

ENROLLED SENATE JOINT RESOLUTION NUMBER 15
ENACTED BY THE SECOND REGULAR SESSION OF THE
41ST LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE
LEGISLATIVE REFERENDUM NUMBER 263
STATE QUESTION NUMBER 603

RECEIVED: May 28, 1987

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 15

BY: RHODES, ROBERTS and
SHURDEN of the SENATE
and
GEORGE and GORDON of the
HOUSE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF OKLAHOMA BY ADDING A NEW SECTION 64; ALLOWING EITHER HOUSE OF THE LEGISLATURE BY SIMPLE RESOLUTION TO DISAPPROVE A RULE PROMULGATED OR ISSUED BY A STATE ENTITY; ALLOWING LEGISLATURE TO PROVIDE PROCEDURES FOR PROMULGATION OR ISSUANCE OF RULES; PROVIDING BALLOT TITLE; DIRECTING FILING; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 41ST OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article V of the Constitution of the State of Oklahoma by adding a new Section 64 to read as follows:

Section 64. Notwithstanding any other provision of the Constitution of the State of Oklahoma, either house of the Legislature shall have the authority, by adoption of a simple resolution, to disapprove any rule which has been promulgated or issued by any agency, board, commission, department, authority, bureau or officer of this state. The Legislature may enact laws providing procedures relating to the promulgation or issuance of rules, including but not limited to the total or partial exemption of any agency, board, commission, department, authority, bureau or officer of this state from this section or related laws; the establishment of time periods for promulgation, issuance, repromulgation, reissuance or disapproval of rules; review or appeal of rules; adoption, amendment or repeal of rules by any agency, board, commission, department, authority, bureau or officer of this state; or filing of such rules with the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this act shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would add a new Section 64 to Article V of the State Constitution. This measure would allow either the Senate or the House of Representatives alone to disapprove a rule made by a state entity. The

Legislature would be able to enact laws on rules. Among other things, the Legislature could exempt state entities from such laws. The Legislature could also provide time limits and allow review or appeal of rules. The Legislature could empower state entities to adopt, amend or repeal rules. The Legislature could require that rules be filed with it.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election or special election, whichever occurs first, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

Correctly Enrolled

John R. McLure

Passed the Senate the 27th day of May, 1987.

ACTING

Herb Rell
President of the Senate

Passed the House of Representatives the 5th day of May, 1987.

Charlie O. Morgan
Acting Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____

28th day of May, 1987,
at 1:49 o'clock P. M.

Jennette B. Edmondson
By: _____