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Mary Fallin, Governor
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Secretary of State
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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 150. OKLAHOMA DEPARTMENT OF COMMERCE CHAPTER 140. OKLAHOMA QUICK ACTION CLOSING FUND

[OAR Docket #12-91]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 150:140-1-1. Purpose and scope [NEW]
- 150:140-1-2. Definitions [NEW]
- 150:140-1-3. Application process [NEW]
- 150:140-1-4. Award process [NEW]
- 150:140-1-5. Award agreement [NEW]
- 150:140-1-6. Disclosure of payments [NEW]

SUMMARY:

The proposed rules would set forth the process for making application to the Oklahoma Department of Commerce for funds from the Oklahoma Quick Action Closing Fund.

AUTHORITY:

The legislation establishing the Oklahoma Department of Commerce 74 O.S. §§ 5001 et seq., and the Oklahoma Quick Action Closing Fund 62 O.S. § 48.2(F).

COMMENT PERIOD:

Written and oral comments will be accepted from March 1, 2012 through April 2, 2012 during regular business hours by contacting Donald R. Hackler, Jr., Deputy General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104 (405) 815-5359.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Thursday, April 5, 2012, at Gallery 1-2, 900 North Stiles Avenue, Oklahoma City, Oklahoma. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

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 Donald R. Hackler, Jr., Deputy General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104.

COPIES OF THE PROPOSED RULES:

Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104 by contacting Donald R. Hackler, Jr. at (405) 815-5359.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement has been prepared and is available at the offices of the Oklahoma Department of Commerce (address below).

CONTACT PERSON:

Donald R. Hackler, Jr., Attorney, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104 (405) 815-5359.

[OAR Docket #12-91; filed 1-31-12]

TITLE 235. OKLAHOMA FUNERAL BOARD CHAPTER 10. FUNERAL SERVICES LICENSING

[OAR Docket #12-110]

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
- 235:10-1-2 [AMENDED]
- 235:10-1-4 [AMENDED]
- Subchapter 3. Qualifications and Requirements for Licensure
- 235:10-3-2 [AMENDED]
- Subchapter 5. Licensing Fees
- 235:10-5-1 [AMENDED]
- 235:10-5-2 [AMENDED]
- Subchapter 7. Licensure renewal, Revocation, and Suspension
- 235:10-7-2 [AMENDED]
- Subchapter 11. Minimum Standards of Performance
- 235:10-11-1 [AMENDED]
- Subchapter 13. Continuing Education
- 235:10-13-10 [AMENDED]

SUMMARY:

The proposed rules make the rules consistent with the statutes, provide an exemption on requests for rule interpretation, allows exemption of certain funeral establishment requirements under exigent circumstances, increases annual fees for licensees without both funeral director and embalmer licenses, increases annual licensing

Notices of Rulemaking Intent

fees for funeral service establishments, commercial embalming establishments, and crematories, allows for exemption of renewal fees for active duty military on multiple enlistments, clarifies prohibited acts regarding conviction of a crime, prohibits the failure to respond to complaint, prohibits obstruction of Board investigation, sets standards of performance for funeral service establishments and commercial embalming establishments, and amends annual requirements of continuing education.

AUTHORITY:

Oklahoma Funeral Board
Title 59 O.S. Section 396.2a
Title 59 O.S. Section 396.17
Title 68 O.S. Section 238.1

COMMENT PERIOD:

Persons wishing to present their views regarding this action may do so by delivering or mailing their written comments to the Oklahoma Funeral Board, 4545 North Lincoln Boulevard, Suite 175, Oklahoma City, Oklahoma 73105, from March 1, 2012 to April 9, 2012.

PUBLIC HEARING:

A public hearing will be held on Thursday, April 12, 2012 in the Meeting Room of the Oklahoma Department of Veteran's Affairs, 2311 North Central, Oklahoma City, Oklahoma, 73105.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Funeral Board request that business entities affected by these proposed rules provide the Board, within the comment period, in dollar amounts the level of direct cost, 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 Mark Riley at the above address, before the close of the comment period on April 9, 2012.

RULE IMPACT STATEMENT

A rule impact statement will be prepared and available on and after February 9, 2012, at the office of the Oklahoma Funeral Board.

CONTACT PERSON:

Mark Riley Executive Director, Oklahoma Funeral Board, 4545 N. Lincoln Blvd., Suite 175, Oklahoma City, Oklahoma 73105, 405-522-1790.

[OAR Docket #12-110; filed 2-9-12]

**TITLE 265. STATE FIRE MARSHAL
COMMISSION
CHAPTER 45. FIREWORKS**

[OAR Docket #12-107]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Licensing, Permits, Inspections and Penalties
265:45-1-1 [NEW]
265:45-1-2 [NEW]
265:45-1-3 [NEW]
265:45-1-4 [NEW]
265:45-1-5 [NEW]
265:45-1-6 [NEW]

SUMMARY:

The proposed rules are to define the minimum requirements for outdoor fireworks displays and for licensure of display operators.

AUTHORITY:

Title 68 O.S. §1625.; State Fire Marshal Commission

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 10:00 a.m. on April 2, 2012, at the following address: JoAnne Sellars, State Fire Marshal's Office, 2401 NW 23rd Street, Suite 4, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on Monday, April 2, 2012, at the State Fire Marshal's Office, 2401 NW 23rd Street, Suite 4, Oklahoma City, OK 73107.

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 JoAnne Sellars at the above address during the period from March 2, 2012 to April 2, 2012.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the State Fire Marshal's Office, 2401 NW 23rd Street, Suite 4, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

A Rule Impact Statement will be prepared as required by law and may be obtained from the State Fire Marshal's Office at the above address beginning March 16, 2012.

CONTACT PERSON:

JoAnne Sellars, Assistant State Fire Marshal, (405) 522.5010.

[OAR Docket #12-107; filed 2-9-12]

**TITLE 445. BOARD OF MEDICOLEGAL INVESTIGATIONS
CHAPTER 10. MEDICAL EXAMINER CASES**

[OAR Docket #12-111]

INTENDED RULEMAKING ACTION:

Notice of Proposed PERMANENT rulemaking

PROPOSED RULES:

445:10-1-11 [AMENDED]

SUMMARY:

The proposed rules make the rules consistent with the statutes, increases fees for Physician case review/ Literature review, Physician Conference, Interrogatories, Depositions, and Court Appearances. Additionally, increases fees for Investigator Conferences, Interrogatories, Depositions and Court Appearances. Increases fees for Cremation Permits, Transportation out of State Investigations and Body storage fees. Finally, increases fees for toxicology laboratory services.

AUTHORITY:

Board of Medicolegal Investigations; 63 O.S., Section 932

COMMENT PERIOD:

Persons wishing to present their views regarding this action may do so by delivering or mailing their written comments to the Office of the Chief Medical examiner, 901 North Stonewall, Oklahoma City, Oklahoma 73117 from March 1, 2012 to April 9, 2012.

PUBLIC HEARING:

A public hearing will be held on Thursday, April 12, 2012 in the Meeting Room of the Office of the Chief Medical

Examiner, 901 North Stonewall, Oklahoma City, Oklahoma 73117.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The OCME requests that business entities affected by these proposed rules provide the OCME, within the comment period, in dollar amounts if possible, the increase in the level of direct services, revenue loss, or other costs expected to be incurred by costs due to compliance with the proposed rules. Business entities may submit this information in writing to Amy Elliott, at the address above, before the close of the comment period on April 9, 2012

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Office of the Chief Medical Examiner, 901 N. Stonewall, Oklahoma City, OK 73117.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement will be prepared and may be obtained from the Office of the Chief Medical Examiner at the address above beginning March 16, 2012.

CONTACT PERSON:

Amy Elliott, Chief Administrative Officer (405) 239-7141 x232

[OAR Docket #12-111; filed 2-9-12]

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 10. OKLAHOMA ACCOUNTANCY BOARD CHAPTER 15. LICENSURE AND REGULATION OF ACCOUNTANCY

[OAR Docket #12-106]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 23. Registration
10:15-23-2.1. [NEW]
Subchapter 25. Permits
10:15-25-4. [AMENDED]

SUBMITTED TO GOVERNOR:

February 3, 2012

SUBMITTED TO HOUSE:

February 3, 2012

SUBMITTED TO SENATE:

February 3, 2012

[OAR Docket #12-106; filed 2-7-12]

TITLE 25. OKLAHOMA AERONAUTICS COMMISSION CHAPTER 15. OAC GRANT PROGRAM

[OAR Docket #12-81]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

25:15-1-2 [AMENDED]
25:15-1-3 [AMENDED]
25:15-1-4 [AMENDED]

SUBMITTED TO GOVERNOR:

January 25, 2012

SUBMITTED TO HOUSE:

January 25, 2012

SUBMITTED TO SENATE:

January 25, 2012

[OAR Docket #12-81; filed 1-27-12]

TITLE 25. OKLAHOMA AERONAUTICS COMMISSION CHAPTER 30. AIRCRAFT PILOT AND PASSENGER PROTECTION ACT

[OAR Docket #12-80]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. General Provisions
25:30-1-2 [AMENDED]
25:30-1-3 [AMENDED]
Subchapter 3. Application Requirements
25:30-3-4 [AMENDED]
Subchapter 7. Notice, Determination and Commission Actions
25:30-7-1 [AMENDED]
25:30-7-3 [AMENDED]
Subchapter 9. Permits
25:30-9-3 [AMENDED]

SUBMITTED TO GOVERNOR:

January 25, 2012

SUBMITTED TO HOUSE:

January 25, 2012

SUBMITTED TO SENATE:

January 25, 2012

[OAR Docket #12-80; filed 1-27-12]

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

[OAR Docket #12-98]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 1. General Provisions of Child Welfare Services
Part 3. Child Welfare Confidentiality
340:75-1-44 through 340:75-1-45 [AMENDED]
Part 7. Interstate Compact on the Placement of Children
340:75-1-86 [AMENDED]
Subchapter 3. Child Protective Services
340:75-3-6.1 [AMENDED]
340:75-3-7.1 [AMENDED]
340:75-3-7.3 [AMENDED]
340:75-3-8.4 [AMENDED]
340:75-3-10.1 through 340:75-3-10.2 [AMENDED]

Submissions for Review

Subchapter 4. Family-Centered Services
Part 1. ~~Voluntary~~ Family-Centered and Community Services [AMENDED]
340:75-4-9 [AMENDED]
340:75-4-12.1 [AMENDED]
340:75-4-13 through 340:75-4-14 [REVOKED]
Subchapter 6. Permanency Planning
Part 1. General Provisions
340:75-6-1 [AMENDED]
Part 5. Permanency Planning Services
340:75-6-30 through 340:75-6-31.1 [AMENDED]
340:75-6-31.3 [AMENDED]
Part 7. Family and Child Individualized Service Planning Component
340:75-6-40.5 [AMENDED]
340:75-6-46 [AMENDED]
Part 8. Role of the Child Welfare Worker
340:75-6-48 [AMENDED]
340:75-6-48.3 [AMENDED]
Part 11. Permanency Planning and Placement Services
340:75-6-85.2 [AMENDED]
340:75-6-91 [AMENDED]
Part 13. Independent Living
340:75-6-110 [AMENDED]
Subchapter 7. Foster Home Care
Part 1. General Provisions
340:75-7-2 [AMENDED]
Part 2. Development of Resources
340:75-7-10 [AMENDED]
340:75-7-12 [AMENDED]
340:75-7-14 through 340:75-7-15 [AMENDED]
340:75-7-18 [AMENDED]
340:75-7-18.1 [NEW]
340:75-7-19 [AMENDED]
340:75-7-24 [AMENDED]
Part 4. Roles and Responsibilities
340:75-7-37 through 340:75-7-37.1 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-51 through 340:75-7-52 [AMENDED]
Part 6. Foster Home Care Support Services
340:75-7-65 [AMENDED]
Part 8. Continuous Quality Assessment of a Resource Home
340:75-7-94 [AMENDED]
Subchapter 13. Other Child Welfare Services and Medical Services for Children in Out-of-Home Care
Part 2. Title IV-E Eligibility and Reimbursability
340:75-13-12 through 340:75-13-13 [AMENDED]
340:75-13-15 [REVOKED]
340:75-13-16 through 340:75-13-18 [AMENDED]
340:75-13-21 [AMENDED]
Part 7. Medical Services
340:75-13-74 [AMENDED]
340:75-13-75 [AMENDED]
340:75-13-79 through 340:75-13-80 [AMENDED]
Subchapter 15. Adoptions

Part 2. Legal Base and Scope of the Adoption Program
340:75-15-6 [AMENDED]
Part 6. Adoption Process
340:75-15-42 [AMENDED]
340:75-15-45 [AMENDED]
340:75-15-47 [AMENDED]
Part 10. Integrated Family Assessment and Preparation Process
340:75-15-82 [AMENDED]
340:75-15-84 [AMENDED]
340:75-15-87 [AMENDED]
340:75-15-88 [AMENDED]
340:75-15-89 [AMENDED]
Part 12. Adoption Placement Services
340:75-15-103 [AMENDED]
Part 14. Post Adoption Services
340:75-15-128.1 [AMENDED]
340:75-15-128.4 through 340:75-15-128.5 [AMENDED]
340:75-15-132 [AMENDED]
Subchapter 16. Mental Health Treatment Services
Part 1. Inpatient Mental Health Treatment
340:75-16-30 [AMENDED]
Subchapter 18. Continuous Quality Improvement
340:75-18-1 [AMENDED]
340:75-18-3 through 340:75-18-15 [REVOKED]
(Reference APA WF 11-06)

SUBMITTED TO GOVERNOR:

January 24, 2012

SUBMITTED TO HOUSE:

January 24, 2012

SUBMITTED TO SENATE:

January 24, 2012

[OAR Docket #12-98; filed 2-2-12]

**TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 105. AGING SERVICES DIVISION**

[OAR Docket #12-99]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 10. Policies and Procedures Manual for Title III of the Older Americans Act of 1965, As Amended
Part 1. Introduction
340:105-10-3 [AMENDED]
Part 7. Program Standards for Services Funded Under Title III
340:105-10-50.1 [AMENDED]
340:105-10-72 [AMENDED]
340:105-10-74 [AMENDED]
340:105-10-75 [AMENDED]

Subchapter 11. State Long-Term Care Ombudsman Program
Part 37. State Long-Term Care Ombudsman Program
340:105-11-249 [AMENDED]
340:105-11-250 [AMENDED]
(Reference APA WF 11-05)

SUBMITTED TO GOVERNOR:
January 24, 2012
SUBMITTED TO HOUSE:
January 24, 2012
SUBMITTED TO SENATE:
January 24, 2012

[OAR Docket #12-99; filed 2-2-12]

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
CHAPTER 15. CONSUMER RIGHTS**

[OAR Docket #12-88]

RULEMAKING ACTION:
Submission for gubernatorial and legislative review
RULES:
Chapter 15. Consumer Rights [AMENDED]
SUBMITTED TO GOVERNOR:
January 30, 2012
SUBMITTED TO HOUSE:
January 30, 2012
SUBMITTED TO SENATE:
January 30, 2012

[OAR Docket #12-88; filed 1-30-12]

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
CHAPTER 16. STANDARDS AND CRITERIA FOR COMMUNITY RESIDENTIAL MENTAL HEALTH FACILITIES**

[OAR Docket #12-89]

RULEMAKING ACTION:
Submission for gubernatorial and legislative review
PROPOSED RULES:
Chapter 16. Standards and Criteria for Community Residential Mental Health Facilities [AMENDED]
SUBMITTED TO GOVERNOR:
January 30, 2012

SUBMITTED TO HOUSE:
January 30, 2012
SUBMITTED TO SENATE:
January 30, 2012

[OAR Docket #12-89; filed 1-30-12]

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
CHAPTER 27. STANDARDS AND CRITERIA FOR MENTAL ILLNESS SERVICE PROGRAMS**

[OAR Docket #12-90]

RULEMAKING ACTION:
Submission for gubernatorial and legislative review
PROPOSED RULES:
Chapter 27. Standards and Criteria for Mental Illness Service Programs [NEW]
SUBMITTED TO GOVERNOR:
January 30, 2012
SUBMITTED TO HOUSE:
January 30, 2012
SUBMITTED TO SENATE:
January 30, 2012

[OAR Docket #12-90; filed 1-30-12]

**TITLE 485. OKLAHOMA BOARD OF NURSING
CHAPTER 1. ADMINISTRATION**

[OAR Docket #12-100]

RULEMAKING ACTION:
Statement of Submission
RULES:
485:1-1-1. [AMENDED]
SUBMITTED TO GOVERNOR:
February 3, 2012
SUBMITTED TO HOUSE:
February 3, 2012
SUBMITTED TO SENATE:
February 3, 2012

[OAR Docket #12-100; filed 2-3-12]

Submissions for Review

TITLE 485. OKLAHOMA BOARD OF NURSING CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES

[OAR Docket #12-101]

RULEMAKING ACTION:

Statement of Submission

RULES:

Subchapter 1. General Provisions

485:10-1-1. [AMENDED]

485:10-1-2. [AMENDED]

485:10-1-3. [AMENDED]

Subchapter 5. Minimum Standards for Approved Nursing
Education Programs

485:10-5-12. [AMENDED]

Subchapter 7. Requirements for Registration and Licensure
as a Registered Nurse

485:10-7-1. [AMENDED]

485:10-7-2. [AMENDED]

485:10-7-4. [AMENDED]

485:10-7-5. [AMENDED]

Subchapter 8. Criminal Background Checks for Applicants
for Licensure/Certification

485:10-8-1. [NEW]

Subchapter 9. Requirements for Registration and Licensure
as a Licensed Practical Nurse

485:10-9-1. [AMENDED]

485:10-9-2. [AMENDED]

485:10-9-4. [AMENDED]

485:10-9-5. [AMENDED]

Subchapter 10. Advanced Unlicensed Assistive
Personnel Assistant

485:10-10-2. [AMENDED]

485:10-10-3. [AMENDED]

485:10-10-5. [AMENDED]

485:10-10-6. [AMENDED]

485:10-10-7. [AMENDED]

485:10-10-8. [AMENDED]

485:10-10-8.1. [AMENDED]

485:10-10-10. [AMENDED]

Subchapter 11. Disciplinary Action

485:10-11-1. [AMENDED]

485:10-11-2. [AMENDED]

485:10-11-3. [AMENDED]

Subchapter 13. Requirements for Employment

485:10-13-1. [AMENDED]

485:10-13-2. [AMENDED]

485:10-13-3. [AMENDED]

Subchapter 15. Requirements for Practice as an Advanced
Practice Registered Nurse

485:10-15-4. [AMENDED]

485:10-15-4.1. [REVOKED]

485:10-15-5. [AMENDED]

485:10-15-6. [AMENDED]

485:10-15-7. [AMENDED]

485:10-15-8. [AMENDED]

485:10-15-9. [AMENDED]

485:10-15-9.1. [NEW]

Subchapter 16. Requirements for Prescriptive Authority for
Advanced Practice Registered Nurses

485:10-16-1. [AMENDED]

485:10-16-2. [AMENDED]

485:10-16-3. [AMENDED]

485:10-16-4. [AMENDED]

485:10-16-5. [AMENDED]

485:10-16-6. [AMENDED]

485:10-16-7. [AMENDED]

485:10-16-8. [AMENDED]

Subchapter 18. Prescriptive Authority for ~~C.R.N.A.~~ CRNA

485:10-18-2. [AMENDED]

485:10-18-3. [AMENDED]

485:10-18-4. [AMENDED]

485:10-18-5. [AMENDED]

SUBMITTED TO GOVERNOR:

February 3, 2012

SUBMITTED TO HOUSE:

February 3, 2012

SUBMITTED TO SENATE:

February 3, 2012

[OAR Docket #12-101; filed 2-3-12]

TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #12-83]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. General Provisions

590:1-1-5. Retirement Coordinators [AMENDED]

Subchapter 3. Administrative Review and Hearings

590:1-3-8. Hearing Procedure [AMENDED]

SUBMITTED TO GOVERNOR:

January 26, 2012

SUBMITTED TO HOUSE:

January 26, 2012

SUBMITTED TO SENATE:

January 26, 2012

[OAR Docket #12-83; filed 1-27-12]

**TITLE 590. OKLAHOMA PUBLIC
EMPLOYEES RETIREMENT SYSTEM
CHAPTER 10. PUBLIC EMPLOYEES
RETIREMENT SYSTEM**

[OAR Docket #12-84]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 1. General Provisions
- 590:10-1-7. Non-state agency contributions [AMENDED]
- Subchapter 3. Credited Service
- 590:10-3-8. Actuarial cost for purchases; delinquent service cost [AMENDED]
- 590:10-3-10. Incentive credit [AMENDED]
- 590:10-3-11. Termination credit [AMENDED]
- 590:10-3-14. Elected official service credit [AMENDED]
- Subchapter 7. Retirement Benefits
- 590:10-7-4. Early retirement factor [AMENDED]
- 590:10-7-9. Fractional year computations [AMENDED]
- 590:10-7-16. Rollovers [AMENDED]
- 590:10-7-22. Federal qualified military service rights [AMENDED]
- Subchapter 8. Department of Corrections Benefits
- 590:10-8-5. Normal retirement date for Post-Hazardous Duty Members [AMENDED]
- Subchapter 9. Survivors and Beneficiaries
- 590:10-9-1. Survivors' benefits [AMENDED]

SUBMITTED TO GOVERNOR:

January 26, 2012

SUBMITTED TO HOUSE:

January 26, 2012

SUBMITTED TO SENATE:

January 26, 2012

[OAR Docket #12-84; filed 1-27-12]

**TITLE 590. OKLAHOMA PUBLIC
EMPLOYEES RETIREMENT SYSTEM
CHAPTER 15. UNIFORM RETIREMENT
SYSTEM FOR JUSTICES AND JUDGES**

[OAR Docket #12-85]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 1. General Provisions
- 590:15-1-2. Administration [AMENDED]
- 590:15-1-12. Rollovers [AMENDED]
- 590:15-1-18. Federal qualified military service rights [AMENDED]

SUBMITTED TO GOVERNOR:

January 26, 2012

SUBMITTED TO HOUSE:

January 26, 2012

SUBMITTED TO SENATE:

January 26, 2012

[OAR Docket #12-85; filed 1-27-12]

**TITLE 590. OKLAHOMA PUBLIC
EMPLOYEES RETIREMENT SYSTEM
CHAPTER 25. DEFERRED
COMPENSATION**

[OAR Docket #12-86]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 9. Benefits
- 590:25-9-17. Rollovers to other plans [AMENDED]
- 590:25-9-20. Federal qualified military service [AMENDED]
- Subchapter 15. Trust
- 590:25-15-2. Payments from Trust Fund [AMENDED]

SUBMITTED TO GOVERNOR:

January 26, 2012

SUBMITTED TO HOUSE:

January 26, 2012

SUBMITTED TO SENATE:

January 26, 2012

[OAR Docket #12-86; filed 1-27-12]

**TITLE 590. OKLAHOMA PUBLIC
EMPLOYEES RETIREMENT SYSTEM
CHAPTER 35. DEFERRED SAVINGS
INCENTIVE PLAN**

[OAR Docket #12-87]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 7. Contributions
- 590:35-7-1. Employer contributions [AMENDED]
- Subchapter 13. Benefits and Distributions
- 590:35-13-9. Rollovers to eligible retirement plan [AMENDED]
- Subchapter 15. Limitations on Annual Additions
- 590:35-15-3. Adjustments for excess amount [AMENDED]
- Subchapter 19. Administration of Plan
- 590:35-19-7. Payment of expenses [AMENDED]

SUBMITTED TO GOVERNOR:

January 26, 2012

Submissions for Review

SUBMITTED TO HOUSE:

January 26, 2012

SUBMITTED TO SENATE:

January 26, 2012

[OAR Docket #12-87; filed 1-27-12]

**TITLE 675. STATE BOARD OF LICENSED
SOCIAL WORKERS
CHAPTER 1. ADMINISTRATIVE
OPERATIONS**

[OAR Docket #12-92]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

675:1-1-1.1. Definitions [AMENDED]

675:1-1-4. Officers of the Board [AMENDED]

675:1-1-9. Fee schedule [AMENDED]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

**SUBMITTED TO THE HOUSE OF
REPRESENTATIVES:**

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-92; filed 1-31-12]

**TITLE 675. STATE BOARD OF LICENSED
SOCIAL WORKERS
CHAPTER 3. INDIVIDUAL PROCEEDINGS**

[OAR Docket #12-93]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

675:3-1-2. Definitions [AMENDED]

675:3-1-3. Complaint procedure [AMENDED]

675:3-1-3.1. Cooperation with investigations [NEW]

675:3-1-4. Procedures for denials, revocations, suspensions
[AMENDED]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

**SUBMITTED TO THE HOUSE OF
REPRESENTATIVES:**

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-93; filed 1-31-12]

**TITLE 675. STATE BOARD OF LICENSED
SOCIAL WORKERS
CHAPTER 10. LICENSURE
REQUIREMENTS**

[OAR Docket #12-94]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

675:10-1-1.2. Requirements for Licensed Clinical Social
Worker [AMENDED]

675:10-1-4. Requirements for Private or Independent
Social Work Practice [AMENDED]

675:10-1-5. Titles of licenses [AMENDED]

675:10-1-6. Continuing education [AMENDED]

675:10-1-9. Form of application [AMENDED]

675:10-1-10. Examinations [AMENDED]

675:10-1-12.1. Renewal of licenses [AMENDED]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

**SUBMITTED TO THE HOUSE OF
REPRESENTATIVES:**

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-94; filed 1-31-12]

**TITLE 675. STATE BOARD OF LICENSED
SOCIAL WORKERS
CHAPTER 12. GUIDELINES FOR
SUPERVISION**

[OAR Docket #12-95]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

675:12-1-4. Supervision and private or independent
practice [AMENDED]

675:12-1-6. Board Approved Supervisors [AMENDED]

675:12-1-8. Out of State Supervision [NEW]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

**SUBMITTED TO THE HOUSE OF
REPRESENTATIVES:**

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-95; filed 1-31-12]

**TITLE 675. STATE BOARD OF LICENSED SOCIAL WORKERS
CHAPTER 15. GUIDELINES FOR CONTINUING EDUCATION**

[OAR Docket #12-96]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- 675:15-1-2. Introduction [AMENDED]
- 675:15-1-3. Continuing education standards [AMENDED]
- 675:15-1-5. Information to providers of continuing education [AMENDED]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

SUBMITTED TO THE HOUSE OF REPRESENTATIVES:

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-96; filed 1-31-12]

**TITLE 675. STATE BOARD OF LICENSED SOCIAL WORKERS
CHAPTER 20. CODE OF PROFESSIONAL CONDUCT**

[OAR Docket #12-97]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- 675:20-1-6. Social Workers Code of Ethics [AMENDED]

SUBMITTED TO THE GOVERNOR:

January 27, 2012

SUBMITTED TO THE HOUSE OF REPRESENTATIVES:

January 27, 2012

SUBMITTED TO THE SENATE:

January 27, 2012

[OAR Docket #12-97; filed 1-31-12]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 22. BOATS AND MOTORS**

[OAR Docket #12-102]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

PROPOSED RULES:

- Subchapter 5. Procedures for Registration

710:22-5-11 [AMENDED]
SUBMITTED TO GOVERNOR:

February 6, 2012

SUBMITTED TO HOUSE:

February 6, 2012

SUBMITTED TO SENATE:

February 6, 2012

[OAR Docket #12-102; filed 2-6-12]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 25. COIN OPERATED VENDING DEVICES**

[OAR Docket #12-103]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

PROPOSED RULES:

- 710:25-1-5 [AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2012

SUBMITTED TO HOUSE:

February 6, 2012

SUBMITTED TO SENATE:

February 6, 2012

[OAR Docket #12-103; filed 2-6-12]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 60. MOTOR VEHICLES**

[OAR Docket #12-104]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

PROPOSED RULES:

- Subchapter 3. Registration and Licensing
 - Part 1. General Provisions
 - 710:60-3-12 [AMENDED]
 - 710:60-3-24 [AMENDED]
 - Part 14. All-Terrain Vehicles, Off-Road Motorcycles and Utility Vehicles
 - 710:60-3-140 [AMENDED]
 - 710:60-3-141 [AMENDED]
 - Part 17. Special Permits
 - 710:60-3-201 [AMENDED]
- Subchapter 5. Motor Vehicle Titles
 - Part 1. General Provisions
 - 710:60-5-2 [AMENDED]
 - 710:60-5-8 [NEW]
 - Part 5. Certificates of Title
 - 710:60-5-51 [AMENDED]

Submissions for Review

710:60-5-61 [AMENDED]
710:60-5-64 [NEW]
Part 7. Transfer of Title
710:60-5-77 [AMENDED]
Part 9. Affidavits for Use in Titles
710:60-5-91 [AMENDED]
Subchapter 7. Motor Vehicle Excise Tax
710:60-7-3 [AMENDED]
Subchapter 9. Motor Vehicle License Agents/Agencies
Part 5. Specific Recordkeeping Duties
710:60-9-54 [AMENDED]
Part 13. Provisions for Motor License Agent Application
and Appointment

710:60-9-132 [AMENDED]
SUBMITTED TO GOVERNOR:
February 6, 2012
SUBMITTED TO HOUSE:
February 6, 2012
SUBMITTED TO SENATE:
February 6, 2012

[OAR Docket #12-104; filed 2-6-12]

Withdrawn Rules

An agency may withdraw proposed PERMANENT rules prior to final adoption (approval by Governor/Legislature) by notifying the Governor and the Legislature and by publishing a notice in the *Register* of such a withdrawal.

An agency may withdraw proposed EMERGENCY rules prior to approval/disapproval by the Governor by notifying the Governor, the Legislature, and the Office of Administrative Rules. The withdrawal notice is not published in the *Register*, however, unless the agency published a Notice of Rulemaking Intent in the *Register* before adopting the EMERGENCY rules.

For additional information on withdrawal of proposed rules, see 75 O.S., Section 308(F) and 253(K) and OAC 655:10-7-33.

TITLE 532. BOARD OF COMMERCIAL PET BREEDERS
CHAPTER 1. ORGANIZATION, OPERATION AND PURPOSES
ADMINISTRATIVE OPERATIONS

[OAR Docket #12-108]

RULEMAKING ACTION:

Withdrawal of PERMANENT rulemaking

WITHDRAWN RULES:

Subchapter 1. General Provisions [NEW]

532:1-1-4 [AMENDED AND RENUMBERED TO 532:1-3-1]

Subchapter 3. Organization and Operation [NEW]

532:1-3-1 [AMENDED AND RENUMBERED FROM 532:1-1-4]

DATES:

Adoption:

January 17, 2012

Submitted to Governor:

January 26, 2012

Submitted to House:

January 26, 2012

Submitted to Senate:

January 26, 2012

Withdrawn:

February 9, 2012

[OAR Docket #12-108; filed 2-9-12]

TITLE 532. COMMERCIAL PET BREEDERS ACT
CHAPTER 10. LICENSING AND SUPERVISION OF COMMERCIAL PET BREEDERS

[OAR Docket #12-109]

RULEMAKING ACTION:

Withdrawal of PERMANENT rulemaking

WITHDRAWN RULES:

Subchapter 5. Violations, Complaints, Investigations, and Enforcement, Fine Matrix and Procedure [AMENDED]

532:10-5-10 [AMENDED]

DATES:

Adoption:

January 17, 2012

Submitted to Governor:

January 26, 2012

Submitted to House:

January 26, 2012

Submitted to Senate:

January 26, 2012

Withdrawn:

February 9, 2012

[OAR Docket #12-109; filed 2-9-12]

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

1:2012-1.

EXECUTIVE ORDER 2012-01

I, Mary Fallin, 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 direct and order as follows:

Title 63 of the Oklahoma Statutes, Section 1-1523 prohibits smoking in all public places, in any indoor workplace, and all vehicles owned by the State of Oklahoma and all of its agencies and instrumentalities.

The Oklahoma Legislature, at 63 O.S. § 1-1515 (B), has found that breathing secondhand smoke causes disease, including lung cancer in healthy non-smokers; breathing secondhand smoke causes respiratory infection, decreased respiratory function, bronchoconstriction and bronchospasm. The population at most risk are the elderly, children, people with cardiovascular disease, and people with impaired respirator function, asthmatics, and those with obstructive airway disease.

The U.S. Surgeon General has issued a report stating that there is no risk-free level of exposure to secondhand smoke, which has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer.

The United State Department of Health and Human Services, Centers for Disease Control and Prevention has found that the use of smokeless tobacco is known to be a cause of cancer and increases the risk of developing cancer of the oral cavity; the use of smokeless tobacco is associated with leukoplakia, gum disease and tooth decay; and the use of smokeless tobacco during pregnancy increases the risk of preeclampsia, premature birth and low birth weight.

The use of any tobacco product shall be prohibited on any and all properties owned, leased or contracted for use by the State of Oklahoma, including but not limited to all buildings, land and vehicles owned, leased or contracted for use by agencies or instrumentalities of the State of Oklahoma.

The Executive Order shall be distributed to all members of the Governor's Executive Cabinet and the chief executives of

all state agencies, who shall cause the provisions of this order to be implemented by all appropriate officials and agencies of state government. Implementation shall be achieved no later than six (6) months from the date of this order. The Oklahoma State Department of Health ("OSDH") and Tobacco Settlement Endowment Trust ("TSET") will provide assistance to state agencies for implementing this order.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 6th day of February, 2012.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Michelle R. Day
Assistant Secretary of State

[OAR Docket #12-105; filed 2-6-12]

1:2012-2.

EXECUTIVE ORDER 2012-02

I, Mary Fallin, Governor of the State of Oklahoma, by virtue of the Oklahoma Constitution and the laws of the State of Oklahoma, hereby grant a stay of the execution of Garry Thomas Allen of thirty (30) days from the date of the scheduled execution, February 16, 2012. This stay is granted in order for this office to thoroughly evaluate the recommendation of clemency by the Oklahoma Pardon and Parole Board.

In accordance with 22 O.S. Section 1001.1(G), I hereby direct that, in the event clemency is not granted, the sentence of death be carried out on Saturday, March 17, 2012.

This Executive Order shall be forwarded to the Director of the Oklahoma Department of

Corrections and the Oklahoma Attorney General who shall cause the provisions of this Order to be implemented by all appropriate agencies of state government.

Executive Orders

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 9th day of February, 2012.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Michelle R. Day
Assistant Secretary of State

[OAR Docket #12-112; filed 2-9-12]
