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

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Notices of Rulemaking Intent

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

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

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

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

[OAR Docket #09-1272]

RULEMAKING ACTION:

Notice of proposed **PERMANENT** rulemaking

PROPOSED RULES:

Subchapter 15. Equine Infectious Anemia (EIA)

Part 3. Procedures [AMENDED]

SUMMARY:

The proposed rules amend the procedures for testing of horses for Equine Infectious Anemia (EIA). The rules will specify testing frequency requirements and procedures for EIA laboratories and will implement annual laboratory fees for approved EIA laboratories and owner fees for official sample analysis.

AUTHORITY:

Oklahoma State Board of Agriculture; 2 O.S. §§ 2-4 and 6-281 et seq.; Article 6, Section 31, Constitution of the State of Oklahoma.

COMMENT PERIOD:

Persons may submit written comments to Teena Gunter at teena.gunter@oda.state.ok.us, or 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period from October 15, 2009 through November 16, 2009.

PUBLIC HEARING:

A public hearing will be held at 1:30 p.m., November 16, 2009, in the Board Room of the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Teena Gunter at the above address during the period from October 15, 2009 through November 16, 2009.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting www.ag.ok.gov/proposedrules or by contacting Teena Gunter at the above address.

RULE IMPACT STATEMENT:

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

CONTACT PERSON:

Dr. Becky Brewer-Walker, (405) 522-0270, e-mail address: becky.brewer@oda.state.ok.us

[OAR Docket #09-1272; filed 9-25-09]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 20. EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW

[OAR Docket #09-1271]

RULEMAKING ACTION:

Notice of proposed **PERMANENT** rulemaking

PROPOSED RULES:

252:20-1-3. [AMENDED]

SUMMARY:

The purpose of this rule amendment is to update the incorporation by reference of federal rules from 2004 to 2009. In 2008, EPA finalized several changes to the Emergency Planning and Community Right-to-Know Act (EPCRA) regulations (40 CFR Parts 355 and 370). These changes are being incorporated by reference in this rule amendment.

There are only minor changes to the emergency planning and emergency release notification sections. For hazardous chemical reporting regulations, there are changes regarding the Tier I and Tier II forms, as well as changes in how to report hazardous chemicals in a mixture.

The Tier I and Tier II forms and their instructions have been removed from the code of federal regulations (CFR). They may now be found on EPA's Web site: www.epa.gov/emergencies. The revised regulation includes a description of the requirements for Tier I and Tier II. Facilities are now required to report their North American Industry Classification System (NAICS) code on the Tier I or Tier II form. Also, the chemical or common name of the chemical as provided on the Material Safety Data Sheet must be provided on the Tier II form.

When determining whether the threshold quantity of an extremely hazardous substance (EHS) has been met, facilities must include the total quantity of that EHS present in the pure form as well as in any mixture, even if any mixture including the EHS is also being reported as a hazardous chemical.

For hazardous chemicals that are mixtures and do not contain any extremely hazardous substance, facilities have an

Notices of Rulemaking Intent

option when determining whether the threshold quantity is present: (1) add together the quantity present in its pure form and as a component in all mixtures (even if the mixture is also being reported as a hazardous chemical), or (2) consider the total quantity of each mixture separately.

AUTHORITY:

Environmental Quality Board; 27A O.S. §§2-2-101, 2-2-201 and 4-2-102.

COMMENT PERIOD:

Deliver or mail written comments on the proposed rules to the contact person from October 15 through November 16, 2009. Oral comments may be made at the meeting of the Environmental Quality Board on November 19, 2009.

PUBLIC HEARINGS:

Before the Environmental Quality Board at 9:30 on November 19, 2009, at the East Central University, Regents Room, 1100 14th Street, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

COPY OF PROPOSED RULE CHANGES:

A copy of the proposed rules may be obtained from the contact person or may be viewed on the DEQ web site at www.deq.ok.gov or may be reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

The Rule Impact Statement for the proposed rules will be on file at the Department of Environmental Quality and may be requested from the contact person.

CONTACT PERSON:

Monty Elder, Customer Services Division, Department of Environmental Quality, P.O. Box 1677, Oklahoma City, OK 73101-1677, e-mail at monty.elder@deq.ok.gov, phone 405-702-1000, or fax 405-702-1001.

ADDITIONAL INFORMATION:

Persons with disabilities who desire to attend the public hearing to be held before the Environmental Quality Board and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702-5100 or by using TDD relay number 1-800-522-8506.

[OAR Docket #09-1271; filed 9-24-09]

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

[OAR Docket #09-1266]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

435:10-1-4. Definitions [AMENDED]

Subchapter 7. Regulation of Physician and Surgeon Practice

435:10-7-4. Unprofessional conduct [AMENDED]

SUMMARY:

The proposed amendments clarify the definition of a physician/patient relationship and add to the rules of unprofessional conduct failure to establish an appropriate relationship prior to treating a patient.

AUTHORITY:

TITLE 59 O.S., Section 489, State Board of Medical Licensure and Supervision

COMMENT PERIOD:

The comment period will run from October 1, 2009 to November 16, 2009. Written comments may be sent to the office of the Board, PO Box 18256, Oklahoma City, OK 73154.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views on November 19, 2009, 9:00 a.m. at the office of the Board, 101 NE 51st Street, Oklahoma City, Oklahoma. Written notice of intent to make oral comment must be received by this office no later than November 16, 2009.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained at the office of the Board, 5104 North Francis Avenue, Suite C, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

A rule impact statement will be prepared and available after October 1, 2009 at the office of the Board, 5104 North Francis Avenue, Suite C, Oklahoma City, Oklahoma 73118.

CONTACT PERSON:

Kathy Plant, Executive Secretary (405) 848-6841, ext. 122

[OAR Docket #09-1266; filed 9-24-09]

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
CHAPTER 65. ANESTHESIOLOGIST ASSISTANTS**

[OAR Docket #09-1267]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. Administration and organization [NEW]
- 435:65-1-3. License required [RENUMBERED TO 435:65-3-1]
- 435:65-1-3.1. Definitions [NEW]
- 435:65-1-4. Application for initial licensure/renewal of license [RENUMBERED TO 435:65-3-2]
- 435:65-1-4.1. Advisory Committee on Anesthesiologist Assistants - terms of members - removal from Committee [NEW]
- 435:65-1-5. Supervision [RENUMBERED TO 435:65-7-1]
- 435:65-1-5.1. Method of operations - Committee meetings - quorum - advise Board [NEW]
- 435:65-1-8. Fees [REVOKED]
- Subchapter 3. Application for licensure [NEW]
- 435:65-3-1. License required [NEW]
- 435:65-3-2. Application for initial licensure/renewal of license - procedures [NEW]
- 435:65-3-3. Required documentation [NEW]
- 435:65-3-4. Authorization to practice temporarily [NEW]
- 435:65-3-5. Licensure by endorsement [NEW]
- Subchapter 5. Biennial renewal [NEW]
- 435:65-5-1. Requirements for renewal of license [NEW]
- 435:65-5-2. Renewal procedure [NEW]
- 435:65-5-3. Late renewal [NEW]
- Subchapter 7. Regulation of practice [NEW]
- 435:65-7-1. Supervision [NEW]
- 435:65-7-2. Supervision; physician responsibility; independent care prohibited [NEW]

SUMMARY:

HB 1577 created the Anesthesiologist Assistant Act effective November 1, 2008. The proposed amended and new rules will enhance the ability of the Board of Medical Licensure and Supervision to regulate this new profession.

AUTHORITY:

TITLE 59 O.S., Section 489 and Section 3204, State Board of Medical Licensure and Supervision

COMMENT PERIOD:

The comment period will run from October 1, 2009 to November 16, 2009. Written comments may be sent to the office of the Board, PO Box 18256, Oklahoma City, OK 73154

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views on November 19, 2009, 9:00 a.m. at the office of the Board, 101 NE 51st Street, Oklahoma City, Oklahoma. Written notice of intent to make

oral comment must be received by this office no later than November 16, 2009.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained at the office of the Board, 5104 North Francis Avenue, Suite C, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

A rule impact statement will be prepared and available after October 1, 2009 at the office of the Board, 5104 North Francis Avenue, Suite C, Oklahoma City, Oklahoma 73118.

CONTACT PERSON:

Kathy Plant, Executive Secretary (405) 848-6841, ext. 122

[OAR Docket #09-1267; filed 9-24-09]

**TITLE 712. OKLAHOMA COMMISSION FOR TEACHER PREPARATION
CHAPTER 10. TEACHER PREPARATION PROGRAM ACCREDITATION**

[OAR Docket #09-1268]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Teacher Preparation Program Accreditation
- 712:10-5-1 [AMENDED]
- 712:10-5-2 [AMENDED]
- 712:10-5-3 [AMENDED]
- 712:10-5-4 [AMENDED]
- Subchapter 7. Teacher Preparation Teacher Assessment
- 712:10-7-1 [AMENDED]
- Subchapter 9. Professional Development Institutes
- 712: 10-9-1 [AMENDED]
- Subchapter 11. Education Leadership Oklahoma
- 712: 10-11-1 [AMENDED]
- Appendix A. Competency Exam Requirements by Certification Areas [REVOKED]
- Appendix A. Competency Exam Requirements by Certification Areas [NEW]

SUMMARY:

The proposed Teacher Preparation Program Accreditation revisions would require that institutions which offer programs in elementary, early childhood education, or special education report annually to OCTP the results of the comprehensive assessment of teaching skills in the area of reading instruction which is administered to all candidates in these programs. The revisions would also align program review and unit accreditation decisions and terminology with those of the National Council for Accreditation of Teacher Education (NCATE). The proposed Assessment rule changes would establish testing requirements for new certification area and

Notices of Rulemaking Intent

would clarify testing requirements for examinees seeking certification via the Alternative Placement program or by the additional certification route. The proposed Education Leadership Oklahoma rule changes would provide clarification for funding and serving on the selection committee of Education Leadership Oklahoma scholarships. The proposed Professional Development Institutes revisions include the replacement of outdated criteria for professional development with the updated requirement of scientifically research-based professional development. Revisions also include language from House Bill 1837 that requires OCTP to establish an Inner City Rescue Program and to promulgate rules for implementation.

AUTHORITY:

Oklahoma Commission for Teacher Preparation
70 O.S. Supp. 1998, §6-180 et seq. Oklahoma Teacher Preparation Act

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 8:30 a.m.

On November 16, 2009 at the following address: Ted Gillispie, Oklahoma Commission

For Teacher Preparation, 3545 NW 58th Street, Suite 200, Oklahoma City, OK 73112-4725.

PUBLIC HEARING:

A public hearing will be held from 9:00 a.m. to 11:00 a.m. on Monday, November 16, 2009 in the Gene Howard Board

Room, Landmark Towers, 3545 NW 58th St., Oklahoma City, OK, 73112-4725.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

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

COPIES OF PROPOSED RULES:

Copies of the proposed rule may be obtained from the Commission for Teacher Preparation, 3545 NW 58th Street, Suite 200, Oklahoma City, OK 73112-4725.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303 (D), a rule impact statement will be prepared and may be obtained from the Commission for Teacher Preparation at the above address beginning on October 30, 2009.

CONTACT PERSON:

Ted Gillispie, Executive Director, (405) 525-2612

[OAR Docket #09-1268; filed 9-24-09]

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.

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

[OAR Docket #09-1265]

RULEMAKING ACTION:

Gubernatorial approval

RULES:

Subchapter 1. General Provisions of Child Welfare Services

Part 1. Scope and Applicability

340:75-1-18 through 340:75-1-18.1 [AMENDED]

340:75-1-18.4 [NEW]

Part 3. Child Welfare Confidentiality

340:75-1-44 [AMENDED]

Part 10. Oklahoma Children's Services (OCS)

340:75-1-152 [AMENDED]

340:75-1-152.5 [AMENDED]

Subchapter 6. Permanency Planning

Part 1. General Provisions

340:75-6-4 [AMENDED]

Part 5. Permanency Planning Services

340:75-6-31 [AMENDED]

Part 8. Role of the Child Welfare Worker

340:75-6-48 [AMENDED]

340:75-6-50 [AMENDED]

Part 11. Permanency Planning and Placement Services

340:75-6-85 through 340:75-6-85.1 [AMENDED]

340:75-6-85.6 [AMENDED]

340:75-6-88 [AMENDED]

Subchapter 7. Foster Home Care

Part 2. Development of Resources

340:75-7-24 [AMENDED]

Subchapter 8. Therapeutic Foster Care and Developmental Disabilities Services

Part 1. Therapeutic Foster Care

340:75-8-6 through 340:75-8-9 [AMENDED]

Subchapter 11. Child Welfare Community-Based Residential Care

Part 17. Contracted Community-Based Residential Care Providers

340:75-11-233.1 [AMENDED]

Part 19. Residential Diagnostic and Evaluation Services
340:75-11-250 [AMENDED]

Part 22. Substance Abuse Treatment Services [AMENDED]
340:75-11-275 [AMENDED]

Part 23. Specialized Community Homes
340:75-11-289 [AMENDED]

Part 25. Non-funded and Funded Contracted Level B Placements

340:75-11-300 [AMENDED]

Part 27. Residential Maternity Services

340:75-11-320 [AMENDED]

340:75-11-321 [AMENDED]

Part 29. Non-Funded and Funded Level C Placements

340:75-11-330 [AMENDED]

Part 31. Contracted Level D Placements

340:75-11-350 [AMENDED]

Part 33. Contracted Level D Plus and Level E Placements

340:75-11-360 [AMENDED]

Subchapter 13. Other Child Welfare Services and Medical Services for Children in Out-of-Home Care

Part 1. Eligibility for Substitute Care Services and Claims for Payment

340:75-13-10 [AMENDED]

Subchapter 15. Adoptions

Part 2. Legal Base and Scope of the Adoption Program

340:75-15-5 [AMENDED]

340:75-15-7 [AMENDED]

Part 6. Adoption Process

340:75-15-41 [AMENDED]

340:75-15-43 [AMENDED]

Part 10. Adoptive Family Assessment and Preparation Process

340:75-15-82 through 340:75-15-84 [AMENDED]

340:75-15-87 through 340:75-15-89 [AMENDED]

340:75-15-91 [AMENDED]

(Reference APA WF 08-11 and 08-16)

GUBERNATORIAL APPROVAL:

March 2, 2009

[OAR Docket #09-1265; filed 9-11-09]

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 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 30. CONSUMER PROTECTION

UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(D):

[OAR Docket #09-1269]

SUBCHAPTER 27. FEED

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 27. Feed
Part 1. Commercial Feed
35:30-27-9.1 [NEW]

AUTHORITY:

State Board of Agriculture and the Oklahoma Agricultural Code; 2 O.S. 2001 §§ 2-4 (2), (28), and (29), 8-41.1 et seq.; Article 6, Section 31, Constitution of the State of Oklahoma

DATES:

Adoption:

August 27, 2009

Approved by Governor:

August 31, 2009

Effective:

Immediately upon Governor's approval

Expiration:

Effective through July 14, 2010 unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

Aflatoxin contamination is a public health risk if it enters the human food chain, and is also a risk to certain types of livestock when used as a feed ingredient. This rule is necessary to allow for the proper utilization of whole corn which contains aflatoxin above the levels normally allowed for use in animal feed. The State Board of Agriculture finds that a compelling public interest exists to demand the passage of these requirements as an emergency rule.

ANALYSIS:

Pursuant to the authority of the Oklahoma Department of Agriculture, Food, and Forestry and the recommendation of the Secretary of Agriculture, this emergency rule will allow a commercial handler of whole corn to blend those lots of whole corn originally containing more than 300 ppb but no more than 500 ppb of total aflatoxins, provided certain provisions as outlined in this rule are followed. As a result of the weather conditions experienced during this year's growing season, early indications are that the Oklahoma corn crop may be severely impacted by aflatoxin contamination.

CONTACT PERSON:

Teena G. Gunter, (405) 522-4576, teena.gunter@oda.state.ok.us

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN,
THE FOLLOWING EMERGENCY RULES ARE
CONSIDERED PROMULGATED AND EFFECTIVE**

PART 1. COMMERCIAL FEED

35:30-27-9.1. Aflatoxin contaminated corn as a feed ingredient

(a) Aflatoxin contaminated corn when unblended may be used as a feed ingredient pursuant to the following action levels:

(1) Less than 20 ppb total aflatoxins may be utilized as a feed ingredient intended for dairy animals, immature animals, animals not listed below, or other undesigned uses.

(2) One (1) to 100 ppb total aflatoxins may be utilized as a feed ingredient intended for breeding cattle, breeding swine, and mature poultry.

(3) One (1) to 200 ppb total aflatoxins may be utilized as a feed ingredient intended for finishing swine over 100 pounds.

(4) One (1) to 300 ppb total aflatoxins may be utilized as a feed ingredient intended for finishing beef cattle in confinement.

(b) A commercial handler of whole corn may blend lots of whole corn originally containing more than 300 ppb but not more than 500 ppb of total aflatoxins, pursuant to the following restrictions:

(1) The final lot of blended corn shall contain less than 200 ppb total aflatoxins as determined by a commercial laboratory using approved Association of Analytical Chemists International (AOACI) methods, or the Oklahoma Department of Agriculture, Food, and Forestry laboratory.

(2) The blended corn shall only be used as a feed ingredient intended for finishing beef cattle in confinement even if the final blended product contains less than 20 ppb.

(3) The blended corn shall be prohibited from distribution into interstate commerce or conversion to any other use.

Emergency Adoptions

- (4) The facility shall maintain records indicating the amount of corn blended, the aflatoxin laboratory test results, and distribution records for a minimum of two (2) years and the records shall be made available to the Department upon request.
- (c) The label requirements for corn containing aflatoxin shall be the following:
- (1) Whole, unblended corn containing total aflatoxins of 20 ppb or more shall be accompanied by a label bearing the range of aflatoxin contamination (i.e. if the test indicates 50 ppb the range should be 20 - 100 ppb), the intended species in accordance with the listed action levels, and the appropriate warning statement pursuant to the general format listed below:
- (A) Feed corn.
- (B) This product contains between _____ and _____ ppb aflatoxin. May be fed to _____.
- (C) WARNINGS: This product may not be fed to dairy animals or immature animals. Not for human use.

- (D) Supplier's name, address, and city/state/zip.
- (E) Net wt. _____ lb. (_____ kg).
- (2) The blended corn shall be accompanied by a label indicating that the corn is blended, the level of total aflatoxins in the final blended product, the date of laboratory analysis, the intended use, and the appropriate warning statement pursuant to the general format listed below:
- (A) Blended corn.
- (B) For finishing beef cattle in confinement only.
- (C) This product contains _____ ppb aflatoxin, as determined by laboratory analysis on _____.
- (D) WARNINGS: Feed only to finishing beef cattle fed in confinement. Not for human use.
- (E) Manufactured by: Manufacturer's name, address, and city/state/zip.
- (F) Net wt. _____ lb. (_____ kg).

[OAR Docket #09-1269; filed 9-24-09]

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

1:2009-33.

EXECUTIVE ORDER 2009-33

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. until 5:00 p.m. on Tuesday, September 22, 2009, to honor First Lieutenant David T. Wright II, an Oklahoma resident, who died on Monday, September 14, 2009, at age 22 while serving in Afghanistan.

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 22nd day of September, 2009.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Brad Henry

ATTEST:

Robbie Tittle

Acting Assistant Secretary of State

[OAR Docket #09-1270; filed 9-24-09]

1:2009-33a.

AMENDED EXECUTIVE ORDER 2009-33

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. until 5:00 p.m. on Tuesday, September 22, 2009, to honor First Lieutenant David T. Wright II, an Oklahoma resident, who died on Monday, September 14, 2009, at age 26 while serving in Afghanistan.

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 22nd day of September, 2009.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Brad Henry

ATTEST:

M. Susan Savage
Secretary of State

[OAR Docket #09-1273; filed 9-30-09]

1:2009-34.

EXECUTIVE ORDER 2009-34

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 Tuesday, September 29, 2009 until 5:00 p.m. on the day of interment to honor Governor Henry Bellmon.

Henry Bellmon, the former Oklahoma Governor and U.S. Senator, passed away after a long battle with Parkinson's disease. Governor Bellmon was 88 years old. He became the first Republican governor since statehood in 1963 and later won a second term, serving from 1987 - 1991. He won election to the U.S. Senate in 1968 and 1974.

Governor Bellmon was a true giant in Oklahoma, a leader of unparalleled honesty, integrity and conviction. The First Lady and I join all Oklahomans in mourning the passing of Governor Bellmon.

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.

Executive Orders

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 29th day of September, 2009.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Brad Henry

ATTEST:

M. Susan Savage
Secretary of State

[OAR Docket #09-1274; filed 9-30-09]
