

DEQ SHOULD ADOPT RULES, LAWMAKERS AGREE

■(GIT) Wednesday, members of the House Administrative Rule Review Committee and the Attorney General's Office met to discuss the Administrative Procedures Act as well as agency compliance with the act.

Members quickly moved through the bills. **HJR1098**, authored by Rep. Larry Adair, D-Stilwell, relates to an emergency rule of the Wildlife Commission. It disapproves rule and directs distribution. The measure received a do pass from members. **SB703**, authored by Rep. Loyd Benson, D-Frederick, was also approved. The measure modifies the procedure for interpreting statutes and agency rules under the Administrative Procedures Act. The bill was amended to require that agencies document interpretations of rules. **HJR1097**, authored by Rep. Dan Webb, R-Oklahoma City, was not heard.

The Department of Environmental Quality (DEQ) has enacted a policy on self-reporting in taking corrective action. Trish Koonce, counsel for the Committee, explained that the agency does not have statutory rules. As a result, she said any action they take could be meaningless if challenged.

Koonce explained that the Corporation Commission encouraged the agency to make the action a policy rather than a rule.

Koonce said the only two options if the agency does not comply, would be to handle the issue through the Legislature or for the Attorney General to issue an opinion.

Gray urged Rep. Larry Rice, D-Pryor, to talk with the legal counsel for DEQ to resolve the issue.

FROM: MARTA MCCLOSKEY

DATE: 03/27/96

SENATE VOTES — MARCH 27, 1996

■(GIT) The following measures were considered on the Senate floor Wednesday:

HB1771 by Sen. Enoch Kelly Haney, D-Seminole, provides for duties, compensation, and budgetary limits for the Liquefied Petroleum Gas Board. The measure passed by a vote of 47-0 with its enacting clause stricken.

HB1797 by Sen. Haney, provides for duties, compensation, and budgetary limits for the Department of Mines. The measure passed by a vote of 46-0 with its enacting clause stricken.

HB2086 by Sen. Howard Hendrick, R-Bethany, relating to the written investment policies of political subdivisions and removing the population restriction, passed by a vote of 46-0 as amended.

HB2120, by Sen. Gerald "Ged" Wright, R-Broken Arrow, changes the name of military security guards to police officers. The measure passed with a vote of 40 to 1.

HB2128 by Sen. Jerry Smith, R-Tulsa, modifying the definition of bogus checks, failed with a 22-22 vote.

HB2132, by Sen. Dick Wilkerson, D-Atwood, provides for the destruction of liens after five years. The measure passed with a vote of 40 to 0.

HB2156, by Sen. Bernest Cain, D-Oklahoma City, providing for physically disabled parking privileges under certain circumstances, received a passing vote of 47-0.

HB2193, by Sen. Ed Long, D-Enid, modifying the content of educational improvement plans and the allowable exemptions, passed by a vote of 45-0.

HB2233 by Sen. Robert M. Kerr, D-Altus, requiring the Oklahoma Tax Commission to pursue collection from certain persons, received a passing vote of 42-4.

HB2277, by Sen. Dave Herbert, D-Midwest City, modifying the areas in which cities and town may enforce traffic ordinances, passed by a vote of 33-13.

HB2300, by Sen. Jack Bell, D-Idabel, authorizing the establishment of a forestry cost-share program, received a passing vote of 46-0.

HB2320 (floor substitute) by Sen. Herbert, modifying the authority of municipalities to compensate elected officials, received a passing vote of 44-0.

(Continued)