hereby disapproves permanent rule
10 OAC 800:10-1-5.

11 SECTION 2. The Secretary of State is directed to distribute
12 copies of this resolution to the Governor, the Wildlife Conservation
13 Director, and the editor of "The Oklahoma Register".

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15 52-1-7326 ALA 03/09/09

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