

HOUSE COMMERCE, INDUSTRY AND LABOR COMMITTEE ADVANCES TWO BILLS

By Shawn Ashley
Staff Writer

SB 701 Do Pass
SB 702 Do Pass,
Amended
SB 867 Report Progress

■(GIT) The House Commerce Industry and Labor Committee gave do pass recommendations to the following bills Wednesday:

SB701 by Sen. Helen Cole, R-Oklahoma City, and Rep. Frank Davis, R-Guthrie, prohibiting the sale, delivery or furnishing of low-point beer to an intoxicated person; and

SB702 (as amended) by Sen. Cole and Rep. Davis, providing for penalties for any person selling low-point beer between the hours of 2 a.m. and 6 a.m.

SB867, creating the Oklahoma Barbers Regulation Act, received report progress approval.

DEQ SHOULD ADOPT RULES, LAWMAKERS AGREE

By Marta McCloskey
Staff Writer

HJR 1097 Not Heard
HJR 1098 Do Pass
SB 703 Do Pass

■(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 also approved two bills. A third resolution on the committee's agenda was not heard.

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. "I would like to know what other policies are not being executed by rule," Chairman of the Committee, Rep. Charles Gray, D-Oklahoma City said.

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. "Anytime there is an interpretation of law, it should be determined by the state," said Victor Bird, chief deputy for the Attorney General's Office.

Gray urged Rep. Larry Rice, D-Pryor, to talk with the legal counsel for DEQ to resolve the issue. "If you do not, we might have to get them over here and beat them over the head with it," Gray said. Rice said to avoid a lawsuit, he would.

"There is less leisure now than in the Middle Ages, when one third of the year consisted of holidays and festivals."

Ralph Borsodi