

Volume 25  
Number 11  
February 15, 2008  
Pages 571 - 638

# The Oklahoma Register

---

Oklahoma  
Secretary of State  
Office of Administrative Rules



**Brad Henry, Governor**  
**M. Susan Savage,**  
**Secretary of State**  
**Peggy Coe, Managing Editor**

**THE OKLAHOMA REGISTER** is an official publication of the State of Oklahoma. It is published semi-monthly on the first working day of the month and on the first working day following the 14th day of the month under the authority of 75 O.S., Sections 250 et seq. and OAC 655:10-15-1. The rules of the State of Oklahoma are codified and published in the *Oklahoma Administrative Code*.

*The Oklahoma Register* and the documents accepted for publication are **AVAILABLE FOR PUBLIC INSPECTION** at the Office of Administrative Rules pursuant to the Oklahoma Open Records Act. Copies of the *Register* are also available for public inspection at many County Clerks' offices in Oklahoma, the Jan Eric Cartwright Memorial Law Library in the State Capitol, and the following depository libraries:

**Ada** - East Central University, Linscheid Library

**Alva** - Northwestern Oklahoma State University,  
J.W. Martin Library

**Bartlesville** - Bartlesville Public Library

**Clinton** - Clinton Public Library

**Durant** - Southeastern Oklahoma State University, H.G.  
Bennett Memorial Library

**Edmond** - University of Central Oklahoma, Chambers Library

**Enid** - Public Library of Enid and Garfield County

**Goodwell** - Oklahoma Panhandle State University

**Lawton** - Lawton Public Library

**McAlester** - McAlester Public Library

**Norman** - University of Oklahoma, Bizzell Memorial  
Library

**Oklahoma City** - Metropolitan Library System

**Oklahoma City** - Oklahoma Department of Libraries

**Stillwater** - Oklahoma State University, Edmon Low  
Library

**Tahlequah** - Northeastern State University, John  
Vaughan Library

**Tulsa** - Tulsa City-County Library System

**Tulsa** - University of Tulsa, McFarlin Library

**Weatherford** - Southwestern Oklahoma State  
University, Al Harris Library

**CITE MATERIAL PUBLISHED IN THE OKLAHOMA REGISTER** by the volume and the beginning page number of the document in the *Register*. For example: 25 Ok Reg 256.

**SUBSCRIPTION RATES** for the *Register* are \$500.00 per year for the printed issues and \$300.00 per year for the CD-ROM issues, payable in advance. When available, individual printed issues may be purchased for \$20.00 plus the cost of postage, payable in advance. Make checks payable to "Secretary of State." Send subscription requests, change of address notices, and undelivered copies to: Secretary of State, Office of Administrative Rules, P.O. Box 53390, Oklahoma City, OK 73152-3390.

**INFORMATION ABOUT THIS PUBLICATION** may be obtained by contacting the Oklahoma Secretary of State, Office of Administrative Rules, 2401 North Lincoln Boulevard, Will Rogers Building, Room 220, P.O. Box 53390, Oklahoma City, OK 73152-3390, or by calling (405) 521-4911 or faxing (405) 522-3555. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday.

This publication is issued and printed by the Secretary of State as authorized by 75 O.S., Section 255. 70 copies have been prepared and distributed at a cost of \$468.65. Copies have been deposited with the Oklahoma Department of Libraries, Publications Clearinghouse.

ISSN 0030-1728

# Table of Contents

<b>Agency/Action/Subject Index</b> .....	iii
<b>Rules Affected Index</b> .....	v
<b>Agency Index (Title numbers assigned)</b> .....	viii
<b>Notices of Rulemaking Intent</b>	
Agriculture, Food, and Forestry, Oklahoma Department of (Title 35) .....	571
Attorney General (Title 75) .....	571, 572
Benefits Council, Oklahoma State Employees (Title 87) .....	573
Construction Industries Board (Title 158) .....	574, 575
EDGE Fund Policy Board (Title 208) .....	576
Firefighter Training, Oklahoma Council on (Title 268) .....	576, 577
Disability Concerns, Office of (Title 305) .....	578
Horse Racing Commission, Oklahoma (Title 325) .....	579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589
Human Services, Department of (Title 340) .....	589, 590, 591
Law Enforcement Education and Training, Council on (Title 390) .....	592, 593, 594, 595, 596, 597
Liquefied Petroleum Gas Research, Marketing and Safety Commission, Oklahoma (Title 422) .....	597, 598, 599
Medical Licensure and Supervision, State Board of (Title 435) .....	599
Long-Term Care Administrators, Oklahoma State Board of Examiners for (Title 490) .....	600, 601
Personnel Management, Office of (Title 530) .....	602
Police Pension and Retirement System, Oklahoma (Title 550) .....	603
Central Services, Department of (Title 580) .....	604, 605
Public Safety, Department of (Title 595) .....	606, 607, 608
Real Estate Commission, Oklahoma (Title 605) .....	608, 609
Scenic Rivers Commission (Title 630) .....	610, 611, 612, 613
Tax Commission, Oklahoma (Title 710) .....	613
Teachers' Retirement System (Title 715) .....	614
Tourism and Recreation Department, Oklahoma (Title 725) .....	615
Career and Technology Education, Oklahoma Department of (Title 780) .....	616, 617, 618
<b>Cancelled Hearings/Comment Periods</b>	
Pharmacy, Oklahoma State Board of (Title 535) .....	619
<b>Submissions for Review</b>	
Human Services, Department of (Title 340) .....	621, 622, 623, 624
Mental Health and Substance Abuse Services, Department of (Title 450) .....	625, 626
Optometry, Board of Examiners in (Title 505) .....	626, 627
Public Employees Retirement System, Oklahoma (Title 590) .....	627, 628
<b>Emergency Adoptions</b>	
Education, State Department of (Title 210) .....	629
Human Services, Department of (Title 340) .....	632
<b>Executive Orders (Title 1)</b> .....	635



# Agency/Action/Subject Index

**AGRICULTURE, Food, and Forestry, Oklahoma Department of (Title 35)**

*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 571

**ATTORNEY General (Title 75)**

*Notices of Rulemaking Intent*  
 Administration (Chapter 1) ..... 571  
 Standards and Criteria for Domestic Violence, Sexual Assault and Batters Intervention Programs (Chapter 15) ..... 572

**BENEFITS Council, Oklahoma State Employees (Title 87)**

*Notices of Rulemaking Intent*  
 Flexible Benefits Plan (Chapter 10) ..... 573

**CONSTRUCTION Industries Board (Title 158)**

*Notices of Rulemaking Intent*  
 Plumbing Industry Regulations (Chapter 30) ..... 574  
 Electrical Industry Regulations (Chapter 40) ..... 574  
 Mechanical Industry Regulations (Chapter 50) ..... 575

**EDGE Fund Policy Board (Title 208)**

*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 576

**EDUCATION, State Department of (Title 210)**

*Emergency Adoptions*  
 School Administration and Instructional Services (Chapter 10) ..... 629

**FIREFIGHTER Training, Oklahoma Council on (Title 268)**

*Notices of Rulemaking Intent*  
Operations (Chapter 2) ..... 576  
Other Firefighter Training Incentive Programs (Chapter 4) ..... 577  
Firefighter Training Recognition Programs (Chapter 6) ... 577

**GOVERNOR**

*Executive Orders*  
 Ordering state agency hiring freeze (08-1) ..... 635  
 Declaring continuing disaster emergency caused by snow, ice storms, and flooding in Oklahoma (08-2) ..... 636  
 Temporarily suspending certain regulatory requirements as they apply to vehicles used for storm relief in Oklahoma (08-3) ..... 636  
 Establishing Oklahoma Health Information Security and Privacy Council (08-4) ..... 637  
 Ordering flags at half-staff to honor Navy Aviation Warfare Systems Operator Second Class David Davison (08-5) ..... 638

**DISABILITY Concerns, Office of (Title 305)**

*Notices of Rulemaking Intent*  
 Organization, Operations, Procedures and Policies (Chapter 1) ..... 578  
 Client Assistance Program (Chapter 10) ..... 578

**HORSE Racing Commission, Oklahoma (Title 325)**

*Notices of Rulemaking Intent*  
 Racing Officials and Racing Personnel (Chapter 20) ..... 579  
 Oklahoma-Bred Program (Chapter 75) ..... 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589

**HUMAN Services, Department of (Title 340)**

*Notices of Rulemaking Intent*  
 Administrative Components (Chapter 2) ..... 589, 590  
 Food Stamp Program (Chapter 50) ..... 590  
 Child Welfare (Chapter 75) ..... 591  
 Licensing Services (Chapter 110) ..... 591

*Submissions for Review*  
 Administrative Components (Chapter 2) ..... 621  
 Adult Protective Services (Chapter 5) ..... 622

**HUMAN Services, Department of – continued**

*Submissions for Review – continued*  
 Temporary Assistance for Needy Families (TANF) (Chapter 10) ..... 622  
 Child Care Services (Chapter 40) ..... 622  
 Food Stamp Program (Chapter 50) ..... 623  
 Public Assistance Procedures (Chapter 65) ..... 623  
 Child Welfare (Chapter 75) ..... 623  
 Developmental Disabilities Services Division (Chapter 100) ..... 624  
 Office of Field Operations Division (Chapter 115) ..... 624

*Emergency Adoptions*  
 Child Welfare (Chapter 75) ..... 632

**LAW Enforcement Education and Training, Council on (Title 390)**

*Notices of Rulemaking Intent*  
 Agency Authority and Objectives (Chapter 1) ..... 592  
 Administrative Procedures (Chapter 2) ..... 593  
 Peace Officer Certification (Chapter 10) ..... 594  
 Basic Peace Officer Certification Training (Chapter 15) ..... 594  
 Reserve Peace Officer Certification and Training (Chapter 20) ..... 595  
 Continuing Law Enforcement Education (Chapter 25) .... 596  
 Regulation of Private Security Industry (Chapter 35) ..... 596  
 Facilities Management (Chapter 55) ..... 597

**LIQUEFIED Petroleum Gas Research, Marketing and Safety Commission, Oklahoma (Title 422)**

*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 597  
 Marketing and Safety Programs (Chapter 10) ..... 598  
 Assessment Enforcement and Collection (Chapter 15) .... 599

**MEDICAL Licensure and Supervision, State Board of (Title 435)**

*Notices of Rulemaking Intent*  
 Physical Therapists and Assistants (Chapter 20) ..... 599

**MENTAL Health and Substance Abuse Services, Department of (Title 450)**

*Submissions for Review*  
 Certification of Alcohol and Drug Substance Abuse Courses (ADSAC), Organizations and Facilitators (Chapter 21) ..... 625  
 Certification of Alcohol and Drug Assessment and Evaluations Related to Driver's License Revocation (Chapter 22) ..... 625  
 Standards and Criteria for Community-Based Structured Crisis Centers (Chapter 23) ..... 626

**LONG-TERM Care Administrators, Oklahoma State Board of Examiners for (Title 490)**

*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 600  
 Long Term Care Administrators (Chapter 10) ..... 600  
Long Term Care Certified Assistant Administrators (Chapter 15) ..... 601

**OPTOMETRY, Board of Examiners in (Title 505)**

*Submissions for Review*  
 Administrative Operations (Chapter 1) ..... 626  
 Licensure and Regulation of Optometrists (Chapter 10) ... 627

**PERSONNEL Management, Office of (Title 530)**

*Notices of Rulemaking Intent*  
 Merit System of Personnel Administration Rules (Chapter 10) ..... 602

**Agency/Action/Subject Index – continued**

---

**PHARMACY, Oklahoma State Board of (Title 535)**  
*Cancelled Hearings/Comment Periods*  
 Pharmacies (Chapter 15) ..... 619

**POLICE Pension and Retirement System, Oklahoma (Title 550)**  
*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 603

**CENTRAL Services, Department of (Title 580)**  
*Notices of Rulemaking Intent*  
 Facilities Management (Chapter 10) ..... 604  
 Central Purchasing (Chapter 15) ..... 604  
 Fleet Management Division (Chapter 35) ..... 605  
Real Property Management (Chapter 75) ..... 605

**PUBLIC Employees Retirement System, Oklahoma (Title 590)**  
*Submissions for Review*  
 Administrative Operations (Chapter 1) ..... 627  
 Public Employees Retirement System (Chapter 10) ..... 627  
 Uniform Retirement System for Justices and Judges (Chapter 15) ..... 628

**PUBLIC Safety, Department of (Title 595)**  
*Notices of Rulemaking Intent*  
 General Rules of the Department of Public Safety (Chapter 1) ..... 606  
 Driver Licenses and Identification Cards (Chapter 10) .... 606  
 Wreckers and Towing Services (Chapter 25) ..... 607  
 Driver Training and Improvement (Chapter 40) ..... 608

**REAL Estate Commission, Oklahoma (Title 605)**  
*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 608

**REAL Estate Commission, Oklahoma – continued**  
*Notices of Rulemaking Intent – continued*  
 Requirements, Standards and Procedures (Chapter 10) ... 609

**SCENIC Rivers Commission (Title 630)**  
*Notices of Rulemaking Intent*  
~~Rules OSRC Operations~~ (Chapter 1) ..... 610  
 Oklahoma Scenic Rivers Commission [REVOKED] (Chapter 2) ..... 610  
 Hearing Procedures, Practices, and Appeals (Chapter 4) ..... 611  
 Licensing and Use Permits (Chapter 10) ..... 612  
 Protection of Natural Resources (Chapter 15) ..... 612  
 Violations [REVOKED] (Chapter 20) ..... 613

**TAX Commission, Oklahoma (Title 710)**  
*Notices of Rulemaking Intent*  
 Gross Production (Chapter 45) ..... 613

**TEACHERS’ Retirement System (Title 715)**  
*Notices of Rulemaking Intent*  
 General Operations (Chapter 10) ..... 614

**TOURISM and Recreation Department, Oklahoma (Title 725)**  
*Notices of Rulemaking Intent*  
 Administrative Operations (Chapter 1) ..... 615

**CAREER and Technology Education, Oklahoma Department of (Title 780)**  
*Notices of Rulemaking Intent*  
 General (Chapter 1) ..... 616  
 Administration and Supervision (Chapter 10) ..... 616  
 Technology Centers (Chapter 15) ..... 617  
 Programs and Services (Chapter 20) ..... 618

# Rules Affected Index

[(E) = *Emergency action*]

Rule	Register Page	Rule	Register Page
35:17-11-1. ....	[NEW] (E) ..... 69	230:40-5-77. ....	[AMENDED] (E) ..... 358
35:17-11-2. ....	[RESERVED] (E) ..... 69	230:40-7-16. ....	[AMENDED] (E) ..... 358
35:17-11-3. ....	[NEW] (E) ..... 69	230:40-7-35. ....	[AMENDED] (E) ..... 359
35:17, App. A. ....	[NEW] (E) ..... 71	230:50-9-9. ....	[AMENDED] (E) ..... 360
40:30-1-3. ....	[AMENDED] (E) ..... 391	252:515-19-132. ....	[AMENDED] (E) ..... 565
87:10-27-2. ....	[AMENDED] (E) ..... 79	252:515-19-133. ....	[AMENDED] (E) ..... 565
87:10-27-14. ....	[NEW] (E) ..... 79	252:515-19-134. ....	[AMENDED] (E) ..... 565
150:110-1-1. ....	[AMENDED] (E) ..... 57	252:515-19-135. ....	[AMENDED] (E) ..... 566
150:110-1-2. ....	[AMENDED] (E) ..... 57	252:515-19-136. ....	[AMENDED] (E) ..... 566
155:25-1-1. ....	[NEW] (E) ..... 7	252:515-19-137. ....	[AMENDED] (E) ..... 566
155:25-1-2. ....	[NEW] (E) ..... 8	310:2-27-1. ....	[NEW] (E) ..... 507
160:45-9-2. ....	[AMENDED] (E) ..... 563	310:2-27-2. ....	[NEW] (E) ..... 507
210:10-1-5. ....	[AMENDED] (E) ..... 629	310:2-27-3. ....	[NEW] (E) ..... 508
210:10-13-2. ....	[AMENDED] (E) ..... 80	310:2-27-4. ....	[NEW] (E) ..... 508
210:10-17-1. ....	[AMENDED] (E) ..... 8	310:2-27-5. ....	[NEW] (E) ..... 508
210:15-13-5. ....	[NEW] (E) ..... 10	310:2-27-6. ....	[NEW] (E) ..... 508
210:15-13-6. ....	[NEW] (E) ..... 10	310:550-1-1. ....	[AMENDED] (E) ..... 105
210:15-30-1. ....	[NEW] (E) ..... 213	310:550-1-2. ....	[AMENDED] (E) ..... 105
210:15-30-2. ....	[NEW] (E) ..... 213	310:550-3-1. ....	[AMENDED] (E) ..... 107
210:15-30-3. ....	[NEW] (E) ..... 214	310:550-5-1. ....	[AMENDED] (E) ..... 107
210:15-30-4. ....	[NEW] (E) ..... 214	310:550-7-1. ....	[AMENDED] (E) ..... 108
210:15-31-2. ....	[AMENDED] (E) ..... 82	310:550-13-1. ....	[AMENDED] (E) ..... 108
210:15-33-1. ....	[NEW] (E) ..... 215	310:550-17-1. ....	[AMENDED] (E) ..... 109
210:15-33-2. ....	[NEW] (E) ..... 215	310:550-19-1. ....	[AMENDED] (E) ..... 109
210:20-9-99. ....	[AMENDED] (E) ..... 216	310:550-21-1. ....	[AMENDED] (E) ..... 109
210:20-9-99.1. ....	[AMENDED] (E) ..... 216	310:550, App. B. ....	[REVOKED] (E) ..... 110
210:20-9-172. ....	[AMENDED] (E) ..... 217	310:550, App. B. ....	[NEW] (E) ..... 110
210:20-26-3. ....	[AMENDED] (E) ..... 82	310:550, App. C. ....	[REVOKED] (E) ..... 111
210:20-27-1. ....	[AMENDED] (E) ..... 83	310:550, App. C. ....	[NEW] (E) ..... 111
210:25-3-4. ....	[AMENDED] (E) ..... 84	317:30-3-59. ....	[AMENDED] (E) ..... 112
210:35-3-186. ....	[AMENDED] (E) ..... 85	317:30-5-2. ....	[AMENDED] (E) ..... 114
210:35-5-31. ....	[NEW] (E) ..... 11	317:30-5-9. ....	[AMENDED] (E) ..... 121
210:35-9-31. ....	[AMENDED] (E) ..... 254	317:30-5-18. ....	[AMENDED] (E) ..... 118
210:40-9-1. ....	[NEW] (E) ..... 12	317:30-5-20. ....	[AMENDED] (E) ..... 122
210:40-9-2. ....	[NEW] (E) ..... 12	317:30-5-22. ....	[AMENDED] (E) ..... 427
210:40-9-3. ....	[NEW] (E) ..... 12	317:30-5-22.1. ....	[NEW] (E) ..... 428
210:40-89-1. ....	[NEW] (E) ..... 87	317:30-5-70.2. ....	[AMENDED] (E) ..... 119
210:40-89-2. ....	[NEW] (E) ..... 87	317:30-5-72.1. ....	[AMENDED] (E) ..... 120
210:40-91-1. ....	[NEW] (E) ..... 88	317:30-5-111. ....	[AMENDED] (E) ..... 113
210:40-91-2. ....	[NEW] (E) ..... 88	317:30-5-204. ....	[NEW] (E) ..... 423
210:40-91-3. ....	[NEW] (E) ..... 88	317:30-5-205. ....	[NEW] (E) ..... 423
210:40-91-4. ....	[NEW] (E) ..... 88	317:30-5-206. ....	[NEW] (E) ..... 424
230:10-5-1. ....	[AMENDED] (E) ..... 347	317:30-5-207. ....	[NEW] (E) ..... 424
230:10-5-2. ....	[AMENDED] (E) ..... 348	317:30-5-208. ....	[NEW] (E) ..... 424
230:10-5-2.1. ....	[NEW] (E) ..... 348	317:30-5-209. ....	[NEW] (E) ..... 424
230:10-5-12. ....	[AMENDED] (E) ..... 348	317:30-5-210. ....	[AMENDED] (E) ..... 425
230:30-9-3. ....	[AMENDED] (E) ..... 349	317:30-5-211.13. ....	[NEW] (E) ..... 426
230:30-11-2. ....	[AMENDED] (E) ..... 349	317:30-5-219. ....	[NEW] (E) ..... 429
230:30-13-1. ....	[AMENDED] (E) ..... 350	317:30-5-220. ....	[NEW] (E) ..... 429
230:30-13-2. ....	[AMENDED] (E) ..... 350	317:30-5-221. ....	[NEW] (E) ..... 429
230:35-3-3. ....	[AMENDED] (E) ..... 352	317:30-5-222. ....	[NEW] (E) ..... 429
230:35-3-84. ....	[AMENDED] (E) ..... 353	317:30-5-223. ....	[NEW] (E) ..... 429
230:35-3-85.1. ....	[AMENDED] (E) ..... 353	317:30-5-230. ....	[NEW] (E) ..... 430
230:35-3-98. ....	[AMENDED] (E) ..... 354	317:30-5-231. ....	[NEW] (E) ..... 430
230:35-3-103. ....	[AMENDED] (E) ..... 354	317:30-5-232. ....	[NEW] (E) ..... 430
230:35-3-131. ....	[AMENDED] (E) ..... 354	317:30-5-233. ....	[NEW] (E) ..... 430
230:35-5-31.1. ....	[AMENDED] (E) ..... 355	317:30-5-234. ....	[NEW] (E) ..... 430
230:35-5-75.3. ....	[AMENDED] (E) ..... 355	317:30-5-235. ....	[NEW] (E) ..... 430
230:35-5-113.3. ....	[AMENDED] (E) ..... 356	317:30-5-290. ....	[REVOKED] (E) ..... 113
230:35-5-176. ....	[AMENDED] (E) ..... 356	317:30-5-290. ....	[AMENDED] (E) ..... 123
230:35-5-177. ....	[AMENDED] (E) ..... 356	317:30-5-290.1. ....	[NEW] (E) ..... 124

## Rules Affected Index – *continued*

317:30-5-291. . . . .	[AMENDED] (E) . . . . .	124	340:5-1-6. . . . .	[AMENDED] (E) . . . . .	257
317:30-5-291.1. . . . .	[NEW] (E) . . . . .	124	340:5-3-1. . . . .	[AMENDED] (E) . . . . .	258
317:30-5-291.2. . . . .	[NEW] (E) . . . . .	124	340:5-5-6. . . . .	[AMENDED] (E) . . . . .	259
317:30-5-295. . . . .	[NEW] (E) . . . . .	124	340:10-2-1. . . . .	[AMENDED] (E) . . . . .	14
317:30-5-296. . . . .	[NEW] (E) . . . . .	124	340:10-2-5. . . . .	[AMENDED] (E) . . . . .	16
317:30-5-297. . . . .	[NEW] (E) . . . . .	124	340:10-2-6. . . . .	[AMENDED] (E) . . . . .	16
317:30-5-298. . . . .	[NEW] (E) . . . . .	124	340:10-2-7. . . . .	[AMENDED] (E) . . . . .	17
317:30-5-420. . . . .	[AMENDED] (E) . . . . .	125	340:10-2-8. . . . .	[AMENDED] (E) . . . . .	19
317:30-5-421. . . . .	[AMENDED] (E) . . . . .	125	340:10-15-1. . . . .	[AMENDED] (E) . . . . .	262
317:30-5-422. . . . .	[AMENDED] (E) . . . . .	125	340:20-1-8. . . . .	[AMENDED] (E) . . . . .	263
317:30-5-423. . . . .	[AMENDED] (E) . . . . .	126	340:25-5-244. . . . .	[AMENDED] (E) . . . . .	264
317:30-5-424. . . . .	[AMENDED] (E) . . . . .	126	340:50-5-67. . . . .	[AMENDED] (E) . . . . .	265
317:30-5-568. . . . .	[AMENDED] (E) . . . . .	118	340:65-3-1. . . . .	[AMENDED] (E) . . . . .	266
317:30-5-698. . . . .	[AMENDED] (E) . . . . .	127	340:65-3-8. . . . .	[AMENDED] (E) . . . . .	268
317:35-5-2. . . . .	[AMENDED] (E) . . . . .	431	340:75-1-16. . . . .	[AMENDED] (E) . . . . .	270
317:35-5-6.1. . . . .	[NEW] (E) . . . . .	432	340:75-1-17. . . . .	[AMENDED] (E) . . . . .	272
317:35-5-8. . . . .	[AMENDED] (E) . . . . .	129	340:75-1-18. . . . .	[AMENDED] (E) . . . . .	272
317:35-5-25. . . . .	[AMENDED] (E) . . . . .	432	340:75-1-18.1. . . . .	[AMENDED] (E) . . . . .	274
317:35-5-26. . . . .	[AMENDED] (E) . . . . .	436	340:75-1-20. . . . .	[AMENDED] (E) . . . . .	274
317:35-5-41. . . . .	[AMENDED] (E) . . . . .	130	340:75-1-86. . . . .	[AMENDED] (E) . . . . .	632
317:35-5-41.1. . . . .	[NEW] (E) . . . . .	142	340:75-6-85. . . . .	[AMENDED] (E) . . . . .	275
317:35-5-41.2. . . . .	[NEW] (E) . . . . .	144	340:75-7-15. . . . .	[AMENDED] (E) . . . . .	21
317:35-5-41.3. . . . .	[NEW] (E) . . . . .	145	340:75-7-15. . . . .	[AMENDED] (E) . . . . .	277
317:35-5-41.4. . . . .	[NEW] (E) . . . . .	146	340:75-15-84. . . . .	[AMENDED] (E) . . . . .	279
317:35-5-41.5. . . . .	[NEW] (E) . . . . .	146	340:75-15-87. . . . .	[AMENDED] (E) . . . . .	280
317:35-5-41.6. . . . .	[NEW] (E) . . . . .	146	340:75-15-88. . . . .	[AMENDED] (E) . . . . .	281
317:35-5-41.7. . . . .	[NEW] (E) . . . . .	150	340:110-1-9.4. . . . .	[AMENDED] (E) . . . . .	23
317:35-5-41.8. . . . .	[NEW] (E) . . . . .	151	340:110-3-5. . . . .	[AMENDED] (E) . . . . .	25
317:35-5-41.9. . . . .	[NEW] (E) . . . . .	153	340:110-3-5.1. . . . .	[AMENDED] (E) . . . . .	26
317:35-5-41.10. . . . .	[NEW] (E) . . . . .	154	340:110-3-27. . . . .	[AMENDED] (E) . . . . .	26
317:35-5-41.11. . . . .	[NEW] (E) . . . . .	154	340:110-3-39. . . . .	[AMENDED] (E) . . . . .	28
317:35-5-45. . . . .	[AMENDED] (E) . . . . .	154	340:110-3-40. . . . .	[AMENDED] (E) . . . . .	29
317:35-5-46. . . . .	[AMENDED] (E) . . . . .	155	340:110-3-49.3. . . . .	[AMENDED] (E) . . . . .	29
317:35-5-47. . . . .	[AMENDED] (E) . . . . .	155	340:110-3-81. . . . .	[AMENDED] (E) . . . . .	31
317:35-5-49. . . . .	[AMENDED] (E) . . . . .	155	340:110-3-82. . . . .	[AMENDED] (E) . . . . .	31
317:35-6-15. . . . .	[AMENDED] (E) . . . . .	437	340:110-3-84. . . . .	[AMENDED] (E) . . . . .	32
317:35-7-15. . . . .	[AMENDED] (E) . . . . .	438	340:110-3-85. . . . .	[AMENDED] (E) . . . . .	32
317:35-7-48. . . . .	[AMENDED] (E) . . . . .	129	340:110-3-86. . . . .	[AMENDED] (E) . . . . .	35
317:35-9-15. . . . .	[AMENDED] (E) . . . . .	155	340:110-3-87. . . . .	[AMENDED] (E) . . . . .	37
317:35-9-48.1. . . . .	[NEW] (E) . . . . .	169	340:110-3-88. . . . .	[AMENDED] (E) . . . . .	37
317:35-9-65. . . . .	[AMENDED] (E) . . . . .	157	340:110-3-89.1. . . . .	[AMENDED] (E) . . . . .	38
317:35-9-68. . . . .	[AMENDED] (E) . . . . .	158	340:110-3-90. . . . .	[AMENDED] (E) . . . . .	38
317:35-17-9. . . . .	[AMENDED] (E) . . . . .	161	340:110-3-91. . . . .	[AMENDED] (E) . . . . .	39
317:35-17-11. . . . .	[AMENDED] (E) . . . . .	161	340:110-3-91.1. . . . .	[NEW] (E) . . . . .	39
317:35-19-4. . . . .	[AMENDED] (E) . . . . .	163	340:110-3-92. . . . .	[AMENDED] (E) . . . . .	40
317:35-19-19. . . . .	[AMENDED] (E) . . . . .	165	340:110-3-93. . . . .	[AMENDED] (E) . . . . .	40
317:35-19-21. . . . .	[AMENDED] (E) . . . . .	166	340:110-3-94. . . . .	[AMENDED] (E) . . . . .	41
317:35-22-1. . . . .	[NEW] (E) . . . . .	435	340:110-3-97. . . . .	[AMENDED] (E) . . . . .	41
317:35-22-2. . . . .	[NEW] (E) . . . . .	435	340:110-3-97.1. . . . .	[AMENDED] (E) . . . . .	42
317:35-22-2.1. . . . .	[NEW] (E) . . . . .	435	340:110-3-223. . . . .	[AMENDED] (E) . . . . .	43
317:35-22-3. . . . .	[NEW] (E) . . . . .	435	340:110-3-224. . . . .	[AMENDED] (E) . . . . .	44
317:35-22-4. . . . .	[NEW] (E) . . . . .	435	340:110-3-237. . . . .	[AMENDED] (E) . . . . .	45
317:35-22-5. . . . .	[NEW] (E) . . . . .	435	365:25-3-1. . . . .	[AMENDED] (E) . . . . .	173
317:35-22-6. . . . .	[NEW] (E) . . . . .	435	365:25-3-1.1. . . . .	[NEW] (E) . . . . .	176
317:35-22-7. . . . .	[NEW] (E) . . . . .	436	365:25-3-1.2. . . . .	[NEW] (E) . . . . .	176
317:35-22-8. . . . .	[NEW] (E) . . . . .	436	365:25-3-1.3. . . . .	[NEW] (E) . . . . .	176
317:35-22-9. . . . .	[NEW] (E) . . . . .	436	365:25-3-14. . . . .	[AMENDED] (E) . . . . .	176
317:35-22-10. . . . .	[NEW] (E) . . . . .	436	365:25-27-1. . . . .	[NEW] (E) . . . . .	59
317:35-22-11. . . . .	[NEW] (E) . . . . .	436	365:25-27-2. . . . .	[NEW] (E) . . . . .	59
317:45-9-1. . . . .	[AMENDED] (E) . . . . .	170	365:25-27-3. . . . .	[NEW] (E) . . . . .	59
317:45-11-11. . . . .	[AMENDED] (E) . . . . .	439	365:25-27-4. . . . .	[NEW] (E) . . . . .	59
317:45-11-20. . . . .	[AMENDED] (E) . . . . .	170	365:25-27-5. . . . .	[NEW] (E) . . . . .	59
317:45-11-21.1. . . . .	[NEW] (E) . . . . .	172	365:25-27-6. . . . .	[NEW] (E) . . . . .	60
318:10-1-1. . . . .	[AMENDED] (E) . . . . .	58	365:25-27-7. . . . .	[NEW] (E) . . . . .	61
318:10-1-3.1. . . . .	[NEW] (E) . . . . .	58	365:25-27-8. . . . .	[NEW] (E) . . . . .	63
340:2-5-112. . . . .	[AMENDED] (E) . . . . .	13	365:25-27-9. . . . .	[NEW] (E) . . . . .	63
340:2-5-119. . . . .	[AMENDED] (E) . . . . .	14	365:25, App. T. . . . .	[NEW] (E) . . . . .	284

465:20-1-1. . . . . [NEW] (E) . . . . .	286	765:11-3-2. . . . . [AMENDED] (E) . . . . .	361
465:20-3-1. . . . . [NEW] (E) . . . . .	286	765:11-3-4. . . . . [REVOKED] (E) . . . . .	361
465:20-3-2. . . . . [NEW] (E) . . . . .	286	765:11-5-1. . . . . [AMENDED] (E) . . . . .	361
465:20-3-3. . . . . [NEW] (E) . . . . .	287	765:11-5-2. . . . . [AMENDED] (E) . . . . .	362
530:10, App. A. . . . . [REVOKED] (E) . . . . .	90	765:12-1-1. . . . . [NEW] (E) . . . . .	362
530:10, App. A. . . . . [NEW] (E) . . . . .	90	765:12-1-2. . . . . [NEW] (E) . . . . .	362
590:10-7-13. . . . . [AMENDED] (E) . . . . .	46	765:12-1-3. . . . . [NEW] (E) . . . . .	362
590:10-19-2. . . . . [AMENDED] (E) . . . . .	47	765:12-1-4. . . . . [NEW] (E) . . . . .	362
590:10-19-3. . . . . [AMENDED] (E) . . . . .	47	765:12-5-1. . . . . [NEW] (E) . . . . .	362
600:15-1-2. . . . . [AMENDED] (E) . . . . .	91	765:12-5-2. . . . . [NEW] (E) . . . . .	363
600:15-1-4. . . . . [AMENDED] (E) . . . . .	91	765:12-7-1. . . . . [NEW] (E) . . . . .	363
605:1-1-4. . . . . [AMENDED] (E) . . . . .	440	765:12-7-2. . . . . [NEW] (E) . . . . .	363
605:10-3-2. . . . . [AMENDED] (E) . . . . .	442	765:12-7-3. . . . . [NEW] (E) . . . . .	363
605:10-7-2. . . . . [AMENDED] (E) . . . . .	442	765:12-9-1. . . . . [NEW] (E) . . . . .	363
710:95-5-3. . . . . [AMENDED] (E) . . . . .	92	765:13-1-1. . . . . [NEW] (E) . . . . .	364
710:95-5-11. . . . . [AMENDED] (E) . . . . .	93	765:13-3-1. . . . . [NEW] (E) . . . . .	364
710:95-5-13. . . . . [REVOKED] (E) . . . . .	93	765:13-3-2. . . . . [NEW] (E) . . . . .	364
710:95-5-14. . . . . [REVOKED] (E) . . . . .	93	765:13-3-3. . . . . [NEW] (E) . . . . .	364
710:95-5-15. . . . . [REVOKED] (E) . . . . .	94	765:13-3-4. . . . . [NEW] (E) . . . . .	364
710:95-5-16. . . . . [REVOKED] (E) . . . . .	94	765:30-1-1. . . . . [REVOKED] (E) . . . . .	365
710:95-5-17. . . . . [REVOKED] (E) . . . . .	95	765:30-1-2. . . . . [REVOKED] (E) . . . . .	365
710:95-5-18. . . . . [REVOKED] (E) . . . . .	95	765:30-1-3. . . . . [REVOKED] (E) . . . . .	365
710:95-5-19. . . . . [NEW] (E) . . . . .	95	765:30-1-4. . . . . [REVOKED] (E) . . . . .	365
710:95-5-20. . . . . [REVOKED] (E) . . . . .	95	765:30-1-5. . . . . [REVOKED] (E) . . . . .	365
710:95-5-21. . . . . [REVOKED] (E) . . . . .	96	765:30-1-6. . . . . [REVOKED] (E) . . . . .	365
710:95-5-22. . . . . [REVOKED] (E) . . . . .	96	765:30-1-7. . . . . [REVOKED] (E) . . . . .	366
715:10-13-3.1. . . . . [AMENDED] (E) . . . . .	287	765:30-3-1. . . . . [REVOKED] (E) . . . . .	366
715:10-13-3.2. . . . . [NEW] (E) . . . . .	288	765:30-3-2. . . . . [REVOKED] (E) . . . . .	366
715:10-13-3.3. . . . . [NEW] (E) . . . . .	288	765:30-5-1. . . . . [REVOKED] (E) . . . . .	366
715:10-21-2. . . . . [AMENDED] (E) . . . . .	567	765:30-7-1. . . . . [REVOKED] (E) . . . . .	366
715:10-21-3. . . . . [REVOKED] (E) . . . . .	567	765:30-7-2. . . . . [REVOKED] (E) . . . . .	367
715:10-21-4. . . . . [REVOKED] (E) . . . . .	568	765:30-7-3. . . . . [REVOKED] (E) . . . . .	367
715:10-21-5. . . . . [REVOKED] (E) . . . . .	568	800:10-1-5. . . . . [AMENDED] (E) . . . . .	289
765:11-1-2. . . . . [AMENDED] (E) . . . . .	361	800:25-17-4. . . . . [AMENDED] (E) . . . . .	290
765:11-3-1. . . . . [AMENDED] (E) . . . . .	361	800:25-17-5. . . . . [REVOKED] (E) . . . . .	290

# Agency/Title Index

[Assigned as of 2-15-08]

Agency	Title	Agency	Title
Oklahoma <b>ACCOUNTANCY</b> Board	10	Oklahoma Department of <b>EMERGENCY</b> Management	
State <b>ACCREDITING</b> Agency	15	(Formerly: Department of <b>CIVIL</b> Emergency Management) -	
<b>AD</b> Valorem Task Force (abolished 7-1-93)	20	See Title 145	
Oklahoma <b>AERONAUTICS</b> Commission	25	Oklahoma <b>EMPLOYMENT</b> Security Commission	240
Board of Regents for the Oklahoma <b>AGRICULTURAL</b> and Mechanical		Oklahoma <b>ENERGY</b> Resources Board	243
Colleges	30	State Board of Licensure for Professional <b>ENGINEERS</b> and Land	
Oklahoma Department of <b>AGRICULTURE</b> , Food, and Forestry	35	Surveyors (Formerly: State Board of Registration for Professional	
Oklahoma Board of Licensed <b>ALCOHOL</b> and Drug Counselors	38	<b>ENGINEERS</b> and Land Surveyors)	245
Board of Tests for <b>ALCOHOL</b> and Drug Influence	40	Board of Trustees for the <b>ENID</b> Higher	
<b>ALCOHOLIC</b> Beverage Laws Enforcement Commission	45	Education Program	250
<b>ANATOMICAL</b> Board of the State of Oklahoma	50	Department of <b>ENVIRONMENTAL</b> Quality	252
Board of Governors of the Licensed <b>ARCHITECTS</b> , Landscape		State Board of <b>EQUALIZATION</b>	255
Architects and Interior Designers of Oklahoma	55	<b>ETHICS</b> Commission (Title revoked)	257
<b>ARCHIVES</b> and Records Commission	60	<b>ETHICS</b> Commission	258
Board of Trustees for the <b>ARDMORE</b> Higher		Office of State <b>FINANCE</b>	260
Education Program	65	State <b>FIRE</b> Marshal Commission	265
Oklahoma <b>ARTS</b> Council	70	Oklahoma Council on <b>FIREFIGHTER</b> Training	268
<b>ATTORNEY</b> General	75	Oklahoma <b>FIREFIGHTERS</b> Pension and Retirement System	270
State <b>AUDITOR</b> and Inspector	80	[RESERVED]	275
State <b>BANKING</b> Department	85	State Board of Registration for <b>FORESTERS</b>	280
Oklahoma State Employees <b>BENEFITS</b> Council	87	<b>FOSTER</b> Care Review Advisory Board	285
Council of <b>BOND</b> Oversight	90	Oklahoma <b>FUNERAL</b> Board (Formerly: Oklahoma State Board of	
Oklahoma Professional <b>BOXING</b> Commission	92	Embalmers and Funeral Directors) - See Title 235	
State <b>BURIAL</b> Board (abolished 7-1-92)	95	Oklahoma <b>FUTURES</b>	290
[RESERVED]	100	<b>GOVERNOR</b>	295
Oklahoma <b>CAPITAL</b> Investment Board	105	<b>GRAND</b> River Dam Authority	300
Oklahoma <b>CAPITOL</b> Improvement Authority	110	Group Self-Insurance Association <b>GUARANTY</b> Fund Board	302
State <b>CAPITOL</b> Preservation Commission	115	Individual Self-Insured <b>GUARANTY</b> Fund Board	303
<b>CAPITOL-MEDICAL</b> Center Improvement and Zoning		<b>STATE</b> Use Committee (Formerly: Committee on Purchases of Products	
Commission	120	and Services of the Severely <b>HANDICAPPED</b> )	304
Oklahoma Department of <b>CAREER</b> and Technology Education		Office of <b>DISABILITY</b> Concerns (Formerly: Office of	
(Formerly: Oklahoma Department of <b>VOCATIONAL</b> and		<b>HANDICAPPED</b> Concerns)	305
Technical Education) - See Title 780		Oklahoma State Department of <b>HEALTH</b>	310
Board of Regents of <b>CARL</b> Albert State College	125	Oklahoma Basic <b>HEALTH</b> Benefits Board (abolished 11-1-97)	315
Department of <b>CENTRAL</b> Services (Formerly: Office of <b>PUBLIC</b>		Oklahoma <b>HEALTH</b> Care Authority	317
Affairs) - See Title 580		<b>HIGHWAY</b> Construction Materials Technician Certification	
<b>CEREBRAL</b> Palsy Commission	130	Board	318
Commission on <b>CHILDREN</b> and Youth	135	Oklahoma <b>HISTORICAL</b> Society	320
Board of <b>CHIROPRACTIC</b> Examiners	140	Oklahoma <b>HORSE</b> Racing Commission	325
Oklahoma Department of <b>EMERGENCY</b> Management		Oklahoma <b>HOUSING</b> Finance Agency	330
(Formerly: Department of <b>CIVIL</b> Emergency Management)	145	Oklahoma <b>HUMAN</b> Rights Commission	335
Oklahoma Department of <b>COMMERCE</b>	150	Department of <b>HUMAN</b> Services	340
<b>COMMUNITY</b> Hospitals Authority	152	Committee for <b>INCENTIVE</b> Awards for State Employees	345
<b>COMPSOURCE</b> Oklahoma (Formerly: State <b>INSURANCE</b>		Oklahoma <b>INDIAN</b> Affairs Commission	350
Fund) - See Title 370		Oklahoma <b>INDIGENT</b> Defense System	352
Oklahoma <b>CONSERVATION</b> Commission	155	Oklahoma <b>INDUSTRIAL</b> Finance Authority	355
<b>CONSTRUCTION</b> Industries Board	158	<b>INJURY</b> Review Board	357
Department of <b>CONSUMER</b> Credit	160	Oklahoma State and Education Employees Group <b>INSURANCE</b>	
<b>CORPORATION</b> Commission	165	Board	360
Department of <b>CORRECTIONS</b>	170	<b>INSURANCE</b> Department	365
State Board of <b>COSMETOLOGY</b>	175	<b>COMPSOURCE</b> Oklahoma	
Oklahoma State <b>CREDIT</b> Union Board	180	(Formerly: State <b>INSURANCE</b> Fund)	370
<b>CRIME</b> Victims Compensation Board	185	Oklahoma State Bureau of <b>INVESTIGATION</b>	375
Joint <b>CRIMINAL</b> Justice System Task Force Committee	190	Council on <b>JUDICIAL</b> Complaints	376
Board of <b>DENTISTRY</b>	195	Office of <b>JUVENILE</b> Affairs	377
Oklahoma <b>DEVELOPMENT</b> Finance Authority	200	Department of <b>LABOR</b>	380
Office of <b>DISABILITY</b> Concerns (Formerly: Office of		Department of the Commissioners of the <b>LAND</b> Office	385
<b>HANDICAPPED</b> Concerns) - See Title 305		Council on <b>LAW</b> Enforcement Education and Training	390
Board of Regents of <b>EASTERN</b> Oklahoma State College	205	Oklahoma <b>LAW</b> Enforcement Retirement System	395
<b>EDGE</b> Fund Policy Board	208	Board on <b>LEGISLATIVE</b> Compensation	400
State Department of <b>EDUCATION</b>	210	Oklahoma Department of <b>LIBRARIES</b>	405
<b>EDUCATION</b> Oversight Board	215	<b>LIEUTENANT</b> Governor	410
Oklahoma <b>EDUCATIONAL</b> Television Authority	220	Oklahoma <b>LINKED</b> Deposit Review Board	415
[RESERVED]	225	Oklahoma <b>LIQUEFIED</b> Petroleum Gas Board	420
State <b>ELECTION</b> Board	230	Oklahoma <b>LIQUEFIED</b> Petroleum Gas Research, Marketing and Safety	
Oklahoma <b>FUNERAL</b> Board (Formerly: Oklahoma State Board of		Commission	422
<b>EMBALMERS</b> and Funeral Directors)	235	<b>LITERACY</b> Initiatives Commission	425
		<b>LONG-RANGE</b> Capital Planning Commission	428

Agency	Title	Agency	Title
Oklahoma State Board of Examiners for <b>LONG-TERM</b> Care Administrators ( <i>Formerly:</i> Oklahoma State Board of Examiners for <b>NURSING</b> Home Administrators) - <i>See</i> Title 490		Oklahoma Commission on <b>SCHOOL</b> and County Funds Management	635
<b>LOTTERY</b> Commission, Oklahoma	429	Advisory Task Force on the Sale of <b>SCHOOL</b> Lands ( <i>functions concluded 2-92</i> )	640
Board of Trustees for the <b>MCCURTAIN</b> County Higher Education Program	430	The Oklahoma School of <b>SCIENCE</b> and Mathematics	645
Commission on <b>MARGINALLY</b> Producing Oil and Gas Wells	432	Oklahoma Center for the Advancement of <b>SCIENCE</b> and Technology	650
State Board of <b>MEDICAL</b> Licensure and Supervision	435	<b>SECRETARY</b> of State	655
<b>MEDICAL</b> Technology and Research Authority of Oklahoma	440	Department of <b>SECURITIES</b>	660
Board of <b>MEDICOLEGAL</b> Investigations	445	Board of Regents of <b>SEMINOLE</b> State College	665
Department of <b>MENTAL</b> Health and Substance Abuse Services	450	<b>SHEEP</b> and Wool Commission	670
<b>MERIT</b> Protection Commission	455	State Board of Licensed <b>SOCIAL</b> Workers	675
<b>MILITARY</b> Planning Commission, Oklahoma Strategic	457	<b>SOUTHERN</b> Growth Policies Board	680
Department of <b>MINES</b>	460	Oklahoma <b>SOYBEAN</b> Commission ( <i>abolished 7-1-97</i> )	685
Oklahoma <b>MOTOR</b> Vehicle Commission	465	Board of Examiners for <b>SPEECH-LANGUAGE</b> Pathology and Audiology	690
Board of Regents of <b>MURRAY</b> State College	470	<b>STATE</b> Employee Charitable Contributions, Oversight Committee for ( <i>Formerly:</i> <b>STATE</b> Agency Review Committee)	695
Oklahoma State Bureau of <b>NARCOTICS</b> and Dangerous Drugs Control	475	<b>STATE</b> Use Committee ( <i>Formerly:</i> Committee on Purchases of Products and Services of the Severely <b>HANDICAPPED</b> ) – <i>See</i> Title 304	
Board of Regents of <b>NORTHERN</b> Oklahoma College	480	Oklahoma <b>STUDENT</b> Loan Authority	700
Oklahoma Board of <b>NURSING</b>	485	<b>TASK</b> Force 2000	705
Oklahoma State Board of Examiners for <b>LONG-TERM</b> Care Administrators ( <i>Formerly:</i> Oklahoma State Board of Examiners for <b>NURSING</b> Home Administrators)	490	Oklahoma <b>TAX</b> Commission	710
Board of Regents of <b>OKLAHOMA</b> City Community College	495	Oklahoma Commission for <b>TEACHER</b> Preparation	712
Board of Regents of <b>OKLAHOMA</b> Colleges	500	<b>TEACHERS'</b> Retirement System	715
Board of Examiners in <b>OPTOMETRY</b>	505	State <b>TEXTBOOK</b> Committee	720
State Board of <b>OSTEOPATHIC</b> Examiners	510	Oklahoma <b>TOURISM</b> and Recreation Department	725
<b>PARDON</b> and Parole Board	515	Department of <b>TRANSPORTATION</b>	730
Oklahoma <b>PEANUT</b> Commission	520	Oklahoma <b>TRANSPORTATION</b> Authority ( <i>Name changed to Oklahoma TURNPIKE Authority 11-1-05</i> ) - <i>See</i> Title 731	
Oklahoma State <b>PENSION</b> Commission	525	Oklahoma <b>TURNPIKE</b> Authority ( <i>Formerly:</i> Oklahoma <b>TRANSPORTATION</b> Authority AND Oklahoma <b>TURNPIKE</b> Authority) - <i>See</i> also Title 745	731
State Board of Examiners of <b>PERFUSIONISTS</b>	527	State <b>TREASURER</b>	735
Office of <b>PERSONNEL</b> Management	530	Board of Regents of <b>TULSA</b> Community College	740
Oklahoma State Board of <b>PHARMACY</b>	535	Oklahoma <b>TURNPIKE</b> Authority ( <i>Name changed to Oklahoma TRANSPORTATION Authority 11-1-99 - no rules enacted in this Title - See</i> Title 731)	745
<b>PHYSICIAN</b> Manpower Training Commission	540	Board of Trustees for the <b>UNIVERSITY</b> Center at Tulsa	750
Board of <b>PODIATRIC</b> Medical Examiners	545	<b>UNIVERSITY</b> Hospitals Authority	752
Oklahoma <b>POLICE</b> Pension and Retirement System	550	<b>UNIVERSITY</b> Hospitals Trust	753
State Department of <b>POLLUTION</b> Control ( <i>abolished 1-1-93</i> )	555	Board of Regents of the <b>UNIVERSITY</b> of Oklahoma	755
<b>POLYGRAPH</b> Examiners Board	560	Board of Regents of the <b>UNIVERSITY</b> of Science and Arts of Oklahoma	760
Oklahoma Board of <b>PRIVATE</b> Vocational Schools	565	Oklahoma <b>USED</b> Motor Vehicle and Parts Commission	765
State Board for <b>PROPERTY</b> and Casualty Rates ( <i>abolished 7-1-06; see also Title 365</i> )	570	Oklahoma Department of <b>VETERANS</b> Affairs	770
State Board of Examiners of <b>PSYCHOLOGISTS</b>	575	Board of <b>VETERINARY</b> Medical Examiners	775
Department of <b>CENTRAL</b> Services ( <i>Formerly:</i> Office of <b>PUBLIC</b> Affairs)	580	Oklahoma Department of <b>CAREER</b> and Technology Education ( <i>Formerly:</i> Oklahoma Department of <b>VOCATIONAL</b> and Technical Education)	780
<b>PUBLIC</b> Employees Relations Board	585	Oklahoma <b>WATER</b> Resources Board	785
Oklahoma <b>PUBLIC</b> Employees Retirement System	590	Board of Regents of <b>WESTERN</b> Oklahoma State College	790
Department of <b>PUBLIC</b> Safety	595	Oklahoma <b>WHEAT</b> Commission	795
<b>REAL</b> Estate Appraiser Board	600	Department of <b>WILDLIFE</b> Conservation	800
Oklahoma <b>REAL</b> Estate Commission	605	<b>WILL</b> Rogers and J.M. Davis Memorials Commission	805
Board of Regents of <b>REDLANDS</b> Community College	607		
State <b>REGENTS</b> for Higher Education	610		
State Department of <b>REHABILITATION</b> Services	612		
Board of Regents of <b>ROGERS</b> State College	615		
Board of Regents of <b>ROSE</b> State College	620		
Oklahoma <b>SAVINGS</b> and Loan Board ( <i>abolished 7-1-93</i> )	625		
<b>SCENIC</b> Rivers Commission	630		



# Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

*For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-145]*

### **RULEMAKING ACTION:**

Notice of proposed **PERMANENT** rulemaking

### **PROPOSED RULES:**

- Subchapter 5. Declaratory Ruling Procedures [AMENDED]
- Subchapter 7. Rulemaking Procedures [AMENDED]
- Subchapter 9. Individual Procedures [AMENDED]
- Subchapter 11. Licensing Procedures [AMENDED]

### **SUMMARY:**

The purpose of the proposed rules is to amend the Department's organizational procedures related to hearings, rulemaking, licensing, and declaratory rulings. The hearing procedures are amended to allow for consistency with the Administrative Procedures Act and the Agricultural Pollutant Discharge Elimination System Act requirements. The revisions also provide for clean up to old and obsolete rules.

### **AUTHORITY:**

State Board of Agriculture; 2 O.S. §§ 2-4, 2A-1 et seq., 10-9 et seq., and 10-9.16; Article 6, Section 31, Constitution of the State of Oklahoma

### **COMMENT PERIOD:**

Persons may submit written and oral comments to Teena Gunter at 2800 North Lincoln Boulevard, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period from February 15, 2008 through March 17, 2008.

### **PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m., March 17, 2008, in the Consumer Protection Services Conference Room of the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Teena Gunter at the above address during the period from February 15, 2008 through March 17, 2008.

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [oda.state.ok.us/ogc-laws.htm](http://oda.state.ok.us/ogc-laws.htm) or by contacting Teena Gunter, Oklahoma Department of Agriculture, Food, and Forestry, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804, 405-522-4576.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the above address.

### **CONTACT PERSON:**

Teena Gunter, (405) 522-4576, e-mail address: [teena.gunter@oda.state.ok.us](mailto:teena.gunter@oda.state.ok.us)

*[OAR Docket #08-145; filed 1-25-08]*

## **TITLE 75. ATTORNEY GENERAL CHAPTER 1. ADMINISTRATION**

*[OAR Docket #08-161]*

### **RULEMAKING ACTION:**

Notice of proposed **PERMANENT** rulemaking

### **PROPOSED RULES:**

- Subchapter 1. General Information [AMENDED]
- Subchapter 3. Contracts for Domestic Violence and Sexual Assault Services [AMENDED]
- Subchapter 7. Certification and Designation of Domestic Violence, Sexual Assault, and Batterers Intervention ~~Services~~ Programs [AMENDED]

### **SUMMARY:**

Pursuant to Title 74 O.S. § 18p-6, the Attorney General is required to adopt and promulgate rules and standards for certification of domestic violence and sexual assault programs as well as batterers intervention programs. Title 74 O.S. § 18p-3 provides that any domestic violence or sexual assault programs providing services pursuant to a contract or subcontract with the Attorney General and receiving funds from the Attorney General or any contractor with the Attorney General shall be subject to the provisions of the administrative rules of the Attorney General. The following proposed rules amend the administrative procedures and requirements which are necessary for contracting and certification pursuant to 74 O.S. § 18p-1 et seq. Other than clean-up language, the majority of amendments deal with certification requirements. Specifically, temporary certification was extended from six months to one-year and new applicants will also be given one-year to achieve full certification; the percentage of allowable deficiencies for temporary or conditional

## Notices of Rulemaking Intent

---

certification and contract renewal was increased from 20% to 30%; requirements for providing new services or services at a new location were revised; facilities must submit applications for renewal of certification within sixty days of expiration rather than forty-five, and deficiencies will now be determined based on a weighted value of each rule.

### **AUTHORITY:**

Attorney General, Title 74 O.S. § 18p-1 et seq.

### **COMMENT PERIOD:**

Persons wishing to make written comments may do so by 5:00 p.m., March 17, 2008, at the Office of the Attorney General, Victims Services Unit, 313 N.E. 21st, Oklahoma City, OK 73105.

### **PUBLIC HEARING:**

A public hearing will be held to provide a means by which persons may offer suggested input and oral comment on the content of the proposed rules. Each person will be allowed a maximum of 5 minutes to speak and must sign in on Wednesday, March 19, 2008, at 1:00 p.m., in the conference room of the Office of the Attorney General, 313 N.E. 21st, Oklahoma City, OK 73105.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by the conclusion of the comment period or during the public hearing on March 19, 2008, at the Office of the Attorney General at the above address.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules are available in the Office of the Attorney General, 313 N.E. 21st, Oklahoma City, OK.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available in the Office of the Attorney General at the above address on and after publication of this Notice of Rulemaking Intent on February 15, 2008.

### **CONTACT PERSON:**

Susan Damron Krug, Assistant Attorney General, 405-522-0042

*[OAR Docket #08-161; filed 1-25-08]*

---

## **TITLE 75. ATTORNEY GENERAL CHAPTER 15. STANDARDS AND CRITERIA FOR DOMESTIC VIOLENCE, SEXUAL ASSAULT AND BATTERERS INTERVENTION PROGRAMS**

*[OAR Docket #08-162]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions [AMENDED]

Subchapter 2. Domestic Violence and Sexual Assault Programs [AMENDED]

Subchapter 4. Batterers Intervention Programs [AMENDED]

Subchapter 5. Client Records and Confidentiality [AMENDED]

Subchapter 13. Personnel and Volunteers [AMENDED]

Subchapter 15. Governing Authority [AMENDED]

### **SUMMARY:**

The Attorney General is required to adopt and promulgate rules and standards for certification of domestic violence and sexual assault programs as well as batterers intervention programs in this state. These rules set forth the requirements which are necessary to provide services pursuant to 74 O.S. § 18p-1 et seq. The majority of the substantive amendments have been made to Subchapter 4 for batterers intervention program standards as well as to Subchapter 13 concerning personnel requirements for batterers intervention facilitators. The amendments are proposed as a result of recommendations received from an ad hoc committee comprised of representatives from certified batterers intervention programs and changes as deemed necessary by the Domestic Violence and Sexual Assault Advisory Council. Additionally, a mission statement and underlying philosophy for the standards has been added; children's activities and children's services have been defined, and specific requirements and responsibilities were added for agency Governing Authorities.

### **AUTHORITY:**

Attorney General, Title 74 O.S. § 18p-1 et seq.

### **COMMENT PERIOD:**

Persons wishing to make written comments may do so by 5:00 p.m., March 17, 2008, at the Office of the Attorney General, Victims Services Unit, 313 N.E. 21st, Oklahoma City, OK 73105.

### **PUBLIC HEARING:**

A public hearing will be held to provide a means by which persons may offer suggested input and oral comment on the content of the proposed rules. Each person will be allowed a maximum of 5 minutes to speak and must sign in on Wednesday, March 19, 2008, at 1:00 p.m., in the conference room of the Office of the Attorney General, 313 N.E. 21st, Oklahoma City, OK 73105.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by the conclusion of the comment period or during the public hearing on March 19, 2008, at the Office of the Attorney General at the above address.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules are available in the Office of the Attorney General, 313 N.E. 21st, Oklahoma City, OK.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available in the Office of the Attorney General at the above address on and after publication of this Notice of Rulemaking Intent on February 15, 2008.

**CONTACT PERSON:**

Susan Damron Krug, Assistant Attorney General, 405-522-0042

*[OAR Docket #08-162; filed 1-25-08]*

**TITLE 87. OKLAHOMA STATE  
EMPLOYEES BENEFITS COUNCIL  
CHAPTER 10. FLEXIBLE BENEFITS PLAN**

*[OAR Docket #08-173]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
- 87:10-1-2. Definitions [AMENDED]
- Subchapter 3. Flexible Benefits Plan Provisions
- 87:10-3-2. Benefit plans offered as part of the Flexible Benefits Plan [AMENDED]
- Subchapter 13. Eligibility Requirements
- 87:10-13-4. Elections and changes [AMENDED]
- Subchapter 17. Benefit Plan Election
- 87:10-17-3. Employee election of benefit plans [AMENDED]
- Subchapter 19. Benefit Allowance
- 87:10-19-1. Flexible benefit allowance [AMENDED]
- 87:10-19-2. Costs in excess of flexible benefits allowance [AMENDED]
- Subchapter 27. Health Care Reimbursement Account Option
- 87:10-27-2. Definitions [AMENDED]
- 87:10-27-3. Requirements for eligibility [AMENDED]
- 87:10-27-14. Health savings accounts distributions [NEW]
- Subchapter 31. Coverage Continuation and Refunds
- 87:10-31-2. Refund for overdeductions [AMENDED]

**SUMMARY:**

The proposed changes to Chapter 10 are intended to add the definition of "dependent" for clarification purposes; to remove the trade name "SoonerChoices" as it is no longer used; to clarify language specific to the default elections resulting when employees fail to make their own elections; to clarify reinstatement rights, specific to life insurance, of employees reemployed within twenty-four (24) months of termination; to

clarify reinstatement rights, specific to vision insurance and health care and dependent care reimbursement accounts, of employees reemployed after thirty (30) days from termination; to define "rollover distributions" from flexible spending accounts to health savings accounts and adding new language that gives the Council the discretion to permit employees to rollover said distributions, as permitted by federal law; to provide language referencing federal guidelines that prohibit flexible spending account elections for employees terminated and reinstating employment within the same calendar year; to update language specific to the administrative processes involved with refunding premiums to employees when over deductions take place; and to update references citing state statutes to bring the same up to date with statutory changes.

**AUTHORITY:**

Employees Benefits Council, Employees Benefits Act; 74 O.S. § 1361 et seq.

**COMMENT PERIOD:**

Persons wishing to present data, views, or arguments, orally or in writing, may do so before 4:45 p.m., Central Standard Time on Monday, March 17, 2008, at the Employees Benefits Council, 120 North Robinson Avenue, Suite 1100, Oklahoma City, Oklahoma 73102.

**PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m., Tuesday, March 18, 2008, at the Employees Benefits Council, 120 North Robinson Avenue, Suite 1100, Oklahoma City, Oklahoma 73102. Interested persons can present their views at the public hearing, orally or in writing, but must sign in at the door no later than 10:00 a.m., Central Standard Time, Tuesday, March 18, 2008.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Employees Benefits Council, 120 North Robinson Avenue, Suite 1100, Oklahoma City, Oklahoma 73102. Copies of the proposed rules will be provided pursuant to OAC: 87:1-3-13.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. Supp.2005, §303(D), a rule impact statement will be prepared. Copies may be obtained from the Employees Benefits Council at the above address. The rule impact statement will be issued prior to or within fifteen (15) days after the date of publication of this Notice of Rulemaking Intent.

**CONTACT PERSON:**

Craig Cates, Employees Benefits Council, (405) 609-3440.

*[OAR Docket #08-173; filed 1-25-08]*

## Notices of Rulemaking Intent

---

### **TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 30. PLUMBING INDUSTRY REGULATIONS**

*[OAR Docket #08-146]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Subchapter 5. License Types, Bond Requirements, and Display of License Number and Firm Name

158:30-5-2. Insurance and bond requirements [AMENDED]

Subchapter 9. Examination Procedures, License and Registration Fees and Duration of Licenses

158:30-9-4. Continuing education [AMENDED]

#### **SUMMARY:**

The purpose of the rule in 158:30-5-2 is to eliminate the 30-day cancellation notice to the board. The Insurance companies have an automatic 10-day cancellation notice and this was interfering with the processing of licensure for the contractors. The purpose of the rules in 158:30-9-4 is to clarify the process for submitting and approving continuing education courses and the verification of completion and credit issued for the courses.

#### **AUTHORITY:**

Construction Industries Board; 59 O.S. § 1001 et seq.

#### **COMMENT PERIOD:**

Written and oral comments will be accepted between February 15, 2008 through March 17, 2008 during regular business hours at the office of the Administrator, Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107.

#### **PUBLIC HEARING:**

A public hearing on these proposed rules will be held at 1:30 p.m. March 20, 2008, at a special meeting of the Construction Industries Board at 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 1:35 p.m.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Construction Industries Board requests that business entities affected by these proposed rules provide the Construction Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Jeanne Britt at the above address, before the close of the comment period on March 17, 2008.

#### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107, before the close of the comment period on March 17, 2008.

#### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared prior February 18, 2008, and may be obtained from the Construction Industries Board at the above address.

#### **CONTACT PERSON:**

Jeanne Britt, Liaison Officer, 405.271.2771

*[OAR Docket #08-146; filed 1-25-08]*

---

### **TITLE 158. CONSTRUCTION INDUSTRIES BOARD CHAPTER 40. ELECTRICAL INDUSTRY REGULATIONS**

*[OAR Docket #08-147]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Subchapter 1. General Provisions

158:40-1-3. License requirement [AMENDED]

158:40-1-4. Standard of installation [AMENDED]

Subchapter 5. Licensing Requirements, Display of License and Firm Name, and Bond Requirements

158:40-5-5. Bond and insurance requirements [AMENDED]

Subchapter 9. Examination Applications, Examinations and License and Registration Fees and Renewals

158:40-9-2. Examinations [AMENDED]

158:40-9-4. Continuing education [AMENDED]

#### **SUMMARY:**

158:40-1-3 clarifies Construction Industries Board rules for the requirement of an appropriate contractor or journeyman license for persons who supervise, superintend or act as a foreman over electrical work. 158:40-1-4 this rule change establishes the 2008 National Electrical Code as the minimum standard for electrical installations in Oklahoma. The purpose of the rule in 158:40-5-5 is to eliminate the 30-day cancellation notice to the board. The Insurance companies have an automatic 10-day cancellation notice and this was interfering with the processing of licensure for the contractors. The purpose of the rules in 158:40-9-2 is to increase the passing score to 75% or more on each part of the examination. The purpose of the rules in 158:40-9-4 is to clarify the process for submitting and approving continuing education courses and the verification of completion and credit issued for the courses.

#### **AUTHORITY:**

Construction Industries Board; 59 O.S. § 1680 through §1697 et seq.

**COMMENT PERIOD:**

Written and oral comments will be accepted between February 15, 2008 and March 17, 2008, during regular business hours at the office of the Administrator, Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107.

**PUBLIC HEARING:**

A public hearing on these proposed rules will be held at 1:30 p.m. on March 20, 2008, at a special meeting of the Construction Industries Board at 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 1:35 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Construction Industries Board requests that business entities affected by these proposed rules provide the Constructions Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Jeanne Britt at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107, before the close of the comment period on March 17, 2008.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared prior to February 18, 2008, and may be obtained from the Construction Industries Board at the above address.

**CONTACT PERSON:**

Jeanne Britt, Liaison Officer, 405.271.2771

*[OAR Docket #08-147; filed 1-25-08]*

**TITLE 158. CONSTRUCTION INDUSTRIES BOARD  
CHAPTER 50. MECHANICAL INDUSTRY REGULATIONS**

*[OAR Docket #08-148]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 5. License Types, Limitations of Licenses, Contractor Special Requirements and Display of License Number and Firm Name  
158:50-5-3. Bond and insurance requirements [AMENDED]

Subchapter 9. Qualifications for Mechanical Licensure, License and Registration Fees, Duration of License, Mechanical License Application, and Apprentice Registration

158:50-9-7. Continuing education [AMENDED]

**SUMMARY:**

The purpose of the rule in 158:50-5-3 is to eliminate the 30-day cancellation notice to the board. The Insurance companies have an automatic 10-day cancellation notice and this was interfering with the processing of licensure for the contractors. The purpose of the rules in 158:50-9-7 is to clarify the process for submitting and approving continuing education courses and the verification of completion and credit issued for the courses.

**AUTHORITY:**

Construction Industries Board; 59 O.S. § 1850.1 through § 1860 et seq.

**COMMENT PERIOD:**

Written and oral comments will be accepted between February 15, 2008 and March 17, 2008, during regular business hours at the office of the Administrator, Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107.

**PUBLIC HEARING:**

A public hearing on these proposed rules will be held at 1:30 p.m. on March 20, 2008, at a special meeting of the Construction Industries Board at 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 1:35 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Construction Industries Board requests that business entities affected by these proposed rules provide the Constructions Industries Board, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to be incurred due to compliance with the proposed rules. Business entities may submit this information in writing to Jeanne Britt at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Construction Industries Board, 2401 N.W. 23, Suite 5, Oklahoma City, Oklahoma, 73107, before the close of the comment period on March 17, 2008.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared prior to February 18, 2008, and may be obtained from the Construction Industries Board at the above address.

## Notices of Rulemaking Intent

---

### CONTACT PERSON:

Jeanne Britt, Liaison Officer, 405.271.2771

*[OAR Docket #08-148; filed 1-25-08]*

### **TITLE 208. EDGE FUND POLICY BOARD CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-134]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### RULES:

- Subchapter 1. General Provisions [NEW]
- 208:1-1-1. Purpose [NEW]
- 208:1-1-2. Vision and Mission Statement [NEW]
- 208:1-1-3. Definitions [NEW]
- 208:1-1-4. Eligibility [NEW]
- 208:1-1-5. Programs and Projects Criteria [NEW]
- Subchapter 3. Policy Board Operations [NEW]
- 208:1-3-1. Authority and Operation [NEW]
- 208:1-3-2. Procedures for Adoption, Amendment and Repeal of Rules [NEW]
- 208:1-3-3. Requests for Declaratory Rulings [NEW]
- 208:1-3-4. Appeals [NEW]
- Subchapter 5. Fund Operations [NEW]
- 208:1-5-1. EDGE Fund Trust [NEW]
- 208:1-5-2. Technical Advisory Panel(s) [NEW]
- 208:1-5-3. Areas of Interest [NEW]
- 208:1-5-4. Funding Leverage [NEW]
- 208:1-5-5. Funding Limitations [NEW]
- 208:1-5-6. Notification Process [NEW]
- 208:1-5-7. Application Process [NEW]
- 208:1-5-8. Review Process [NEW]
- 208:1-5-9. Audit and Records Provisions [NEW]

### SUMMARY:

The State of Oklahoma has created a trust fund for Economic Development Generating Excellence known as the EDGE Fund. The EDGE Fund is an instrumentality of the State created pursuant to 62 O.S. Section 52. Section 52 creates an EDGE Fund Policy Board, which is responsible for expending the available funds according to the statutory directives.

### AUTHORITY:

Title 62 O.S., Section 52; Edge Fund Policy Board

### COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 2:00 P.M. on March 17, 2008 at the Oklahoma Center for the Advancement of Science and Technology (OCAST) office, 755 Research Parkway, Suite 110, Oklahoma City, Oklahoma 73104.

### PUBLIC HEARING:

A Public Hearing will be held at 2:00 P.M. on Thursday, March 17, 2008 at the PHF Conference Center, 655 Research

Parkway, Suite 100m Oklahoma City, OK 73104. Anyone who wishes to speak will be allowed a maximum of 5 minutes and must sign in at the door by 2:05 P.M.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Center for the Advancement of Science and Technology (OCAST) office located at 755 Research Parkway, Suite 110, Oklahoma City, Oklahoma. Copies may also be obtained by written request mailed to the attention of Sherry Roberts, 755 Research Parkway, Suite 110, Oklahoma City, Oklahoma 73104.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement is being prepared and will be available for review on and after February 15, 2008 at the above address for the Oklahoma Center for the Advancement of Science and Technology (OCAST).

### CONTACT PERSON:

Sherry Roberts (405) 319-8418.

*[OAR Docket #08-134; filed 1-24-08]*

### **TITLE 268. OKLAHOMA COUNCIL ON FIREFIGHTER TRAINING CHAPTER 2. OPERATIONS**

*[OAR Docket #08-170]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Chapter 2. Operations [NEW]

### SUMMARY:

In Chapter 2, Operations shall be outlined.

### AUTHORITY:

74 O.S. § 325.1.; Oklahoma Council on Firefighter Training

### COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on Monday, March 24, 2008, at the following address: Chris Bain, Oklahoma State Firefighters Association Office, inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

### PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on Tuesday, March 25, 2008, at the Professional Skills Center (west campus) of Oklahoma State University's Fire Service Training, located at 1510 South Karsten Creek Road, Stillwater, OK 74078.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Council On Firefighter Training or the Oklahoma State Firefighters Association Office, both located inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law and may be obtained from the Council On Firefighter Training and/or Oklahoma State Firefighters Association Office at the above address beginning March 1, 2008.

**CONTACT PERSON:**

Chris Bain, Director of Operations, Oklahoma State Firefighters Association, Tel. (405) 424-1452.

*[OAR Docket #08-170; filed 1-25-08]*

**TITLE 268. OKLAHOMA COUNCIL ON  
FIREFIGHTER TRAINING  
CHAPTER 4. OTHER FIREFIGHTER  
TRAINING INCENTIVE PROGRAMS**

*[OAR Docket #08-171]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 4. Other Firefighter Training Incentive Programs  
[NEW]

**SUMMARY:**

In Chapter 4, other Firefighter Training Incentive Programs shall be described.

**AUTHORITY:**

74 O.S. § 325.1.; Oklahoma Council on Firefighter Training

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on Monday, March 24, 2008, at the following address: Chris Bain, Oklahoma State Firefighters Association Office, inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

**PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m. on Tuesday, March 25, 2008, at the Professional Skills Center (west campus) of Oklahoma State University's Fire Service Training, located at 1510 South Karsten Creek Road, Stillwater, OK 74078.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Council On Firefighter Training or the Oklahoma State Firefighters Association Office, both located inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law and may be obtained from the Council On Firefighter Training and/or Oklahoma State Firefighters Association Office at the above address beginning March 1, 2008.

**CONTACT PERSON:**

Chris Bain, Director of Operations, Oklahoma State Firefighters Association, Tel. (405) 424-1452.

*[OAR Docket #08-171; filed 1-25-08]*

**TITLE 268. OKLAHOMA COUNCIL ON  
FIREFIGHTER TRAINING  
CHAPTER 6. FIREFIGHTER TRAINING  
RECOGNITION PROGRAMS**

*[OAR Docket #08-172]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 6. Firefighter Training Recognition Programs  
[NEW]

**SUMMARY:**

In Chapter 6, various Firefighter Training Recognition Programs shall be described.

**AUTHORITY:**

74 O.S. § 325.1.; Oklahoma Council on Firefighter Training

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on Monday, March 24, 2008, at the following address: Chris Bain, Oklahoma State Firefighters Association Office, inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

**PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m. on Tuesday, March 25, 2008, at the Professional Skills Center (west campus) of Oklahoma State University's Fire Service Training, located at 1510 South Karsten Creek Road, Stillwater, OK 74078.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Council On Firefighter Training or the Oklahoma State Firefighters Association Office, both located inside Oklahoma State Firefighters Museum, 2716 NE 50<sup>th</sup> Street, Oklahoma City, OK 73111.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law and may be obtained from the Council On Firefighter Training and/or Oklahoma State Firefighters Association Office at the above address beginning March 1, 2008.

## Notices of Rulemaking Intent

---

**CONTACT PERSON:**

Chris Bain, Director of Operations, Oklahoma State Firefighters Association, Tel. (405) 424-1452.

*[OAR Docket #08-172; filed 1-25-08]*

**TITLE 305. OFFICE OF DISABILITY CONCERNS  
CHAPTER 1. ORGANIZATION, OPERATIONS, PROCEDURES AND POLICIES**

*[OAR Docket #08-141]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

305:1-1-2 [AMENDED]

305:1-1-3 [AMENDED]

305:1-1-4 [AMENDED]

**SUMMARY:**

The proposed amendments reflect the change in the name of the agency pursuant to Laws 2007, HB 1084, c. 98, § 4, effective November 1, 2007. The amendments also update the agency's contact information. The amendments also more accurately cite other law and reword definitions without substantive change.

**AUTHORITY:**

74 O.S.Supp.2007, §9.27; Office of Disability Concerns.

**COMMENT PERIOD:**

Written and oral comments will be accepted until the conclusion of the rules hearing on March 19, 2008. Comments may be submitted to Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423; phone: (405) 521-3756 (voice), (800) 522-8224 (voice) or (405) 522-6706 (TDD). The comment period is from February 15, 2008, to March 19, 2008.

**PUBLIC HEARING:**

A public hearing has been scheduled for Wednesday, March 19, 2008, at 2:00 p.m., at 2401 N.W. 23, Suite 90, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 2:05 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Steven Stokes at the above address during the period from February 15, 2008, to March 19, 2008. The Office of Disability Concerns is not aware of any business entities affected by these proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Office of Disability Concerns. Copies may be obtained by written request mailed to the attention of Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared and available for review after February 29, 2008. A copy of the rule impact statement may be obtained by written request mailed to the attention of Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423.

**CONTACT PERSONS:**

Steven Stokes, Executive Director at (405) 522-6700; and Grant Moak, Assistant Attorney General, at (405) 522-0152.

*[OAR Docket #08-141; filed 1-25-08]*

**TITLE 305. OFFICE OF DISABILITY CONCERNS  
CHAPTER 10. CLIENT ASSISTANCE PROGRAM**

*[OAR Docket #08-140]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

305:10-1-1 [AMENDED]

**SUMMARY:**

The proposed amendments more accurately cite other law.

**AUTHORITY:**

74 O.S.Supp.2007, §9.27; Office of Disability Concerns.

**COMMENT PERIOD:**

Written and oral comments will be accepted until the conclusion of the rules hearing on March 19, 2008. Comments may be submitted to Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423; phone: (405) 521-3756 (voice), (800) 522-8224 (voice) or (405) 522-6706 (TDD). The comment period is from February 15, 2008, to March 19, 2008.

**PUBLIC HEARING:**

A public hearing has been scheduled for Wednesday, March 19, 2008, at 2:00 p.m., at 2401 N.W. 23, Suite 90, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 2:05 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Steven Stokes at the above address during the period from

February 15, 2008, to March 19, 2008. The Office of Disability Concerns is not aware of any business entities affected by these proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Office of Disability Concerns. Copies may be obtained by written request mailed to the attention of Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared and available for review after February 29, 2008. A copy of the rule impact statement may be obtained by written request mailed to the attention of Steven Stokes, Executive Director, 2401 N.W. 23, Suite 90, Oklahoma City, OK 73107-2423.

**CONTACT PERSONS:**

Steven Stokes, Executive Director at (405) 522-6700; and Grant Moak, Assistant Attorney General, at (405) 522-0152.

*[OAR Docket #08-140; filed 1-25-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 20. RACING OFFICIALS AND RACING PERSONNEL**

*[OAR Docket #08-164]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:20-1-3. Racing officials [AMENDED]

**SUMMARY:**

The Commission Executive Director proposes amendments to add two more racetrack positions in the list of Racing Officials: Assistant Racing Secretary and Outrider.

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-164; filed 1-25-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-116]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-2. Definitions [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes a new definition [Registered Oklahoma-Bred Race Horse] and a revision to one existing definition [Accredited Oklahoma-Bred Horse].

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present

## Notices of Rulemaking Intent

---

oral comment at the public hearing must sign a speaker's register.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

### **COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### **CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-116; filed 1-24-08]*

---

## **TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-117]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

### **PROPOSED RULE:**

325:75-1-3. Definition of accredited Oklahoma-Bred  
[AMENDED]

### **SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments to match changes already in place in the Thoroughbred national horse breed registry and change the rule title to read 'Thoroughbred' at the end of the title.

### **AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

### **COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

### **COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### **CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-117; filed 1-24-08]*

---

## **TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-119]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

### **PROPOSED RULE:**

325:75-1-3.1 Definition of accredited Oklahoma-Bred Quarter Horse, Paint or Appaloosa [NEW]

### **SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes a new rule to match changes already in place in the national horse breed registries for Quarter Horses, Paints and Appaloosas.

### **AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-119; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-120]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-4. Registration of Oklahoma-Bred [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-120; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-121]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-5. Administration of Oklahoma-Bred program [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter

## Notices of Rulemaking Intent

---

Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-121; filed 1-24-08]*

---

**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 75. OKLAHOMA-BRED  
PROGRAM**

*[OAR Docket #08-122]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-7. Registration required for Oklahoma-Bred eligibility [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-122; filed 1-24-08]*

---

**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 75. OKLAHOMA-BRED  
PROGRAM**

*[OAR Docket #08-123]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-8. Inspection of horses [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-123; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 75. OKLAHOMA-BRED  
PROGRAM**

*[OAR Docket #08-124]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-9. Decision as to eligibility of Oklahoma-Bred [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register' and clarify the horse certificate forms to be inspected by the Oklahoma-Bred Registering Agency.

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

## Notices of Rulemaking Intent

---

### COPIES OF PROPOSED RULES:

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### CONTACT PERSON:

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-124; filed 1-24-08]*

### TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM

*[OAR Docket #08-125]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

### PROPOSED RULE:

325:75-1-10. False statements concerning Oklahoma-Bred registration [AMENDED]

### SUMMARY:

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

### AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

### COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities

may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

### COPIES OF PROPOSED RULES:

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### CONTACT PERSON:

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-125; filed 1-24-08]*

### TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM

*[OAR Docket #08-126]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

### PROPOSED RULE:

325:75-1-12. Registration requirements, categories and fees [AMENDED]

### SUMMARY:

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register', set new fees and increase the transfer fee.

### AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

### COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the

Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-126; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-127]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-13. Change of horse ownership [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-127; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-128]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-14. Establishment of Oklahoma-Bred added money and award payments at race meetings [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78,

## Notices of Rulemaking Intent

---

Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

### **COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### **CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-128; filed 1-24-08]*

---

## **TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-129]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

### **PROPOSED RULE:**

325:75-1-15. Distribution of funds for Oklahoma-Bred pari-mutuel races [AMENDED]

### **SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

### **AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

### **COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

### **COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

### **CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-129; filed 1-24-08]*

---

## **TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-130]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

### **PROPOSED RULE:**

325:75-1-16. Disposition of unexpended Oklahoma-Bred funds generated at a race meeting [AMENDED]

### **SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

### **AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-130; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-131]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-17. Oklahoma-Bred races to be written and offered [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-131; filed 1-24-08]*

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

*[OAR Docket #08-132]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-18. Open company winners awards [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter

## Notices of Rulemaking Intent

---

Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register.'

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-132; filed 1-24-08]*

---

**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 75. OKLAHOMA-BRED  
PROGRAM**

*[OAR Docket #08-133]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-19. Embryo transfer [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association, the elected horsemen's representative organization for Quarter Horses, Appaloosas and Paints, proposes amendments for the term 'accredit' to be used consistently rather than the current use of interchanging the terms 'accredit' and 'register' and add an exception to the broodmare domicile requirement.

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

*[OAR Docket #08-133; filed 1-24-08]*

---

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 75. OKLAHOMA-BRED PROGRAM**

[OAR Docket #08-165]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULE:**

325:75-1-3. Definition of accredited Oklahoma-Bred [AMENDED]

**SUMMARY:**

The Oklahoma Quarter Horse Racing Association proposes to make two broodmare domicile exceptions.

**AUTHORITY:**

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**PUBLIC HEARING:**

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, March 17, 2008, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107. Anyone who wishes to present oral comment at the public hearing must sign a speaker's register.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Horse Racing Commission requests that business entities affected by this proposed rule provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on March 17, 2008.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by February 25, 2008 may be obtained from the Oklahoma Horse Racing Commission at the above address.

**CONTACT PERSON:**

Bonnie Morris, Assistant to the Administrator, (405) 943-6472.

[OAR Docket #08-165; filed 1-25-08]

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 2. ADMINISTRATIVE COMPONENTS**

[OAR Docket #08-102]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. Human Resources Management Division (HRMD)

Part 3. Internal Human Resources

340:2-1-34 [AMENDED]

Part 7. Recruitment, Selection, and Placement

340:2-1-89 [AMENDED]

(Reference APA WF 08-02)

**SUMMARY:**

The proposed revisions to Subchapter 1 of Chapter 2 amend rules to: (1) change to the form numbers to reflect changes created by the Oklahoma Department of Human Services (OKDHS) forms system; (2) incorporate terminology changes related to technological advances; (3) remove unnecessary language; and (4) improve wording.

**AUTHORITY:**

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution; and Sections 250 et seq. of Title 75 of the Oklahoma Statutes.

**COMMENT PERIOD:**

Written and oral comments will be accepted February 15, 2008 through March 17, 2008 during regular business hours by contacting Tracy Tatum-Thomas, Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125, Telephone 405-522-2099.

**PUBLIC HEARING:**

A public hearing has not been scheduled; however, pursuant to 75 O.S., § 303(B)(9), "persons may demand a hearing" by contacting the above listed person no later than March 17, 2008 at 5:00 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by contacting the above listed person.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

**CONTACT PERSON:**

Dena Thayer, Programs Administrator, 405-521-4326.

[OAR Docket #08-102; filed 1-23-08]

## Notices of Rulemaking Intent

---

### **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 2. ADMINISTRATIVE COMPONENTS**

*[OAR Docket #08-103]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Subchapter 3. Office of Client Advocacy

Part 1. Administration

340:2-3-2 [AMENDED]

Part 3. Investigations

340:2-3-36 [AMENDED]

Part 5. Grievances

340:2-3-45 through 340:2-3-46 [AMENDED]

340:2-3-50 [AMENDED]

(Reference APA WF 08-03)

#### **SUMMARY:**

The proposed revisions to Subchapter 3 of Chapter 2 amend the rules to: (1) reflect an additional category of maltreatment included in the Protective Services for Vulnerable Adults Act enacted by the Legislature last session; (2) rectify an oversight with respect to the dissemination of investigative reports to guardianship courts; (3) increase efficiency in processing grievances; and (4) clarify timeliness requirements when mediation available under state law is requested.

#### **AUTHORITY:**

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution; and Section 10-102 et seq. of Title 43A of the Oklahoma Statutes.

#### **COMMENT PERIOD:**

Written and oral comments will be accepted February 15, 2008 through March 17, 2008 during regular business hours by contacting Mark L. Jones, Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125, Telephone 405-525-4850.

#### **PUBLIC HEARING:**

A public hearing has not been scheduled; however, pursuant to 75 O.S., § 303(B)(9), "persons may demand a hearing" by contacting the above listed person no later than March 17, 2008 at 5:00 p.m.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

#### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by contacting the above listed person.

#### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

#### **CONTACT PERSON:**

Dena Thayer, Programs Administrator, 405-521-4326.

*[OAR Docket #08-103; filed 1-23-08]*

---

### **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 50. FOOD STAMP PROGRAM**

*[OAR Docket #08-104]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Subchapter 11. Special Procedures

Part 9. Disaster Procedures and Reporting Requirements

340:50-11-87 [REVOKED]

(Reference APA WF 08-01)

#### **SUMMARY:**

The proposed revisions to Subchapter 11 of Chapter 50 revoke obsolete rules regarding eligibility for emergency food assistance in disasters not declared by Food and Nutrition Service (FNS) due to personal hardship.

#### **AUTHORITY:**

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution; and Section 280.1 of Title 7 of the Code of Federal Regulations (CFR)

#### **COMMENT PERIOD:**

Written and oral comments will be accepted February 15, 2008 through March 17, 2008 during regular business hours by contacting Laura Brown, Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125, Telephone 405-521-4396.

#### **PUBLIC HEARING:**

A public hearing has not been scheduled; however, pursuant to 75 O.S., § 303(B)(9), "persons may demand a hearing" by contacting the above listed person no later than March 17, 2008 at 5:00 p.m.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

#### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by contacting the above listed person.

#### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

#### **CONTACT PERSON:**

Dena Thayer, Programs Administrator, 405-521-4326.

*[OAR Docket #08-104; filed 1-23-08]*

---

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 75. CHILD WELFARE**

*[OAR Docket #08-100]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 6. Permanency Planning
    - Part 1. General Provisions
      - 340:75-6-4 [AMENDED]
    - Part 5. Permanency Planning Services
      - 340:75-6-31 [AMENDED]
      - 340:75-6-31.5 [AMENDED]
  - Subchapter 8. Therapeutic Foster Care and Developmental Disabilities Services
    - Part 1. Therapeutic Foster Care
      - 340:75-8-8 [AMENDED]
  - Subchapter 15. Adoptions
    - Part 2. Legal Base and Scope of the Adoption Program
      - 340:75-15-5 [AMENDED]
      - 340:75-15-7 [AMENDED]
    - Part 10. Adoptive Family Assessment and Preparation Process
      - 340:75-15-93 [AMENDED]
- (Reference APA WF 08-04)**

**SUMMARY:**

Children and Family Services Division rules are amended to: (1) provide consistency between the rules and the Uniform Parentage Act; (2) provide a procedure for approving child care services for certain children in therapeutic foster care; (3) include a definition of presumed father and alleged father; (4) update policy cites, form numbers and language to conform to the Uniform Parentage Act; (5) update division name; and (6) require approval from Children and Family Services Division (CFS) programs manager prior to accessing day care services for a child who is in therapeutic foster care and is five years of age or younger.

**AUTHORITY:**

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution and Uniform Parentage Act (UPA) 10 O.S. §§ 7700-101 through 7700-902, effective November 1, 2006.

**COMMENT PERIOD:**

Written and oral comments will be accepted February 15, 2008 through March 17, 2008 during regular business hours by contacting Caprice Tyner, Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125, Telephone 918-794-7538.

**PUBLIC HEARING:**

A public hearing has not been scheduled; however, pursuant to 75 O.S., § 303(B)(9), "persons may demand a hearing" by contacting the above listed person no later than March 17, 2008 at 5:00 p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by contacting the above listed person.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

**CONTACT PERSON:**

Dena Thayer, Programs Administrator, 405-521-4326.

*[OAR Docket #08-100; filed 1-23-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 110. LICENSING SERVICES**

*[OAR Docket #08-101]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
  - Part 1. Licensing Services - Child Care
    - 340:110-1-4 through 110-1-6 [AMENDED]
    - 340:110-1-8 through 110-1-8.1 [AMENDED]
    - 340:110-1-8.3 [AMENDED]
    - 340:110-1-9 through 110-1-11 [AMENDED]
    - 340:110-1-13 [AMENDED]
    - 340:110-1-14 [AMENDED]
    - 340:110-1-17 [AMENDED]
    - 340:110-1-20 through 110-1-21 [AMENDED]
  - Part 3. Licensing Services - Residential Care and Agencies
    - 340:110-1-40 [AMENDED]
    - 340:110-1-42 through 110-1-43.1 [AMENDED]
    - 340:110-1-45 through 110-1-47.2 [AMENDED]
    - 340:110-1-51 through 110-1-53 [AMENDED]
    - 340:110-1-55 [AMENDED]
- Subchapter 3. Licensing Standards for Child Care Facilities
  - Part 1. Requirements for Child Care Centers
    - 340:110-3-5 thru 340:100-3-5.1 [AMENDED]
    - 340:110-3-27 [AMENDED]
  - Part 2. Requirements for Part-Day Children's Programs
    - 340:110-3-39 thru 340:110-3-40 [AMENDED]
    - 340:110-3-49.3 [AMENDED]
  - Part 5. Requirements for Family Child Care Homes and Large Family Child Care Homes
    - 340:110-3-81 through 110-3-82 [AMENDED]
    - 340:110-3-84 through 110-3-88 [AMENDED]
    - 340:110-3-89.1 through 110-3-91 [AMENDED]
    - 340:110-3-91.1 [NEW]
    - 340:110-3-92 through 110-3-94 [AMENDED]
    - 340:110-3-97 through 110-3-97.1 [AMENDED]

## Notices of Rulemaking Intent

---

Part 14. Requirements for School-Age Programs  
340:110-3-223 through 340:110-3-224 [AMENDED]  
340:110-3-237 [AMENDED]

(Reference APA WF 07-16 and 08-05)

### SUMMARY:

The proposed revisions allow for increased health and safety requirements for children in licensed family child care homes and large family child care homes. Most critical revisions occur in the area of fire safety and qualifications of the primary caregiver. These revisions impact the daily environment where children are in care therefore improving the quality of care received and further insuring children's safety. Revisions also: (1) clarify and improve division policy and practice when issuing an emergency order; (2) increase accessibility of licensing information for parents and public; (3) remove from first aid kits syrup of ipecac or activated charcoal because poison control center is no longer recommending their usage; (4) include revisions to definitions of an infant, primary caregiver, and toddler; (5) clarify division practice as it relates to application, denial or revocation of a license; (6) clarify capacity of family child care homes, obtaining of references on caregivers and the conditions of notifying licensing when specific events occur; (7) include increased qualifications, training and responsibilities of primary, assistant and substitute caregivers; (8) include limitations of inactive status of the primary caregiver and clarification of approval of dual foster care certifications; (9) increase space used routinely by children, staff-child ratio as it relates to swimming, supervision of animals, and development of emergency procedures in the event of a natural or man-made disaster; (10) clarify sanitation, lighting, and fencing requirements; (11) clarify transportation requirements; (12) increase accessibility of licensing information; (13) increase record information regarding caregivers and attendance of children in care; (14) increase information regarding the caregiver's policy for parents; (15) increase practices of hand washing, disease control, and safety of medication when administered by injections; (16) clarify appropriate media use for children; (17) include the movement of requirements relating to places to rest and sleeping environments to a separate requirement section; (18) clarify requirements relating to places to rest and sleeping environments; (19) increase positive guidance practices and to clarify prohibitive behavior and guidance practices; (20) clarify appropriate daily routines and bottle-feeding practices for infants, toddlers, and two year olds; (21) include required second servings of food and to clarify food and nutrition practices; (22) prohibit security bars on homes unless equipped with proper release mechanisms, and use of second story for naptime of children; (23) include increase of the number of fire and tornado drills, smoke detector testing and requirement of an operable carbon monoxide detector. Clarification of exits and railings for steps was also provided; (24) require inspections by state or local fire official for large family child care homes licensed in mobile homes; (25) include contact of poison control when suspicion of child poisonings occur; (26) clarify procedures for limitations of inactive care; (27)

reflect additions to non-compliances that are considered serious; (28) clarify procedures for case closure; (29) reflect changes in procedures regarding unlicensed care; (30) revise waiver process; (31) allow for language to be consistent with the findings indicated on the forms; (32) reflect change in division name; (33) include the additions of new division forms; (34) provide for expansion of provider/master teacher qualifications; (35) extend the compliance history time period; (36) remove environmental rating scale from the program evaluation criteria; (37) reorder language; and (38) clarify division practice and procedures.

### AUTHORITY:

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution Oklahoma Child Care Facilities Licensing Act. Sections 401 through 410 of Title 10 of the Oklahoma Statutes.

### COMMENT PERIOD:

Written and oral comments will be accepted February 15, 2008 through March 17, 2008 during regular business hours by contacting Mitzi Lee, Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125, Telephone 405-521-2556.

### PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., § 303(B)(9), "persons may demand a hearing" by contacting the above listed person no later than March 17, 2008 at 5:00 p.m.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the above listed person.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

### CONTACT PERSON:

Dena Thayer, Programs Administrator, 405-521-4326.

*[OAR Docket #08-101; filed 1-23-08]*

---

## TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES

*[OAR Docket #08-149]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:1-1-4 [AMENDED]

390:1-1-8 [AMENDED]

**SUMMARY:**

Amended rules would update the objectives of the Council with new legislative mandates, clarify cause for removal from the Advisory Committee for the Security Guard and Private Investigator Act to specify failure to be in good standing with their license and use of their appointment on the Committee for threats or perceived personal gain. 390:1-1-8 amendments would expand public access to forms to include availability of forms from the Council web site.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(16); 70 O.S., Section 3311(B)(12); 59 O.S., Section 1750.3(B)(10) and 70 O.S., Section 3311 et seq.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at www.cleet.state.ok.us.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-149; filed 1-25-08]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 2. ADMINISTRATIVE PROCEDURES**

*[OAR Docket #08-150]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

390:2-1-2 [AMENDED]

**SUMMARY:**

Amended rules would allow the Council to send an individual notice of disciplinary action addressed to the individual at the employing department or agency address if a residential address is unknown.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(K); 70 O.S., Section 3311.4; 70 O.S., Section 3311 et seq.; 59 O.S., Section 1750.7; 21 O.S., Section 1289.8(B); 21 O.S., Section 1290.14(B) and 21 O.S., Section 1289.23(I)(4).

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at www.cleet.state.ok.us.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

## Notices of Rulemaking Intent

---

### CONTACT PERSON:

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-150; filed 1-25-08]*

### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 10. PEACE OFFICER CERTIFICATION

*[OAR Docket #08-151]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:10-1-2 [AMENDED]

390:10-1-4 [AMENDED]

390:10-1-5 [AMENDED]

390:10-1-6 [AMENDED]

390:10-1-7 [AMENDED]

### SUMMARY:

Changes to this chapter would correct statute and rule references as a result of new legislation and rule changes, modify the time requirements for completing training, add a provision for extending time to complete training in certain circumstances, remove specific examination passing scores and replace with a standard established by CLEET. Amendments to this chapter would also remove the reference to Legal Block of instruction and Legal refresher course and replace with training specified by CLEET. Other amendments would replace language requiring notification on forms provided by CLEET to allow written notification for voluntary withdrawal of certification and requests for reinstatement. Language would be amended to include notification to any other entity required by law of the suspension, withdrawal or revocation of peace officer certification.

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(2); 70 O.S., Section 3311.4(1)(B); 70 O.S., Section 3311(E)(3) and 70 O.S., Section 3311(E)(5).

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to [rules@cleet.state.ok.us](mailto:rules@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment

period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at [www.cleet.state.ok.us](http://www.cleet.state.ok.us).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

### CONTACT PERSON:

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-151; filed 1-25-08]*

### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING

*[OAR Docket #08-152]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Subchapter 1. Basic Academy Programs

390:15-1-1 [AMENDED]

390:15-1-2 [AMENDED]

390:15-1-3 [AMENDED]

390:15-1-11 [AMENDED]

390:15-1-13 [AMENDED]

390:15-1-18 [AMENDED]

390:15-1-19 [AMENDED]

Subchapter 3. Collegiate Officer Program

390:15-3-1 [AMENDED]

390:15-3-6 [AMENDED]

390:15-3-7 [AMENDED]

390:15-3-8 [AMENDED]

### SUMMARY:

Subchapter one amendments would correct the reference to "Academy cities", add provisions for modifications to curriculum and courses of study as required by state statute, add DWI Detection and Standardized Field Sobriety Test (SFST) Training and Radar Training to the functional areas of the basic academy, incorporate national standards for SFST training as established by the International Association of Chiefs of Police (IACP) and the National Highway Traffic Safety Administration (NHTSA). Amendments would remove specific examination scores and replace with a

standard established by CLEET, add a provision that practical application exercises may be evaluated, replace the reference to sex with gender, and clarify provisions for remedial firearms training. 390:15-1-9 proposed changes would implement statutory changes regarding municipalities and counties authorized to operate a basic law enforcement academy. Amendments would remove certain restrictions for academy approval, change the requirement for an application form to a written request, add language to include identified instructional objectives and remove language to revoke academy status if the Council deems it can meet the agency's training needs.

Subchapter three proposed amendments would clarify peace officer certification through the Collegiate Officer Program to include Reserve Peace Officer Certification, add DWI Detection and Standardized Field Sobriety Test (SFST) Training and Radar Training to the instructional areas of the Collegiate Officer Program (COP) courses, and incorporate national standards for SFST training as established by the International Association of Chiefs of Police (IACP) and the National Highway Traffic Safety Administration (NHTSA). Amendments would update description of course materials available to institutions, clarify requirements for students to obtain their peace officer certification, and add another avenue for appeal by students for additional remedial training.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(2); 70 O.S., Section 3311.5(D)(Enrolled Senate Bill 920) and 70 O.S., Section 3311.5(E)(Enrolled Senate Bill 920).

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at www.cleet.state.ok.us.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Janet Ingram, Business Manager, (405) 239-5158.

[OAR Docket #08-152; filed 1-25-08]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 20. RESERVE PEACE OFFICER CERTIFICATION AND TRAINING**

[OAR Docket #08-153]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:20-1-2 [AMENDED]
- 390:20-1-3 [AMENDED]
- 390:20-1-7 [AMENDED]

**SUMMARY:**

Proposed rule changes are needed to update the definition of reserve officer to match current statute, change the reference to curriculum to lesson plans, and correct statutory and rule references.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(2); 11 O.S., Section 34-101 and 19 O.S., Section 547.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

## Notices of Rulemaking Intent

---

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at [www.cleet.state.ok.us](http://www.cleet.state.ok.us).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

### CONTACT PERSON:

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-153; filed 1-25-08]*

---

### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION

*[OAR Docket #08-154]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:25-1-6 [AMENDED]  
390:25-1-7 [AMENDED]  
390:25-1-8 [AMENDED]  
390:25-1-14 [AMENDED]

### SUMMARY:

Proposed rule changes are needed to expand electronic distribution and acceptance of documents, correct a rule reference, clarify documentation required for training entries to be added to peace officer files, and implement rules to enforce compliance of the state law requiring that all active peace officers complete sexual assault and sexual violence training by January 1, 2012.

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(2); 70 O.S., Section 3311.4 and 70 O.S., Section 3311.5(D)(Enrolled House Bill 1650(2007)).

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to [rules@cleet.state.ok.us](mailto:rules@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment

period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at [www.cleet.state.ok.us](http://www.cleet.state.ok.us).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

### CONTACT PERSON:

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-154; filed 1-25-08]*

---

### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

*[OAR Docket #08-155]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Subchapter 5. License Requirements  
390:35-5-2 [AMENDED]  
390:35-5-3 [AMENDED]  
390:35-5-4 [AMENDED]  
390:35-5-5 [AMENDED]  
390:35-5-12 [AMENDED]

### SUMMARY:

Proposed rule changes would remove the requirement for photographs on the license and instead require applicants to provide a copy of their state issued driver license or state issued identification card as required by statute. Removing the photograph from the license would allow the electronic renewal of licenses. The reference to sex would be changed to gender. Amendments would implement statutory changes last session removing the requirement of active full-time peace officers to obtain an individual security guard or private investigator license. Amendments are needed to clarify prohibitions for security patrol vehicle markings.

### AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., Section 1750.3(B); 59 O.S., Section 1750.9(A), 59 O.S., Section 1750.2(7)(b) and 59 O.S., Section 1750.10.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at www.cleet.state.ok.us.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-155; filed 1-25-08]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 55. FACILITIES MANAGEMENT**

*[OAR Docket #08-156]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

390:55-1-10 [AMENDED]

**SUMMARY:**

Amended language is needed to allow securing a reservation with a purchase order, reducing the number of days of advance notice required for lodging reservations, and providing authority for the Director to waive charges for failure to cancel reservations in advance due to unforeseen circumstances such as inclement weather or a documented illness.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311(B)(13).

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Janet Ingram, or by e-mail to rules@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 19, 2008, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Janet Ingram, at the above address, before the close of the comment period on March 19, 2008.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Janet Ingram at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5158, or from the CLEET web site at www.cleet.state.ok.us.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2008, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Janet Ingram, Business Manager, (405) 239-5158.

*[OAR Docket #08-156; filed 1-25-08]*

**TITLE 422. OKLAHOMA LIQUEFIED PETROLEUM GAS RESEARCH, MARKETING AND SAFETY COMMISSION  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-112]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

422:1-1-2. Definitions [AMENDED]

422:1-1-4. Funding [AMENDED]

422:1-1-6. Location, office hours [AMENDED]

**SUMMARY:**

The proposed amendment in Section 422:1-1-2 would correct the spelling of a word. The proposed amendment in

## Notices of Rulemaking Intent

---

Section 422:1-1-4 would bring the language in line with the statutes. The proposed amendment in Section 422:1-1-6 would change the physical street address of the Commission.

**AUTHORITY:**

Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission; Pursuant to O.S. 52, Section 420.24.

**COMMENT PERIOD:**

Persons may present their views, in written form, to the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, Oklahoma 73116-9111. Comments will be accepted between February 15 and March 17, 2008.

**PUBLIC HEARING:**

A public hearing will be held at 1:30 p.m., Friday, March 21, 2008, at 4200 N. Lindsay Ave., Oklahoma City, Oklahoma. Interested persons may orally present their views or arguments at this time.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, OK 73116-9111, (405) 879-9828. Persons requesting more than one copy of the proposed rules will be charged \$5.00 per copy.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement is being prepared and will be available after February 15, 2008 by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission office at the above address or phone number.

**CONTACT PERSON:**

Daniel Fitzpatrick, Associate Director, (405) 879-9828

*[OAR Docket #08-112; filed 1-24-08]*

**TITLE 422. OKLAHOMA LIQUEFIED  
PETROLEUM GAS RESEARCH,  
MARKETING AND SAFETY COMMISSION  
CHAPTER 10. MARKETING AND SAFETY  
PROGRAMS**

*[OAR Docket #08-113]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. Water Heater Rebate Program

422:10-1-2. Definitions [AMENDED]

422:10-1-5. Eligibility [AMENDED]

422:10-1-6. Applications [AMENDED]

422:10-1-9. Rebate amount; minimum efficiency factor  
[AMENDED]

Subchapter 5. Regulator Rebate Program

422:10-5-2. Definitions [AMENDED]

422:10-5-5. Eligibility [AMENDED]

422:10-5-6. Applications [AMENDED]

422:10-5-9. Rebate amount; ~~minimum efficiency factor~~  
[AMENDED]

Subchapter 15. Manufactured Housing Incentive Program  
[REVOKED]

422:10-15-1 through. 422:10-15-11 [REVOKED]

Subchapter 20. Central Furnace Rebate Program

422:10-20-2. Definitions [AMENDED]

422:10-20-5. Eligibility [AMENDED]

422:10-20-6. Applications [AMENDED]

422:10-20-9. Rebate amount; minimum efficiency factor  
[AMENDED]

Subchapter 22. Media Rebate Program

422:10-22-5. Applications [AMENDED]

**SUMMARY:**

The proposed rule amendments to Subchapter 1, Water Heater Rebate Program; Subchapter 5, Regulator Rebate Program; and Subchapter 20, Central Furnace Rebate Program, are essentially the same changes. The Commission felt it necessary to add the definition of Installation Date, as there has been some confusion among applicants as to when a water heater, central furnace or regulator were actually installed. This definition will allow the Commission to be able to better determine when a rebate application is within the 120 day timeframe in order to be eligible for a rebate. The proposed amendments add that a safety inspection of an eligible installation must be documented with a Form 4. This is currently required by Oklahoma law, but will help the consumer realize that a Form 4 is needed to properly document that the safety inspection was completed. The physical street address of the Commission has changed since the rules were promulgated last. The proposed amendments state that the Commission may, instead of shall, establish the rebate amount and the minimum energy efficiency factor for an eligible installation. The Commission will always establish a rebate amount, but the energy efficiency factors may or may not be a requirement under the program. Regulators do not have an energy efficient factor and the stricken language in Section 422:10-5-9 is therefore unnecessary.

The rules in Subchapter 15, Manufactured Housing Incentive Program, would be revoked. This program was not effective and this has not been an active program for several years. The Commission is therefore proposing to revoke the entire subchapter.

The rules in Subchapter 22, Media Rebate Program, would be amended to reflect the current, physical street address of the Commission office. As stated previously, the Commission office has moved since the last promulgation of the rules.

**AUTHORITY:**

Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission; Pursuant to O.S. 52, Section 420.24.

**COMMENT PERIOD:**

Persons may present their views, in written form, to the Oklahoma Liquefied Petroleum Gas Research, Marketing

and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, Oklahoma 73116-9111. Comments will be accepted between February 15 and March 17, 2008.

**PUBLIC HEARING:**

A public hearing will be held at 1:30 p.m., Friday, March 21, 2008, at 4200 N. Lindsay Ave., Oklahoma City, Oklahoma. Interested persons may orally present their views or arguments at this time.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, OK 73116-9111, (405) 879-9828. Persons requesting more than one copy of the proposed rules will be charged \$5.00 per copy.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement is being prepared and will be available after February 15, 2008 by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission office at the above address or phone number.

**CONTACT PERSON:**

Daniel Fitzpatrick, Associate Director, (405) 879-9828

*[OAR Docket #08-113; filed 1-24-08]*

**TITLE 422. OKLAHOMA LIQUEFIED PETROLEUM GAS RESEARCH, MARKETING AND SAFETY COMMISSION CHAPTER 15. ASSESSMENT ENFORCEMENT AND COLLECTION**

*[OAR Docket #08-114]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 3. Audits and Investigations
- 422:15-3-1. Inspection of records [AMENDED]
- Subchapter 5. Assessment Hearings
- 422:15-5-1. Petition and notice [AMENDED]
- 422:15-5-3. Subpoenas [AMENDED]
- 422:15-5-6. Order of assessment [AMENDED]

**SUMMARY:**

The proposed amendments in this Chapter would correct the spelling of a word to comply with the statutes. The proposed rule amendment would also add the language "or his or her designee" following Executive Director, which would allow the Executive Director to designate a person in his/her absence to perform the particular function as stated. The proposed amendments would also add language to allow the Commission to recover audit costs incurred during the audit of a loading rack operator or importer.

**AUTHORITY:**

Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission; Pursuant to O.S. 52, Section 420.24.

**COMMENT PERIOD:**

Persons may present their views, in written form, to the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, Oklahoma 73116-9111. Comments will be accepted between February 15 and March 17, 2008.

**PUBLIC HEARING:**

A public hearing will be held at 1:30 p.m., Friday, March 21, 2008, at 4200 N. Lindsay Ave., Oklahoma City, Oklahoma. Interested persons may orally present their views or arguments at this time.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission, 6412 N. Santa Fe Ave., Suite C, Oklahoma City, OK 73116-9111, (405) 879-9828. Persons requesting more than one copy of the proposed rules will be charged \$5.00 per copy.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement is being prepared and will be available after February 15, 2008 by contacting the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission office at the above address or phone number.

**CONTACT PERSON:**

Daniel Fitzpatrick, Associate Director, (405) 879-9828

*[OAR Docket #08-114; filed 1-24-08]*

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION CHAPTER 20. PHYSICAL THERAPISTS AND ASSISTANTS**

*[OAR Docket #08-181]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
- 435:20-1-1.1. Definitions [AMENDED]
- Subchapter 7. Supervision of Physical Therapist Assistants
- 435:20-7-1. Supervision of Physical Therapist Assistants [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 24, 2008

**SUBMITTED TO HOUSE:**

January 24, 2008

## Notices of Rulemaking Intent

---

### SUBMITTED TO SENATE:

January 24, 2008

*[OAR Docket #08-181; filed 1-25-08]*

### TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS CHAPTER 1. ADMINISTRATIVE OPERATIONS

*[OAR Docket #08-142]*

#### RULEMAKING ACTION:

Notice of Proposed PERMANENT Rulemaking

#### PROPOSED RULES:

Subchapter 1. General Provisions

490:1-1-2. Definitions [AMENDED]

Subchapter 3. Oklahoma State Board of Examiners for  
Long Term Care Administrators

490:1-3-9. Waiver of one administrator per facility rule  
[REVOKED]

Subchapter 5. Investigative Procedures

490:1-5-7. Hearing [AMENDED]

Subchapter 6. Administrator Registry

490:1-6-1. General provisions [AMENDED]

Subchapter 7. Fees And Deposits

490:1-7-2. Schedule of fees [AMENDED]

Subchapter 9. Continuing Education

490:1-9-4. Continuing education requirements  
[AMENDED]

#### SUMMARY:

The purpose of the proposed rulemaking action is to implement the provisions of Senate Bill No. 738 of the 2007 Regular Session and to update requirements for Long Term Care Administrators in Oklahoma. The proposed changes update and add definitions, update and add to the schedule of fees, incorporate new language and revise existing language to improve readability of the document.

#### AUTHORITY:

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

#### COMMENT PERIOD:

January 25, 2008, through March 21, 2008. Interested persons may informally discuss the proposed rules with Board members or Board staff; or before March 21, 2008, may submit written comments to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send comments via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov); or may request to present written or oral views at the hearing.

#### PUBLIC HEARING:

The public hearing will be part of the Regular Meeting of the Oklahoma State Board of Examiners for Long Term Care Administrators, scheduled to begin at 9:00 a.m. on March 26,

2008, in the Activities Room, Shepherd Mall Office Center, 2401 N.W. 23<sup>rd</sup> Street, Oklahoma City, OK 73107.

#### REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules.

Business entities may submit this information, in writing before March 21, 2008, to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send this information via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov).

#### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov). These rules may also be viewed from the Board's website at <http://www.ok.gov/osbeltca>.

#### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

#### CONTACT PERSON:

Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1624.

*[OAR Docket #08-142; filed 1-25-08]*

### TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS CHAPTER 10. LONG TERM CARE ADMINISTRATORS

*[OAR Docket #08-143]*

#### RULEMAKING ACTION:

Notice of Proposed PERMANENT Rulemaking

#### PROPOSED RULES:

Subchapter 1. Licensing of Long Term Care Administrators  
490:10-1-2.1. General requirements that must be met by  
each applicant [NEW]

490:10-1-3. ~~Qualifications~~Requirements for initial  
licensure [AMENDED]

490:10-1-4. ~~Qualifications~~Requirements for licensure by  
reciprocity [AMENDED]

490:10-1-5. ~~Qualifications~~Requirements for a provisional  
license [AMENDED]

490:10-1-9. Inactive license [AMENDED]

- 490:10-1-10. Requirements for reinstatement from inactive status [AMENDED]
- 490:10-1-11. Requirements for restoration from suspended status [AMENDED]
- Subchapter 3. Application for Licensure
- 490:10-3-1. Application for initial licensure, reciprocity, or provisional license [AMENDED]
- 490:10-3-1.1. Evidence requirements [NEW]
- 490:10-3-3. State standards examination [AMENDED]
- 490:10-3-5. Application for licensure renewal [AMENDED]
- Subchapter 5. Discipline
- 490:10-5-3. Disciplinary action [AMENDED]
- Subchapter 8. Administrator-In-Training (AIT)
- 490:10-8-17. Supervision of ~~more than one~~ AIT AITs ~~restricted~~ [AMENDED]
- Subchapter 13. Standards for Administrators
- 490:10-13-2. Administrator Responsibilities [AMENDED]
- 490:10-13-3. Requirements for administrators who serve as the Administrator-of-Record of two-or-more licensed long term care facilities located within a fifty (50) mile radius of each other, wherein the total number of occupied beds does not exceed one-hundred-twenty (120) beds and wherein one-or-more individuals are employed in Assistant Administrator, Unlicensed, capacities [NEW]

**SUMMARY:**

The purpose of the proposed rulemaking action is to implement the provisions of Senate Bill No. 738 of the 2007 Regular Session and to update requirements for Long Term Care Administrators in Oklahoma. The proposed changes update and add definitions, update and add to the schedule of fees, incorporate new language and revise existing language to improve readability of the document.

**AUTHORITY:**

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

**COMMENT PERIOD:**

January 25, 2008, through March 21, 2008. Interested persons may informally discuss the proposed rules with Board members or Board staff; or before March 21, 2008, may submit written comments to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send comments via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov); or may request to present written or oral views at the hearing.

**PUBLIC HEARING:**

The public hearing will be part of the Regular Meeting of the Oklahoma State Board of Examiners for Long Term Care Administrators, scheduled to begin at 9:00 a.m. on March 26, 2008, in the Activities Room, Shepherd Mall Office Center, 2401 N.W. 23<sup>rd</sup> Street, Oklahoma City, OK 73107.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules.

Business entities may submit this information, in writing before March 21, 2008, to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send this information via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov). These rules may also be viewed from the Board's website at <http://www.ok.gov/osbeltca>.

**CONTACT PERSON:**

Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1624.

*[OAR Docket #08-143; filed 1-25-08]*

**TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS  
CHAPTER 15. LONG TERM CARE CERTIFIED ASSISTANT ADMINISTRATORS**

*[OAR Docket #08-144]*

**RULEMAKING ACTION:**

Notice of Proposed PERMANENT Rulemaking

**PROPOSED RULES:**

- Subchapter 1. Certification of Long Term Care "Assistant Administrators, Unlicensed" [NEW]
- 490:15-1-1. Purpose [NEW]
- 490:15-1-2. Definitions [NEW]
- 490:15-1-3. Minimum qualifications for certified assistant administrators [NEW]
- 490:15-1-4. Conditions for employment for certified assistant administrators [NEW]
- Subchapter 3. Application For Certification [NEW]
- 490:15-3-1. Application process [NEW]
- 490:15-3-2. Approval process [NEW]

# Notices of Rulemaking Intent

---

## SUMMARY:

The purpose of the proposed rulemaking action is to implement the provisions of Senate Bill No. 738 of the 2007 Regular Session to establish minimum qualifications and conditions of employment for individuals serving as unlicensed Assistant Administrators in long term care facilities.

## AUTHORITY:

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

## COMMENT PERIOD:

January 25, 2008, through March 21, 2008. Interested persons may informally discuss the proposed rules with Board members or Board staff; or before March 21, 2008, may submit written comments to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send comments via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov); or may request to present written or oral views at the hearing.

## PUBLIC HEARING:

The public hearing will be part of the Regular Meeting of the Oklahoma State Board of Examiners for Long Term Care Administrators, scheduled to begin at 9:00 a.m. on March 26, 2008, in the Activities Room, Shepherd Mall Office Center, 2401 N.W. 23<sup>rd</sup> Street, Oklahoma City, OK 73107.

## REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules.

Business entities may submit this information, in writing before March 21, 2008, to Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators, 2401 N.W. 23<sup>rd</sup> Street, Suite 62, Oklahoma City, OK 73107; or before March 21, 2008, may send this information via electronic mail to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov).

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available for review by contacting the above listed person.

## COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to [osbeltca@osbeltca.ok.gov](mailto:osbeltca@osbeltca.ok.gov). These rules may also be viewed from the Board's website at <http://www.ok.gov/osbeltca>.

## CONTACT PERSON:

Roger Lanier, Ph.D., Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1624.

*[OAR Docket #08-144; filed 1-25-08]*

---

## TITLE 530. OFFICE OF PERSONNEL MANAGEMENT CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

*[OAR Docket #08-163]*

## RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

## PROPOSED RULES:

Subchapter 3. Affirmative Action and Equal Employment Opportunity

Part 2. Discrimination Complaints Investigations  
530:10-3-22 [AMENDED]

Subchapter 7. Salary and Payroll

Part 1. Salary and Rates of Pay  
530:10-7-1.2

Subchapter 15. Time and Leave

Part 5. Miscellaneous Types of Leave  
530:10-15-45 [AMENDED]

Subchapter 17. Performance Evaluation and Career Enhancement Programs

Part 17. State Work Incentive Program  
530:10-17-177 [AMENDED]

Subchapter 21. Employee Assistance Programs

Part 1. General Provisions  
530:10-21-5 [AMENDED]

Subchapter 23. Employee Recognition

Part 1. General Provisions  
530:10-23-3 [AMENDED]

Appendix A. Pay Band Schedule [REVOKED]

Appendix A. Pay Band Schedule [NEW]

## SUMMARY:

The proposed amendments to 530:10-3-22 are to clarify the training obligations for discrimination complaint investigators; the proposed amendments to 530:10-7-1.2 are due to statutory changes as a result of SB 626; the proposed amendments to 530:10-15-45 is for clarification of the rule; the proposed amendments to 530:10-17-177 are due to statutory changes as a result of SB 626; the proposed amendments to 530:10-21-5 are due to statutory language changes and correction of legal citations; the proposed amendment to 530:10-23-3 are due to statutory changes as a result of SB 626; and proposed amendment to Appendix A of Title 530, Chapter 10 are to make current emergency amendments permanent, which were necessary to assure that the pay band within the Merit Rules is in compliance with the provisions of House Bill 1114, which amended the State Employee Minimum Wage Rate to that of a three-person household as established by the Federal Poverty

Guidelines, which are issued by the United States Department of Health and Human Services, and the proposed amendments also include a pay band upward adjustment to the minimum, midpoint, and maximums by 3.0 percent, as reflected in the Office of Personnel Management's 2007 Annual Compensation report.

**AUTHORITY:**

The Administrator of the Office of Personnel Management: 74 O.S., §§ 840-1.6A, 840-2.1, 840.2.10, 840-2.17, 840-2.22, 840-4.6, 840-5.16, and 4121.

**COMMENT PERIOD:**

Persons wishing to present their views may submit written comments to the Office of Personnel Management. Written comments should be addressed to Mr. Oscar B. Jackson, Jr., Administrator, ATTENTION: Kara I. Smith, Oklahoma Office of Personnel Management, 2101 North Lincoln Boulevard, Room G-80, Oklahoma City, OK 73105, or may be sent via email to [kara.smith@opm.ok.gov](mailto:kara.smith@opm.ok.gov). The comment period will begin on February 15, 2008. To be assured of consideration prior to the adoption of permanent rules, written comments must be received no later than 5:00 p.m., Monday, March 17, 2008.

**PUBLIC HEARING:**

A public hearing will be held to provide a means by which persons may offer suggested input on the content of the proposed rules at 2:00 p.m., Monday, March 17, 2008, at the State Office of Personnel Management, Jim Thorpe Building, 2101 N. Lincoln, OPM Conference Room, Fifth Floor, Room 560, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained beginning Monday, February 15, 2008, between 8:00 a.m. and 5:00 p.m. Monday through Friday at the Office of Personnel Management, 2101 N. Lincoln Blvd., Suite G-80, Oklahoma City, OK 73105. Telephone (405) 521-2177.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and will be available beginning Monday, March 3, 2008. Copies may be obtained at the Office of Personnel Management, address and telephone listed above.

**CONTACT PERSON:**

Kara I. Smith, General Counsel, (405) 522-1736.

*[OAR Docket #08-163; filed 1-25-08]*

**TITLE 550. OKLAHOMA POLICE PENSION AND RETIREMENT SYSTEM  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-85]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Organization of Board

550:1-3-3 [AMENDED]

550:1-3-4 [AMENDED]

**SUMMARY:**

The proposed rules pertain to the nomination and election of Board members. The amendments are needed to modify the procedures related to the mailing of ballots and determining members eligible to receive ballots. The amendments also provide for a designee of the Executive Director to be able to perform certain tasks related to the election process.

**AUTHORITY:**

Oklahoma Police Pension and Retirement Board; 11 O.S. Sections 50-105.2(A)(B), 50-106(3)

**COMMENT PERIOD:**

Persons wishing to present their views may do so orally or in writing. Oral comments must be made at the public hearing. Those making oral comments must provide written notification of their intent to speak and shall specify the requested action, the impact of the requested action, and the desired outcome. Each person will be allowed a maximum of 10 minutes to speak and must sign in at the door. All written comments and notifications of intent to speak at the public hearing must be received by 4:30 p.m., March 17, 2008, at the Oklahoma Police Pension and Retirement System, 1001 N.W. 63rd Street, Suite 305, Oklahoma City, OK 73116.

**PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., on Wednesday, March 19, 2008, in the Board Room of the Oklahoma Police Pension and Retirement System, 1001 N.W. 63rd Street, Suite 305, Oklahoma City, Oklahoma 73116.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review at the Oklahoma Police Pension and Retirement System, 1001 N.W. 63rd Street, Suite 305, Oklahoma City, OK 73116, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Police Pension and Retirement System, 1001 N.W. 63rd Street, Suite 305, Oklahoma City, OK 73116, beginning on February 29, 2008.

## Notices of Rulemaking Intent

---

**CONTACT PERSON:**

Linda Ruckman, Administrative Officer, (405) 840-3555  
Ext. 227.

*[OAR Docket #08-85; filed 1-23-08]*

**CONTACT PERSON:**

Gerry Smedley, Administrative Rules Liaison, (405)  
522-8519

*[OAR Docket #08-166; filed 1-25-08]*

**TITLE 580. DEPARTMENT OF CENTRAL  
SERVICES  
CHAPTER 10. FACILITIES MANAGEMENT**

*[OAR Docket #08-166]*

**TITLE 580. DEPARTMENT OF CENTRAL  
SERVICES  
CHAPTER 15. CENTRAL PURCHASING**

*[OAR Docket #08-169]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 10. Facilities Management [AMENDED]

**SUMMARY:**

Proposed rule revisions provide information and clarification and update information related to the use and operation of public buildings and properties owned, used, occupied or managed by or on behalf of the state by the Department of Central Services.

**AUTHORITY:**

Department of Central Services; 74 O.S., Section 63

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on Monday, March 17, 2008, at the following address: Gerry Smedley, Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218. A person may submit e-mail comments to [gerry\\_smedley@dcs.state.ok.us](mailto:gerry_smedley@dcs.state.ok.us)

**PUBLIC HEARING:**

A public hearing will be held at the Department of Central Services, Will Rogers Office Building, Suite 214, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 17, 2007 at 9:00 a.m. Anyone who wishes to speak must sign in by 8:55 a.m. on that day.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after March 3, 2008, at the Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK.

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 15. Central Purchasing [AMENDED]

**SUMMARY:**

The proposed rule amendments correct scrivener errors identified in the 2007 promulgated rules.

**AUTHORITY:**

Director of the Department of Central Services; 74 O.S., Section 85.5

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on Monday, March 17, 2008, at the following address: Gerry Smedley, Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218. A person may submit e-mail comments to [gerry\\_smedley@dcs.state.ok.us](mailto:gerry_smedley@dcs.state.ok.us)

**PUBLIC HEARING:**

A public hearing will be held at the Department of Central Services, Will Rogers Office Building, Suite 214, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 17, 2008 at 11:00 a.m. Anyone who wishes to speak must sign in by 10:55 a.m. on that day.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Department with information, including, if possible, direct and indirect costs by type with dollar amounts, that a business entity may incur for rule compliance. Business entities may submit the information in writing by the conclusion of the public comment period and public hearing on March 17, 2008, at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after March 3, 2008 at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK.

**CONTACT PERSON:**

Gerry Smedley, Administrative Rules Liaison, (405) 522-8519

*[OAR Docket #08-169; filed 1-25-08]*

**TITLE 580. DEPARTMENT OF CENTRAL SERVICES  
CHAPTER 35. FLEET MANAGEMENT DIVISION**

*[OAR Docket #08-167]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 35. Fleet Management Division [AMENDED]

**SUMMARY:**

Proposed rules include clarification and updated information related to state vehicle maintenance requirements, reports submitted to the Fleet Management Division, and vehicle operating procedures.

**AUTHORITY:**

Director of the Department of Central Services; 74 O.S., Section 78.(B)(4)

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on March 17, 2008, at the following address: Gerry Smedley, Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**PUBLIC HEARING:**

A public hearing will be held at the Department of Central Services, Will Rogers Office Building, Suite 214, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 17, 2004 at 10:00 a.m. Anyone who wishes to speak must sign in by 9:55 a.m. on that day.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Department with information, including, if possible, direct and indirect costs by type with dollar amounts that a business entity may incur for rule compliance. Business entities may submit the information in writing by the conclusion of the public comment period and public hearing on March 17, 2008, at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will available for review after March 3, 2008 at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK.

**CONTACT PERSON:**

Gerry Smedley, Administrative Programs Officer, (405) 522-8519

*[OAR Docket #08-167; filed 1-25-08]*

**TITLE 580. DEPARTMENT OF CENTRAL SERVICES  
CHAPTER 75. REAL PROPERTY MANAGEMENT**

*[OAR Docket #08-168]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 75. Real Property Management [NEW]

**SUMMARY:**

The proposed rules are adopted to facilitate the effective administration of the statutory mandates of Senate Bill 558, effective July 1, 2006, related to the leasing, acquiring, disposing or transferring of state-owned real property.

**AUTHORITY:**

Director of the Department of Central Services; 74 O.S., Section 129.4

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on Monday, March 17, 2008, at the following address: Gerry Smedley, Department of Central Services, Administration, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218. A person may submit e-mail comments to gerry\_smedley@dcs.state.ok.us

**PUBLIC HEARING:**

A public hearing will be held at the Department of Central Services, Will Rogers Office Building, Suite 214, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 17, 2008 at 1:00 p.m. Anyone who wishes to speak must sign in by 12:55 p.m. on that day.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Department with information, including, if possible, direct and indirect costs by type with dollar amounts, that a business entity may incur for rule compliance. Business entities may submit the information

## Notices of Rulemaking Intent

---

in writing by the conclusion of the public comment period and public hearing on March 17, 2008, at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

### COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, P.O. Box 53218, Oklahoma City, OK 73152-3218.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after March 3, 2008 at the Department of Central Services, Administration Division, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK.

### CONTACT PERSON:

Gerry Smedley, Administrative Rules Liaison, (405) 522-8519

*[OAR Docket #08-168; filed 1-25-08]*

---

### TITLE 595. DEPARTMENT OF PUBLIC SAFETY CHAPTER 1. GENERAL RULES OF THE DEPARTMENT OF PUBLIC SAFETY

*[OAR Docket #08-157]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

### PROPOSED RULES:

Subchapter 1. Organization of the Department of Public Safety [AMENDED]

### SUMMARY:

Amendments to this chapter would update the description of the Department.

The proposed actions are amendments to existing rules.

The circumstance which created the need for these rules is to clarify rules regarding the organization of the Department.

The intended effect of these rules is to allow the Department of Public Safety to perform its duties as required or authorized by law.

### AUTHORITY:

Commissioner of Public Safety; 47 O.S. § 2-110.

### COMMENT PERIOD:

Interested persons may present their views regarding these rules in writing to the contact person referenced below. Comments will be accepted until 1 p.m., Tuesday, March 25, 2008.

### PUBLIC HEARING:

A public hearing regarding these proposed rules has not been scheduled. A public hearing will be scheduled if written request is received by the contact person no later than 1 p.m., Tuesday, March 25, 2008, in accordance with 75 O.S. § 303(C).

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Any business entity affected by these proposed rules is requested to provide the Department of Public Safety, in writing to the contact person and within the comment period or at the public hearing, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with these proposed rules.

### COPIES OF PROPOSED RULES:

A copy of the proposed rules may be obtained from the contact person.

### RULE IMPACT STATEMENT:

A Rule Impact Statement for the proposed rules will be prepared, as required by 75 O.S. §303(D), and may be obtained from the contact person.

### CONTACT PERSON:

David W. Beatty, Administrative Rules, Department of Public Safety, 3600 N. M.L. King Ave., P.O. Box 11415, Oklahoma City, OK 73136-0415. Phone: (405) 425-2024. Fax: (405) 419-2043. E-mail: dbeatty@dps.state.ok.us

*[OAR Docket #08-157; filed 1-25-08]*

---

### TITLE 595. DEPARTMENT OF PUBLIC SAFETY CHAPTER 10. DRIVER LICENSES AND IDENTIFICATION CARDS

*[OAR Docket #08-158]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

### PROPOSED RULES:

Subchapter 1. Procedures for Obtaining and Maintaining a Driver License or Identification Card [AMENDED]

Subchapter 3. Examination [AMENDED]

Subchapter 5. Medical Aspects [AMENDED]

Subchapter 9. Certified Schools and Designated Examiners [AMENDED]

Subchapter 13. Parent-Taught Driver Education [AMENDED]

### SUMMARY:

Amendments to this chapter would clarify, update, and establish procedures relating to driver licenses and identification cards in general, motor license agent activities, medical aspects of driver licensing, and parent-taught driver education.

The proposed actions are amendments to existing rules.

The circumstance which created the need for these rules is to provide consistency and clarity in rules regarding requirements in Oklahoma law and federal regulations.

The intended effect of these rules is to allow the Department of Public Safety to perform its duties as required or authorized by law.

**AUTHORITY:**

Commissioner of Public Safety; 47 O.S. § 6-101 et seq.

**COMMENT PERIOD:**

Interested persons may present their views regarding these rules in writing to the contact person referenced below. Comments will be accepted up to the close of the public hearing.

**PUBLIC HEARING:**

A public hearing regarding these proposed rules will be held at 9 a.m., Tuesday, March 25, 2008, in the Conference Room of the Robert E. Lester Training Center, 3600 N. Martin Luther King, Oklahoma City, OK. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Any business entity affected by these proposed rules is requested to provide the Department of Public Safety, in writing to the contact person and within the comment period or at the public hearing, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with these proposed rules.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rules may be obtained from the contact person.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement for the proposed rules will be prepared, as required by 75 O.S. §303(D), and may be obtained from the contact person.

**CONTACT PERSON:**

David W. Beatty, Administrative Rules, Department of Public Safety, 3600 N. M.L. King Ave., P.O. Box 11415, Oklahoma City, OK 73136-0415. Phone: (405) 425-2024. Fax: (405)419-2043. E-mail: dbeatty@dps.state.ok.us

*[OAR Docket #08-158; filed 1-25-08]*

**TITLE 595. DEPARTMENT OF PUBLIC SAFETY  
CHAPTER 25. WRECKERS AND TOWING SERVICES**

*[OAR Docket #08-159]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULES:**

- Subchapter 1. General Provisions [AMENDED]
- Subchapter 3. Wrecker License [AMENDED]

Subchapter 5. All Wrecker Operators [AMENDED]

Subchapter 9. Oklahoma Highway Patrol Rotation Log - Additional Requirements [AMENDED]

**SUMMARY:**

Amendments to would clarify similar requirements of wrecker and towing services.

The proposed actions are amendments to existing rules.

The circumstances which created the need for these rules are to clarify procedures and improve the working environment of the wrecker and towing services as well as to ensure the safety and protect the property of the motoring public of Oklahoma.

The intended effect of this rule is to allow the Department of Public Safety to perform its duties as required or authorized by law.

**AUTHORITY:**

Commissioner of Public Safety; 47 O.S. § 952

**COMMENT PERIOD:**

Interested persons may present their views regarding these rules in writing to the contact person referenced below. Comments will be accepted up to the close of the public hearing.

**PUBLIC HEARING:**

A public hearing regarding these proposed rules will be held at 1:30p.m., Tuesday, March 25, 2008, in the Conference Room at the Robert E. Lester Training Center, 3600 N. Martin Luther King, Oklahoma City, OK. Anyone who wishes to speak must sign in at the door by 1:35p.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Any business entity affected by these proposed rules is requested to provide the Department of Public Safety, in writing to the contact person and within the comment period or at the public hearing, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with these proposed rules.

**COPIES OF PROPOSED RULES:**

A copy of the proposed rules may be obtained from the contact person

**RULE IMPACT STATEMENT:**

A Rule Impact Statement for the proposed rules will be prepared, as required by 75 O.S. §303(D), and may be obtained from the contact person.

**CONTACT PERSON:**

David W. Beatty, Administrative Rules, Department of Public Safety, 3600 N. M.L. King Ave., P.O. Box 11415, Oklahoma City, OK 73136-0415. Phone: (405) 425-2024. Fax: (405) 419-2043. E-mail: dbeatty@dps.state.ok.us

*[OAR Docket #08-159; filed 1-25-08]*

## Notices of Rulemaking Intent

---

### **TITLE 595. DEPARTMENT OF PUBLIC SAFETY CHAPTER 40. DRIVER TRAINING AND IMPROVEMENT**

*[OAR Docket #08-160]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

#### **PROPOSED RULES:**

Subchapter 1. Driver Education Instruction [AMENDED]  
Subchapter 5. Motor Vehicle Accident Prevention Course [REVOKED]

#### **SUMMARY:**

Amendments to this subchapter would clarify requirements for driver training schools and instructors, and motor vehicle accident prevention courses.

The proposed actions are amendments to existing rules.

The circumstance which created the need for these rules is to ensure reliable service to the citizens of Oklahoma.

The intended effect of these rules is to allow the Department of Public Safety to perform its duties as required or authorized by law.

#### **AUTHORITY:**

Commissioner of Public Safety; 47 O.S. §§ 6-105 and 802.

#### **COMMENT PERIOD:**

Interested persons may present their views regarding these rules in writing to the contact person referenced below. Comments will be accepted up to the close of the public hearing.

#### **PUBLIC HEARING:**

A public hearing regarding these proposed rules will be held at 10 a.m., Tuesday, March 25, 2008, in the Conference Room of the Robert E. Lester Training Center, 3600 N. Martin Luther King, Oklahoma City, OK. Anyone who wishes to speak must sign in at the door by 10:05 a.m.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Any business entity affected by these proposed rules is requested to provide the Department of Public Safety, in writing to the contact person and within the comment period or at the public hearing, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with these proposed rules.

#### **COPIES OF PROPOSED RULES:**

A copy of the proposed rules may be obtained from the contact person

#### **RULE IMPACT STATEMENT:**

A Rule Impact Statement for the proposed rules will be prepared, as required by 75 O.S. §303(D), and may be obtained from the contact person.

#### **CONTACT PERSON:**

David W. Beatty, Administrative Rules, Department of Public Safety, 3600 N. M.L. King Ave., P.O. Box 11415,

Oklahoma City, OK 73136-0415. Phone: (405) 425-2024.  
Fax: (405) 419-2043. E-mail: dbeatty@dps.state.ok.us

*[OAR Docket #08-160; filed 1-25-08]*

### **TITLE 605. OKLAHOMA REAL ESTATE COMMISSION CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-179]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

#### **PROPOSED RULES:**

Subchapter 1. General Provisions  
605:1-1-4 [AMENDED]

#### **SUMMARY:**

Permanent revisions to the Rules and Regulations are proposed as described herein. These proposed amendments affect real estate licensees, school entities and instructors, and the general public and if promulgated will have an effective date of July 1, 2008. Proposed revisions are summarized as follows:

#### **605:1-1-4. OPERATIONAL PROCEDURES**

Amending the paragraph (g) to reflect amended language authorizing the Contract Forms Committee to draft and revise all forms of real estate contracts.

#### **AUTHORITY:**

Oklahoma Real Estate Commission; Title 59 O.S., §858-208

#### **COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on **March 16, 2008** at the following address: Oklahoma Real Estate Commission, Shepherd Mall 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma 73107-2431.

#### **PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of ten (10) minutes to speak and must sign in at the door. Date, time and place of public hearing: **March 19, 2008** - 10:00 a.m. Oklahoma Real Estate Commission, Shepherd Mall 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma 73107-2431.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

#### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday (with the exception of legal holidays), at the following location: Oklahoma Real Estate Commission, Shepherd Mall 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma

73107-2431. Telephone: (405)-521-3387, 1-866-521-3389 (Toll-free)

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303 (D), a rule impact statement will be prepared and available on **February 29, 2008** at the Oklahoma Real Estate Commission (address and phone number listed above).

**CONTACT PERSON:**

Anne M. Woody, Executive Director - (405) 521-3387

*[OAR Docket #08-179; filed 1-25-08]*

**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION  
CHAPTER 10. REQUIREMENTS, STANDARDS AND PROCEDURES**

*[OAR Docket #08-180]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULES:**

Subchapter 3. Education and Examination Requirements

605:10-3-2 [AMENDED]

Subchapter 5. Instructor and Entity Requirements and Standards

605:10-5-1 [AMENDED]

605:10-5-2 [AMENDED]

Subchapter 7. Licensing Procedures and Options

605:10-7-2 [AMENDED]

Subchapter 17. Causes for Investigation: Hearing Process; Prohibited Acts; Discipline

605:10-17-2 [AMENDED]

605:10-17-3 [AMENDED]

Appendix A. Residential Property Condition Disclosure Statement [REVOKED]

Appendix A. Residential Property Condition Disclosure Statement [NEW]

**SUMMARY:**

Permanent revisions to the Rules and Regulations are proposed as described herein. These proposed amendments affect real estate licensees, school entities and instructors, and the general public and if promulgated will have an effective date of July 1, 2008. Proposed revisions are summarized as follows:

**605:10-3-2. PRELICENSE EDUCATION REQUIREMENTS**

Adds paragraph detailing new requirement for applicants pertaining to the national criminal history background check and sets a maximum fee of Sixty Dollars (\$60.00) that can be charged by the Commission to process the criminal history check. Also adds language to the definitions and determinations used regarding good moral character in paragraph (d).

**605:10-5-1. APPROVAL OF PRELICENSE COURSE OFFERINGS**

Adds language pertaining to instructor applicant examination results and subsequent filing guidelines.

**605:10-5-2. APPROVAL OF CONTINUING EDUCATION OFFERINGS**

Adds new paragraph (o) detailing restrictions on the use of guest instructors.

**605:10-7-2. LICENSE TERMS AND FEES; RENEWALS; REINSTATEMENTS**

Adds new language to paragraph (c) indicating that if a licensee allows their license to expire they will be subject to a national criminal history background check as a result.

Strikes wording of paragraph (m), replacing it with new language detailing procedures for licenses that expired after January 1, 2008, but are eligible for reinstatement and the requirements for such reinstatement.

Changes title of paragraph (p) and amends wording within regarding crediting of license fees.

**605:10-17-2. COMPLAINT PROCEDURES**

Adds language to paragraphs (a) and (b) pertaining to complaints filed against any unlicensed person who is found to be performing licensed activities pursuant to the Code.

**605:10-17-3. COMPLAINT HEARINGS; NOTICE AND PROCEDURES**

Adds language to paragraph (b) to include any unlicensed person, therefore necessitating the striking of language "of such licensee" elsewhere in the paragraph. Adds language to paragraph (m) to include any unlicensed person, therefore necessitating the striking of "licensee" elsewhere in the paragraph.

**APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT**

Change language in question number 2, pertaining to whether or not the property is in a flood zone; and added question number 43 to allow a seller to include any item or improvement that is to be sold with the property and whether it is in normal working order.

**AUTHORITY:**

Oklahoma Real Estate Commission; Title 59 O.S., §858-208

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on **March 16, 2008** at the following address: Oklahoma Real Estate Commission, Shepherd Mall, 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma 73107-2431.

**PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of ten (10) minutes to speak and must sign in at the door. Date, time and place of public hearing: **March 19, 2008** - 10:00 a.m. Oklahoma Real Estate Commission, Shepherd Mall 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma 73107-2431.

## Notices of Rulemaking Intent

---

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday (with the exception of legal holidays), at the following location: Oklahoma Real Estate Commission, Shepherd Mall 2401 N.W. 23<sup>rd</sup> Street, Suite 18 Oklahoma City, Oklahoma 73107-2431. Telephone: (405) 521-3387, 1-866-521-3389 (Toll-free)

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303 (D), a rule impact statement will be prepared and available on **February 29, 2008** at the Oklahoma Real Estate Commission (address and phone number listed above).

### CONTACT PERSON:

Anne M. Woody, Executive Director - (405) 521-3387.

*[OAR Docket #08-180; filed 1-25-08]*

---

### **TITLE 630. SCENIC RIVERS COMMISSION CHAPTER 1. RULES OSRC OPERATIONS**

*[OAR Docket #08-105]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Chapter 1. Rules OSRC Operations [AMENDED]

### SUMMARY:

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise, and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

The changes proposed in this chapter add new provisions to clarify the rulemaking and evidentiary hearing authority of the OSRC. This includes a new procedure to develop standards applicable to local governments that impact scenic rivers, and replaces various "hearing" provisions in chapter 4. A new rule about the Commission is added to replace Chapter 2, and a new NOV rule is added to notify those believed to be in violation of OSRC rules. Proposed rules in this chapter are intended to be adopted concurrently with changes proposed in chapters 2, 4, 10, 15 and 20.

### AUTHORITY:

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

### COMMENT PERIOD:

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on

State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to [osrc@fullnet.net](mailto:osrc@fullnet.net).

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

### PUBLIC HEARING:

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action is expected to adversely impact small business, the OSRC requests that any business entity affected by these proposed rules provide the OSRC with information, within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at [www.oklahomascenicrivers.net](http://www.oklahomascenicrivers.net).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 28, 2008.

### CONTACT PERSON:

Ed Fite, (918)456-3251.

*[OAR Docket #08-105; filed 1-23-08]*

---

### **TITLE 630. SCENIC RIVERS COMMISSION CHAPTER 2. OKLAHOMA SCENIC RIVERS COMMISSION [REVOKED]**

*[OAR Docket #08-106]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Chapter 2. Oklahoma Scenic Rivers Commission [REVOKED]

### SUMMARY:

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise, and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

This chapter is proposed to be revoked because its rules are either contained in the statutes or are being consolidated elsewhere. No technical changes are proposed. This chapter is

intended to be revoked concurrently with changes proposed in chapters 1, 4, 10, 15 and 20.

**AUTHORITY:**

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

**COMMENT PERIOD:**

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to osrc@fullnet.net.

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

**PUBLIC HEARING:**

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action is expected to adversely impact small business, the OSRC requests that any business entity affected by these proposed rules provide the OSRC with information, within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at www.oklahomascenicrivers.net.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 28, 2008.

**CONTACT PERSON:**

Ed Fite, (918)456-3251.

*[OAR Docket #08-106; filed 1-23-08]*

**TITLE 630. SCENIC RIVERS COMMISSION  
CHAPTER 4. HEARING PROCEDURES,  
PRACTICES, AND APPEALS**

*[OAR Docket #08-107]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 4. Hearing Procedures, Practices, and Appeals  
[AMENDED]

**SUMMARY:**

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise,

and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

Many changes are proposed in this chapter, mostly designed to simplify processes and conform to the Oklahoma Administrative Procedures Act where the OSRC is authorized to conduct individual proceedings (quasi-judicial hearings). Rulemaking hearings move to chapter 1 and provisions for declaratory rulings are added. These were generally what was described in subchapter 3, public hearings. Rulemaking proposed in this chapter is intended to be adopted concurrently with changes proposed in chapters 1, 2, 10, 15 and 20.

**AUTHORITY:**

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

**COMMENT PERIOD:**

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to osrc@fullnet.net.

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

**PUBLIC HEARING:**

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action is expected to adversely impact small business, the OSRC requests that any business entity affected by these proposed rules provide the OSRC with information, within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at www.oklahomascenicrivers.net.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 28, 2008.

**CONTACT PERSON:**

Ed Fite, (918)456-3251.

*[OAR Docket #08-107; filed 1-23-08]*

## Notices of Rulemaking Intent

---

### **TITLE 630. SCENIC RIVERS COMMISSION CHAPTER 10. LICENSING AND USE PERMITS**

*[OAR Docket #08-108]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Chapter 10. Licensing and Use Permits [AMENDED]

#### **SUMMARY:**

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise, and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

Besides simplification and clarification, the rulemaking proposed in this chapter will add some new, technical criteria. The process for licensing commercial flotation devices is being changed to clarify rights and obligations in order to promote fairness in distributing new and renewal licenses, and to authorize additional, non-renewable licenses. Additional requirements are added to commercial float operations, such as making toilets available to the floating public and signage. A new rule would establish new commercial float licensing for non-profit youth organizations. Another new rule would prohibit the possession of open containers, or consumption, of alcohol (including 3.2 beer) in four public access areas: Round Hollow, Todd, and US 62 Bridge Access on the Illinois River, and US 412 Bridge Access on Flint Creek. Another new rule would prohibit commercial floating on the Barren Fork and Flint Creeks. Rulemaking proposed in this chapter is intended to be adopted concurrently with changes proposed in chapters 1, 2, 4, 15 and 20.

#### **AUTHORITY:**

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

#### **COMMENT PERIOD:**

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to [osrc@fullnet.net](mailto:osrc@fullnet.net).

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

#### **PUBLIC HEARING:**

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The OSRC requests that any business entity affected by these proposed rules provide the OSRC with information,

within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

#### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at [www.oklahomascenicrivers.net](http://www.oklahomascenicrivers.net).

#### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 29, 2008.

#### **CONTACT PERSON:**

Ed Fite, (918)456-3251.

*[OAR Docket #08-108; filed 1-23-08]*

---

### **TITLE 630. SCENIC RIVERS COMMISSION CHAPTER 15. PROTECTION OF NATURAL RESOURCES**

*[OAR Docket #08-109]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Chapter 15. Protection of Natural Resources [AMENDED]

#### **SUMMARY:**

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise, and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

Besides simplification and clarification, the rulemaking proposed in this chapter will add some new, technical criteria. A new rule would restrict commercial floating on the Barren Fork and Flint Creek because those scenic rivers will not support commercial floating, and another would limit the size of ice chests to 48 quarts. Another addition will allow site-specific exemptions for removing gravel above the high water mark due to floods. Rulemaking proposed in this chapter is intended to be adopted concurrently with changes proposed in chapters 1, 2, 4, 10 and 20.

#### **AUTHORITY:**

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

#### **COMMENT PERIOD:**

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to [osrc@fullnet.net](mailto:osrc@fullnet.net).

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

**PUBLIC HEARING:**

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The OSRC requests that any business entity affected by these proposed rules provide the OSRC with information, within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at www.oklahomascenicrivers.net.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 29, 2008.

**CONTACT PERSON:**

Ed Fite, (918)456-3251.

*[OAR Docket #08-109; filed 1-23-08]*

**TITLE 630. SCENIC RIVERS COMMISSION  
CHAPTER 20. VIOLATIONS [REVOKED]**

*[OAR Docket #08-110]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 20. Violations [REVOKED]

**SUMMARY:**

The OSRC is undertaking a comprehensive review of its regulations. The goal is to make the rules clear and concise, and to conform to the Oklahoma Scenic Rivers Act, the Oklahoma Administrative Procedures Act and other applicable Oklahoma law. OSRC seeks to eliminate redundancy and confusion, streamline procedures, and improve efficiency in order to better preserve the scenic rivers in their natural, scenic state.

This chapter is proposed to be revoked because its rules are contained in the statutes. No technical changes are proposed. This chapter is intended to be revoked concurrently with changes proposed in chapters 1, 2, 4, 10 and 15.

**AUTHORITY:**

Scenic Rivers Commission, 82 O.S., §§ 1451 - 1471.

**COMMENT PERIOD:**

Anyone may submit written comments to Ed Fite at the Scenic Rivers Commission through March 18, 2008. The OSRC is located 2 miles northeast of Tahlequah on

State Highway #10, and its mailing address is P.O. Box 292, Tahlequah, OK 74465-0292. You may also email to osrc@fullnet.net.

The OSRC will then consider adopting the rules at a special meeting at 5:30 p.m. on Thursday, March 27, 2008, at the Tahlequah Municipal Armory Building.

**PUBLIC HEARING:**

A public hearing to take comments will convene at 5:30 p.m. on Tuesday, March 18, 2008, at the OSRC office listed above.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action is expected to adversely impact small business, the OSRC requests that any business entity affected by these proposed rules provide the OSRC with information, within the comment period, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by writing to or visiting the OSRC office listed above, or from the OSRC website at www.oklahomascenicrivers.net.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement is being prepared and will be available for review at the OSRC office and website by February 28, 2008.

**CONTACT PERSON:**

Ed Fite, (918)456-3251.

*[OAR Docket #08-110; filed 1-23-08]*

**TITLE 710. OKLAHOMA TAX  
COMMISSION  
CHAPTER 45. GROSS PRODUCTION**

*[OAR Docket #08-86]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

**PROPOSED RULES:**

Chapter 45. Gross Production [AMENDED]

**SUMMARY:**

As part of the Commission's ongoing review of its rules, many proposed amendments to the existing Gross Production rules have been made to implement recent legislation. All legislative references are to the 51st Legislature, 1st Regular Session (2007).

The proposed amendments reflect the provisions of House Bill 1718 which clarify qualifying criteria for the rebate of gross production tax on economically at-risk leases and extend the sunset provisions through 2010. The proposed amendments reflect the provisions of Senate Bill 119 which correct eligibility criteria for the exemption of sales tax on electricity used in enhanced recovery methods of oil production. New rules are being promulgated to reflect the

## Notices of Rulemaking Intent

---

provisions of House Bill 1485 which provides for a deduction on the levy of gross production tax for certain non-production related costs associated with the marketing and transportation of natural gas. Other sections are being amended to clarify policy, improve readability, correct scrivener's errors, update statutory citation, insure accurate internal cross-reference and comply with statutory changes

### **AUTHORITY:**

68 O.S. §§ 203 , 1001(M) and 1001.4(I); Oklahoma Tax Commission

### **COMMENT PERIOD:**

Persons wishing to make written submissions may do so by 4:30 p.m., March 21, 2008, to the Oklahoma Tax Commission, Tax Policy and Research Division, 2501 North Lincoln Boulevard, Oklahoma City, Oklahoma 73194. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date, by calling Pat McDonald at (405) 522-3133.

### **PUBLIC HEARING:**

A public hearing will be held to provide an additional means by which suggestions may be offered on the content of the proposed rules. Time, Date and Place of the hearing are as follows: March 24, 2008, 10:00 a.m. in the 4<sup>th</sup> floor hearing room at the Oklahoma Tax Commission, 2501 Lincoln Blvd., Oklahoma City, Oklahoma. In order to facilitate entry into the building, those wishing to appear should contact Pat McDonald at (405) 522-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. Entry to the M.C. Connors' building must be made through the doors located on the east side of the building. In order to gain access to the 4<sup>th</sup> floor hearing room, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification. A name badge and floor access card will be issued once registration is completed.

Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action is expected to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

### **COPIES OF PROPOSED RULES:**

Interested persons may inspect proposed rules at the offices of the Oklahoma Tax Commission, Tax Policy Division, 5th floor, M. C. Connors Building, 2501 North Lincoln Boulevard, Oklahoma City, Oklahoma. Copies of proposed rules may be viewed online at [www.oktax.state.ok.us](http://www.oktax.state.ok.us) or obtained without charge from the Oklahoma Tax Commission, Tax Policy and

Research Division, 2501 North Lincoln Boulevard, Oklahoma City, Oklahoma 73194.

### **RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared and will be available for review from and after March 3, 2008, from the same source listed above for obtaining copies of proposed rules.

### **CONTACT PERSON:**

Lisa R. Haws, Agency Liaison. Phone: 405-522-5519; FAX: 405-522-0063; Email: [lhaws@oktax.state.ok.us](mailto:lhaws@oktax.state.ok.us)

*[OAR Docket #08-86; filed 1-23-08]*

---

## **TITLE 715. TEACHERS' RETIREMENT SYSTEM CHAPTER 10. GENERAL OPERATIONS**

*[OAR Docket #08-193]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. Membership Provisions

715:10-1-6 [AMENDED]

Subchapter 5. Establishing Other Service Credits

715:10-5-4 [AMENDED]

Subchapter 13. Contributions For Membership Service

715:10-13-3.1 [REVOKED]

Subchapter 15. Service Retirement

715:10-15-6. [AMENDED]

715:10-15-11 [AMENDED]

Subchapter 19. Tax-Sheltered Annuity Program

715:10-19-7 [AMENDED]

715:10-19-8 [AMENDED]

Subchapter 21. Investment Policy

715:10-21-2 [AMENDED]

715:10-21-3 [REVOKED]

715:10-21-4 [REVOKED]

715:10-21-5 [REVOKED]

Subchapter 23. State And Education Employees Group Health and Dental Insurance Program

715:10-23-1 [AMENDED]

715:10-23-2 [AMENDED]

715:10-23-3 [AMENDED]

715:10-23-5 [AMENDED]

Subchapter 25. Qualified Domestic Order

715:10-25-2 [AMENDED]

### **SUMMARY:**

715:10-1-6 and 715:10-5-4 are being amended to remove statute supplement references.

715:10-5-4 is being amended to remove statutory supplement reference.

715:10-13-3.1 was adopted as an emergency rule in 2007 and is now being promulgated as a permanent rule. It amends employer contribution rates to comply with 2007 legislation:

715:10-15-6 is being amended to comply with changes in immigration laws. The amendments strike documents no longer acceptable to verify date of birth and change subparagraph numbers to comply with changes.

715:10-15-11 is being amended to change form number for beneficiary designation updates.

715:10-19-7 is being amended to clarify requirements for the TRS Tax-Sheltered Annuity program.

715:10-19-8 is being amended to correct wording in (f).

715:10-21-2 was adopted as an emergency rule in 2007 and now is being promulgated as an emergency rule. Amendments are necessary to update the TRS investment policy.

715:10-21-3, 715:10-21-4 and 715:10-21-5 were revoked as emergency rules and are being revoked as permanent rules to update the TRS investment policy.

715:10-23-1 is being amended to clarify TRS service requirement; removes "Oklahoma" and inserts "creditable" before "service"; removes "credits" after "service":

715:10-23-2 is being amended to remove statute supplement citation reference.

715:10-23-3 is being amended to clarify TRS service requirement and to remove statute supplement citation reference.

715:10-23-5 is being amended to remove statute supplement citation reference

715:10-25-2 is being amended to remove statute supplement citation reference.

**AUTHORITY:**

70 O.S. Section 17-101, et seq., especially Section 17-106; Board of Trustees

**COMMENT PERIOD:**

Written comments may be made from February 15, 2008, through March 17, 2008, filed and available for inspection in the Office of the Executive Secretary, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma, from 8:00 a.m. until 4:30 p.m., Monday through Friday, excluding holidays, or by mailing same to the Executive Secretary, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

**PUBLIC HEARING:**

A public hearing will be held from 9:00 a.m. until 10:00 a.m. on March 17, 2008, at the offices of the Teachers' Retirement System, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma. Written notice of intent to make oral comments is encouraged. Individuals who file a written notice to comment will be scheduled to speak before comments are accepted from the audience. Written notice may be filed with the Executive Secretary, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, until 4:30 p.m. on March 14, 2008. Written notice may be mailed to: Executive Secretary, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, and also will be available on the TRS website (www.ok.gov/TRS/).

**RULE IMPACT STATEMENT:**

The Oklahoma Teachers' Retirement System will issue a rule impact statement. Copies of the statement may be obtained from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, beginning March 3, 2008, between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

**CONTACT PERSON:**

Jacqueline Scott Shannon, Communications Director/Rules Liaison (405) 521-4743.

*[OAR Docket #08-193; filed 1-30-08]*

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-178]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions

725:1-1-4. General provisions for meetings of the Oklahoma Tourism and Recreation Commission [AMENDED]

**SUMMARY:**

This rule is being amended as a part of the Department's review and revision of its rules in compliance with the Administrative Procedures Act. The rule regarding meetings of the Oklahoma Tourism and Recreation Commission is being amended to allow for public comment in conformance with requirements of the Oklahoma Open Meeting Act.

**AUTHORITY:**

Oklahoma Tourism and Recreation Commission to make rules pursuant to Title 74, Section 2204 of the Oklahoma Statutes.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on March 17, 2008 at the following address: Sara Gibson, Oklahoma Tourism and Recreation Department, 120 N. Robinson, Suite 600, Oklahoma City, OK 73102.

## Notices of Rulemaking Intent

---

### **PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m. on Monday, March 17, 2008 at the Oklahoma Tourism and Recreation Department, 120 N. Robinson, Suite 600, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The OTRD requests that business entities affected by these proposed rules provide the OTRD, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, revenue loss, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Sara Gibson at the above address during the period from February 15, 2008 to March 17, 2008.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Tourism and Recreation Department's office located at 120 N. Robinson, Suite 600, Oklahoma City, OK 73102. Copies may also be obtained by written request mailed to the attention of Sara Gibson, 120 N. Robinson, Suite 600, Oklahoma City, OK 73102.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review after February 15, 2008 at the above address for the Tourism and Recreation Department's offices.

### **CONTACT PERSON:**

Sara Gibson, Deputy General Counsel, (405) 230-8307

*[OAR Docket #08-178; filed 1-25-08]*

---

## **TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION CHAPTER 1. GENERAL**

*[OAR Docket #08-174]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 13. Printing and Publications [AMENDED]

### **SUMMARY:**

The rule amendment designates the Printing Plant Administrative Assistant as the agency's Publications Officer.

### **AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. Supp. 2007, § 14-103, 70 O.S. 2001 § 14-10, as amended.

### **COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 15 through March 24, 2008, to Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial

Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

### **PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday March 27, 2008, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

### **COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 15, 2008, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

### **RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 15, 2008, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

### **CONTACT PERSON:**

Judy Draper, Administrative Assistant, 405-743-5437

*[OAR Docket #08-174; filed 1-25-08]*

---

## **TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION CHAPTER 10. ADMINISTRATION AND SUPERVISION**

*[OAR Docket #08-175]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 3. State Technical Assistance, Supervision, and Services [AMENDED]

Subchapter 9. Service Contracts and Equipment Guidelines [AMENDED]

### **SUMMARY:**

The rule amendment clarifies the formation of a new division, its purpose and responsibilities. Better aligns the duties of the disability specialist with the IDEA 2004 Law. Designates that for-profit companies must follow the same pre-payment guidelines as individuals. Deletes the Career Resource Network section due to appropriations change canceling funding. Assigns responsibility for information security, confidential records stored and transmitted with agency technology systems and information technology accessibility compliance. Provides clarification for existing rule.

### **AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. Supp. 2007, § 14-103, 70 O.S. 2001 § 14-104, and 70 O.S. Supp. 2007, § 14-108, as amended.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 15 through March 24, 2008, to Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

**PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday March 27, 2008, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 15, 2008, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 15, 2008, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

**CONTACT PERSON:**

Judy Draper, Administrative Assistant, 405-743-5437

*[OAR Docket #08-175; filed 1-25-08]*

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION  
CHAPTER 15. TECHNOLOGY CENTERS**

*[OAR Docket #08-176]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Technology Centers Education  
[AMENDED]

**SUMMARY:**

The rule amendment updates terminology to agree with new instructional framework that will be implemented on July 1, 2008 and clarifies that career and technology education is designed to serve those who have the ability to benefit. The proposed amendment clarifies process for election of technology center school district board members. Provides the board of the technology center and the State Board of Career and Technology Education the ability to analyze election results and/or related factors prior to determining if

a second election would be appropriate. Makes grammatical correction and provides the Oklahoma Department of Career and Technology Education the flexibility in each situation to determine who is the most appropriate staff member(s) to review plans and specifications. Deletes the requirement that non-credit programs be included in technology centers' student handbooks. Provides equity in terms of tuition charged to all out-of-district secondary students and all out-of-district full-time adult students. Deletes duplicative statements. Deletes rules that were effective only for 2004. Deletes statement that says present rules supersede all previous rules. Includes code of ethics policies developed by each technology center as items for review during all standard accreditation visits and/or audit/reviews conducted by the Oklahoma Department of Career and Technology Education.

**AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. Supp. 2007, §§ 14-103 and 14-108, 70 O.S. 2001 § 14-104, and 70 O.S. Supp. 2007, § 14-108, as amended.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 15 through March 24, 2008, to Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

**PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday March 27, 2008, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 15, 2008, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 15, 2008, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

**CONTACT PERSON:**

Judy Draper, Administrative Assistant, 405-743-5437

*[OAR Docket #08-176; filed 1-25-08]*

## Notices of Rulemaking Intent

---

### **TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION CHAPTER 20. PROGRAMS AND SERVICES**

*[OAR Docket #08-177]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Subchapter 3. Secondary, Full-Time and Short-Term Adult  
*Career*Tech Programs [AMENDED]

#### **SUMMARY:**

New rule outlines the organization of the instructional framework which will be based upon the Career Clusters model, and will be organized by cluster, career major and course. Amendment clarifies the procedure of providing services to students with disabilities. Better clarifies the definition and purpose of Technology Education. Insures that instructors have a supervisory period. Clarifies the Individualized Cooperative Education (ICE) division name change to Career Transitions. Clarifies agency policy in regard to starting an agricultural education program or adding an additional instructor that is non-funded. Updates curriculum names. Removes course titles no longer offered.

#### **AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. Supp. 2007, § 14-103, 70 O.S. 2001 § 14-104 and 70 O.S. Supp. 2007, § 14-108, as amended.

#### **COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 15 through March 24, 2008, to

Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

#### **PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday March 27, 2008, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

#### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

#### **COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 15, 2008, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

#### **RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 15, 2008, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

#### **CONTACT PERSON:**

Judy Draper, Administrative Assistant, 405-743-5437

*[OAR Docket #08-177; filed 1-25-08]*

---

---

# Cancelled Hearings/Comment Periods

If an agency cancels a hearing or comment period announced in a published Notice of Rulemaking Intent, the agency must submit a notice of such cancellation to the Office of Administrative Rules (OAR). The OAR publishes the cancellation notice in the next possible issue of the *Register*.

*For additional information on cancelled hearings and comment periods, see OAC 655:10-7-27.*

---

**TITLE 535. OKLAHOMA STATE BOARD OF  
PHARMACY  
CHAPTER 15. PHARMACIES**

*[OAR Docket #08-111]*

**RULEMAKING ACTION:**

Cancelled comment period and public hearing related to a proposed PERMANENT rulemaking action

**PROPOSED RULES:**

Subchapter 5. Hospital Pharmacies

535:15-5-2. [AMENDED]

535:15-5-18. [AMENDED]

**REGISTER PUBLICATION OF NOTICE:**

The Notice of Rulemaking Intent for this action was published at 25 Ok Reg 493

**CANCELLED COMMENT PERIOD:**

January 15, 2008 through February 15, 2008

**CANCELLED PUBLIC HEARING:**

1:00 p.m. February 20, 2008, 4545 N Lincoln Blvd, Ste 112, Oklahoma City, OK 73105-3488

**ADDITIONAL INFORMATION:**

Notice was insufficient for the proposed rules as it only included two of the five sections involved. Another comment period and public hearing will be announced at a later date. For additional information, contact Mary Ann Terral, (405) 521-3815.

*[OAR Docket #08-111; filed 1-23-08]*

---



---

# Submissions for Review

Within 10 calendar days after adoption by an agency of a proposed PERMANENT rulemaking action, the agency must submit the proposed rules to the Governor and the Legislature for review. In addition, the agency must publish in the *Register* a "statement" that the rules have been submitted for gubernatorial/legislative review.

*For additional information on submissions for gubernatorial/legislative review, see 75 O.S., Section 303.1, 303.2, and 308.*

---

## **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 2. ADMINISTRATIVE COMPONENTS**

*[OAR Docket #08-90]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 1. Human Resources Management Division (HRMD)

Part 3. Internal Human Resources

340:2-1-33 [REVOKED]

**(Reference APA WF 07-31)**

### **SUBMITTED TO GOVERNOR:**

January 23, 2008

### **SUBMITTED TO HOUSE:**

January 23, 2008

### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-90; filed 1-23-08]*

---

## **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 2. ADMINISTRATIVE COMPONENTS**

*[OAR Docket #08-91]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 5. Fair Hearings

Part 11. Child Care Facility Licensing

340:2-5-112 [AMENDED]

340:2-5-119 [AMENDED]

**(Reference APA WF 07-14)**

### **SUBMITTED TO GOVERNOR:**

January 23, 2008

### **SUBMITTED TO HOUSE:**

January 23, 2008

### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-91; filed 1-23-08]*

---

## **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 2. ADMINISTRATIVE COMPONENTS**

*[OAR Docket #08-92]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 11. Finance

Part 13. Electronic Benefit Disbursement

340:2-11-151 [NEW]

**(Reference APA WF 07-33)**

### **SUBMITTED TO GOVERNOR:**

January 23, 2008

### **SUBMITTED TO HOUSE:**

January 23, 2008

### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-92; filed 1-23-08]*

---

## **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 2. ADMINISTRATIVE COMPONENTS**

*[OAR Docket #08-93]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 13. Contracts and Purchasing Unit

Part 3. Leasing and Space Standards [REVOKED]

340:2-13-15 through 340:2-13-22 [REVOKED]

**(Reference APA WF 07-32)**

### **SUBMITTED TO GOVERNOR:**

January 23, 2008

### **SUBMITTED TO HOUSE:**

January 23, 2008

### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-93; filed 1-23-08]*

---

## Submissions for Review

---

### **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 5. ADULT PROTECTIVE SERVICES**

*[OAR Docket #08-94]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 1. General Provisions  
340:5-1-4 through 340:5-1-6 [AMENDED]  
Subchapter 3. Reports of Maltreatment of Vulnerable Adults  
340:5-3-1 [AMENDED]  
340:5-3-3 [AMENDED]  
Subchapter 5. Investigation of Adult Protective Services Referrals  
340:5-5-2 through 340:5-5-4 [AMENDED]  
340:5-5-6 [AMENDED]

**(Reference APA WF 07-19 and 07-30)**

#### **SUBMITTED TO GOVERNOR:**

January 23, 2008

#### **SUBMITTED TO HOUSE:**

January 23, 2008

#### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-94; filed 1-23-08]*

---

### **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 10. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)**

*[OAR Docket #08-95]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 2. Temporary Assistance for Needy Families (TANF) Work Program  
340:10-2-1 [AMENDED]  
340:10-2-4 through 340:10-2-6 [AMENDED]  
340:10-2-6.1 [NEW]  
340:10-2-7 through 340:10-2-8 [AMENDED]  
Subchapter 3. Conditions of Eligibility - Need Part 3. Income  
340:10-3-28 [AMENDED]  
Part 5. Assistance Payments  
340:10-3-57 [AMENDED]  
340:10-3-59 [AMENDED]  
Part 7. Transitional Benefits  
340:10-3-75 [AMENDED]  
Subchapter 10. Conditions of Eligibility - Deprivation  
340:10-10-7 [AMENDED]

Subchapter 15. Conditions of Eligibility - Citizenship and Alienage

340:10-15-1 [AMENDED]

Subchapter 20. Diversion Assistance

340:10-20-1 [AMENDED]

**(Reference APA WF 07-13, 07-17 and 07-29)**

#### **SUBMITTED TO GOVERNOR:**

January 23, 2008

#### **SUBMITTED TO HOUSE:**

January 23, 2008

#### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-95; filed 1-23-08]*

---

### **TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 40. CHILD CARE SERVICES**

*[OAR Docket #08-96]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 3. Initial Application  
340:40-3-1 [AMENDED]  
Subchapter 5. Plan of Service  
340:40-5-1 [AMENDED]  
Subchapter 7. Eligibility  
340:40-7-1 [AMENDED]  
340:40-7-5 [AMENDED]  
340:40-7-8 through 340:40-7-10 [AMENDED]  
340:40-7-13 [AMENDED]  
Subchapter 9. Procedures Relating to Case Changes  
340:40-9-1 through 340:40-9-2 [AMENDED]  
Subchapter 10. Electronic Benefit Transfer (EBT) System for Child Care  
340:40-10-4 [AMENDED]  
Subchapter 13. Child Care Rates and Provider Issues  
340:40-13-3 [AMENDED]  
340:40-13-5 [AMENDED]  
Subchapter 15. Overpayments  
340:40-15-1 [AMENDED]  
Subchapter 16. Improper Authorization Initiative [NEW]  
340:40-16-1 [NEW]

**(Reference APA WF 07-28)**

#### **SUBMITTED TO GOVERNOR:**

January 23, 2008

#### **SUBMITTED TO HOUSE:**

January 23, 2008

#### **SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-96; filed 1-23-08]*

---

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 50. FOOD STAMP PROGRAM**

*[OAR Docket #08-97]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

- Subchapter 3. Application Process
  - 340:50-3-1 [AMENDED]
  - 340:50-3-3 [AMENDED]
- Subchapter 5. Non-Financial Eligibility Criteria
  - Part 3. Special Households
    - 340:50-5-26 through 340:50-5-27 [AMENDED]
  - Part 7. Related Provisions
    - 340:50-5-67 [AMENDED]
  - Part 9. Work Registration
    - 340:50-5-85 [AMENDED]
    - 340:50-5-87 through 340:50-5-88 [AMENDED]
- Subchapter 7. Financial Eligibility Criteria
  - Part 1. Resources
    - 340:50-7-4 [AMENDED]
  - Part 3. Income
    - 340:50-7-30 [AMENDED]
- Subchapter 9. Eligibility and Benefit Determination Procedures
  - 340:50-9-1 [AMENDED]
  - 340:50-9-6 [AMENDED]
- Subchapter 10. Electronic Benefit Transfer (EBT)
  - 340:50-10-7 [REVOKED]
- Subchapter 11. Special Procedures
  - Part 1. Households Entitled to Expedited Services
    - 340:50-11-5 [AMENDED]
  - Part 3. Simplified Food Stamp Program (SFSP) for Temporary Assistance for Needy Families (TANF) and Companion State Supplemental Payment (SSP) Recipients
    - 340:50-11-27 [AMENDED]
  - Part 5. Restoration of Lost Benefits
    - 340:50-11-46 [AMENDED]
  - Part 12. Categorically Eligible Households [NEW]
    - 340:50-11-111 through 340:50-11-115 [NEW]
- Subchapter 13. Fair Hearings
  - 340:50-13-1 through 340:50-13-2 [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 23, 2008

**SUBMITTED TO HOUSE:**

January 23, 2008

**SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-97; filed 1-23-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 65. PUBLIC ASSISTANCE PROCEDURES**

*[OAR Docket #08-98]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

- Subchapter 3. Eligibility for Benefits
  - 340:65-3-1 [AMENDED]
  - 340:65-3-6 [AMENDED]
  - 340:65-3-6.1 [AMENDED]
  - 340:65-3-8 [AMENDED]
- Subchapter 5. Procedures Relating to Case Changes
  - Part 3. Procedures for Handling Warrants in Special Circumstances
    - 340:65-5-15 through 340:65-5-20 [AMENDED]
    - 340:65-5-21 [REVOKED]
  - Part 7. Guardianships ~~and~~ Conservatorships, and Substitute Payees
    - 340:65-5-66 [NEW]
  - Part 9. Protective Payments in TANF [REVOKED]
    - 340:65-5-80 through 340:65-5-81 [REVOKED]
    - 340:65-5-85 [REVOKED]
    - 340:65-5-87 [REVOKED]
- Subchapter 9. Overpayments and Fraud in Temporary Assistance for Needy Families and State Supplemental Payment Benefits
  - 340:65-9-1 through 340:65-9-2 [AMENDED]
  - 340:65-9-3 [REVOKED]
  - 340:65-9-4 through 340:65-9-8 [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 23, 2008

**SUBMITTED TO HOUSE:**

January 23, 2008

**SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-98; filed 1-23-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 75. CHILD WELFARE**

*[OAR Docket #08-88]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 1. General Provisions of Child Welfare Services
  - Part 1. Scope and Applicability
    - 340:75-1-16 through 340:75-1-18.1 [AMENDED]
    - 340:75-1-20 [AMENDED]

## Submissions for Review

---

Subchapter 6. Permanency Planning  
Part 8. Role of the Child Welfare Worker  
340:75-6-48 [AMENDED]  
Part 11. Permanency Planning and Placement Services  
340:75-6-85 [AMENDED]  
Subchapter 13. Other Child Welfare Services and Medical  
Services for Children in Out-of-Home Care  
Part 1. Eligibility for Substitute Care Services and Claims  
for Payment  
340:75-13-9 [AMENDED]  
Part 2. Title IV-E Eligibility and Reimbursability  
340:75-13-13 [AMENDED]  
340:75-13-15 [AMENDED]  
Subchapter 15. Adoptions  
Part 2. Legal Base and Scope of the Adoption Program  
340:75-15-5 [AMENDED]  
Part 6. Adoption Process  
340:75-15-41 [AMENDED]  
Part 8. Adoptive Placement Process  
340:75-15-61 [AMENDED]  
Part 10. Adoptive Family Assessment and Preparation  
Process  
340:75-15-84 [AMENDED]  
340:75-15-87 [AMENDED]  
Part 14. Post Adoption Services  
340:75-15-128.2 [AMENDED]  
**(Reference APA WF 07-22 and 07-34)**

**SUBMITTED TO GOVERNOR:**

January 23, 2008

**SUBMITTED TO HOUSE:**

January 23, 2008

**SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-88; filed 1-23-08]*

---

**TITLE 340. DEPARTMENT OF HUMAN  
SERVICES  
CHAPTER 100. DEVELOPMENTAL  
DISABILITIES SERVICES DIVISION**

*[OAR Docket #08-89]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

Subchapter 3. Administration  
Part 1. General Administration  
340:100-3-1 [AMENDED]  
340:100-3-6 [AMENDED]  
340:100-3-15 [AMENDED]  
Part 3. Operations  
340:100-3-27 [AMENDED]  
340:100-3-27.5 [AMENDED]  
340:100-3-28 [AMENDED]  
340:100-3-38 through 340:100-3-38.8 [AMENDED]

340:100-3-38.12 [AMENDED]  
340:100-3-38.13 [NEW]  
340:100-3-40 through 340:100-3-40.1 [AMENDED]  
Subchapter 5. Client Services  
Part 3. Service Provisions  
340:100-5-20 [REVOKED]  
340:100-5-22.1 [AMENDED]  
340:100-5-26 through 340:100-5-26.1 [AMENDED]  
340:100-5-29 [AMENDED]  
340:100-5-32 through 340:100-5-33 [AMENDED]  
Part 5. Individual Planning  
340:100-5-51 [AMENDED]  
340:100-5-53 [AMENDED]  
340:100-5-57 through 340:100-5-57.1 [AMENDED]  
Subchapter 13. Family Support Programs  
340:100-13-1 [AMENDED]  
Subchapter 17. Employment Services  
Part 3. State-Funded Employment (Sheltered Workshop)  
Services  
340:100-17-17 [AMENDED]  
Part 4. Community Integrated Employment Services  
340:100-17-25 [AMENDED]  
**(Reference APA WF 07-23)**

**SUBMITTED TO GOVERNOR:**

January 23, 2008

**SUBMITTED TO HOUSE:**

January 23, 2008

**SUBMITTED TO SENATE:**

January 23, 2008

*[OAR Docket #08-89; filed 1-23-08]*

---

**TITLE 340. DEPARTMENT OF HUMAN  
SERVICES  
CHAPTER 115. OFFICE OF FIELD  
OPERATIONS DIVISION**

*[OAR Docket #08-99]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

Subchapter 1. General Provisions  
Part 1. General Provisions  
340:115-1-1 [AMENDED]  
340:115-1-3 [AMENDED]  
340:115-1-4 through 340:115-1-6 [REVOKED]  
Part 3. Voter Registration  
340:115-1-21 through 340:115-1-22 [AMENDED]  
340:115-1-23 [REVOKED]  
340:115-1-24 [AMENDED]  
340:115-1-25 through 340:115-1-26 [REVOKED]  
340:115-1-27 [AMENDED]  
Subchapter 3. Administrative Responsibilities  
[REVOKED]  
340:115-3-2 through 340:115-3-3 [REVOKED]

Subchapter 5. Acquired Immune Deficiency Syndrome (AIDS) Coordination and Information Services (ACIS)  
340:115-5-1 [AMENDED]  
340:115-5-2 [REVOKED]  
340:115-5-3 [AMENDED]  
(Reference APA WF 07-25)

**SUBMITTED TO GOVERNOR:**

January 23, 2008

**SUBMITTED TO HOUSE:**

January 23, 2008

**SUBMITTED TO SENATE:**

January 23, 2008

[OAR Docket #08-99; filed 1-23-08]

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 21. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC), ORGANIZATIONS AND FACILITATORS**

[OAR Docket #08-82]

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

- Subchapter 1. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC), Organizations and Instructors
- 450:21-1-1. Purpose and applicability [AMENDED]
- 450:21-1-2. Statutory authority [AMENDED]
- 450:21-1-3. Definitions [AMENDED]
- 450:21-1-4. Meaning of verbs in rules [AMENDED]
- 450:21-1-5. Compliance with laws, rules [AMENDED]
- 450:21-1-6. Applications [AMENDED]
- 450:21-1-7. Minimum curriculum requirements, ten (10) hour courses [AMENDED]
- 450:21-1-7.2. Minimum curriculum requirements, twenty-four (24) hour courses [AMENDED]
- 450:21-1-7.4. Critical Incidents [NEW]
- 450:21-1-7.5. Participant record system [NEW]
- 450:21-1-7.6. Participant records, basic requirements [NEW]
- 450:21-1-7.7. Participant record storage, retention and disposition [NEW]
- 450:21-1-7.8. Confidentiality of participant information [NEW]
- 450:21-1-7.9. Notes [NEW]
- 450:21-1-8. Administrative responsibilities, institutions or organizations conducting ADSAC [AMENDED]
- 450:21-1-9. Facilities, equipment and instructional material [AMENDED]
- 450:21-1-9.1. Physical facility environment and safety [NEW]
- 450:21-1-9.2. Hygiene and sanitation [NEW]

- 450:21-1-10. ~~Ten or 24 hour~~ ADSAC facilitator certification, qualification and disqualification [AMENDED]
- 450:21-1-10.1. Inactive status/closure [NEW]
- 450:21-1-11. Facilitator training [AMENDED]
- 450:21-1-13. Consumers with disabilities [AMENDED]
- 450:21-1-14. State and federal statutes and regulations [AMENDED]

Subchapter 3. Certification Denial or Sanctions and Participant Grievance

- 450:21-3-1. Administrative denial, suspension, or revocation of certification [AMENDED]
- 450:21-3-1.1. Fitness of applicants [AMENDED]
- 450:21-3-2. Grounds for reprimand, suspension or revocation of certification, organizations, institutions and facilitators [AMENDED]
- 450:21-3-3. Sanctions and hearings [AMENDED]
- 450:21-3-4. Participant rights and grievance policy [NEW]
- 450:21-3-5. ODMHSAS advocate general [NEW]
- Subchapter 5. Course Attendance and Completion
- 450:21-5-1. ~~Student~~ Participant attendance and completion of ADSAC [AMENDED]
- 450:21-5-2. ADSAC reporting of completions [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

[OAR Docket #08-82; filed 1-22-08]

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 22. CERTIFICATION OF ALCOHOL AND DRUG ASSESSMENT AND EVALUATIONS RELATED TO DRIVER'S LICENSE REVOCATION**

[OAR Docket #08-83]

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

- 450:22-1-1. Purpose and applicability [AMENDED]
- 450:22-1-1.1 Certification duration [AMENDED]
- 450:22-1-3. Definitions [AMENDED]
- 450:22-1-5. General statement [AMENDED]
- 450:22-1-6. ADSAC~~Driver~~ ~~offender~~ assessors and assessment agencies [AMENDED]
- 450:22-1-6.1. Institutional and organizational description, assessment agencies [NEW]
- 450:22-1-7. ODMHSAS responsibilities [AMENDED]
- 450:22-1-9. Certified approved sites [AMENDED]

## Submissions for Review

---

450:22-1-10. ~~Offender~~ Participant evaluation [AMENDED]  
450:22-1-11. Standardized evaluation instruments [AMENDED]  
450:22-1-11.1. Critical incidents, assessors and assessment agencies [NEW]  
450:22-1-11.2. Participant record system [NEW]  
450:22-1-11.3. Participant records, basic requirement assessors, assessment agencies [NEW]  
450:22-1-11.4. Participant record storage, retention and disposition [NEW]  
450:22-1-11.5. Confidentiality of drug or alcohol abuse treatment information [NEW]  
450:22-1-11.6. Note [NEW]  
450:22-1-11.7. Biopsychosocial assessment [NEW]  
450:22-1-12. ~~Assessor applicants~~ Assessment personnel [AMENDED]  
450:22-1-15. Assessor responsibilities [AMENDED]  
450:22-1-15.1. Fitness of applicants [AMENDED]  
450:22-1-16. Denial or revocation of assessment certification [AMENDED]  
450:22-1-17. Physical facility environment and safety, assessors and assessment agencies [NEW]  
450:22-1-18. Hygiene and sanitation, assessors and assessment agencies [NEW]  
450:22-1-19. State and federal statutes and regulations [NEW]  
450:22-1-20. Inactive status and closure [NEW]  
450:22-1-21. Participant rights and grievance policy [NEW]  
450:22-1-22. ODMHSAS advocate general [NEW]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

*[OAR Docket #08-83; filed 1-22-08]*

---

**TITLE 450. DEPARTMENT OF MENTAL  
HEALTH AND SUBSTANCE ABUSE  
SERVICES**

**CHAPTER 23. STANDARDS AND CRITERIA  
FOR COMMUNITY-BASED STRUCTURED  
CRISIS CENTERS**

*[OAR Docket #08-84]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:23-1-2. Definitions [AMENDED]

Subchapter 3. CBSCC Services

450:23-3-2. Crisis stabilization [AMENDED]

450:23-3-3. Crisis stabilization, triage response [AMENDED]

450:23-3-4. Crisis stabilization services, psychiatric services [REVOKED]

450:23-3-5. Crisis stabilization, ~~drug and alcohol~~ psychiatric, substance abuse, and co-occurring services [AMENDED]

450:23-3-6. Mechanical restraints for adult consumers only [AMENDED]

450:23-3-6.1. Mechanical restraints will not be used for minors in treatment [NEW]

450:23-3-7. ~~Referrals to inpatient psychiatric hospitals~~ Linkage services to higher or lower levels of care, or longer term placement [AMENDED]

450:23-3-8. Services to homeless individuals [AMENDED]

Subchapter 5. CBSCC Clinical Records

450:23-5-4. Clinical record content, intake and assessment [AMENDED]

450:23-5-5. Health, mental health, substance abuse, and drug history [AMENDED]

450:23-5-8. Aftercare and discharge summary [AMENDED]

Subchapter 7 Confidentiality

450:23-7-1.1. Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

Subchapter 19. Staff Development and Training

450:23-19-3. Inservice [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

*[OAR Docket #08-84; filed 1-22-08]*

---

**TITLE 505. BOARD OF EXAMINERS IN  
OPTOMETRY  
CHAPTER 1. ADMINISTRATIVE  
OPERATIONS**

*[OAR Docket #08-76]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Board Organization and Administration

505:1-3-5 [AMENDED]

505:1-3-6 [AMENDED]

505:1-3-7 [AMENDED]

505:1-3-8 [NEW]

505:1-3-9 [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 16, 2008

**SUBMITTED TO HOUSE:**

January 16, 2008

**SUBMITTED TO SENATE:**

January 16, 2008

*[OAR Docket #08-76; filed 1-16-08]*

**TITLE 505. BOARD OF EXAMINERS IN OPTOMETRY  
CHAPTER 10. LICENSURE AND REGULATION OF OPTOMETRISTS**

*[OAR Docket #08-77]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Licensing Procedures

505:10-3-2 [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 16, 2008

**SUBMITTED TO HOUSE:**

January 16, 2008

**SUBMITTED TO SENATE:**

January 16, 2008

*[OAR Docket #08-77; filed 1-16-08]*

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-79]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions [NEW]

590:1-1-5. Retirement Coordinators [AMENDED]

590:1-1-6. Hearing procedures [REVOKED]

Subchapter 3. Administrative Review and Hearings [NEW]

590:1-3-1. Purpose and general overview of administrative hearings [NEW]

590:1-3-2. Definitions [NEW]

590:1-3-3. Commencement of hearing [NEW]

590:1-3-4. Hearing Examiner [NEW]

590:1-3-5. Representation and participation in administrative proceedings [NEW]

590:1-3-6. Location of hearings [NEW]

590:1-3-7. Pre-hearing conference [NEW]

590:1-3-8. Hearing procedure [NEW]

590:1-3-9. Pleadings; filing; order [NEW]

590:1-3-10. Discovery [NEW]

590:1-3-11. Rules of evidence [NEW]

590:1-3-12. Proposed order; objections; rehearing [NEW]

590:1-3-13. Hearing before the Board of Trustees [NEW]

590:1-3-14. Rehearing; appeal [NEW]

590:1-3-15. Settlement [NEW]

590:1-3-16. Prohibited communications [NEW]

590:1-3-17. Expedited proceedings [NEW]

590-1-3-18. Declaratory rulings [NEW]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

*[OAR Docket #08-79; filed 1-22-08]*

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
CHAPTER 10. PUBLIC EMPLOYEES RETIREMENT SYSTEM**

*[OAR Docket #08-80]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Credited Service

590:10-3-6. Full-time-equivalent employment [AMENDED]

590:10-3-9. Purchase price payments [AMENDED]

Subchapter 7. Retirement Benefits

590:10-7-7. Allowable adjustments [AMENDED]

590:10-7-9. Fractional year computations [AMENDED]

590:10-7-13. Filing for retirement and Initial retirement benefit [AMENDED]

590:10-7-15. Post-retirement employment - calculation of benefits and service [AMENDED]

590:10-7-18. Post-retirement employment - eligibility [NEW]

Subchapter 19. Medicare Gap Benefit Option

590:10-19-2. Definitions [AMENDED]

590:10-19-3. Medicare Gap Benefit option [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

*[OAR Docket #08-80; filed 1-22-08]*

## Submissions for Review

---

**TITLE 590. OKLAHOMA PUBLIC  
EMPLOYEES RETIREMENT SYSTEM  
CHAPTER 15. UNIFORM RETIREMENT  
SYSTEM FOR JUSTICES AND JUDGES**

*[OAR Docket #08-81]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions

590:15-1-10. Purchase price payments [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 22, 2008

**SUBMITTED TO HOUSE:**

January 22, 2008

**SUBMITTED TO SENATE:**

January 22, 2008

*[OAR Docket #08-81; filed 1-22-08]*

---

# Emergency Adoptions

An agency may adopt new rules, or amendments to or revocations of existing rules, on an emergency basis if the agency determines that "an imminent peril exists to the preservation of the public health, safety, or welfare, or that a compelling public interest requires an emergency rule[s] . . . . [A]n agency may promulgate, at any time, any such [emergency] rule[s], provided the Governor first approves such rule[s]" [75 O.S., Section 253(A)].

An emergency action is effective immediately upon approval by the Governor or on a later date specified by the agency in the preamble of the emergency rule document. An emergency rule expires on July 15 after the next regular legislative session following promulgation, or on an earlier date specified by the agency, if not already superseded by a permanent rule or terminated through legislative action as described in 75 O.S., Section 253(H)(2).

Emergency rules are not published in the *Oklahoma Administrative Code*; however, a source note entry, which references the *Register* publication of the emergency action, is added to the *Code* upon promulgation of a superseding permanent rule or expiration/termination of the emergency action.

*For additional information on the emergency rulemaking process, see 75 O.S., Section 253.*

## TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #08-115]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 1. General Provisions  
210:10-1-5. Audits [AMENDED]

### AUTHORITY:

70 O. S. § 3-104, State Board of Education

### DATES:

#### Adoption:

November 29, 2007

#### Approved by Governor:

January 14, 2008

#### Effective:

Immediately upon Governor's approval

#### Expiration:

Effective through July 14, 2008, unless superseded by another rule or disapproved by the Legislature.

#### SUPERSEDED EMERGENCY ACTIONS:

N/A

#### INCORPORATIONS BY REFERENCE:

N/A

#### FINDING OF EMERGENCY:

School districts will need the proposed rule change in order to set their calendar and notify their students, parents, and community of their school calendar for the 2008-2009 school year.

#### ANALYSIS:

The purpose of the proposed rule change is to clarify and limit the number of parent-teacher conference days that can be counted for attendance purposes as regular school days.

#### CONTACT PERSON:

Connie Holland, 405-521-3308

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O. S., SECTION 253 (D):**

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 210:10-1-5. Audits

(a) **Financial audit.** All schools are required to make available, to personnel of the State Department of Education, all

records pertaining to Federal programs, state aid appropriations and expenditures from the general fund of the previous year; making it possible to complete an audit on all funds. Public officials, members of the boards of education, superintendents, principals, and any other persons, whose duty it is to make appropriations and/or expenditures in accordance with the provisions of the state aid law, the federal law and regulations of the State Board of Education, will be held responsible for any misappropriation or illegal expenditure of such funds.

(b) **Penalty.** If it is discovered that a school district is unable to pay its current year's obligations through careless handling of funds by the school administrator, the State Board of Education may require the administrator to show cause why his administrator's certificate should not be revoked.

#### (c) **Student attendance record audits.**

(1) Regional Accreditation Officers of the State Department of Education are required to audit the student attendance records of all Oklahoma public school districts.

(2) In addition to the Statistical Report, the official document for student attendance accounting and auditing is the Student Attendance Register. All other student attendance documents, reports and summaries only support the accuracy of the Student Attendance Register and the Statistical Report.

(3) A school or program within a district that has a different school year from the district must present a separate Statistical Report and Attendance information reflecting the different school year for that school or program. The school or program will be audited separately from the district.

(4) Each person who keeps a Student Attendance Register is required to make all entries in ink, record the attendance data for each pupil each day, keep the Register in a safe place and understand that the Register is subject to audit at any time.

(5) If the attendance records show that school was maintained for less than a full annual term without approval of the State Board of Education, state aid will be reduced accordingly unless it can be shown that the attendance records as originally presented were in error.

(6) When attendance, membership or transportation is deducted for any reason by the audit, state aid will be reduced accordingly. Factual information may be presented by the school within ninety (90) calendar days from

## Emergency Adoptions

---

the date of the audit showing acceptable evidence that indicates the audit is in error.

(d) **Enrollment.**

(1) Enrollment means recording the name of a pupil on a class roll. Total Enrollment for an attendance period or for the year, whether for a class or for an entire school is the number of all enrollments so recorded. If a student is promoted or moves from one district or school to another during a school year, the student's name will be recorded on each class roll concerned. A record of that student's enrollment will be included in the original and every subsequent roll even though the pupil will be dropped from the original roll and every subsequent roll except the current one.

(2) All students attending any school within a school district, including underage, overage, nongraded, non-resident, tuition and nontransferred students, shall have their names entered in the attendance register and have their attendance recorded in the same manner as any other student. Students are to be placed on roll the first day that the student actually attends class.

(e) **Entry, gain and loss.**

(1) Source of Entry will always be placed on both the Register and the Master Roster. The Source of Entry will be entered on the date that the child begins school and it consists of a letter and a number. The letter indicates whether the student is entering a public school in this state for the first time during the current school year. The number identifies where the student was previously enrolled. Both the letter and number are to be used for Source of Entry.

(2) A student cannot be an Original Entry more than once during any one school year. The student only has one Original Entry regardless of the number of different classrooms, schools or school districts in which the pupil enrolls or attends during the year. Entry codes are recorded on the first day the student actually attends class. There are two kinds of entry codes:

(A) E1 - A student entering a public school for the first time during the current school year. The student has not been enrolled in Oklahoma or any other state. However, a student transferring from a private or parochial school during the current school year is also classified as an E1.

(B) E2 - A student entering a public school in Oklahoma from another state. The student has previously been enrolled in a public school in another state during the current school year.

(3) When a pupil enrolls in a public school classroom in this state a second or succeeding time during the current school year, the student is called a Gain. A student can be a Gain more than once during the same school year. The number of Gains in a school or school district do not decrease during the current school year. Gain codes are recorded on the first day the student actually attends class. There are four kinds of gains:

(A) G1 - A student enters a classroom by transfer or promotion from another school in the same school district.

(B) G2 - A student enters from another school district in Oklahoma.

(C) G3 - A student reenters the same school after a withdrawal due to illness, suspension, necessity to work, truancy, or temporary absence from the district.

(D) G4 - A student reenters the same school system after an apparent permanent withdrawal.

(4) A Loss code is recorded each time a student withdraws from school. Loss codes are to be recorded on the date when the loss occurred. A student is not considered to be off roll until a Loss code is recorded. There are four kinds of Losses:

(A) L1 - A student is promoted to another grade or transferred to another school in the same school district.

(B) L2 - A student moves to another school district in Oklahoma.

(C) L3 - A student leaves school due to sickness, suspension, necessity to work, truancy or temporary absence from the district.

(D) L4 - A student leaves school due to passing compulsory school age, graduation, dropping out, moving to another state, attending a nonpublic school or death.

(5) All Entries, Gains and Losses are to be entered in the Student Attendance Register on the day that the transaction occurs. Students are not considered on roll until they actually attend class. Students are always considered on roll until a loss code is entered.

(f) **Attendance and absence.**

(1) A student is to be considered present only on those days when in actual attendance in school or when participating in scheduled school activities under the direction and supervision of a regular member of the faculty. A student who is excused from attending school during an examination period or because of sickness or for any other reason shall not be counted in attendance.

(2) All student attendance, absence and transportation information is compiled on a half-day basis with the exception of attendance, absence and transportation information for half-day early childhood or kindergarten programs which are recorded on a full-day basis. A student must be in attendance two of the first three hours of the school day to be recorded present for one-half day; likewise, a student must be in attendance two of the final three hours to be recorded present for one-half day.

(3) School hours are different from school periods. A school day must consist of six hours not including a lunch period. The six-hour school day can be divided into periods as the school deems appropriate.

(4) A student who is suspended out of school for any length of time is to be dropped as an L3 on the first day of the suspension. The suspended student is to be recorded as a G3 when the student returns to class. A student who

is absent from the classroom without excuse ten consecutive days is to be recorded as absent each day. On day eleven, the pupil is to be dropped (L3) from the roll. All withdrawals are to be recorded on the date that the student is no longer in attendance.

(5) A school day for kindergarten or early childhood can either be two and one-half or six hours long. However, kindergarten and early childhood absence and attendance is always recorded on a full day basis. Nongraded pupils who are on a partial day schedule are to be counted on roll and in attendance when present.

(6) As a condition of receiving accreditation from the State Board of Education, all students in Grades nine through twelve shall enroll in a minimum of six periods, or the equivalent in block scheduling, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

(g) **School activities.** School activities may take place either on the school premises or off the school premises. In order for a student to be counted in attendance, the school activity must be under the direction and supervision of a teacher. Students dismissed and not under the direction and supervision of a teacher cannot be considered as participating in a school activity and cannot be counted in attendance. A student serving as a legislative page is to be counted in attendance at the school.

(h) **Parent-teacher conference days.** Only students active in membership are to be counted in attendance on parent-teacher conference days. Only one parent-teacher conference day per semester will be counted for attendance purposes as a regular school day and included as part of the 175 days of required classroom instruction. Other days are encouraged above the one day per semester for parent-teacher conferences, but will not be counted for attendance purposes as regular school days.

(i) **Concurrent enrollment.** A school district may receive full average daily attendance on a high school student who is participating in concurrent enrollment. In determining a legal school day for a student who is concurrently enrolled the district can use a combination of local school enrollment, college enrollment, and travel time. A student participating in concurrent enrollment is considered present when traveling to or from and while attending the college.

(j) **Professional meeting day.**

(1) The State Board of Education has defined a professional meeting day to be any day on which the faculty of a school district is engaged in the educational planning for improvement of the local school system; or that the faculty engages in a local, county, district or state education planning workshop or teacher's meeting. Such a day shall be identified as a professional day in each attendance register on the day the meeting occurred.

(2) Days used to work at the beginning or at the end of the school year shall not be counted as professional development activities. Preparing the classroom for instruction, grading papers, recording grades, completing report cards or enrolling students are not examples of professional development activities.

(k) **Transportation.**

(1) A student must reside one and one-half miles or more by commonly traveled road from the school attended to be considered transported. Students living less than one-and one-half miles from the school may be transported but shall not be counted as transported pupils on the Transportation Report for state aid purposes.

(2) Transportation may be provided for early childhood and kindergarten students to and from school during the normally scheduled morning and afternoon bus operation. Districts may also provide additional transportation, at local expense, for either early childhood or kindergarten students at midday. However, the school district is not required to provide midday transportation to either early childhood or kindergarten students. Midday transportation for early childhood and kindergarten pupils shall not be recorded on the Transportation Report.

(3) A legally transferred or tuition student residing outside of the school district's approved transportation area may be transported to the school provided the student meets the bus within the transporting district's approved transportation area. However, tuition students may not be counted as transported students on the Transportation Report.

(l) **Authority for birth.**

(1) Documentation that can be used to verify school age. Examples of Authority for Birth are:

- (A) Birth certificate
- (B) Attending physician's certificate
- (C) Permanent school record
- (D) Family bible
- (E) Parent statement
- (F) Last year's attendance register
- (G) Other official scholastic record

(2) Birth certificates, if available, must be provided for kindergarten and first grade students who are first-time enrollees. Each different Authority for Birth must have its own unique code on the Master Roster.

(m) **Basis of admission.**

(1) A student is admitted to school because the student meets certain criteria. Examples of Basis of Admission are:

- (A) The student's parents are residents of the district
- (B) The student has a valid transfer
- (C) The student is a 9-12th grade pupil who resides in an elementary school district
- (D) The student is a nonresident pupil that pays tuition in order to attend this school

(2) Each different Basis of Admission must have its own unique code on the Master Roster.

(n) **Career and Technology Center.** Students are considered in attendance when traveling to or from and while attending a Career and Technology Center.

(o) **Home-based program.** An educational program for special education students who are unable to participate in a full-day educational program at school. Home-based pupils are considered on roll and in attendance.

# Emergency Adoptions

(p) **Nongraded.** Students who are below school age, but at least three years old, who are required by law to be served by the public schools. Also, students who have passed compulsory attendance age and are required by law to be served by the public schools may be classified as nongraded. Nongraded students are carried on roll and in attendance.

(q) **Out-of-home placement.** A student who is not a resident of the district but is housed and educated in a residential child facility or a treatment center located in the district. Out-of-home placement students are carried on roll and in attendance and are considered resident students during the time the students are at the facility.

[OAR Docket #08-115; filed 1-24-08]

## TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 75. CHILD WELFARE

[OAR Docket #08-87]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 1. General Provisions of Child Welfare Services

Part 7. Interstate Compact on the Placement of Children

340:75-1-86 [AMENDED]

(Reference APA WF 07-24)

### AUTHORITY:

Commission for Human Services, Article XXV, Sections 2, 3, and 4 of the Oklahoma Constitution; and Federal Safe and Timely Interstate Placement of Foster Children Act of 2006.

### DATES:

#### Adoption:

December 4, 2007

#### Approved by Governor:

January 14, 2008

#### Effective:

Upon Governor's approval.

#### Expiration:

Effective through July 14, 2008, unless superseded by another rule or disapproved by the Legislature.

### INCORPORATIONS BY REFERENCE:

n/a

### FINDING OF EMERGENCY:

Emergency rulemaking approval is requested as OKDHS finds compelling public interest to bring OKDHS rules into compliance with Federal regulations to expedite the interstate placement home study process so children are placed timely with relatives ensuring they are not separated from them longer than necessary when out-of-state placements are required.

### ANALYSIS:

The proposed revisions to Subchapter 1 of Chapter 75 amend the rules to bring them into compliance with the Federal Safe and Timely Interstate Placement of Foster Children Act of 2006 and provide clarification of definitions and procedures for the interstate placement of children.

340:75-1-86 is amended to: (1) clarify the purpose of the Interstate Compact on the Placement of Children (ICPC); (2) re-position information to clarify definitions and types of placements, and exceptions to the ICPC; and (3) detail ICPC home study time frames.

### CONTACT PERSON:

Dena Thayer at (405) 521-4326

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY**

**THE GOVERNOR, AS SET FORTH IN 75 O.S., SECTION 253(D):**

## SUBCHAPTER 1. GENERAL PROVISIONS OF CHILD WELFARE SERVICES

### PART 7. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

#### 340:75-1-86. ~~Scope and applicability~~ **Interstate Compact on the Placement of Children**

(a) **Purpose.** The Interstate Compact on the Placement of Children (ICPC) is a means to ensure protection and services to children who are placed across state lines. It establishes orderly procedures for the interstate placement of children and fixes responsibility for those involved in placing the child.

(b) **Legal base.** The Interstate Compact on the Placement of Children (ICPC) is an agreement that has been adopted by all state legislatures and is consistent with constitutional law. The legal basis for the compact is found in Article I, Section 10, Clause 3 of the United States Constitution and Section 571 of Title 10 of the Oklahoma Statutes. Oklahoma is one of 50 states, the District of Columbia, and U.S. Virgin Islands that has adopted the ICPC and has agreed to follow the Articles and Regulations of the ICPC when placing children out-of-state and when children are placed in Oklahoma from another state.

(c) **Sending or requesting agency.** The sending or requesting agency is:

- (1) a party state, officer, or employee thereof;
- (2) a subdivision of a party state, or officer or employee thereof;
- (3) a court of a party state;
- (4) a person, corporation, association, or charitable agency; or
- (5) an entity that sends, brings or causes to be sent or brought any child to another party state.

(d) **Receiving state.** The receiving state is the state to which a child is sent or brought or caused to be sent or brought, whether:

- (1) by public authorities or private persons or agencies; and
- (2) for placement with state or local public authorities, private agencies, or persons.

(e) **Types of Placements.** ICPC applies to placement of a child:

- (1) preliminary to adoption;
- (2) into foster care, including foster homes, group homes, residential treatment facilities, and child caring institutions for treatment of chronic or long-term conditions;
- (3) with the parent(s), stepparent, grandparent, adult brother or sister, or adult aunt or uncle when any such relative is not making the placement; and
- (4) adjudicated delinquent and placed in institutions in other states.

(f) **Exceptions to ICPC.** ICPC does not apply to:

- (1) placement of a child in a hospital, medical facility, or mental health facility for the primary purpose of treating an acute or short-term medical or emotional problem;
  - (2) placement of a child in any institution primarily educational in character;
  - (3) placement of a child by the parent(s), stepparent, grandparent, adult brother or sister, adult uncle or aunt, or child's non-state agency guardian with any such relative or non-state agency guardian in the receiving state;
  - (4) visits in another state;
  - (5) placement of a child with a non-offending, noncustodial biological parent when the court does not:
    - (A) have evidence that such parent is unfit;
    - (B) seek such evidence; and
    - (C) retain jurisdiction over the child after the court transfers custody;
  - (6) placement of a child in or from another country; and
  - (7) interstate supervision of a parent's treatment and service plan.
- (g) Oklahoma as the sending agency or state. For an out-of-state placement request, the child must be under

Oklahoma court jurisdiction. The child is not required to be in Oklahoma Department of Human Services (OKDHS) custody.

(h) **Home study time frames.** Home studies requested by other states to assess the safety and suitability of placement are to be conducted, and a report which addresses the extent to which the proposed placement meets the needs of the child completed, and provided to the requesting state within 60 calendar days after receipt of the request. If the home study is not completed and provided to the requesting state within 60 calendar days, the specific reasons it is not completed must be documented in an e-mail to the Oklahoma ICPC Compact Administrator. The requesting state must accept the receiving state's home study as meeting the requirements of the receiving state unless, within 14 days of receiving the study, the requesting state determines that making a decision in reliance on the study would be contrary to the welfare of the child. A completed home study does not require the requesting state to place the child.

[OAR Docket #08-87; filed 1-23-08]



---

# Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

---

## TITLE 1. EXECUTIVE ORDERS

**1:2008-1.**

### EXECUTIVE ORDER 2008-1

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by law, so that the status quo shall be maintained, and pursuant to the provisions of Subsection D of Section 840-2.14 of Title 74 of the Oklahoma Statutes, hereby order a state agency hiring freeze.

For purposes of this hiring freeze, each statewide elected official shall perform the duties of a Cabinet Secretary in approving or disapproving exemptions to this hiring freeze. These duties shall be accomplished in the same manner as other official actions by the elected officials.

Subject to written approval by the Governor, the Secretary of Human Resources and Administration may delegate specific agencies to a Deputy Secretary for purposes of complying with this Order.

This hiring freeze shall be implemented by all agencies in accordance with the following guidelines:

1. It is my direction that no audits of classified positions or reallocation of unclassified positions shall be initiated or conducted at the request of any agency unless specifically approved by the appropriate Cabinet Secretary.
2. All audits resulting from a classification grievance shall be exempt from the provisions of this Executive Order.
3. Except as specifically provided and authorized by this order, all affected state agencies are prohibited from hiring, reinstating, or promoting employees and from accepting a transferred employee from another agency.
4. Exceptions to this hiring freeze may be granted pursuant to special conditions as declared by the Chief Administrative Officer of any agency and approved by the appropriate Cabinet Secretary for that agency.
  - a. A Chief Administrative Officer shall submit a written request to the appropriate Cabinet Secretary stating the special conditions requiring the submission of the request.

- b. Such requests may be on forms provided by the Office of Personnel Management. If an agency has an internal form regularly used by that agency which provides all the necessary information, that form may be used in lieu of the Office of Personnel Management forms if approved by the Administrator of the Office of Personnel Management.
  - c. The Cabinet Secretary shall indicate approval in writing of the submitted request for the granting of an exception to this hiring freeze.
  - d. All approved requests and approved Cabinet Secretary findings shall be maintained as an official record by the Office of Personnel Management in accordance with Records Management Act. Any agency which does not submit personnel action requests for approval to the Office of Personnel Management shall be responsible for maintaining this documentation.
  - e. In the event of a vacancy in a Cabinet Secretary position, the Secretary of State shall act as the approving authority for the hiring freeze exception requests.
5. The Administrator of the Office of Personnel Management and the Director of the Office of State Finance are hereby directed to develop and implement procedures necessary to carry out the provisions of this Executive Order.
6. The Director of the Office of State Finance is authorized to require Cabinet Secretaries to provide him with periodic accountings of their approvals and disapprovals of written requests for exemptions to this hiring freeze. These reports shall be provided to the Governor.
7. The Oklahoma Military Department shall not be required to comply with this order for hiring personnel and contracts for which the department receives total federal government reimbursement.

Copies of this Executive Order shall be distributed to the Secretary for Human Resources and Administration for immediate implementation.

The provisions of this Executive Order shall be effective from January 1, 2008, and shall terminate December 31, 2008.

## Executive Orders

---

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 14 day of January, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-78; filed 1-18-08]*

---

**1:2008-2.**

### EXECUTIVE ORDER 2008-2

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution, hereby declare the following:

1. On December 10, 2007, I issued Executive Order 2007-49, declaring all of the 77 counties in Oklahoma to be under the effects of severe winter weather, including freezing rain, ice, snow, and possible flooding due to ice clogged waterways that started on December 8, 2007. The entire State was and continues to be affected.
2. It may be necessary to provide for the rendering of mutual assistance among the State and political subdivisions of the State with respect to carrying out disaster emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.
3. There is hereby declared a continuing disaster emergency caused by snow and ice storms and flooding in the entire State of Oklahoma that threatens the lives and property of the people of this State and the public's peace, health and safety
4. State agencies, in responding to this continuing disaster emergency, may make necessary emergency acquisitions to fulfill the purposes of this proclamation without regard to limitations or bidding requirements on such acquisitions.
5. The State Emergency Operations Plan has been activated and resources of all State departments and agencies available to meet this emergency are hereby committed to the reasonable extent necessary to protect lives and to prevent, minimize, and repair injury and damage. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.
6. This Executive Order shall be effective from and including the date Executive Order 2007-49 expired until the end of thirty (30) days after the filing of this Executive Order.

Copies of this Executive Order shall be distributed to the Director of Emergency Management who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 18th day of January, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-190; filed 1-28-08]*

---

**1:2008-3.**

### EXECUTIVE ORDER 2008-3

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the power vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. §§ 683.1 *et seq.*, hereby declare that because there is a state of emergency existing in the State of Oklahoma due to catastrophic weather occurring statewide, it is necessary to assist and expedite all efforts of storm relief. In order to accommodate this need and to provide assistance to the citizens of Oklahoma in this extraordinary situation, I hereby order the temporary suspension of the following as they apply to vehicles used in the support efforts:

1. The requirements for special permits for use of overweight/oversized vehicles under Title 47;
2. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission;
3. The requirements for licensing/registration as required by the Oklahoma Tax Commission; and,
4. This Executive Order shall be effective from and including the date Executive Order 2007-50 expired until the end of thirty (30) days after the filing of this Executive Order.

This executive order shall be forwarded to the Oklahoma Corporation Commission, the Oklahoma Tax Commission and the Commissioner of Public Safety, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 18th day of January, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-191; filed 1-28-08]*

**1:2008-4.**

**EXECUTIVE ORDER 2008-4**

I, Brad Henry, Governor of the State of Oklahoma, by the authority vested in me pursuant to Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby establish the Oklahoma Health Information Security and Privacy Council.

The purpose of the Council shall be to continue efforts to plan and implement recommendations for an Oklahoma Health Information Exchange. The creation and promotion of a comprehensive plan for the development and implementation of health information exchange infrastructure is of vital importance to, and in the best interest of, the people of the state of Oklahoma, to ensure the provision of quality health care.

The Institute of Medicine ("IOM") in 1999 estimated that 44,000 to 98,000 Americans die each year as a result of preventable medical errors. A system redesign is warranted to ameliorate patient safety, with clinical information systems serving as a key strategy to reduce medical errors. Moreover, the expanded use of health information technology would lend great opportunities in improving the quality of health care to meet the IOM recommended goals of safety, effectiveness, patient-centeredness, timeliness, efficiency, and equity. By an Executive Order, the President established the Office of the National Coordinator for Health Information Technology and called for widespread availability of secure, interoperable health information technology.

The responsibilities of the Council shall include, but not be limited to, the following:

1. To provide state leadership and coordination of health information exchange and related efforts;
2. To promote education and engagement among stakeholders in building a knowledge base of "lessons learned" to facilitate the successful implementation of health information exchange;
3. To facilitate a statewide dialogue on privacy and security of patient health information exchange in an interconnected health care delivery system;

4. To further public and private partnerships for the development of a statewide health information exchange infrastructure;
5. To encourage health information exchange initiatives at the local, regional, and state level; and,
6. To evaluate and make recommendations to the Governor's office on:
  - a. Current status of health care information exchange adoption by the health care delivery system within Oklahoma;
  - b. Emerging security and privacy issues related to the adoption of interoperable health care information technology in Oklahoma; and,
  - c. Framework, functions, and implementation strategies of an Office of Health Information Exchange in Oklahoma.

The Council shall consist of not more than twenty-five (25) members who shall all serve at the pleasure of the Governor. The Council shall be composed of:

State officials shall include, but not be limited to, the following incumbents or designees of the following named offices, or their successors in office or function:

- Governor;
- Commissioner of Oklahoma State Department of Health;
- Director of Oklahoma Department of Human Services;
- Commissioner of Oklahoma Department of Mental Health and Substance Abuse Services;
- Chief Executive Officer of Oklahoma Health Care Authority; and,
- Insurance Commissioner.

Other members may be appointed, at the discretion and pleasure of the Governor, representing appropriate entities, such as:

- Representatives of the University of Oklahoma and Oklahoma State University Health Sciences Centers
- Representatives of hospitals
- Representatives of medical associations
- Representatives of osteopathic associations
- Representatives of dental associations
- Representatives of primary care associations
- Representatives of pharmaceutical associations
- Representatives of consumer advocacy groups
- Representatives of Oklahoma Bar Association
- Representatives of tribal health organizations
- Representatives of Foundation for Medical Quality

The Council shall elect a chair and vice chair from its membership. The Council shall meet at such times and places as

## Executive Orders

---

it deems appropriate. Members shall serve without compensation. Council members employed by a state agency shall be reimbursed travel expenses related to their service on the Council as authorized by state law by their respective state agency. Remaining Council members shall be reimbursed travel expenses related to their service on the Council as authorized by state law by the Department of Health.

Administrative support for the Council, including, but not limited to, personnel necessary to ensure the proper performance of the duties and responsibilities of the Council, shall be provided by the Oklahoma Department of Health. All participating state agencies and entities shall provide for any administrative support requested by the Council. If the Office of Health Information Exchange is established, this Council shall serve in the capacity of an advisory board to the Office.

This Executive Order shall be distributed to the Oklahoma Secretary of Health, which shall cause the provisions of this Order to be implemented.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 30th day of January, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-194; filed 2-1-08]*

---

**1:2008-5.**

### EXECUTIVE ORDER 2008-5

I, Brad Henry, Governor of the State of Oklahoma, hereby direct the appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 8:00 a.m. Friday, January 25, 2008 until 5:00 p.m. on Monday, January 28, 2008 to honor Navy Aviation Warfare Systems Operator Second Class David Davison an Oklahoma resident, who died on Wednesday, January 16, 2008, at age 22.

This executive order shall be forwarded to the Director of Central Services who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 24th day of January, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-192; filed 1-28-08]*

---