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

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# Continued Hearings/Comment Periods

If an agency continues a hearing or comment period announced in a published Notice of Rulemaking Intent, the agency may submit a notice of such continuation to the Office of Administrative Rules (OAR). The OAR publishes the continuation notice in the *Register* if such publication can be achieved at least five days prior to the announced date of the continued hearing or closing date of the continued comment period.

*For additional information on continued hearings and comment periods, see OAC 655:10-7-28.*

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## **TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 105. VITAL STATISTICS**

*[OAR Docket #08-427]*

### **RULEMAKING ACTION:**

Continued comment period and public hearing relating to a proposed PERMANENT rulemaking action

### **PROPOSED RULES:**

Subchapter 1. Purpose, Forms and Fees

310:105-1-3 [AMENDED]

### **REGISTER PUBLICATION OF NOTICE:**

The Notice of Rulemaking Intent for this action was published at 25 Ok Reg 526, Docket #08-40

### **CONTINUED COMMENT PERIOD:**

#### **Original comment period:**

February 1, 2008 to March 13, 2008

#### **Continued to:**

March 28, 2008

### **CONTINUED PUBLIC HEARING:**

#### **Original public hearing:**

Part of the regular meeting of the State Board of Health, March 13, 2008, at 11:00 a.m. in Room 307 of the Oklahoma State Department of Health Building, 1000 NE 10th Street, Oklahoma City, OK 73117-1299.

#### **Continued to:**

March 28, 2008, at 9:00 a.m., Room 307 of the Oklahoma State Department of Health Building, 1000 NE 10th Street, Oklahoma City, OK 73117-1299.

### **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 before March 28, 2008, to Kevin Pipes, Chief, Office of State and Federal Policy, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299; or before March 28, 2008, may send electronic mail to kevinp@health.ok.gov.

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

Copies of the proposed rules may be obtained from the above address or by electronic mail request to kevinp@health.ok.gov.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement was prepared and is available at the same location listed above for reviewing and obtaining copies of the proposed rules.

### **ADDITIONAL INFORMATION:**

For additional information, contact Kevin Pipes, Chief, Office of State and Federal Policy, (405) 271-4200

*[OAR Docket #08-427; filed 3-24-08]*

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

*[OAR Docket #08-396]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 9. Individual Procedures [AMENDED]

### **SUBMITTED TO GOVERNOR:**

March 20, 2008

### **SUBMITTED TO HOUSE:**

March 20, 2008

### **SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-396; filed 3-21-08]*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 10. AGRICULTURAL PRODUCTS**

*[OAR Docket #08-402]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 1. General Provisions

35:10-1-3 [NEW]

### **SUBMITTED TO GOVERNOR:**

March 20, 2008

### **SUBMITTED TO HOUSE:**

March 20, 2008

### **SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-402; filed 3-21-08]*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY**

*[OAR Docket #08-397]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 22. Swine Pseudorabies

Part 1. General Provisions

35:15-22-1 [AMENDED]

Part 7. Requirements for Swine Exhibitions

35:15-22-71 [AMENDED]

Subchapter 24. Swine Brucellosis

Part 1. General Provisions

35:15-24-2 [AMENDED]

35:15-24-3 [AMENDED]

### **SUBMITTED TO GOVERNOR:**

March 20, 2008

### **SUBMITTED TO HOUSE:**

March 20, 2008

### **SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-397; filed 3-21-08]*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY**

*[OAR Docket #08-398]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 34. Feral Swine [NEW]

### **SUBMITTED TO GOVERNOR:**

March 20, 2008

### **SUBMITTED TO HOUSE:**

March 20, 2008

### **SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-398; filed 3-21-08]*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY**

*[OAR Docket #08-399]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 38. Bovine Trichomoniasis [NEW]

## Submissions for Review

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**SUBMITTED TO GOVERNOR:**

March 20, 2008

**SUBMITTED TO HOUSE:**

March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-399; filed 3-21-08]*

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**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
CHAPTER 17. WATER QUALITY**

*[OAR Docket #08-400]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. ~~Concentrated~~ ~~Animal~~ Swine Feeding Operations [AMENDED]

Subchapter 4. Concentrated Animal Feeding Operations [NEW]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

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March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-400; filed 3-21-08]*

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**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
CHAPTER 30. ~~PLANT~~  
INDUSTRY CONSUMER PROTECTION**

*[OAR Docket #08-403]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 17. Combined Pesticide

Part 22. Wood Infestation Reports [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

**SUBMITTED TO HOUSE:**

March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-403; filed 3-21-08]*

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**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
CHAPTER 45. WATER QUALITY  
STANDARDS IMPLEMENTATION PLAN**

*[OAR Docket #08-401]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. Water Quality Standards Implementation Plan [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

**SUBMITTED TO HOUSE:**

March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-401; filed 3-21-08]*

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**TITLE 160. DEPARTMENT OF CONSUMER CREDIT  
CHAPTER 10. CONSUMER LEASING**

*[OAR Docket #08-389]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 5. Disclosures

160:10-5-1.1 [AMENDED]

160:10-5-1.4 [REVOKED]

Subchapter 7. Advertising

160:10-7-1.1 [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

**SUBMITTED TO HOUSE:**

March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-389; filed 3-20-08]*

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**TITLE 160. DEPARTMENT OF CONSUMER CREDIT  
CHAPTER 45. TRUTH IN LENDING RULES**

*[OAR Docket #08-390]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Open-End Credit

160:45-3-1 [AMENDED]

160:45-3-2 [AMENDED]  
160:45-3-3 [AMENDED]  
160:45-3-13 [AMENDED]  
160:45-3-14 [AMENDED]  
Subchapter 5. Closed-End Credit  
160:45-5-1 [AMENDED]  
160:45-5-3 [AMENDED]  
160:45-5-7 [AMENDED]  
160:45-5-8 [AMENDED]  
Subchapter 9. Special Rules for Certain Home Mortgage  
Transactions  
160:45-9-1 [AMENDED]  
160:45-9-2 [AMENDED]  
Subchapter 11. Electronic Communication [REVOKED]  
160:45-11-1 [REVOKED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

**SUBMITTED TO HOUSE:**

March 20, 2008

**SUBMITTED TO SENATE:**

March 20, 2008

*[OAR Docket #08-390; filed 3-20-08]*

**TITLE 165. CORPORATION COMMISSION  
CHAPTER 10. OIL AND GAS  
CONSERVATION**

*[OAR Docket #08-445]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Chapter 10. Oil and Gas Conservation [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 21, 2008

**SUBMITTED TO HOUSE:**

March 24, 2008

**SUBMITTED TO SENATE:**

March 24, 2008

*[OAR Docket #08-445; filed 3-24-08]*

**TITLE 165. CORPORATION COMMISSION  
CHAPTER 26. ABOVEGROUND STORAGE  
TANKS**

*[OAR Docket #08-446]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Chapter 26. Aboveground Storage Tanks [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 24, 2008

**SUBMITTED TO HOUSE:**

March 24, 2008

**SUBMITTED TO SENATE:**

March 24, 2008

*[OAR Docket #08-446; filed 3-24-08]*

**TITLE 165. CORPORATION COMMISSION  
CHAPTER 35. ELECTRIC UTILITY RULES**

*[OAR Docket #08-369]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions

165:35-1-2. Definitions [AMENDED]

Subchapter 34. Competitive Procurement

165:35-34-1. Purpose of this Subchapter [AMENDED]

165:35-34-2. Confidential Information [AMENDED]

165:35-34-3. RFP Competitive Bidding Procurement  
Process [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 12, 2008

**SUBMITTED TO HOUSE:**

March 12, 2008

**SUBMITTED TO SENATE:**

March 12, 2008

*[OAR Docket #08-369; filed 3-12-08]*

**TITLE 165. CORPORATION COMMISSION  
CHAPTER 45. GAS SERVICE UTILITIES**

*[OAR Docket #08-447]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Plant, Equipment, and Facilities

165:45-3-5. Sale or disposal of jurisdictional facilities by a  
natural gas utility [AMENDED]

165:45-3-5.1. Acquisition, control, or merger of domestic  
public gas utilities [NEW]

**SUBMITTED TO GOVERNOR:**

March 21, 2008

**SUBMITTED TO HOUSE:**

March 24, 2008

**SUBMITTED TO SENATE:**

March 24, 2008

*[OAR Docket #08-447; filed 3-24-08]*

## Submissions for Review

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### **TITLE 165. CORPORATION COMMISSION CHAPTER 65. WATER SERVICE UTILITIES**

*[OAR Docket #08-448]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 3. Plant, Equipment, and Facilities  
165:65-3-5. Sale or disposal of facilities by utility  
[AMENDED]  
165:65-3-5.1. Acquisition, control, or merger of domestic  
public water utilities [NEW]

#### **SUBMITTED TO GOVERNOR:**

March 21, 2008

#### **SUBMITTED TO HOUSE:**

March 24, 2008

#### **SUBMITTED TO SENATE:**

March 24, 2008

*[OAR Docket #08-448; filed 3-24-08]*

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### **TITLE 230. STATE ELECTION BOARD CHAPTER 10. THE COUNTY ELECTION BOARD**

*[OAR Docket #08-372]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 5. Election Training  
Part 1. The County Election Board  
230:10-5-1. Statewide and regional workshops  
[AMENDED]  
230:10-5-2. Reimbursement for workshops [AMENDED]  
230:10-5-2.1. Training for trainers required [NEW]  
Part 3. The Precinct Election Board  
230:10-5-12. Precinct Official training [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

March 14, 2008

#### **SUBMITTED TO HOUSE:**

March 14, 2008

#### **SUBMITTED TO SENATE:**

March 14, 2008

*[OAR Docket #08-372; filed 3-14-08]*

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### **TITLE 230. STATE ELECTION BOARD CHAPTER 15. VOTER REGISTRATION**

*[OAR Docket #08-373]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 3. Voter Outreach  
Part 3. Distribution of Voter Registration Application  
Forms  
230:15-3-27. Specifications for Oklahoma Voter  
Registration Application form [AMENDED]  
Subchapter 5. Application for Voter Registration  
Part 21. Voter Registration Application by Mail  
230:15-5-84. Information required on voter registration  
application [AMENDED]  
230:15-5-85. Other information requested on applications  
for voter registration [AMENDED]  
Subchapter 9. Receiving and Processing Voter Registration  
Applications  
Part 5. Processing Voter Registration Applications  
230:15-9-18. Entering applications for voter registration in  
OEMS [AMENDED]  
Part 7. Acknowledgment of Voter Registration  
Applications  
230:15-9-31. Rejected applications [AMENDED]  
230:15-9-32. Types of rejection notices [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

March 14, 2008

#### **SUBMITTED TO HOUSE:**

March 14, 2008

#### **SUBMITTED TO SENATE:**

March 14, 2008

*[OAR Docket #08-373; filed 3-14-08]*

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### **TITLE 230. STATE ELECTION BOARD CHAPTER 30. ABSENTEE VOTING**

*[OAR Docket #08-374]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 9. Processing Applications  
230:30-9-3. Processing applications for absentee ballots  
[AMENDED]  
Subchapter 11. Receiving and Processing Absentee Ballots  
230:30-11-2. Opening outer envelopes and examining  
affidavits [AMENDED]  
Subchapter 13. Federal Write-in Absentee Ballot  
230:30-13-1. Voters permitted to use federal write-in  
absentee ballots [AMENDED]  
230:30-13-2. Receiving and processing federal write-in  
absentee ballots [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-374; filed 3-14-08]*

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 35. ELECTION CONDUCT**

*[OAR Docket #08-375]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

- Subchapter 3. County Election Board Responsibilities
  - Part 1. Before the Filing Period
    - 230:35-3-3. Assembling precinct supplies [AMENDED]
  - Part 9. Distributing Supplies and Ballots
    - 230:35-3-71. Voting device not issued to precinct polling place [AMENDED]
  - Part 13. After the Polls Close
    - 230:35-3-84. Assembly line required for receiving returns and materials from Inspectors [AMENDED]
      - 230:35-3-84.1. Determining number of signatures on Provisional Ballot Rosters [AMENDED]
      - 230:35-3-85.1. Election night recounts [AMENDED]
  - Part 19. Verifying and Counting Provisional Ballots
    - 230:35-3-131. Opening provisional ballot affidavit envelopes and counting provisional ballots [AMENDED]
  - Subchapter 5. Instructions for Precinct Election Officials
    - Part 5. Preparations on Election Day
      - 230:35-5-31.1. Location and materials for provisional voting [AMENDED]
    - Part 15. After the Polls Close
      - 230:35-5-75.3. Completing election night tasks [AMENDED]
    - Part 21. Voters Listed in Precinct Registry Who Have Problems With Eligibility
      - 230:35-5-113.3. Identification Required voter [AMENDED]
    - Part 29. Violations of the Law
      - 230:35-5-146. Action when laws are violated [AMENDED]
    - Part 34. Provisional Voting Procedures
      - 230:35-5-176. Filling out a Provisional Ballot Voucher [AMENDED]
      - 230:35-5-177. Provisional voting procedure [AMENDED]

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*[OAR Docket #08-375; filed 3-14-08]*

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 40. TYPES OF ELECTIONS**

*[OAR Docket #08-376]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

- Subchapter 5. Municipal Elections
  - Part 9. Procedures
    - 230:40-5-34. Conduct of municipal elections [AMENDED]
  - Part 17. Special Elections
    - 230:40-5-77. Special elections for municipal offices [AMENDED]
  - Subchapter 7. School Elections
    - Part 5. Filing Period
      - 230:40-7-16. Filing period
    - Part 9. Procedures
      - 230:40-7-35. Precincts in school elections [AMENDED]
    - Subchapter 9. School Union Elections
      - Part 11. Discontinuation of Representation [NEW]
        - 230:40-9-40. Election to discontinue representation [NEW]

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*[OAR Docket #08-376; filed 3-14-08]*

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 45. CONTESTS OF ELECTION**

*[OAR Docket #08-377]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

- Subchapter 3. Recounts
  - Part 7. Recounts for Question Elections
    - 230:45-3-40. Certification of question election [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-377; filed 3-14-08]*

## Submissions for Review

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### **TITLE 230. STATE ELECTION BOARD CHAPTER 50. AUTOMATED SYSTEMS**

*[OAR Docket #08-378]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 9. Telephone Voting System  
230:50-9-9. Counting telephone voting system ballots  
[AMENDED]

#### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-378; filed 3-14-08]*

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### **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 1. GENERAL PROVISIONS**

*[OAR Docket #08-363]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 1. General Provisions  
240:1-1-2. Definitions [NEW]  
240:1-1-7. Petitions for declaratory rulings [NEW]

#### **SUBMITTED GOVERNOR:**

March 11, 2008

#### **SUBMITTED TO HOUSE:**

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#### **SUBMITTED TO SENATE:**

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*[OAR Docket #08-363; filed 3-11-08]*

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### **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 10. UNEMPLOYMENT INSURANCE PROGRAM**

*[OAR Docket #08-364]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 1. General Provisions  
240:10-1-2. Definitions [AMENDED]  
Subchapter 3. Benefits  
Part 11. Filing Claims - Notice

240:10-3-53. Third party administrators - filing requirements [NEW]

Subchapter 5. Contributions

Part 8. Waiver of Penalty and Interest

240:10-5-44. Initial determination [AMENDED]

240:10-5-45. Appeal of initial determination [AMENDED]

Subchapter 11. Assessment Board Procedures

Part 1. General Provisions

240:10-11-6. Address of Board [AMENDED]

Subchapter 13. Appeal Tribunal Procedures

Part 1. General Provisions

240:10-13-5. Jurisdiction [AMENDED]

240:10-13-8. Address of Appeal Tribunal [AMENDED]

#### **SUBMITTED GOVERNOR:**

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*[OAR Docket #08-364; filed 3-11-08]*

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### **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 15. BOARD OF REVIEW PROCEDURES**

*[OAR Docket #08-365]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

#### **RULES:**

Subchapter 1. General Provisions  
240:15-1-7. Attorney fees - approval [REVOKED]  
240:15-1-8. Attorney fees - approval [NEW]

#### **SUBMITTED GOVERNOR:**

February 29, 2008

#### **SUBMITTED TO HOUSE:**

February 29, 2008

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February 29, 2008

*[OAR Docket #08-365; filed 3-11-08]*

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### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL**

*[OAR Docket #08-321]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 5. Registration, Emission Inventory and Annual Operating Fees

252:100-5-2.2. Annual operating fees [AMENDED]  
**SUBMITTED TO GOVERNOR:**  
March 10, 2008  
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March 10, 2008  
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*[OAR Docket #08-321; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL**

*[OAR Docket #08-322]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 24. Particulate Matter Emissions from Grain, Feed or Seed Operations  
252:100-24-3 [AMENDED]  
252:100-24-4 [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-322; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 300. LABORATORY ACCREDITATION [REVOKED]**

*[OAR Docket #08-323]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

252:300. Laboratory Accreditation [REVOKED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-323; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 301. LABORATORY ACCREDITATION**

*[OAR Docket #08-324]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

252:301. Laboratory Accreditation [NEW]

**SUBMITTED TO GOVERNOR:**

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March 10, 2008

*[OAR Docket #08-324; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 305. LABORATORY SERVICES**

*[OAR Docket #08-325]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

252:305-1-11. Required fees and other pricing [AMENDED]

Appendix A. Samples Submitted by Governmental Entities [REVOKED]

Appendix A. Samples Submitted by Government Entities [NEW]

Appendix B. Samples Submitted by Private Citizens [REVOKED]

Appendix B. Samples Submitted by Private Citizens [NEW]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-325; filed 3-10-08]*

## Submissions for Review

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### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 410. RADIATION MANAGEMENT**

*[OAR Docket #08-326]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Appendix A. Application and Annual Fee Schedule for Radiation Machines [REVOKED]

Appendix A. Application and Annual Fee Schedule for Radiation Machines [NEW]

#### **SUBMITTED TO GOVERNOR:**

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#### **SUBMITTED TO SENATE:**

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*[OAR Docket #08-326; filed 3-10-08]*

### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 515. MANAGEMENT OF SOLID WASTE**

*[OAR Docket #08-327]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 21. Waste Tire Processing, Certification, Permits and Compensation

Part 1. General Provisions

252:515-21-1 [AMENDED]

252:515-21-3 [AMENDED]

252:515-21-5 [AMENDED]

Part 3. Waste Tire Facilities

252:515-21-32 [AMENDED]

Part 5. Waste Tire Transportation

252:515-21-51 [AMENDED]

Part 7. Compensation from the Waste Tire Indemnity Fund

252:515-21-71 [AMENDED]

252:515-21-73 [AMENDED]

Part 9. Erosion Control, River Bank Stabilization and other Conservation Projects

252:515-21-92 [AMENDED]

Part 13. Tire Dealer and Motor License Agent Audits [NEW]

252:515-21-131 [NEW]

#### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-327; filed 3-10-08]*

### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 606. OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS**

*[OAR Docket #08-328]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 1. Introduction

252:606-1-4 [AMENDED]

Appendix B. Fees for Non-Industrial Discharge Permits [REVOKED]

Appendix B. Fees for Non-Industrial Discharge Permits [NEW]

Appendix C. Animal Industrial Discharge Permit Fees [REVOKED]

Appendix C. Annual Industrial Discharge Permit Fees [NEW]

Appendix D. Fees for Stormwater Permits and Other General Permits [REVOKED]

Appendix D. Fees for Stormwater Permits and Other General Permits [NEW]

Appendix E. Fees for Individual Discharge Permits for Categorical Industries [REVOKED]

Appendix E. Fees for Individual Discharge Permits for Categorical Industries [NEW]

Appendix F. Fees for Land Application of Biosolids [REVOKED]

Appendix F. Fees for Land Application of Biosolids [NEW]

#### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-328; filed 3-10-08]*

### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 611. GENERAL WATER QUALITY**

*[OAR Docket #08-329]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions  
252:611-1-3. Adoption and incorporation by reference  
[AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-329; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 616. INDUSTRIAL WASTEWATER SYSTEMS**

*[OAR Docket #08-330]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Permit Procedures  
252:616-3-3. Annual fees [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-330; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 621. NON-INDUSTRIAL FLOW-THROUGH AND PUBLIC WATER SUPPLY IMPOUNDMENTS INCLUDING LAND APPLICATION**

*[OAR Docket #08-331]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Permit Procedures  
252:621-3-3. Annual permit fees for non-industrial surface impoundments [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-331; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 623. PRETREATMENT FOR CENTRAL TREATMENT TRUSTS**

*[OAR Docket #08-332]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions  
252:623-1-7. Incorporation by reference [AMENDED]

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*[OAR Docket #08-332; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 624. MINOR PUBLIC WATER SUPPLY SYSTEMS**

*[OAR Docket #08-333]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

252:624. Minor Public Water Supply Systems [NEW]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-333; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 626. PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS**

*[OAR Docket #08-334]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

## Submissions for Review

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### RULES:

#### Subchapter 1. Introduction

252:626-1-1. Purpose [AMENDED]

252:626-1-2. Definitions [AMENDED]

#### Subchapter 3. Permit Procedures

252:626-3-1. General [AMENDED]

252:626-3-2. Applications [AMENDED]

252:626-3-4. Municipal permitting alternative [AMENDED]

252:626-3-5. Individual waterline construction permit exceptions [AMENDED]

252:626-3-6. Engineering report [AMENDED]

252:626-3-7. Plans and specifications [AMENDED]

252:626-3-8. Variances from construction standards [AMENDED]

#### Subchapter 5. General Design

252:626-5-1. Plant layout [AMENDED]

252:626-5-2. Building layout [AMENDED]

252:626-5-3. ~~Location of structures~~ Flood protection [AMENDED]

252:626-5-4. ~~Electrical controls~~ Security protection [AMENDED]

252:626-5-5. Standby power and elevated storage [AMENDED]

252:626-5-7. Monitoring equipment [AMENDED]

252:626-5-8. Sample taps [AMENDED]

252:626-5-9. Facility water supply [AMENDED]

252:626-5-10. Sanitary facilities [AMENDED]

252:626-5-14. ~~Bypasses~~ Treatment unit and piping configuration [AMENDED]

252:626-5-15. Cross connections and interconnections [AMENDED]

#### Subchapter 7. Source Development

252:626-7-2. Surface water [AMENDED]

252:626-7-3. Springs and dug wells [AMENDED]

252:626-7-4. Ground water [AMENDED]

252:626-7-6. Raw water supply conduit [AMENDED]

#### Subchapter 9. Treatment

252:626-9-1. General treatment requirements [AMENDED]

252:626-9-2. ~~Pre sedimentation~~ Pretreatment [AMENDED]

252:626-9-4. Ozonation [AMENDED]

252:626-9-6. Taste and odor control [AMENDED]

252:626-9-8. Clarification [AMENDED]

252:626-9-9. Filtration [AMENDED]

252:626-9-10. Softening [AMENDED]

252:626-9-11. Disinfection [AMENDED]

252:626-9-13. Stabilization and corrosion control [AMENDED]

#### Subchapter 11. Chemical Application

252:626-11-1. Chemical application [AMENDED]

252:626-11-3. Facility design [AMENDED]

252:626-11-4. Additional requirements for specific chemicals [AMENDED]

#### Subchapter 13. Residuals Management

252:626-13-1. General [AMENDED]

252:626-13-2. Residuals Management Plan [AMENDED]

252:626-13-3. Drying beds [AMENDED]

252:626-13-4. Lagoons [AMENDED]

252:626-13-5. Land application of wastewater [NEW]

#### Subchapter 15. Pumping Facilities

252:626-15-1. General [AMENDED]

252:626-15-2. Pumping station building [AMENDED]

252:626-15-3. Pumps [AMENDED]

252:626-15-4. Automatic and remote controlled stations [AMENDED]

#### Subchapter 17. Finished Water Storage

252:626-17-1. General [AMENDED]

252:626-17-2. Plant storage [AMENDED]

252:626-17-3. Pressure tanks [AMENDED]

252:626-17-4. Distribution storage [AMENDED]

#### Subchapter 19. Distribution System [AMENDED]

252:626-19-1. General

252:626-19-2. Installation of mains [AMENDED]

252:626-19-3. Water main design for all systems providing fire protection [AMENDED]

252:626-19-4. Water main design for systems providing domestic water only [AMENDED]

#### Subchapter 21. Design Standards for Minor Systems [REVOKED]

252:626-21-1. General requirements for permittees [REVOKED]

252:626-21-2. Water wells [REVOKED]

252:626-21-3. Slow sand filter systems [REVOKED]

Appendix A. Piping Color Code [REVOKED]

Appendix A. Piping Color Code [NEW]

Appendix C. Steel Pipe [REVOKED]

Appendix C. Steel Pipe [NEW]

Appendix E. Gravel Support for Rapid Rate Sand Filters [REVOKED]

Appendix E. Gravel Support for Rapid Rate Slow Sand Filters [NEW]

Appendix G. Minor Waste Systems [REVOKED]

### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-334; filed 3-10-08]*

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION**

*[OAR Docket #08-335]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 1. Introduction
- 252:631-1-1. Purpose [AMENDED]
- 252:631-1-2. Definitions [AMENDED]
- 252:631-1-3. Adoption of U.S. EPA regulations by reference [AMENDED]
- Subchapter 3. Operations
- 252:631-3-1. PWS Criteria [AMENDED]
- 252:631-3-2. Laboratory approval [AMENDED]
- 252:631-3-3. Disinfection requirements [AMENDED]
- 252:631-3-6. Disinfection profiling and benchmarking [AMENDED]
- 252:631-3-10. Process control tests [AMENDED]
- 252:631-3-11. Operating records & reports [AMENDED]
- 252:631-3-12. Control of lead and copper [REVOKED]
- 252:631-3-13. Disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors [REVOKED]
- 252:631-3-17. Water system connections [AMENDED]
- 252:631-3-19. Wastewater [AMENDED]
- 252:631-3-20. Water pressure [AMENDED]
- 252:631-3-23. Source water development [NEW]
- Subchapter 5. Minor Water Systems [REVOKED]
- 252:631-5-1. General [REVOKED]
- 252:631-5-2. Surface water, ground water under the direct influence of surface water, and springs [REVOKED]
- 252:631-5-3. Groundwater supplies [REVOKED]
- 252:631-5-4. Special tests [REVOKED]
- 252:631-5-5. Security [REVOKED]

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*[OAR Docket #08-335; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 633. DRINKING WATER STATE REVOLVING FUND**

*[OAR Docket #08-336]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Appendix A. Funding Priority Formula [REVOKED]
- Appendix A. Funding Priority Formula [NEW]

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*[OAR Docket #08-336; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 641. INDIVIDUAL AND SMALL PUBLIC ON-SITE SEWAGE TREATMENT SYSTEMS**

*[OAR Docket #08-337]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- 252:641. Individual and Small Public On-Site Sewage Treatment Systems [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-337; filed 3-10-08]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 656. WATER POLLUTION CONTROL FACILITY CONSTRUCTION STANDARDS**

*[OAR Docket #08-338]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 3. Permit Procedures
- 252:656-3-9. Fees [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-338; filed 3-10-08]*

## Submissions for Review

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### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 690. WATER QUALITY STANDARDS IMPLEMENTATION**

*[OAR Docket #08-339]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 1. Introduction  
252:690-1-4. Incorporation of USEPA regulations by reference [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

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#### **SUBMITTED TO SENATE:**

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*[OAR Docket #08-339; filed 3-10-08]*

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### **TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 710. WATERWORKS AND WASTEWATER WORKS OPERATOR CERTIFICATION**

*[OAR Docket #08-340]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

#### **RULES:**

Subchapter 1. General Provisions  
252:710-1-12. Certification fee schedule [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

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#### **SUBMITTED TO SENATE:**

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*[OAR Docket #08-340; filed 3-10-08]*

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### **TITLE 300. GRAND RIVER DAM AUTHORITY CHAPTER 10. PUBLIC PURPOSE SUPPORT AND ASSISTANCE**

*[OAR Docket #08-421]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

#### **RULES:**

300:10-1-2. [AMENDED]

#### **SUBMITTED TO GOVERNOR:**

March 21, 2008

#### **SUBMITTED TO HOUSE:**

March 24, 2008

#### **SUBMITTED TO SENATE:**

March 24, 2008

*[OAR Docket #08-421; filed 3-24-08]*

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### **TITLE 300. GRAND RIVER DAM AUTHORITY CHAPTER 20. PURCHASING POLICY**

*[OAR Docket #08-422]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

#### **RULES:**

300:20-1-1. [AMENDED]  
300:20-1-4. [AMENDED]  
300:20-1-8. [AMENDED]  
300:20-1-9. [AMENDED]  
300:20-1-10. [AMENDED]  
300:20-1-11. [AMENDED]  
300:20-1-16. [NEW]

#### **SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-422; filed 3-24-08]*

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### **TITLE 300. GRAND RIVER DAM AUTHORITY CHAPTER 35. LAKE RULES**

*[OAR Docket #08-423]*

#### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

#### **RULES:**

Subchapter 27. Vegetation Management Plan  
300:35-27-1. [AMENDED]  
300:35-27-2. [AMENDED]  
300:35-27-3. [AMENDED]  
300:35-27-4. [AMENDED]  
300:35-27-8. [NEW]

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 2. PROCEDURES OF THE STATE  
DEPARTMENT OF HEALTH**

*[OAR Docket #08-428]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 27. Contracts with Charitable Health Care  
Providers [NEW]

310:2-27-1 through 310:2-27-6 [NEW]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-428; filed 3-24-08]*

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 110. FEE AND FINE SCHEDULE  
FOR OCCUPATIONAL LICENSING**

*[OAR Docket #08-429]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 5. Administrative Fine Schedule

310:110-5-8. Schedule of Fines for the Fire Extinguisher  
Industry [NEW]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-429; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 205. ALARM AND LOCKSMITH  
INDUSTRY**

*[OAR Docket #08-430]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

310:205-1-2 [AMENDED]

Subchapter 3. License Requirements

310:205-3-2 [AMENDED]

310:205-3-3 [AMENDED]

310:205-3-4 [AMENDED]

310:205-3-7 [AMENDED]

310:205-3-8 [AMENDED]

310:205-3-9 [AMENDED]

310:205-3-10 [AMENDED]

310:205-3-11 [AMENDED]

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*[OAR Docket #08-430; filed 3-24-08]*

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 210. BARBERS**

*[OAR Docket #08-431]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 3. Examinations

310:210-3-3 [AMENDED]

310:210-3-5 [AMENDED]

Subchapter 5. Licensing

310:210-5-1 [AMENDED]

310:210-5-2 [AMENDED]

310:210-5-6 [AMENDED]

310:210-5-8 [AMENDED]

310:210-5-9 [NEW]

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## Submissions for Review

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*[OAR Docket #08-431; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 250. FEE SCHEDULE FOR  
CONSUMER HEALTH SERVICES**

*[OAR Docket #08-432]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 3. License Classifications and Associated Fees  
For

Consumer Health Services

310:250-3-1 Food service establishments' permits  
[AMENDED]

310:250-3-7 Application fee [NEW]

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*[OAR Docket #08-432; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 345. REGISTRATION OF  
SANITARIANS AND ENVIRONMENTAL  
SPECIALISTS**

*[OAR Docket #08-433]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 3. Applications

310:345-3-3 [AMENDED]

310:345-3-6 [AMENDED]

Subchapter 5. Registration

310:345-5-3 [AMENDED]

Subchapter 7. Revocation and Reinstatement

310:345-7-2 [AMENDED]

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*[OAR Docket #08-433; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 400. LICENSED MARITAL AND  
FAMILY THERAPISTS**

*[OAR Docket #08-434]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 5. Rules of Professional Conduct

310:400-5-3 [AMENDED]

Subchapter 7. Application for Licensure

310:400-7-2.1 [AMENDED]

310:400-7-4 [AMENDED]

310:400-7-5 [NEW]

Subchapter 11. Supervised Experience Requirements

310:400-11-2 [AMENDED]

310:400-11-3 [AMENDED]

310:400-11-5 [AMENDED]

Subchapter 15. Issuance and Maintenance of License

310:400-15-4 [AMENDED]

310:400-15-8 [AMENDED]

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*[OAR Docket #08-434; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 403. LICENSED BEHAVIORAL  
PRACTITIONERS**

*[OAR Docket #08-435]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 5. Forms

310:403-5-2 [AMENDED]

Subchapter 11. Application Procedures

310:403-11-8 [AMENDED]

310:403-11-11 [AMENDED]

Subchapter 15. Supervised Experience Requirement

310:403-15-4 [AMENDED]

310:403-15-5 [AMENDED]

Subchapter 21. Continuing Education Requirements  
310:403-21-2 [AMENDED]

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*[OAR Docket #08-435; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 405. LICENSED PROFESSIONAL  
COUNSELORS**

*[OAR Docket #08-436]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 3. Rules of Professional Conduct

310:405-3-3 [AMENDED]

Subchapter 7. Application Procedures

310:405-7-2 [AMENDED]

310:405-7-5 [AMENDED]

310:405-7-8 [AMENDED]

310:405-7-9 [AMENDED]

Subchapter 11. Supervised Experience Requirement

310:405-11-2 [AMENDED]

310:405-11-3 [AMENDED]

310:405-11-4 [AMENDED]

Subchapter 17. Continuing Education Requirements

310:405-17-2 [AMENDED]

310:405-17-3 [AMENDED]

310:405-17-4.1 [AMENDED]

310:405-17-6.1 [AMENDED]

Subchapter 29. Consumer Information

310:405-29-4 [NEW]

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 451. FIRE EXTINGUISHER  
INDUSTRY**

*[OAR Docket #08-437]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions [NEW]

310:451-1-1 [NEW]

310:451-1-2 [NEW]

310:451-1-3 [NEW]

310:451-1-3.1 [NEW]

Subchapter 3. License Requirements [NEW]

310:451-3-1 [NEW]

310:451-3-2 [NEW]

310:451-3-3 [NEW]

310:451-3-4 [NEW]

310:451-3-5 [NEW]

Subchapter 5. Special Provisions [NEW]

310:451-5-1 [NEW]

310:451-5-2 [NEW]

310:451-5-3 [NEW]

Subchapter 7. Enforcement [NEW]

310:451-7-1 [NEW]

310:451-7-2 [NEW]

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*[OAR Docket #08-437; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 638. DRUG AND ALCOHOL  
TESTING RULES**

*[OAR Docket #08-438]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

310:638-1-2 [AMENDED]

310:638-1-3 [AMENDED]

310:638-1-4 [AMENDED]

310:638-1-5 [AMENDED]

310:638-1-6.2 [NEW]

310:638-1-7.2 [NEW]

310:638-1-8.2 [NEW]

310:638-1-10 [AMENDED]

## Submissions for Review

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Subchapter 3. Administration  
310:638-3-4 [REVOKED]  
310:638-3-7 [AMENDED]  
Subchapter 5. Drug Screen Testing Facilities  
310:638-5-2 [AMENDED]  
310:638-5-3 [AMENDED]  
310:638-5-4 [AMENDED]  
310:638-5-9 [AMENDED]  
310:638-5-10 [AMENDED]

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*[OAR Docket #08-438; filed 3-24-08]*

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 641. EMERGENCY MEDICAL  
SERVICES**

*[OAR Docket #08-439]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 3. Ambulance Services  
Part 1. General Provisions  
310:641-3-2 [AMENDED]  
Part 3. Ambulance Services  
310:641-3-10 [AMENDED]  
Part 5. Ground Transport Vehicles  
310:641-3-20 [AMENDED]  
310:641-3-23 [AMENDED]  
Part 7. Air Ambulances  
310:641-3-30 [AMENDED]  
310:641-3-32 [AMENDED]  
Part 27. Transfer Protocols  
310:641-3-130 [AMENDED]  
Subchapter 5. Personnel Licenses and Certification  
Part 3. Emergency Medical Personnel Licenses  
310:641-5-11 [AMENDED]  
310:641-5-14 [AMENDED]  
Subchapter 7. Training Programs  
Part 5. Instructor Qualifications  
310:641-7-20 [AMENDED]  
Part 7. In-Service Instruction Program  
310:641-7-30 [AMENDED]

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 662. HOME CARE AGENCIES**

*[OAR Docket #08-440]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions  
310:662-1-2 [AMENDED]  
Subchapter 2. Licenses  
310:662-2-1 [AMENDED]  
Subchapter 3. Administration  
310:662-3-3 [AMENDED]  
Subchapter 8. Sitter or companion services [NEW]  
310:662-8-1 through 310:662-8-9 [NEW]

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*[OAR Docket #08-440; filed 3-24-08]*

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 663. CONTINUUM OF CARE  
AND ASSISTED LIVING**

*[OAR Docket #08-441]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions  
310:663-1-2 [AMENDED]  
310:663-1-4 [NEW]  
Subchapter 3. Services and Care  
310:663-3-5 [AMENDED]  
310:663-3-8 [NEW]  
Subchapter 7. Physical Plant Design  
310:663-7-2 [AMENDED]  
Subchapter 9. Staffing Requirements  
310:663-9-6 [AMENDED]  
Subchapter 13. Resident Contract  
310:663-13-1 [AMENDED]  
Subchapter 15. Resident Rights and Responsibilities  
310:663-15-1 [AMENDED]

310:663-15-2 [AMENDED]  
310:663-15-3 [NEW]  
Subchapter 19. Administration, Records and Policies  
310:663-19-1 [AMENDED]  
310:663-19-2 [AMENDED]  
310:663-19-3 [NEW]  
Subchapter 25. Inspections and Investigations  
310:663-25-3 [AMENDED]  
310:663-25-4 [AMENDED]  
Subchapter 29. Terminating and Continuing Services  
310:663-29-2 [AMENDED]  
Appendix B. Reference List for Standards of Practice  
[NEW]

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*[OAR Docket #08-441; filed 3-24-08]*

**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 667. HOSPITAL STANDARDS**

*[OAR Docket #08-442]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 15. Nursing Service  
310:667-15-6 [AMENDED]  
Subchapter 19. Medical Records Department  
310:667-19-2 [AMENDED]  
310:667-19-13 [AMENDED]  
Subchapter 21. Drug Distribution  
310:667-21-7 [AMENDED]  
310:667-21-8 [AMENDED]  
Subchapter 25. Surgical Services  
310:667-25-2 [AMENDED]  
Subchapter 39. Critical Access Hospital  
310:667-39-6 [AMENDED]  
310:667-39-9 [AMENDED]  
310:667-39-11 [AMENDED]  
Subchapter 40. Emergency Hospital  
310:667-40-6 [AMENDED]  
310:667-40-9 [AMENDED]  
310:667-40-11 [AMENDED]

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**TITLE 310. OKLAHOMA STATE  
DEPARTMENT OF HEALTH  
CHAPTER 675. NURSING AND  
SPECIALIZED FACILITIES**

*[OAR Docket #08-443]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions  
310:675-1-2. [AMENDED]  
Subchapter 7. Administration  
310:675-7-5.1. [AMENDED]  
310:675-7-12.1. [AMENDED]  
310:675-7-17.1. [AMENDED]  
310:675-7-18.1. [AMENDED]  
310:675-7-21. [NEW]  
Subchapter 9. Resident Care Services  
310:675-9-13.1. [AMENDED]  
Subchapter 13. Staff Requirements  
310:675-13-7. [AMENDED]  
Subchapter 21. Nontechnical Services Workers [NEW]  
310:675-21-1. [NEW]  
310:675-21-2. [NEW]  
310:675-21-3. [NEW]  
310:675-21-4. [NEW]  
310:675-21-5. [NEW]  
Appendix B. Reference List for Standards of Practice  
[REVOKED]  
Appendix B. Reference List for Standards of Practice  
[NEW]

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*[OAR Docket #08-443; filed 3-24-08]*

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

*[OAR Docket #08-456]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

## Submissions for Review

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### **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)

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*[OAR Docket #08-456; filed 3-26-08]*

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

*[OAR Docket #08-457]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **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)

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*[OAR Docket #08-457; filed 3-26-08]*

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

*[OAR Docket #08-458]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 11. Special Procedures

Part 9. Disaster Procedures and Reporting Requirements  
340:50-11-87 [REVOKED]

(Reference APA WF 08-01)

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*[OAR Docket #08-458; filed 3-26-08]*

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### **TITLE 365. INSURANCE DEPARTMENT CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-405]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 9. Description of Forms and Instructions  
365:1-9-12. Agent and customer service representative appointment forms [AMENDED]  
Subchapter 13. Electronic Filings [NEW]  
365:1-13-1. Required electronic filings [NEW]

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*[OAR Docket #08-405; filed 3-24-08]*

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### **TITLE 365. INSURANCE DEPARTMENT CHAPTER 10. LIFE, ACCIDENT AND HEALTH**

*[OAR Docket #08-406]*

### **RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

### **RULES:**

Subchapter 5. Minimum Standards; Contract Guidelines  
Part 5. Long-Term Care Insurance  
365:10-5-53. Contingent benefit upon lapse [NEW]  
365:10-5-54. State long-term care insurance partnership program [NEW]  
Part 19. Oklahoma Health Care Freedom of Choice Regulation  
365:10-5-181. Good faith estimate by insurer [AMENDED]

Part 21. Extension and Termination of Coverage Under Group Accident and Health Policy Contracts of Hospital and Medical Services or Indemnity [NEW]  
 365:10-5-190. Purpose. [NEW]  
 365:10-5-191. Applicability and scope [NEW]  
 365:10-5-192. Definitions [NEW]  
 365:10-5-193. Periods for which coverage is extended [NEW]  
 365:10-5-194. When Extension Period Begins [NEW]  
 365:10-5-195. Required Notification to Employee Whose Insurance is Terminated [NEW]  
 Appendix HH. Partnership Program Notice [NEW]  
 Appendix II. Partnership Status Disclosure Notice [NEW]  
 Appendix JJ. Issuer Certification Form [NEW]  
 Appendix KK. Approved Long Term Care Partnership Program Policy Summary [NEW]

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*[OAR Docket #08-406; filed 3-24-08]*

**TITLE 365. INSURANCE DEPARTMENT  
 CHAPTER 15. PROPERTY AND CASUALTY**

*[OAR Docket #08-407]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. General Provisions  
 365:15-1-3. Property and casualty form filings [AMENDED]  
 Subchapter 7. Property and casualty competitive loss cost rating regulation [AMENDED]  
 365:15-7-3. Property and casualty rate, loss cost and manual rule filings [AMENDED]  
 Appendix D. Format for notification to policyholders of application for rate change [REVOKED]  
 Appendix D. Format for notification to policyholders of application for rate change [NEW]

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*[OAR Docket #08-407; filed 3-24-08]*

**TITLE 365. INSURANCE DEPARTMENT  
 CHAPTER 25. LICENSURE OF  
 PRODUCERS, ADJUSTERS, BAIL  
 BONDSMEN, COMPANIES, PREPAID  
 FUNERAL BENEFITS, AND VIATICAL AND  
 LIFE SETTLEMENTS PROVIDERS AND  
 BROKERS**

*[OAR Docket #08-408]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Producers, Brokers, and Limited Lines Producers  
 365:25-3-1. Insurance producers continuing education [AMENDED]  
 365:25-3-1.1. Application for Resident Producer License [NEW]  
 365:25-3-1.2. Provisional Producer License [NEW]  
 365:25-3-1.3. Approved Insurance Company Training Program [NEW]  
 365:25-3-3. Licensing of incorporated insurance agency [AMENDED]  
 365:25-3-12. Insurance consultants and surplus lines insurance brokers [AMENDED]  
 365:25-3-13. Surplus line insurance with non-admitted insurer; approval prior to issuance; collection and remittance of taxes; claims for tax adjustments; procedures; forms [AMENDED]  
 365:25-3-14. Insurance adjusters continuing education [AMENDED]  
 365:25-3-16. Examination exemptions [AMENDED]  
 Subchapter 5. Bail Bondsmen  
 Part 5. General Provisions Pertaining To Bail Bondsmen  
 365:25-5-30. Definitions [AMENDED]  
 365:25-5-34. Professional bondsman deposits [AMENDED]  
 365:25-5-35. Bondsman license renewal [AMENDED]  
 365:25-5-43. Appointments [NEW]  
 Subchapter 7. Companies  
 Part 5. Oklahoma Insurance Holding Company System Regulatory Act  
 365:25-7-27.1. Subsidiaries of domestic insurers [AMENDED]  
 365:25-7-30. Extraordinary dividends and other distributions [AMENDED]  
 Part 7. Companies In Hazardous Financial Condition  
 365:25-7-40. Authority [AMENDED]  
 365:25-7-41. Purpose [AMENDED]  
 365:25-7-42. Standards for determining hazardous financial condition [AMENDED]  
 365:25-7-43. Commissioner's authority [AMENDED]  
 Part 13. Electronic Filings  
 365:25-7-76. Insurance Company Holding Company Act [NEW]

## Submissions for Review

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Subchapter 9. Prepaid Funeral Benefits  
365:25-9-3. Forms [AMENDED]  
Subchapter 27. Military Sales Practices Regulation [NEW]  
365:25-27-1. Purpose [NEW]  
365:25-27-2. Scope [NEW]  
365:25-27.3. Authority [NEW]  
365:25-27-4. Exemptions [NEW]  
365:25-27-5. Definitions [NEW]  
365:25-27-6. Practices Declared False, Misleading,  
Deceptive or Unfair on a Military Installation [NEW]  
365:25-27-7. Practices Declared False, Misleading,  
Deceptive or Unfair Regardless of Location [NEW]  
365:25-27-8. Severability [NEW]  
Appendix C. Application for Original Permit [REVOKED]  
Appendix I. Application for Renewal of Permit  
[REVOKED]  
Appendix T. Insurance Company Training Program  
Affidavit [NEW]

**SUBMITTED TO THE GOVERNOR:**

March 14, 2008

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March 14, 2008

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March 14, 2008

*[OAR Docket #08-408; filed 3-24-08]*

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**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 25. LICENSURE OF  
PRODUCERS, ADJUSTERS, BAIL  
BONDSMEN, COMPANIES, PREPAID  
FUNERAL BENEFITS, AND VIATICAL AND  
LIFE SETTLEMENTS PROVIDERS AND  
BROKERS**

*[OAR Docket #08-409]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Producers, Brokers, and Limited Lines  
Producers  
365:25-3-1.4. Producer training requirements for long-term  
care insurance [NEW]

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*[OAR Docket #08-409; filed 3-24-08]*

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**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 25. LICENSURE OF  
PRODUCERS, ADJUSTERS, BAIL  
BONDSMEN, COMPANIES, PREPAID  
FUNERAL BENEFITS, AND VIATICAL AND  
LIFE SETTLEMENTS PROVIDERS AND  
BROKERS**

*[OAR Docket #08-410]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Producers, Brokers, and Limited Lines  
Producers  
365:25-3-18. Compensation and education for sale of  
Medicare Advantage or Medicare private fee for service  
products and plans [NEW]

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*[OAR Docket #08-410; filed 3-24-08]*

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**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 40. HEALTH MAINTENANCE  
ORGANIZATIONS (HMO)**

*[OAR Docket #08-411]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Financial  
Part 3. Holding Company System  
365:40-3-13. Transactions with Affiliates [AMENDED]

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*[OAR Docket #08-411; filed 3-24-08]*

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**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION  
CHAPTER 1. ADMINISTRATION AND ORGANIZATION**

*[OAR Docket #08-379]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

**RULES:**

435:1-1-7. Fees [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-379; filed 3-18-08]*

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION  
CHAPTER 10. PHYSICIANS AND SURGEONS**

*[OAR Docket #08-380]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

**RULES:**

Subchapter 7. Regulation of Physician and Surgeon Practice

435:10-7-6. Retired physicians and surgeons [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-380; filed 3-18-08]*

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

*[OAR Docket #08-381]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review.

**RULES:**

Subchapter 5. Regulation of Practice

435:20-5-8. Unprofessional conduct - Grounds for disciplinary action [AMENDED]

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*[OAR Docket #08-381; filed 3-18-08]*

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

*[OAR Docket #08-412]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:15-1-2. Definitions [AMENDED]

Subchapter 3. Consumer Rights

Part 1. Mental Health and Drug or Alcohol Abuse Services  
Consumer Bill of Rights

450:15-3-20.1. Consumer rights regarding confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

450:15-3-20.2. Validity of written consent [NEW]

Part 7. Consumer Access to Health Information, Facilities Operated by ODMHSAS

450:15-3-60. Right to access designated record set from facilities operated by ODMHSAS [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-412; filed 3-24-08]*

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

*[OAR Docket #08-413]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:16-1-2. Definitions [AMENDED]

## Submissions for Review

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450:16-1-4. Annual review of standards and criteria [REVOKED]

Subchapter 5. Services

450:16-5-1. Continuity of care agreements, other service providers [AMENDED]

Subchapter 17. Security and Disclosure of Resident Information

450:16-17-3.1. Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

450:16-17-4. Validity of written consent [REVOKED]

Subchapter 21. Personnel, Staffing and Training

450:16-21-4. Residential care staff training requirements, administrator [AMENDED]

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*[OAR Docket #08-413; filed 3-24-08]*

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**TITLE 450. DEPARTMENT OF MENTAL  
HEALTH AND SUBSTANCE ABUSE  
SERVICES  
CHAPTER 17. STANDARDS AND CRITERIA  
FOR COMMUNITY MENTAL HEALTH  
SERVICES CENTERS**

*[OAR Docket #08-414]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:17-1-2. Definitions [AMENDED]

450:17-1-4. Annual review of standards and criteria [REVOKED]

Subchapter 7. Facility Clinical Records

450:17-7-10. Progress Notes [AMENDED]

Subchapter 9. Consumer Records and Confidentiality

450:17-9-1.1. Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

Subchapter 21. Staff Development and Training

450:17-21-3. Annually required inservice training for all employees [AMENDED]

450:17-21-5. CAPE training [REVOKED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-414; filed 3-24-08]*

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**TITLE 450. DEPARTMENT OF MENTAL  
HEALTH AND SUBSTANCE ABUSE  
SERVICES  
CHAPTER 18. STANDARDS AND CRITERIA  
FOR ALCOHOL AND DRUG TREATMENT  
PROGRAMS**

*[OAR Docket #08-415]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:18-1-2. Definitions [AMENDED]

450:18-1-6. Annual review of standards and criteria [REVOKED]

Subchapter 5. Organizational and Facility Management

450:18-5-3.2. Standards for food service [AMENDED]

Subchapter 7. Consumer Records

Part 1. Record System

450:18-7-3.1. Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

Subchapter 13. Substance Abuse Treatment Services

Part 3. Outpatient Services

450:18-13-21. Outpatient services [AMENDED]

Part 5. Intensive Outpatient Services

450:18-13-42. Service requirements [AMENDED]

Part 15. Residential Treatment for Adults with Co-occurring Disorders

450:18-13-141. Adult residential treatment for consumers with co-occurring disorders [AMENDED]

Part 21. Halfway House Services for Persons with Dependent Children

450:18-13-201. Halfway house services for persons with dependent children [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-415; filed 3-24-08]*

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**TITLE 450. DEPARTMENT OF MENTAL  
HEALTH AND SUBSTANCE ABUSE  
SERVICES  
CHAPTER 30. STATE-OPERATED  
INPATIENT SERVICES**

*[OAR Docket #08-416]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 15. Forensic Review Board

450:30-15-2. Definitions [AMENDED]  
450:30-15-3. Composition, powers and duties [AMENDED]

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*[OAR Docket #08-416; filed 3-24-08]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 55. STANDARDS AND CRITERIA FOR PROGRAMS OF ASSERTIVE COMMUNITY TREATMENT**

*[OAR Docket #08-417]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions  
450:55-1-2. Definitions [AMENDED]  
Subchapter 3. Program Description and Pact Services  
450:55-3-7. Staffing requirements [AMENDED]  
Subchapter 7. Confidentiality  
450:55-7-1. Confidentiality, mental health consumer information and records [AMENDED]  
Subchapter 17. Staff Development and Training  
450:55-17-3. In-service [AMENDED]

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*[OAR Docket #08-417; filed 3-24-08]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 60. STANDARDS AND CRITERIA FOR CERTIFIED EATING DISORDER TREATMENT PROGRAMS**

*[OAR Docket #08-418]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions

450:60-1-4. Annual review of standards and criteria [REVOKED]

Subchapter 9. Consumer Records and Confidentiality

450:60-9-1. Confidentiality of mental health and drug or alcohol abuse treatment information [AMENDED]

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*[OAR Docket #08-418; filed 3-24-08]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 65. STANDARDS AND CRITERIA FOR CERTIFIED GAMBLING TREATMENT**

*[OAR Docket #08-419]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

Subchapter 1. General Provisions  
450:65-1-2. Definitions [AMENDED]  
450:65-1-4. Applicability [AMENDED]  
450:65-1-5. Annual review of standards and criteria [REVOKED]  
Subchapter 3. Gambling Treatment Services and Documentation  
450:65-3-1. Gambling treatment professional requirements and privileging [AMENDED]  
450:65-3-2. Treatment Services [AMENDED]  
450:65-3-3. Assessment and diagnostic services [AMENDED]  
450:65-3-5. Individual, group and family counseling services [AMENDED]  
450:65-3-9. Unplanned discharges [AMENDED]  
450:65-3-10. Consumer records, basic requirement [AMENDED]  
450:65-3-11. Consumer record system [AMENDED]  
450:65-3-12. Confidentiality of gambling ~~addiction~~ treatment information [AMENDED]  
Subchapter 5. Certified Gambling ~~Addiction~~ Treatment Programs  
450:65-5-1. Level of Care [AMENDED]  
450:65-5-2. Gambling ~~addiction~~ treatment services [AMENDED]  
450:65-5-3. Admission criteria [AMENDED]  
450:65-5-4. Discharge criteria [AMENDED]  
450:65-5-5. Consumer rights [AMENDED]  
Subchapter 7. Organizational and Facility Management  
450:65-7-2. Hygiene and sanitation [AMENDED]  
450:65-7-3. Standards for food service [AMENDED]

## Submissions for Review

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- 450:65-7-5. Critical incidents [AMENDED]  
450:65-7-6. Organizational and facility description [AMENDED]  
450:65-7-8. Performance improvement program [AMENDED]  
450:65-7-9. Community information, consultation, outreach and street outreach [AMENDED]

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*[OAR Docket #08-419; filed 3-24-08]*

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**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOD SUBSTITUTION TREATMENT PROGRAMS**

*[OAR Docket #08-420]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**PROPOSED RULES:**

- Subchapter 1. General Provisions  
450:70-1-2. Definitions [AMENDED]  
Subchapter 3. Facility Record System  
Part 1. Record System  
450:70-3-4. Confidentiality of drug or alcohol abuse or mental health treatment information [AMENDED]

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*[OAR Docket #08-420; filed 3-24-08]*

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

*[OAR Docket #08-404]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 3. Organization of Board  
550:1-3-3 [AMENDED]

550:1-3-4 [AMENDED]

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*[OAR Docket #08-404; filed 3-24-08]*

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**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-450]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 1. General Provisions  
605:1-1-4. Operational Procedures [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-450; filed 3-25-08]*

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**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION  
CHAPTER 10. REQUIREMENTS, STANDARDS AND PROCEDURES**

*[OAR Docket #08-451]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

- Subchapter 3. Education and Examination Requirements  
605:10-3-2. Application for license [AMENDED]  
Subchapter 5. Instructor and Entity Requirements and Standards  
605:10-5-1. Approval of Prelicense course offerings [AMENDED]  
605:10-5-2. Approval continuing education offerings [AMENDED]  
Subchapter 7. Licensing procedures and options  
605:10-7-2. License terms and fees; renewals; reinstatements [AMENDED]  
Subchapter 17. Causes for Investigation; Hearing process; Prohibited Acts; Discipline  
605:10-17-2. Complaint procedures [AMENDED]

605:10-17-3. Complaint hearings; notice and procedures [AMENDED]  
Appendix A. Residential Property Condition Disclosure Statement [REVOKED]  
Appendix A. Residential Property Condition Disclosure Statement [NEW]

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*[OAR Docket #08-451; filed 3-25-08]*

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-453]*

**RULEMAKING ACTION:**

Submissions for gubernatorial and legislative review.

**RULES:**

Subchapter 11. Purchasing  
610:1-11-3. Definitions [AMENDED]  
610:1-11-14. Purchases in excess of \$25,000 [AMENDED]  
610:1-11-15. Purchases in excess of \$100,000 [AMENDED]

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*[OAR Docket #08-453; filed 3-26-08]*

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION  
CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS**

*[OAR Docket #08-452]*

**RULEMAKING ACTION:**

Submissions for gubernatorial and legislative review.

**RULES:**

Subchapter 7. Oklahoma Tuition Aid Grant Program  
610:25-7-6. Eligibility; amount of grant; application procedures and deadlines; disbursement of funds [AMENDED]  
Subchapter 23. Oklahoma Higher Learning Access Program

610:25-23-1. Purpose [AMENDED]  
610:25-23-2. Eligibility of participants [AMENDED]  
610:25-23-3. Applications [AMENDED]  
610:25-23-4. Program requirements [AMENDED]  
610:25-23-5. Securing program benefits [AMENDED]  
610:25-23-6. Retaining eligibility in postsecondary education [AMENDED]  
610:25-23-7. Payment of awards; policies and limitations [AMENDED]  
610:25-23-8. Administrative responsibilities [AMENDED]

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*[OAR Docket #08-452; filed 3-26-08]*

**TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES  
CHAPTER 10. VOCATIONAL REHABILITATION AND VISUAL SERVICES**

*[OAR Docket #08-352]*

**RULEMAKING ACTION:**

Submission for Gubernatorial and Legislative Review

**RULES:**

Subchapter 1. General Provisions  
612:10-1-2. Definitions [AMENDED]  
Subchapter 7. Vocational Rehabilitation and Visual Services  
Part 1. Scope of Vocational Rehabilitation and Visual Services  
612:10-7-1. Overview of Vocational Rehabilitation and Visual Services [AMENDED]  
612:10-7-4. Basic eligibility requirements for vocational rehabilitation services [AMENDED]  
612:10-7-8. Order of selection [AMENDED]  
612:10-7-11. Counseling and guidance [AMENDED]  
Part 3. Case Processing Requirements  
612:10-7-33. Supervisory caseload reviews [AMENDED]  
612:10-7-33.1. Quality Assurance caseload reviews [NEW]  
Part 5. Case Status and Classification System  
612:10-7-52. Provision of services [AMENDED]  
612:10-7-58. Closed rehabilitated [AMENDED]  
612:10-7-62. Post-employment services [AMENDED]  
Part 13. Supportive Services  
612:10-7-131. Transportation [AMENDED]  
Part 15. Training  
612:10-7-166. Tutorial training [AMENDED]  
Part 17. Supported Employment Services

## Submissions for Review

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612:10-7-181. Integrated settings [AMENDED]  
612:10-7-184. Extended services [AMENDED]  
612:10-7-185. Provision of supported employment services [AMENDED]  
Part 18. Employment and Retention Services  
612:10-7-186. Overview of Employment and Retention Services [AMENDED]  
612:10-7-187. Eligibility for Employment and Retention Services [AMENDED]  
Part 21. Purchase of Equipment, Occupational Licenses and Certificates  
612:10-7-220. Purchase of special equipment for motor vehicles [AMENDED]  
Part 23. Self-employment Programs and Other Services  
612:10-7-230.3. Self-Employment/Business Plans [AMENDED]  
612:10-7-230.5. DRS Monitoring [AMENDED]  
Subchapter 9. Rehabilitation Teaching Services  
Part 3. Case Processing and Recording  
612:10-9-25. Post-Employment Service Status [AMENDED]  
Subchapter 11. Independent Living Services for Older Individuals Who Are Blind  
Part 3. Case Processing  
612:10-11-28. Post OB Service Status [AMENDED]

**SUBMITTED TO GOVERNOR:**

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*[OAR Docket #08-352; filed 3-11-08]*

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

*[OAR Docket #08-391]*

**RULEMAKING ACTION:**

Statement of submission for gubernatorial and legislative review.

**RULES:**

Chapter 3. Individual Proceedings [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

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*[OAR Docket #08-391; filed 3-21-08]*

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

*[OAR Docket #08-392]*

**RULEMAKING ACTION:**

Statement of submission for gubernatorial and legislative review.

**RULES:**

Chapter 10. Licensure Requirements [AMENDED]

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March 20, 2008

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March 20, 2008

*[OAR Docket #08-392; filed 3-21-08]*

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

*[OAR Docket #08-393]*

**RULEMAKING ACTION:**

Statement of submission for gubernatorial and legislative review.

**RULES:**

Chapter 12 Guidelines for Supervision [AMENDED]

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March 20, 2008

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*[OAR Docket #08-393; filed 3-21-08]*

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

*[OAR Docket #08-394]*

**RULEMAKING ACTION:**

Statement of submission for gubernatorial and legislative review.

**RULES:**

Chapter 15. Guidelines for Continuing Education [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

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March 20, 2008

*[OAR Docket #08-394; filed 3-21-08]*

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

*[OAR Docket #08-395]*

**RULEMAKING ACTION:**

Statement of submission for gubernatorial and legislative review.

**RULES:**

Chapter 20. Code of Professional Conduct [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 20, 2008

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*[OAR Docket #08-395; filed 3-21-08]*

**TITLE 775. BOARD OF VETERINARY  
MEDICAL EXAMINERS  
CHAPTER 10. LICENSURE OF  
VETERINARIANS, VETERINARY  
TECHNICIANS AND ANIMAL EUTHANASIA  
TEHNICIANS**

*[OAR Docket #08-366]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Licensure of Veterinarians [AMENDED]

Subchapter 7. Certification of Veterinary Technicians [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 12, 2008

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March 12, 2008

*[OAR Docket #08-366; filed 3-12-08]*

**TITLE 775. BOARD OF VETERINARY  
MEDICAL EXAMINERS  
CHAPTER 25. RECORDKEEPING AND  
SUPERVISION REQUIREMENTS**

*[OAR Docket #08-367]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

775:25-1-2. Patient records [AMENDED]

775:25-1-4. Supervision Requirements [AMENDED]

**SUBMITTED TO GOVERNOR:**

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March 12, 2008

*[OAR Docket #08-367; filed 3-12-08]*

**TITLE 775. BOARD OF VETERINARY  
MEDICAL EXAMINERS  
CHAPTER 26.  
WHOLESALE/DISTRIBUTOR OF  
VETERINARY PRESCRIPTION DRUGS**

*[OAR Docket #08-368]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Chapter 26. Wholesaler/Distributor of Veterinary Prescription Drugs [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 12, 2008

**SUBMITTED TO HOUSE:**

March 12, 2008

**SUBMITTED TO SENATE:**

March 12, 2008

*[OAR Docket #08-368; filed 3-12-08]*

**TITLE 800. DEPARTMENT OF WILDLIFE  
CONSERVATION  
CHAPTER 10. SPORT FISHING RULES**

*[OAR Docket #08-347]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. Harvest and Possession Limits

800:10-1-4. Size limits on fish [AMENDED]

800:10-1-5. Bag limits on fish [AMENDED]

## Submissions for Review

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Subchapter 3. Methods of Taking  
800:10-3-3. Additional definitions [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 11, 2008

**SUBMITTED TO HOUSE:**

March 11, 2008

**SUBMITTED TO SENATE:**

March 11, 2008

*[OAR Docket #08-347; filed 3-11-08]*

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**TITLE 800. DEPARTMENT OF WILDLIFE  
CONSERVATION  
CHAPTER 15. COMMERCIAL HARVEST  
RULES; AQUATIC SPECIES**

*[OAR Docket #08-348]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 11. Commercial Aquatic Production  
800:15-11-2. List of restricted aquatic species  
[AMENDED]

**SUBMITTED TO GOVERNOR:**

March 11, 2008

**SUBMITTED TO HOUSE:**

March 11, 2008

**SUBMITTED TO SENATE:**

March 11, 2008

*[OAR Docket #08-348; filed 3-11-08]*

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**TITLE 800. DEPARTMENT OF WILDLIFE  
CONSERVATION  
CHAPTER 20. RESTRICTION ON AQUATIC  
SPECIES INTRODUCTION**

*[OAR Docket #08-349]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. Restricted Exotic Fish  
800:20-1-2. List of restricted exotic species [AMENDED]  
Subchapter 3. Noxious Aquatic Plants  
800:20-3-2. List of declared noxious aquatic plant species  
[AMENDED]

**SUBMITTED TO GOVERNOR:**

March 11, 2008

**SUBMITTED TO HOUSE:**

March 11, 2008

**SUBMITTED TO SENATE:**

March 11, 2008

*[OAR Docket #08-349; filed 3-11-08]*

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**TITLE 800. DEPARTMENT OF WILDLIFE  
CONSERVATION  
CHAPTER 25. WILDLIFE RULES**

*[OAR Docket #08-350]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 7. General Hunting Seasons  
Part 13. Deer  
800:25-7-51. Deer - archery [AMENDED]  
800:25-7-52. Deer-primitive firearms (muzzleloading)  
[AMENDED]  
Part 19. Seasons on Areas Owned or Managed by the  
Oklahoma Department of Wildlife Conservation and the  
U.S. Fish and Wildlife Service  
800:25-7-86. Broken Bow WMA [AMENDED]  
800:25-7-108.1. Honobia Creek WMA [AMENDED]  
800:25-7-116. Keystone WMA [AMENDED]  
800:25-7-117. Lexington WMA [AMENDED]  
800:25-7-132. Ouachita WMA - LeFlore Unit  
[AMENDED]  
800:25-7-133.1. Ouachita WMA - McCurtain Unit  
[AMENDED]  
800:25-7-143. Skiatook WMA [AMENDED]  
800:25-7-149.1. Three Rivers WMA [AMENDED]  
Subchapter 9. Controlled Hunts  
Part 1. Guidelines  
800:25-9-3. Applications and instructions [AMENDED]  
800:25-9-4. Categories [AMENDED]  
Subchapter 17. Black-Footed Ferrets and Prairie Dogs  
800:25-17-4. Poisons [AMENDED]  
800:25-17-5. State school lands [REVOKED]  
Subchapter 37. Nuisance Wildlife Control Programs  
Part 1. Nuisance Wildlife Control Operators Program  
800:25-37-1. Purpose [AMENDED]  
800:25-37-2. Permit requirements [AMENDED]  
800:25-37-4. Reporting procedures [AMENDED]  
800:25-37-5. Procedures and guidelines [AMENDED]  
Part 3. Wildlife and Feral Hog Nuisance and Depredation  
Rules [NEW]  
800:25-37-11. Purpose [NEW]  
800:25-37-12. General Provisions [NEW]  
800:25-37-13. Exemptions [NEW]  
800:25-37-14. Specific Provisions [NEW]  
800:25-37-15. Penalties [NEW]

**SUBMITTED TO GOVERNOR:**

March 11, 2008

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March 11, 2008

**SUBMITTED TO SENATE:**

March 11, 2008

*[OAR Docket #08-350; filed 3-11-08]*

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**TITLE 800. DEPARTMENT OF WILDLIFE  
CONSERVATION  
CHAPTER 30. DEPARTMENT OF  
WILDLIFE LANDS MANAGEMENT**

*[OAR Docket #08-351]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 3. Mineral Exploration and Production

800:30-3-2. General provisions [AMENDED]

800:30-3-3. Site development [AMENDED]

800:30-3-4. Site preparation [AMENDED]

800:30-3-5. Regulations for producing wells [AMENDED]

800:30-3-6. Regulations for non-producing wells  
[AMENDED]

800:30-3-7. Damage and use charges [AMENDED]

**SUBMITTED TO GOVERNOR:**

March 11, 2008

**SUBMITTED TO HOUSE:**

March 11, 2008

**SUBMITTED TO SENATE:**

March 11, 2008

*[OAR Docket #08-351; filed 3-11-08]*

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# Gubernatorial Approvals

Upon notification of approval by the Governor of an agency's proposed PERMANENT rulemaking action, the agency must submit a notice of such gubernatorial approval for publication in the *Register*.

*For additional information on gubernatorial approvals, see 75 O.S., Section 303.2.*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 2. FEES**

*[OAR Docket #08-382]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 3. Fee Schedules  
35:2-3-2.1 through 35:2-3-2.4 [AMENDED]  
35:2-3-2.6 [AMENDED]  
35:2-3-2.8 [AMENDED]

### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-382; filed 3-18-08]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 3. FINE MATRICES**

*[OAR Docket #08-383]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 1. Fine Schedules  
Part 11. Livestock Market Violations  
35:3-1-11 [NEW]  
35:3-1-12 [NEW]

### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-383; filed 3-18-08]*

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## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY**

*[OAR Docket #08-384]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 40. Bovine Tuberculosis  
Part 1. Definitions

35:15-40-1 [AMENDED]  
Part 7. Import Requirements  
35:15-40-92 [AMENDED]  
35:15-40-93 [NEW]

### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-384; filed 3-18-08]*

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## **TITLE 165. CORPORATION COMMISSION CHAPTER 30. MOTOR CARRIERS**

*[OAR Docket #08-444]*

### **RULEMAKING ACTION:**

Gubernatorial approval

### **RULES:**

Chapter 30. Motor Carriers [AMENDED]

### **GUBERNATORIAL APPROVAL:**

March 21, 2008

*[OAR Docket #08-444; filed 3-24-08]*

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## **TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 521. CONTROL AND TREATMENT OF COMMUNICABLE DISEASE**

*[OAR Docket #08-425]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 1. General Provisions  
310:521-1-1 [AMENDED]  
310:521-1-2 [AMENDED]  
Subchapter 3. Tuberculosis  
310:521-3-1 through 310:521-3-5 [AMENDED]  
Subchapter 7. Isolation or Quarantine [NEW]  
310:521-7-1 through 310:521-7-9 [NEW]

### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-425; filed 3-24-08]*

## Gubernatorial Approvals

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### TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 526. DENTAL SERVICES

*[OAR Docket #08-426]*

#### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

#### **RULES:**

Subchapter 1. General Provisions

310:526-1-3 [AMENDED]

Subchapter 3. Oklahoma Dental Loan Repayment Program

310:526-3-3 [AMENDED]

#### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-426; filed 3-24-08]*

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### TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 550. NEWBORN SCREENING PROGRAM

*[OAR Docket #08-424]*

#### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

#### **RULES:**

Subchapter 1. General Provisions

310:550-1-1 [AMENDED]

310:550-1-2 [AMENDED]

Subchapter 3. Testing of Newborns

310:550-3-1 [AMENDED]

Subchapter 5. Specimen Collection

310:550-5-1 [AMENDED]

Subchapter 7. Hospital Recording

310:550-7-1 [AMENDED]

Subchapter 13. Parent and Health Care Provider Education

310:550-13-1 [AMENDED]

Subchapter 17. Follow-Up for Physicians

310:550-17-1 [AMENDED]

Subchapter 19. Reporting

310:550-19-1 [AMENDED]

Subchapter 21. Information

310:550-21-1 [AMENDED]

Appendix B. Report Form [REVOKED]

Appendix B. Report Form [NEW]

Appendix C. Refusal of the Newborn Screening Blood Test -

Religious Tenets and Practices Refusal [REVOKED]

Appendix C. Refusal Form [NEW]

#### **GUBERNATORIAL APPROVAL:**

March 12, 2008

*[OAR Docket #08-424; filed 3-24-08]*

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### TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 10. RACING ORGANIZATION

*[OAR Docket #08-341]*

#### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rule

#### **RULES:**

325:10-1-25 [AMENDED]

#### **GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-341; filed 3-10-08]*

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### TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

*[OAR Docket #08-342]*

#### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

#### **RULES:**

Subchapter 5. Occupation Licensing

325:15-5-19 [AMENDED]

325:15-5-22 [AMENDED]

#### **GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-342; filed 3-10-08]*

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

*[OAR Docket #08-343]*

#### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rule

#### **RULES:**

325:20-1-13 [AMENDED]

#### **GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-343; filed 3-10-08]*

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**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 60. RUNNING THE RACE**

*[OAR Docket #08-344]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rule

**RULES:**

325:60-1-21 [AMENDED]

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-344; filed 3-10-08]*

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

*[OAR Docket #08-346]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rule

**RULES:**

325:75-1-3 [AMENDED]

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-346; filed 3-10-08]*

**TITLE 325. OKLAHOMA HORSE RACING  
COMMISSION  
CHAPTER 85. GAMING MACHINE  
SPECIFICATIONS AND USE AND  
OPERATION REQUIREMENTS**

*[OAR Docket #08-345]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

**RULES:**

Subchapter 25. Transportation, Receipt, Installation and  
Disposal of Gaming Machines

325:85-25-2 [AMENDED]

325:85-25-4 [AMENDED]

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-345; filed 3-10-08]*

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

*[OAR Docket #08-353]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-353; filed 3-11-08]*

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

*[OAR Docket #08-354]*

**RULEMAKING ACTION:**

Gubernatorial approval

**RULES:**

Subchapter 11. Finance

Part 13. Electronic Benefit Disbursement

340:2-11-151 [NEW]

(Reference APA WF 07-33)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-354; filed 3-11-08]*

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

*[OAR Docket #08-355]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

# Gubernatorial Approvals

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**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-355; filed 3-11-08]*

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

*[OAR Docket #08-356]*

**RULEMAKING ACTION:**

Gubernatorial approval

**RULES:**

Subchapter 1. Human Resources Management Division (HRMD)

Part 3. Internal Human Resources

340:2-1-33 [REVOKED]

(Reference APA WF 07-31)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-356; filed 3-11-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 5. ADULT PROTECTIVE SERVICES**

*[OAR Docket #08-357]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-357; filed 3-11-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 10. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)**

*[OAR Docket #08-358]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-358; filed 3-11-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 40. CHILD CARE SERVICES**

*[OAR Docket #08-361]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-361; filed 3-11-08]*

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

*[OAR Docket #08-360]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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]  
(Reference APA WF 07-21 and 07-27)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-360; filed 3-11-08]*

**TITLE 340. DEPARTMENT OF HUMAN SERVICES  
CHAPTER 65. PUBLIC ASSISTANCE PROCEDURES**

*[OAR Docket #08-362]*

**RULEMAKING ACTION:**

Gubernatorial approval

**RULES:**

Subchapter 3. Eligibility for Benefits  
340:65-3-1 [AMENDED]  
340:65-3-6 through 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]  
(Reference APA WF 07-18 and 07-26)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-362; filed 3-11-08]*

# Gubernatorial Approvals

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**TITLE 340. DEPARTMENT OF HUMAN SERVICES**  
**CHAPTER 115. OFFICE OF FIELD OPERATIONS DIVISION**

*[OAR Docket #08-359]*

**RULEMAKING ACTION:**

Gubernatorial approval

**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)

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-359; filed 3-11-08]*

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**TITLE 505. BOARD OF EXAMINERS IN OPTOMETRY**  
**CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #08-371]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

**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]

**GUBERNATORIAL APPROVAL:**

March 1, 2008

*[OAR Docket #08-371; filed 3-14-08]*

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# 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.*

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

*[OAR Docket #08-455]*

**RULEMAKING ACTION:**

Withdrawal of PERMANENT rulemaking

**WITHDRAWN RULES:**

Subchapter 15. Overpayments and Fraud

Part 1. Overpayments

340:50-15-6

**(Reference APA WF 07-40)**

**DATES:**

**Adoption:**

February 26, 2008

**Submitted to Governor:**

February 27, 2008

**Submitted to House:**

February 27, 2008

**Submitted to Senate:**

February 27, 2008

**Gubernatorial approval:**

Pending

**Withdrawn:**

March 26, 2008

**CONTACT PERSON:**

Dena Thayer, Programs Administrator at 521-4326

*[OAR Docket #08-455; filed 3-26-08]*

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# 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 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 515. MANAGEMENT OF SOLID WASTE

[OAR Docket #08-370]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 21. Waste Tire Processing, Certification, Permits and Compensation

Part 1. General Provisions

252:515-21-1. [AMENDED]

252:515-21-3. [AMENDED]

252:515-21-5. [AMENDED]

Part 3. Waste Tire Facilities

252:515-21-32. [AMENDED]

Part 5. Waste Tire Transportation

252:515-21-51. [AMENDED]

Part 7. Compensation from the Waste Tire Indemnity Fund

252:515-21-71. [AMENDED]

252:515-21-73. [AMENDED]

Part 9. Erosion Control, River Bank Stabilization and other Conservation Projects

252:515-21-92. [AMENDED]

Part 13. Tire Dealer and Motor License Agent Audits [NEW]

252:515-21-131. [NEW]

### AUTHORITY:

Environmental Quality Board powers and duties, 27A O.S. § 2-2-101, Solid Waste Management Advisory Council powers and duties, 27A O.S. § 2-2-201 and § 2-10-201, and the Oklahoma Waste Tire Recycling Act, 27A O.S. § 2-11-401, *et seq.*

### DATES:

#### Comment period:

August 15 through September 20, 2007, December 20, 2007 through January 10, 2008, and February 29, 2008

#### Public hearing:

September 20, 2007, January 10, 2008, and February 29, 2008

#### Adoption:

February 29, 2008

#### Approved by Governor:

March 4, 2008

#### Effective:

Immediately upon Governor's approval

#### Expiration:

Effective through July 14, 2009, unless superseded by another rule or disapproved by the Legislature

#### SUPERSEDED EMERGENCY ACTIONS:

N/A

#### INCORPORATION BY REFERENCE:

N/A

#### FINDING OF EMERGENCY:

Immediate adoption of these rules comport with recent statutory changes and will result in benefits to private and regulated communities without

sacrificing environmental protection. Adoption of these rules will result in more effective collection of waste tires throughout the state. Illegal tire dumps will be reduced through the ability to assign certain tire dumps to qualified applicants. The proposed new rules and amendments also clarify DEQ's authority with respect to manifest requirements, tire dealer inspections, and motor license agent inspections. If implemented such authority will reduce the opportunity for fraud and increase the Waste Tire Indemnity Fund (Fund) balance. Recently, language was proposed to further clarify how the DEQ shall apportion the Fund to qualified applicants. The DEQ believes the proposed apportionment will fairly disburse the funds when pro-rata is necessary due to insufficient funds thus eliminating the need for administrative hearings.

#### ANALYSIS:

The proposed new and amended language to 252:515, Subchapter 21 arises from Senate Bill 747. These rules implement statutory changes effective July 2007. The statutory changes require waste tire facilities, tire derived fuel facilities and entities involved in erosion control projects (hereinafter referred to as "qualified applicants") to submit requests for reimbursement to the Oklahoma Department of Environmental Quality (DEQ). Proposed rule changes will require qualified applicants to demonstrate that at least two percent (2%) of the waste tires are collected from illegal dumps or landfills on the priority cleanup list (PCL) or community-wide cleanup events as opposed to the previous requirement of five percent (5%). Amendments to 252:515, Subchapter 21 require qualified applicants to receive DEQ approval upon completion of collection efforts from illegal tire dumps and community-wide cleanup events. The proposed new rules and amendments also clarify DEQ's authority with respect to manifest requirements, tire dealer inspections, and motor license agent inspections. Recently, language was proposed to further clarify how the DEQ shall apportion the Fund to qualified applicants.

#### CONTACT PERSON:

Ferrella March, Land Protection Division, Solid Waste Management Section, PO Box 1677, Oklahoma City, OK 73101-1677, e-mail at [ferrella.march@deq.state.ok.us](mailto:ferrella.march@deq.state.ok.us), phone 405-702-5175, or fax 405-702-5101.

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL OF THE GOVERNOR AS SET FORTH IN 75 O.S. SECTION 253(D):**

## SUBCHAPTER 21. WASTE TIRE PROCESSING, CERTIFICATION, PERMITS AND COMPENSATION

### PART 1. GENERAL PROVISIONS

#### 252:515-21-1. Applicability

This Subchapter applies to waste tire facilities, waste tire generators, waste tire transporters, tire dealers, motor license

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agents, and persons engaged in the processing or recycling of waste tires.

### 252:515-21-3. Priority cleanup list

(a) **Investigation and prioritization.** When the DEQ receives notification of or information about the existence of an unauthorized waste tire dump, a dump survey shall be conducted to determine landowner information, cleanup feasibility, and an estimate of the number of tires present. The resulting data shall be used to prioritize tire dumps on the priority cleanup list (PCL).

(b) **Priority listing.** Tire dumps will be placed on the PCL when the landowner was the victim of illegal dumping or the DEQ has exhausted the administrative enforcement process.

~~(c) **Submittal.** The DEQ shall submit the PCL monthly to the Oklahoma Tax Commission (OTC).~~

~~(d) **Number authorized for compensation.** The PCL shall include the name and number assigned to each tire dump on the list and the estimated total number of tires contained therein. For each waste tire dump on the PCL, the total number of waste tires authorized for compensation from the fund shall not exceed the number of waste tires identified.~~

~~(e) **PCL updates.** For each waste tire dump on the PCL, if the total number of waste tires identified on the PCL is removed from that dump and there are waste tires remaining, the DEQ may update the PCL to reflect the remaining number of waste tires.~~

### 252:515-21-5. Special collection efforts

(a) **Waste tire facility selection.** For special collection efforts identified in OAC 252:515-21-4, the DEQ will contact waste tire facilities, tire derived fuel facilities (TDF) and entities that install erosion control projects, [hereinafter referred to as "qualified applicants for collection and transportation", (QACT)] on a rotating basis and identify the location of the waste tires, the number of tires present, and a contact name and phone number.

(b) **Timeline for collection.** The QACT shall provide the DEQ with documentation to demonstrate whether or not the county in which the tires are located has physically been serviced in that quarter. The QACT shall collect the tires at the location identified and otherwise service that county, as follows:

- (1) prior to the end of the quarter, if the county has not been physically serviced during that calendar quarter; or
- (2) prior to the end of the next calendar quarter, if the previous quarter's service is current.

(c) **Special pickup.** Upon the request of the Executive Director, the DEQ may notify the QACT to collect certain tires within seven (7) days or report the status of the special pickup back to the DEQ.

(d) **Collection efforts from tire dumps or landfills and community-wide clean up events.** The DEQ may require a QACT to collect from tire dumps or landfills on the PCL or from community-wide clean up events approved by the Department.

(1) The DEQ may assign collection events to a QACT, which shall collect the tires within the time period specified.

(2) The QACT shall certify to DEQ the number of tires cleaned up from the collection event.

## PART 3. WASTE TIRE FACILITIES

### 252:515-21-32. Facility operation requirements

(a) **General.** Waste tire facilities are subject to the requirements of Part 3 of OAC 252:515-19, except 19-33.

(b) **Acceptable wastes.** Only waste tires shall be accepted at a waste tire facility.

(c) **Maximum storage.**

(1) **Waste tires.** The number of waste tires stored at any time shall not exceed 250,000 or the maximum number authorized by the permit, whichever is less.

(2) **Processed tires.** The amount of processed tire material stored at any time shall not exceed the amount accumulated from three years of operation or the amount for which financial assurance has been provided, whichever is less.

(d) **Tires awaiting processing.** Waste tires stored on the ground while awaiting processing shall be placed in orderly piles, as follows:

- (1) the base shall not exceed 200 feet by 150 feet;
- (2) the height of the pile shall not exceed seven feet and
- (3) side slopes shall not be greater than two horizontal to one vertical slope.

(e) **Processed material storage.** If processed tire material is stored in piles, the piles shall meet the following:

- (1) the base shall not exceed 200 feet by 150 feet;
- (2) the height of the pile shall not exceed 20 feet; and
- (3) stable side slopes shall be maintained.

(f) **Tire dumps.** Annually, at least ~~5%~~ 2% of the waste tires processed must be collected from tire dumps identified on the PCL or through DEQ approved community-wide clean-up events in the State of Oklahoma.

(g) **Restricted areas.**

(1) **Fire lane.** An unobstructed fire lane at least 50 feet in width shall be maintained around the perimeter of each tire pile and each processed tire material pile located outdoors.

(2) **Buffer zone.** A clean buffer zone of at least 75 feet shall be maintained between tire piles or processed tire materials and adjacent properties.

(h) **Weighing processed materials.** Each load of processed tire material shall be weighed on scales tested and certified in accordance with the requirements of the ~~state Board~~ Oklahoma Department of Agriculture, Food and Forestry.

- (1) Each truck and/or trailer shall be weighed full and empty.
- (2) Gross and tare weights shall be imprinted on the same weight ticket.
- (3) Stored tare weights shall not be used.

(i) **Daily log.** A daily log shall be maintained for each load of waste tires received. The daily log shall accurately reflect:

- (1) the name and address of the hauler;
- (2) the counted number of tires from each waste tire source;
- (3) the name and address of each waste tire source;
- (4) the number of tires processed each day; and
- (5) the use and destination of each daily outbound load of processed tire material.

**PART 5. WASTE TIRE TRANSPORTATION**

**252:515-21-51. Waste tire manifests**

(a) **Manifest required.** Any person who transports more than 10 used or waste tires over Oklahoma roads to or from destinations within the state must have a manifest documenting the proper disposition of the tires. All parties must fully complete and sign the manifest. Designated copies must be given to each waste tire generator, transporter, and receiving facility reflected on the manifest.

(1) **Waste tire compensation manifest.** A Waste Tire Compensation Manifest must be used for transportation of waste tires to a waste tire facility entitled to receive compensation from the fund. A four-part carbonless paper manifest form, numbered in sequence so that each manifest has a unique identifying number, shall be provided by the waste tire facility.

(2) **Waste tire tracking manifest.** A Waste Tire Tracking Manifest must be used for transportation of waste tires to any location other than a waste tire facility. A three-part, carbonless paper manifest form, numbered in sequence so that each manifest has a unique identifying number, shall be provided by the waste tire generator or transporter.

(b) **Accuracy of manifests and tire weights.** Manifests shall be complete and accurate in all details and accompanied by weight tickets from certified scales which show the weight of the load collected and transported or accepted for processing by the QACT.

(c) **Inaccurate, incomplete, or insufficient manifest.** The DEQ may not certify QACTs for tires which are processed if the manifests for those tires are incomplete, unreadable, not dated and signed by all parties, not accompanied by a weight ticket, or in any other respect cannot be relied upon to show that the tires were collected, transported and processed pursuant to the Act.

(bd) **Signatory.**

(1) **Generator.** The waste tire manifest shall be signed by the generator of the waste tires, all transporters, and the receiving facility.

(2) **Waste tire dump.** If the tires are from a tire dump, the landowner or authorized representative shall sign the manifest as the generator. If the landowner is unknown or unavailable or resides out of state, the DEQ may authorize another signatory prior to the removal of any waste tires.

(ee) **Recordkeeping.** Within 30 days of receipt of the waste tires, a completed copy of the manifest shall be returned to the

waste tire generator. Copies of the manifest shall be maintained by the generator, transporter, and receiving facility for a period of five years.

**PART 7. COMPENSATION FROM THE WASTE TIRE INDEMNITY FUND**

**252:515-21-71. Eligibility requirements**

(a) **Eligible waste tires for Processing.** Waste tires eligible for compensation include motor vehicle tires pursuant to Section 1-134 of Title 47 of the Oklahoma Statutes for which a fee has been assessed by a tire dealer or motor license agent.

(ab) **Processing-Qualified applicants.** The following are eligible to receive compensation from the fund only for the processing or recycling of those waste tires listed referred to by the OTC in OAC 710:95-5 in (a) of this section:

- (1) waste tire facilities;
- (2) Erosion Control Installers who, as a landowner or on behalf of a landowner, have obtained a permit or other authorization from the United States Army Corps of Engineers or a local Conservation District for the use of waste tires for erosion control, river bank stabilization, or other conservation projects on the property of the landowner; and
- (3) tire derived fuel facilities; and
- (4) units of local or county governments who have a DEQ approved plan to bale waste tires for use in engineering projects.

(bc) **Collection and transportation.** QACT Qualified applicants are eligible to receive compensation from the fund only for the collection and transportation of the waste tires listed referred to by the OTC in OAC 710:95-5 in (a) of this section.

(d) **PCL and community-wide cleanup event requirement.** At least 2% of the waste tires for which compensation will be requested must come from tire dumps or landfills identified on the PCL and from community-wide cleanup events in the state of Oklahoma. The QACT shall not receive credit toward the 2% requirement until the collection efforts are approved by DEQ.

(e) **Apportionment.** If the Waste Tire Recycling Idemnity Fund (Fund) contains insufficient funds in any month to satisfy the eligible reimbursements under the Act, the Department shall apportion the payments among the qualified applicants according to the following formula. Divide the total amount of the Fund available for disbursement by the total authorized reimbursements requested by the qualified applicants. The result is expressed as a percentage. Multiply this percentage by the amount requested and authorized for each qualified applicant, resulting in the apportionment for that qualified applicant.

**252:515-21-73. Certification for compensation**

(a) **Compliance.** An applicant requesting certification for compensation from the fund must be in substantial compliance with:

- (1) the Act;
- (2) the requirements of this Chapter;

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- (3) any permits issued by the DEQ, if applicable; and
- (4) ~~applicable rules of the OTC; and~~
- (5) other applicable authorizations issued by the United States Army Corps of Engineers or local Conservation District.
- (b) **Required forms.** Applicants eligible for compensation from the fund shall complete the required forms provided by the ~~OTC DEQ~~ and submit them to ~~OTC DEQ with a copy to the DEQ.~~
- (c) ~~OTC requirements. The OTC may have additional requirements at OAC 710:95-5.~~

### PART 9. EROSION CONTROL, RIVER BANK STABILIZATION AND OTHER CONSERVATION PROJECTS

#### 252:515-21-92. Eligibility requirements

- (a) **Use of proper tires.** Annually, at least ~~5%~~2% of the waste tires for which compensation will be requested must come from tire dumps identified on the PCL or from community-wide cleanup events in the state of Oklahoma and installed in accordance with this Part and the permit or other authorization from the United States Army Corps of Engineers or a local Conservation District.
- (b) **Waste tire collection.** The Erosion Control Installer (ECI) shall comply with 27A O.S. § 2-11-401.4(C)(3)(b).
- (c) **Project completion report.** Upon completion of the project, the ECI shall submit a project completion report to the DEQ, certifying the project was completed in accordance with the approved design plans. The report shall include the following:
- (1) the name, address and telephone number of the applicant;
  - (2) the tire dump from which tires came, if any, and DEQ identification number;
  - (3) identification of the community-wide cleanup event from which tires came, if any;
  - (4) quantity of tires removed from the tire dump or community-wide cleanup event, by tire type;
  - (5) name and location of the approved project;
  - (6) quantity and type of tires delivered to and installed at the project;
  - (7) a copy of the permit or other authorization issued by the United States Army Corps of Engineers or local Conservation District;
  - (8) a copy of the planting plan developed in conjunction with and approved by the Division of Forestry of the Oklahoma Department of Agriculture, Food, and Forestry;
  - (9) verification the landowner agrees to complete the planting plan described in (8) of this Subsection;
  - (10) documentation to verify compliance with (d) of this Section, if applicable; and
  - (11) other information required by the DEQ.
- (d) **Proper disposal.** The ECI shall dispose of any waste tires not needed for the project at a permitted waste tire processing or other waste tire recycling facility, or a permitted solid waste disposal facility.

- (e) **DEQ inspection.** After submittal of the project completion report, the DEQ shall inspect the project and the project file to determine compliance with the Act, the rules in this Subchapter, and project plans.
- (f) **Project complete.** If the project is complete, the DEQ shall notify the ECI in writing, with copies to the OTC, the Oklahoma Department of Agriculture, Food, and Forestry, and the United States Army Corps of Engineers or local Conservation District, as appropriate.
- (g) **Project incomplete.** If any aspect of the project is not complete, the DEQ shall give written notification of the deficiencies to the ECI, who shall respond accordingly. In such cases, partial compensation may be authorized in accordance with OAC 252:515-21-74.
- (h) **Recordkeeping.** Records required by this Part shall be maintained by the ECI for a period of five years after completion of the project.

### PART 13. TIRE DEALER AND MOTOR LICENSE AGENT AUDITS

#### 252:515-21-131. Tire Dealer and Motor License Agents Audits

Tire dealers and motor license agents shall provide records, reports and other documentation relative to the Act to any authorized representative of the DEQ upon request.

[OAR Docket #08-370; filed 3-13-08]

### TITLE 610. STATE REGENTS FOR HIGHER EDUCATION

#### CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS

[OAR Docket #08-388]

#### RULEMAKING ACTION: EMERGENCY adoption

#### RULES:

- Subchapter 27. Teacher Shortage Employment Incentive Program
- 610:25-27-3. Application procedure [AMENDED]
- 610:25-27-5. Educational loan obligations for participant(s) with outstanding student loan debt [AMENDED]
- 610:25-27-6. Participant eligibility for benefits of the TSEIP [AMENDED]
- 610:25-27-7. Benefits to be disbursed under the program [AMENDED]
- 610:25-27-9. Verification and notification requirements [AMENDED]

#### AUTHORITY:

70 O.S. §§ 698.3; 70 O.S. §3206(i); Oklahoma State Regents for Higher Education

#### DATES:

#### Adoption:

February 7, 2008

#### Approved by Governor:

March 11, 2008

#### Effective:

Immediately upon Governor's approval

#### Expiration:

Effective through July 14, 2009, unless superseded by another rule or disapproved by the Legislature

#### SUPERSEDED EMERGENCY ACTIONS:

N/A

**INCORPORATIONS BY REFERENCE:**

N/A

**FINDING OF EMERGENCY:**

The State Regents for Higher Education find that a compelling public interest requires the passage of this emergency rule. Initiation of the emergency rulemaking process is necessary to ensure individuals who have met the requirements of the TSEIP program receive their benefit. Completing the traditional process to adopt a permanent rule would prevent several individuals from receiving their TSEIP benefit due to no fault of their own. Utilizing the emergency process will allow these individuals to receive the TSEIP benefit to which they are entitled.

**ANALYSIS:**

The TSEIP was designed to recruit and retain mathematics and science teachers for five (5) consecutive years in Oklahoma's secondary schools. In 2002-2003, two (2) science teachers completed their residency year of teaching in an Oklahoma school. During the 2002-2003 Legislative year the state budget downturned and both individuals lost their teaching positions due to the statewide reduction in force. Neither individual taught during the 2003-2004 school year. As school budgets were restored in the 2004-2005 school year, both were able to find employment teaching science classes in Oklahoma schools.

Even though both individuals have completed all requirements to receive the TSEIP benefit, they are currently not eligible to receive the benefit because OAC 610:25-27-6 states each individual must teach five (5) consecutive years. These two individuals do not meet this current requirement of teaching five (5) consecutive years due to the 2002-2003 statewide RIF. Therefore, without the implementation of the proposed change in TSEIP rules, these two individuals will be ineligible for the TSEIP benefit due to no fault of their own. A compelling public interest exists in that these individuals have met the "spirit of the law" and would otherwise receive the \$12,168 for loan repayment if not for the statewide RIF.

**CONTACT PERSON:**

Nancy E. Connally, Assistant General Counsel, OSRHE, 655 Research Parkway, Suite 200, Oklahoma City, OK 73104-3506, 405-225-9335.

**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 27. TEACHER SHORTAGE EMPLOYMENT INCENTIVE PROGRAM**

**610:25-27-3. Application procedure**

- (a) OSRHE is authorized to distribute TSEIP Participation Agreement forms to post-secondary institutions in the State System of Higher Education that are eligible to participate in state and federal financial aid programs and have an approved program of professional teacher preparation.
- (b) TSEIP Participation Agreement forms may be obtained from TSEIP coordinator in each post-secondary institution or from the OSRHE. The student is responsible for the completeness of the application.
- (c) A Participation Agreement must be signed by a student while enrolled in a mathematics or science major course of study at the undergraduate or graduate level.
- (d) The completed Participation Agreement must be submitted to the TSEIP coordinator no later than the date of their graduation.
- (e) Post-secondary institutions TSEIP coordinators will submit copies of the TSEIP Participation Agreements to the State Regents' office within 10 days of their submission.

(f) The State Regents will notify each applicant of the receipt of his/her application in the program, the educational loan obligation, and the disbursement benefits under the TSEIP.

(g) If an eligible student failed to enroll in TSEIP before graduation, he/she can file for late enrollment into the program within one year from date of graduation. The late enrollment process is as follows:

- (1) A candidate must obtain a TSEIP Participation Late Agreement Form from the college of education (COE) which recommended licensure in undergraduate or graduate education degree in secondary mathematics or science. The participant must provide explanation for the late enrollment.
- (2) The form must be signed by the TSEIP coordinator of the respective COE.
- (3) All documents must be submitted to the OSRHE for consideration as soon as the candidate learns about TSEIP but no later than one year from his/her graduation date.
- (4) Additional documentation may be requested by the OSRHE before determining the eligibility of the late enrollees.

**610:25-27-5. Educational loan obligations for participant(s) with outstanding student loan debt**

In order to satisfy the educational loan obligation of the program, the Participant with outstanding student loan debt must:

- (1) Not rely on any TSEIP benefit disbursement to replace any scheduled student loan payment that is due and owing to any student loan holder.
- (2) Provide written notification to OSRHE ~~within 10 days of any written notification~~ of change of status on student loans, including notice of delinquency/default and the sale, transfer or consolidation of student loans to another lender or servicer.
- (3) Be free of any obligation to repay any state or federal educational grant and not be delinquent or in default on any state or federally insured educational loan. If, at any time, it is determined that a participant owes a grant refund or is in default on a loan, and has not made satisfactory payment arrangements, Participant ~~will~~ may be withdrawn from the TSEIP.

**610:25-27-6. Participant eligibility for benefits of the TSEIP**

In order to qualify to receive disbursement benefits under the TSEIP, the Participant must have:

- (1) Obtained an initial teaching license and then a certificate and provided eligible full-time teaching service under a regular teaching contract at an Oklahoma public school:
  - (A) at the secondary level,
  - (B) for five (5) consecutive school years,
  - (C) in the mathematics or science subject areas.

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(2) Completed the five years of teaching, as required, with not less than seventy-five percent (75%) of the teaching assignment meeting the criteria, ~~as described in (A) of this subparagraph set forth in paragraph (1) herein.~~

(3) Completed the first full year of eligible full-time teaching service, as described above, within twenty-five (25) months from the date of graduation from a four-year institution in Oklahoma.

(4) Notwithstanding the provisions of this subparagraph, Participants may apply to the employing school for a leave of absence when a serious illness, pregnancy or other natural cause prevents the Participant from continuing the coursework requirements or from providing consecutive full-time teaching service.

(A) Leaves of absence may not exceed more than one academic year and will not be included for the purpose of calculating the consecutive five (5) years of teaching service.

(B) Participants must present official school documentation to the OSRHE that a leave of absence ~~has been~~ was granted which meets the provisions of these rules. Official notification must be given within one year that the teacher has resumed the teaching duties or Participant ~~will~~ may be withdrawn from the program.

(5) A Reduction in Force will not eliminate a Participant from fulfilling the consecutive five-year obligation if the following provisions are met:

(A) Participant must provide to the OSRHE official documentation of the Reduction in Force.

(B) Participant must resume teaching mathematics or science at the secondary level at an Oklahoma public school within eighteen (18) months after the Reduction in Force.

### 610:25-27-7. Benefits to be disbursed under the program

(a) Under the provisions of the TSEIP, the OSRHE, *are authorized to make the employment incentive payments to persons who actually render a minimum of five (5) years of service as teachers in the public schools of this state if not less than seventy-five percent (75%) of the teaching assignment meets the criteria* [70 O.S. §698.3(B)], specified above.

(b) An Employment Compliance Form must be submitted to OSRHE upon completion of the 5<sup>th</sup> year of eligible teaching service. An authorized school official must complete the form.

(c) Depending on the June 30 student loan balance of any qualifying ~~student~~ Participant, as of the year that all program requirements are satisfied, and contingent upon the availability of funds, OSRHE will issue disbursements of program benefits directly to the ~~lenders/services of~~ qualifying ~~students~~ participants for the repayment of eligible student loans.

(d) *The total amount of employment incentive payments for any qualified person shall not exceed an amount equal to three times the average annual cost of undergraduate resident tuition and fees for full-time enrollment at institutions which offer*

*teacher education programs within The Oklahoma State System of Higher Education, as defined by the State Regents.* [70 O.S. § 698.3(B)]

(ed) Eligible loans will be repaid by the Participant in the following priority:

(1) First, all loans guaranteed by OSRHE, ranked first by rate of interest (highest to lowest) and secondly, by loan disbursement date (oldest to newest).

(2) Second, all other eligible loans ranked first by rate of interest (highest to lowest) and secondly, by loan disbursement date (oldest to newest).

(fe) Any amount of excess of the Participant's outstanding student loan balance, or the entire benefit amount for the participants with no outstanding student loan balance, shall be paid directly to any person otherwise eligible for employment incentive payments pursuant to this section.

(gf) If OSRHE determines that any TSEIP disbursement was authorized based on misleading or incorrect information, the Participant must reimburse such payment to OSRHE.

### 610:25-27-9. Verification and notification requirements

(a) Verification requirements which must be satisfied prior to disbursement of program benefits include:

(1) An Employment Compliance Form submitted to OSRHE ~~by June 30<sup>th</sup>~~ after the fifth year of eligible teaching service. An authorized school official must complete the form.

(2) The Loan Balance Verification Form must be submitted to OSRHE ~~by June 30 of in~~ the fifth year. The lender(s) must certify that the loans are in good standing and provide a June 30 balance.

(b) Until all mutual obligations of the Participation Agreement are satisfied, Participant must respond to all communications and requests from OSRHE within the time indicated.

(c) Until all mutual obligations of the Participation Agreement are satisfied, Participant must provide written notification to OSRHE ~~within 10 days~~ of any change in legal name or address of any change in status, which affects TSEIP eligibility.

[OAR Docket #08-388; filed 3-19-08]

## TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION CHAPTER 25. WILDLIFE RULES

[OAR Docket #08-454]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULE:

Subchapter 25. Wildlife Classified as Domesticated and Exempt from Licensing and Permit Requirements  
800:25-25-3. Exemptions

### AUTHORITY:

Title 29 O.S., Section 3-103, 4-107, 5-401 and 5-602; Section 1 and 3 of the Constitution of Oklahoma; Department of Wildlife Conservation.

**DATES:**

**Adoption:**

February 4, 2008

**Approved by Governor:**

March 11, 2008

**Effective:**

Upon Governor Approval

**Expiration:**

Effective through July 14, 2009, unless superseded by another rule or disapproved by the Legislature.

**SUPERSEDED EMERGENCY ACTION:**

n/a

**INCORPORATED BY REFERENCE:**

n/a

**FINDING OF EMERGENCY:**

This rule will bring Title 800 in to compliance with Title 29 Sections 4-107 and 5-602 and will clarify rules on wildlife species exemptions for commercial and non-commercial wildlife breeders.

**CONTACT PERSON:**

Larry Manering, Chief of Law Enforcement, 405/521-3719 or APA Liaison, Rhonda Hurst, Administrative Assistant, 405/522-6279.

**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 25. WILDLIFE CLASSIFIED AS DOMESTICATED AND EXEMPT FROM LICENSING AND PERMIT REQUIREMENTS**

**800:25-25-3. Exemptions**

(a) The following wildlife species are exempt from import and export permits, commercial wildlife breeders licenses, noncommercial wildlife breeders licenses and commercial hunting area license requirements.

- (1) Alpacas, guanacos and vicuans (all similar to llamas).
- (2) Bison.
- (3) Camels.
- (4) ~~Cats (except bobcats, lynx, mountain lions, tigers, lions, leopards, cheetahs, panthers, jaguars, jaguarandi, ocelots, margays, servals, any cat which will reach a weight of 50 pounds or more, and other such species normally found in the wild), (except native cats and bears).~~
- (5) Cattle (Bos sp.)
- (6) Chickens (domestic fowl, including guineas).
- (7) Chinchillas.
- (8) ~~Dogs and hybrid wolves (except coyotes, jackals, foxes, pure wolves and other such species normally found in the wild), (except coyotes and native foxes).~~
- (9) Exotic tropical fish (except those prohibited from import or possession by Commission regulation or statute)
- (10) Ferrets (except black-footed, Mustela nigripes).
- (11) Gerbils.
- (12) Goats
- (13) Guinea pigs.
- (14) Hamsters.
- (15) Hedgehogs.
- (16) Horse, donkeys and mules.

- (17) Llamas.
- (18) Mice (except those species normally found in the wild).
- (19) Native invertebrates (except crayfish and all fresh-water mussels including Zebra mussel and Asian clam).
- (20) Peafowl.
- (21) Pigeons.
- (22) Migratory waterfowl not listed as protected by Federal Regulation 50 CFR.
- (23) Pigs except javelinas.
- (24) Rabbits (except cottontails, jackrabbits and swamp rabbits, and other such species normally found in the wild).
- (25) Rats (except those species normally found in the wild).
- (26) Salt water crustaceans and mollusks (import for human consumption).
- (27) Sheep (except dall and bighorn sheep, Ovis sp.).
- (28) Turkeys (except Rio Grande, Eastern, Merriam and Osceola or any subspecies).
- (29) Zebras.
- (30) Gerboa.
- (31) Sugar gliders
- (32) Civits.
- (33) Wallaby.
- (34) Kangaroo.
- (35) Fennec Fox.
- (36) Coatimundi.
- (37) Primates.

(b) The following list of birds shall be exempt from import and export requirements, with the exception of those birds imported into the State of Oklahoma from countries outside the United States, its commonwealth's, territories or possessions. Upon reaching their final destination within the State of Oklahoma, such legally documented birds shall be considered a domesticated species and exempt from wildlife breeder's license requirements.

- (1) Cockatoos, cockatiels, canaries, macaws and exotic finches.
- (2) Psittacine birds (parrots, parakeets and budgerigars).
- (3) Ratite birds (ostriches, rheas and emus).

(c) Except as otherwise provided, monotypic species and subspecies of reptiles and amphibians not indigenous to Oklahoma are exempt from import and export requirements and commercial and noncommercial wildlife breeder's license; except those which are biologically capable of establishing self-sustaining populations in the wild of Oklahoma and which may be potentially injurious or detrimental to Oklahoma's wildlife, agriculture or public safety in accordance with existing USDI or APHIS regulations. All venomous reptiles belonging to the families Elapidae (cobras, coral snakes, etc.), Hydrophiidae (sea snakes), Viperidae (vipers), Crotalidae (rattlesnakes, copperheads, cottonmouths, etc.) and the genus Dispholidus (boomslangs) and Helodermatidae (Gila monsters, beaded lizards) and are not exempt from any requirements.

(d) Licensed Commercial or Noncommercial Wildlife Breeders are exempt from obtaining import/export permits

## **Emergency Adoptions**

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for quail, chuker and pheasant or eggs of same; however, such breeders must provide a monthly report of activities.

*[OAR Docket #08-454; filed 3-26-08]*

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# 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

**1:2008-10.**

### EXECUTIVE ORDER 2008-10

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 amend Executive Order 2007-11, which created the Governor's Task Force on Prevention of Underage Drinking.

The Task Force will be extended until two (2) years from the date of this Order. The Task Force shall make a final written report to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives. The remainder of Executive Order 2007-11 shall remain in full force and effect.

The purpose of the Task Force as extended shall be to monitor and implement the December 2006 Comprehensive Plan and Recommendations for Underage Drinking Prevention. The Task Force shall also evaluate proposed legislation for the legislative session to reduce youth access to alcohol, make recommendations to the Governor's Office regarding this legislation, and identify additional strategies to reduce and prevent underage access to alcohol.

This Executive Order shall be distributed to the Department of Mental Health and Substance Abuse Services, 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 14th day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:

Kathy Jekel

Acting Assistant Secretary of State

[OAR Docket #08-385; filed 3-18-08]

**1:2008-11.**

### EXECUTIVE ORDER 2008-11

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 Governor's Science and Technology Council. The Council was created by 74 O.S. 5060.40, but expired on July 1, 2007.

The Council shall consist of fourteen (14) members, who shall be appointed by the Governor and serve at the pleasure of the Governor and the Secretary of Science and Technology. The Secretary of Science and Technology shall chair the Council. The Council shall elect a vice-chair and such other officers as the Council deems appropriate.

The purpose of the Council shall be to identify and review targeted market opportunities for this state. The Council shall rank opportunities by specific area of opportunity to determine the best prospects for helping this state develop, advance, and gain recognition of market leadership. The Council's findings shall be presented to the Board of Directors of the Oklahoma Center for the Advancement of Science and Technology (OCAST) and the Office of the Governor in an annual report.

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 Center for the Advancement of Science and Technology.

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. Legislative members of the Council shall be reimbursed by their respective legislative bodies for necessary travel expenses incurred in the performance of their duties as authorized by state law. Remaining Council members shall be reimbursed travel expenses related to their service on the Council as authorized by state law by the Oklahoma Center for the Advancement of Science and Technology.

This Executive Order shall be distributed to the Oklahoma Center for the Advancement of Science and Technology, which shall cause the provisions of this Order to be implemented.

## Executive Orders

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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 14th day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
Kathy Jekel  
Acting Assistant Secretary of State

*[OAR Docket #08-386; filed 3-18-08]*

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**1:2008-12.**

### EXECUTIVE ORDER 2008-12

I, Jari Askins, 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. until 5:00 p.m. on Wednesday, March 19, 2008 to honor Captain Torre R. Mallard an Oklahoma resident, who died on Monday, March 10, 2008, at age 27 while serving in Iraq.

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 18th day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Jari Askins

ATTEST:  
Kathy Jekel  
Acting Assistant Secretary of State

*[OAR Docket #08-387; filed 3-18-08]*

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**1:2008-13.**

### EXECUTIVE ORDER 2008-13

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. to 5:00 p.m. on Friday, March 28, 2008, to honor former Oklahoma State Representative James Connor, an Oklahoma resident, who died on Monday, March 24, 2008, at age 76.

Connor served as the Washington County Attorney from 1961 through 1963. He was elected to the Oklahoma House of Representatives in 1963 and served until 1971. From 1967 to 1970, Connor served as the House Minority Floor Leader. Throughout his career, Connor served the people of Oklahoma with honor and distinction.

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 26 day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-480; filed 3-28-08]*

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**1:2008-14.**

### EXECUTIVE ORDER 2008-14

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the powers vested in me by the Oklahoma Statutes in 25 O.S. Section 82.1, hereby order the following dates be observed as holidays by the State of Oklahoma in 2009:

Thursday	January 1, 2009	New Year's Day
Monday	January 19, 2009	Martin Luther King, Jr. Day
Monday	February 16, 2009	President's Day
Monday	May 25, 2009	Memorial Day
Friday	July 3, 2009	Independence Day
Monday	September 7, 2009	Labor Day
Wednesday	November 11, 2009	Veterans Day
Thursday & Friday	November 26 & 27, 2009	Thanksgiving
Friday	December 25, 2009	Christmas

This Executive Order shall be forwarded to the Director of the Office of Personnel 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, Oklahoma, this 26 day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-481; filed 3-28-08]*

**1:2008-15.**

**EXECUTIVE ORDER 2008-15**

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. Severe storms and flooding beginning March 17, 2008, and continuing through March 23, 2008, have caused extensive damage to public and private properties within the State of Oklahoma; and said damages have caused an undue hardship on the citizens of this State.
2. It may be necessary to provide for the rendering of mutual aid 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 disaster emergency caused by the severe storms and flooding in the State of Oklahoma that threatens the lives and property of the people of this State and the public's peace, health and safety. The counties included in this declaration are:

Adair, Bryan, Caddo, Cherokee, Cotton, Craig, Creek, Delaware, Grady, Haskell, Latimer, LeFlore, Mayes, McCurtain, McIntosh, Muskogee, Nowata, Okfuskee, Okmulgee, Ottawa, Pittsburg, Pontotoc, Pushmataha, Rogers, Sequoyah, Tulsa and Wagoner.

This declaration may be amended to add counties as conditions warrant.

4. 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.

5. State agencies, in responding to this disaster emergency, may make necessary emergency acquisitions to fulfill the purposes of this proclamation without regard to limitations or bidding requirements on such acquisitions.

6. This Executive Order shall terminate at the end of thirty (30) days.

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 set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 27th day of March, 2008.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Brad Henry

ATTEST:  
M. Susan Savage  
Secretary of State

*[OAR Docket #08-482; filed 3-28-08]*

