

Volume 30
Number 13
March 15, 2013
Pages 377 - 398

The Oklahoma Register

Oklahoma
Secretary of State
Office of Administrative Rules



Mary Fallin, Governor
V. Glenn Coffee,
Secretary of State
Peggy Coe, Editor-in-Chief

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

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

Ada - East Central University, Linscheid Library
Alva - Northwestern Oklahoma State University,
J.W. Martin Library
Bartlesville - Bartlesville Public Library
Claremore - Rogers State University, Stratton Taylor Library
Clinton - Clinton Public Library
Durant - Southeastern Oklahoma State University, H.G.
Bennett Memorial Library
Edmond - University of Central Oklahoma, Chambers Library
Enid - Public Library of Enid and Garfield County
Goodwell - Oklahoma Panhandle State University
Lawton - Lawton Public Library
McAlester - McAlester Public Library

Norman - University of Oklahoma, Bizzell Memorial
Library
Oklahoma City - Metropolitan Library System
Oklahoma City - Oklahoma Department of Libraries
Stillwater - Oklahoma State University, Edmon Low
Library
Tahlequah - Northeastern State University, John
Vaughan Library
Tulsa - Tulsa City-County Library System
Tulsa - University of Tulsa, McFarlin Library
Weatherford - Southwestern Oklahoma State
University, Al Harris Library

CITE MATERIAL PUBLISHED IN THE OKLAHOMA REGISTER by the volume and the beginning page number of the document in the *Register*. For example: 30 *Ok Reg* 256.

SUBSCRIPTION RATES for the *Register* are \$500.00 per year for the printed issues and \$300.00 per year for the CD-ROM issues, payable in advance. When available, individual printed issues may be purchased for \$20.00 plus the cost of postage, payable in advance. Make checks payable to "Secretary of State." Send subscription requests, change of address notices, and undelivered copies to: Secretary of State, Office of Administrative Rules, 2300 N. Lincoln Boulevard, Suite 101, Oklahoma City, OK 73105.

INFORMATION ABOUT THIS PUBLICATION may be obtained by contacting the OAR by mail at Oklahoma Secretary of State, Office of Administrative Rules, 2300 North Lincoln Boulevard, Suite 101, Oklahoma City, OK 73105, by phone at (405) 521-4911, or by fax at (405) 522-3555. Information may also be obtained by visiting the OAR's office, located in Room 220, Will Rogers Building, 2401 N. Lincoln Boulevard, Oklahoma City, between 8:00 a.m. and 5:00 p.m., Monday through Friday.

This publication is issued and printed by the Secretary of State as authorized by 75 O.S., Section 255. 53 copies have been prepared and distributed at a cost of \$141.07. Copies have been deposited with the Oklahoma Department of Libraries, Publications Clearinghouse.

ISSN 0030-1728

Table of Contents

Agency/Action/Subject Index	iii
Rules Affected Index	iv
Agency Index (Title numbers assigned)	v
Notices of Rulemaking Intent	
Environmental Quality, Department of (Title 252)	377
Submissions for Review	
Funeral Board, Oklahoma (Title 235)	379
Horse Racing Commission, Oklahoma (Title 325)	379, 380, 381, 382
Human Services, Department of (Title 340)	383, 384, 385, 387
Juvenile Affairs, Office of (Title 377)	388, 389
Teacher Preparation, Oklahoma Commission for (Title 712)	389
Transportation, Department of (Title 730)	390
Wildlife Conservation, Department of (Title 800)	390, 391
Gubernatorial Approvals	
Public Employees Retirement System, Oklahoma (Title 590)	393
Emergency Adoptions	
Horse Racing Commission, Oklahoma (Title 325)	395
Executive Orders (Title 1)	397

Agency/Action/Subject Index

FUNERAL Board, Oklahoma (Title 235)

Submissions for Review

- Administrative Operations (Chapter 1) 379
- Funeral Services Licensing (Chapter 10) 379

ENVIRONMENTAL Quality, Department of (Title 252)

Notices of Rulemaking Intent

- Air Pollution Control (Chapter 100) 377

GOVERNOR

Executive Orders

- Ordering flags at half-staff to honor Former Representative Kenneth "Ken" Nance (13-5) 397
- Declaring a disaster emergency caused by severe storms, winter storms, excessive snow, and flooding in 56 counties (13-6) 397
- Temporarily suspending certain regulatory requirements as they apply to vehicles used for storm relief in Oklahoma (13-7) 398

HORSE Racing Commission, Oklahoma (Title 325)

Submissions for Review

- Commission Powers and Jurisdiction (Chapter 1) 379
- Racing Organization (Chapter 10) 380
- Licensing (Chapter 15) 380
- Racing Officials and Racing Personnel (Chapter 20) 380
- Entries and Declarations (Chapter 25) 380
- Claiming Races (Chapter 30) 380
- General Conduct (Chapter 35) 381
- Veterinarian Practices (Chapter 40) 381
- Medication and Equine Testing Procedures (Chapter 45) 381
- Human Substance Abuse Testing (Chapter 50) 381
- Fire Prevention and Security (Chapter 55) 381
- Running the Race (Chapter 60) 382
- Pari-Mutuel Wagering (Chapter 65) 382
- Objections and Protests; Hearings and Appeals (Chapter 70) 382
- Oklahoma-Bred Program (Chapter 75) 382

Emergency Adoptions

- Racing Officials and Racing Personnel (Chapter 20) 395

HUMAN Services, Department of (Title 340)

Submissions for Review

- Administrative Components (Chapter 2) 383
- Adult Protective Services (Chapter 5) 383
- Temporary Assistance for Needy Families (TANF) (Chapter 10) 383
- Oklahoma Child Support Services (Chapter 25) 384
- Child Care Subsidy Program (Chapter 40) 384

HUMAN Services, Department of – continued

Submissions for Review – continued

- Supplemental Nutrition Assistance Program (Chapter 50) 384
- Public Assistance Procedures (Chapter 65) 385
- Social Services (Chapter 70) 385
- Child Welfare (Chapter 75) 385
- Developmental Disabilities Services Division (Chapter 100) 387
- Field Operations Division [REVOKED] (Chapter 115) ... 387

JUVENILE Affairs, Office of (Title 377)

Submissions for Review

- Function and Structure of the Office of Juvenile Affairs (Chapter 1) 388
- Administrative Services (Chapter 3) 388
- Release from Institutional Placement (Chapter 5) 388
- Office of Juvenile Affairs (Chapter 10) 388, 389
- Community-Based Youth Services (Chapter 15) 389
- Juvenile Services Unit (Chapter 25) 389
- Institutional Services (Chapter 35) 389

PUBLIC Employees Retirement System, Oklahoma (Title 590)

Gubernatorial Approvals

- Public Employees Retirement System (Chapter 10) 393
- Uniform Retirement System for Justices and Judges (Chapter 15) 393
- Deferred Compensation (Chapter 25) 393
- Deferred Savings Incentive Plan (Chapter 35) 393

TEACHER Preparation, Oklahoma Commission for (Title 712)

Submissions for Review

- Teacher Preparation Program Accreditation (Chapter 10) 389

TRANSPORTATION, Department of (Title 730)

Submissions for Review

- Highway Design (Chapter 30) 390

WILDLIFE Conservation, Department of (Title 800)

Submissions for Review

- Sport Fishing Rules (Chapter 10) 390
- Commercial Harvest Rules; Aquatic Species (Chapter 15) 390
- Restriction on Aquatic Species Introduction (Chapter 20) 390
- Wildlife Rules (Chapter 25) 391
- Department of Wildlife Lands Management (Chapter 30) 391

Rules Affected Index

[(E) = Emergency action]

Rule	Register Page	Rule	Register Page
150:140-1-1. [NEW] (E)	101	530:10-21-11. [NEW] (E)	204
150:140-1-2. [NEW] (E)	101	530:10-21-12. [NEW] (E)	204
150:140-1-3. [NEW] (E)	101	595:10-11-1. [NEW] (E)	204
150:140-1-4. [NEW] (E)	102	595:10-11-2. [NEW] (E)	204
150:140-1-5. [NEW] (E)	102	595:10-11-3. [NEW] (E)	204
150:140-1-6. [NEW] (E)	103	595:10-11-5. [NEW] (E)	205
252:303-1-1. [AMENDED] (E)	202	595:10-11-6. [NEW] (E)	205
317:30-3-25. [AMENDED] (E)	371	595:10-11-7. [NEW] (E)	206
317:30-5-2. [AMENDED] (E)	327	595:10-11-8. [NEW] (E)	206
317:30-5-122. [AMENDED] (E)	371	595:10-11-9. [NEW] (E)	206
317:30-5-240.1. [AMENDED] (E)	332	595:10-11-10. [NEW] (E)	206
317:30-5-241. [AMENDED] (E)	334	595:10-11-11. [NEW] (E)	207
317:30-5-241.3. [AMENDED] (E)	334	595:10-11-12. [NEW] (E)	207
317:30-5-291. [AMENDED] (E)	337	595:10-11-13. [NEW] (E)	207
317:30-5-296. [AMENDED] (E)	337	595:10-11-14. [NEW] (E)	207
317:30-5-676. [AMENDED] (E)	337	595:10-11-15. [NEW] (E)	208
317:35-5-41.6. [AMENDED] (E)	273	595:10-11-16. [NEW] (E)	208
325:20-1-22. [AMENDED] (E)	396	595:11-1-15. [AMENDED] (E)	209
330:30-2-8.1. [AMENDED] (E)	23	595:11-1-16. [AMENDED] (E)	209
340:10-2-3. [AMENDED] (E)	338	595:11-1-17. [NEW] (E)	210
340:10-2-6. [AMENDED] (E)	339	595:11-1-18. [NEW] (E)	210
340:10-3-56. [AMENDED] (E)	339	710:1-5-110. [NEW] (E)	104
340:10-3-57. [AMENDED] (E)	341	710:1-5-111. [NEW] (E)	104
340:10-4-1. [NEW] (E)	344	710:1-5-112. [NEW] (E)	104
340:10-10-3. [AMENDED] (E)	345	710:1-5-113. [NEW] (E)	104
340:40-7-8. [AMENDED] (E)	347	710:1-5-114. [NEW] (E)	104
377:3-11-2. [AMENDED] (E)	137	710:1-5-115. [NEW] (E)	105
377:3-11-5. [AMENDED] (E)	137	710:1-5-116. [NEW] (E)	105
377:3-11-10. [AMENDED] (E)	138	710:1-5-117. [NEW] (E)	105
377:3-11-11. [AMENDED] (E)	138	710:1-5-118. [NEW] (E)	105
377:15-11-1. [NEW] (E)	278	710:1-5-119. [NEW] (E)	105
377:15-11-2. [NEW] (E)	278	710:1-5-120. [NEW] (E)	105
377:15-11-3. [NEW] (E)	278	710:1-5-121. [NEW] (E)	105
377:35-9-8. [AMENDED] (E)	139	710:1-5-122. [NEW] (E)	106
530:10-9-92. [AMENDED] (E)	351	715:10-17-6. [AMENDED] (E)	73
530:10-15-48. [AMENDED] (E)	202	748:3-1-2. [AMENDED] (E)	106
530:10-21-10. [NEW] (E)	203	748:5-3-1. [AMENDED] (E)	107

Agency/Title Index

[Assigned as of 3-15-13]

Agency	Title	Agency	Title
Oklahoma ABSTRACTORS Board	5	EDGE Fund Policy Board	208
Oklahoma ACCOUNTANCY Board	10	State Department of EDUCATION	210
State ACCREDITING Agency	15	EDUCATION Oversight Board	215
AD Valorem Task Force (<i>abolished 7-1-93</i>)	20	Oklahoma EDUCATIONAL Television Authority	220
Oklahoma AERONAUTICS Commission	25	[RESERVED]	225
Board of Regents for the Oklahoma AGRICULTURAL and Mechanical Colleges (<i>exempted 11-1-98</i>)	30	State ELECTION Board	230
Oklahoma Department of AGRICULTURE , Food, and Forestry	35	Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of EMBALMERS and Funeral Directors)	235
Oklahoma Board of Licensed ALCOHOL and Drug Counselors	38	Oklahoma Department of EMERGENCY Management (<i>Formerly</i> : Department of CIVIL Emergency Management) - <i>See</i> Title 145	
Board of Tests for ALCOHOL and Drug Influence	40	Oklahoma EMPLOYMENT Security Commission	240
ALCOHOLIC Beverage Laws Enforcement Commission	45	Oklahoma ENERGY Resources Board	243
ANATOMICAL Board of the State of Oklahoma	50	State Board of Licensure for Professional ENGINEERS and Land Surveyors (<i>Formerly</i> : State Board of Registration for Professional ENGINEERS and Land Surveyors)	245
Board of Governors of the Licensed ARCHITECTS , Landscape Architects and Registered Interior Designers of Oklahoma (<i>Formerly</i> : Board of Governors of the Licensed ARCHITECTS and Landscape Architects of Oklahoma; and Board of Governors of the Licensed ARCHITECTS , Landscape Architects and Interior Designers of Oklahoma)	55	Board of Trustees for the ENID Higher Education Program (<i>exempted 11-1-98</i>)	250
ARCHIVES and Records Commission	60	Department of ENVIRONMENTAL Quality	252
Board of Trustees for the ARDMORE Higher Education Program (<i>exempted 11-1-98</i>)	65	State Board of EQUALIZATION	255
Oklahoma ARTS Council	70	ETHICS Commission (<i>Title revoked</i>)	257
Oklahoma State ATHLETIC Commission (<i>Formerly</i> : Oklahoma Professional BOXING Commission) - <i>See</i> Title 92		ETHICS Commission	258
ATTORNEY General	75	Office of State FINANCE	260
State AUDITOR and Inspector	80	State FIRE Marshal Commission	265
State BANKING Department	85	Oklahoma Council on FIREFIGHTER Training	268
Oklahoma State Employees BENEFITS Council	87	Oklahoma FIREFIGHTERS Pension and Retirement System	270
Council of BOND Oversight	90	[RESERVED]	275
Oklahoma State ATHLETIC Commission (<i>Formerly</i> : Oklahoma Professional BOXING Commission)	92	FORENSIC Review Board	277
State BURIAL Board (<i>abolished 7-1-92</i>)	95	State Board of Registration for FORESTERS	280
[RESERVED]	100	FOSTER Care Review Advisory Board	285
Oklahoma CAPITAL Investment Board	105	Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of Embalmers and Funeral Directors) - <i>See</i> Title 235	
Oklahoma CAPITOL Improvement Authority	110	Oklahoma FUTURES	290
State CAPITOL Preservation Commission	115	GOVERNOR (<i>See also</i> Title 1, Executive Orders)	295
CAPITOL-MEDICAL Center Improvement and Zoning Commission	120	GRAND River Dam Authority	300
Oklahoma Department of CAREER and Technology Education (<i>Formerly</i> : Oklahoma Department of VOCATIONAL and Technical Education) - <i>See</i> Title 780		Group Self-Insurance Association GUARANTY Fund Board	302
Board of Regents of CARL Albert State College (<i>exempted</i> <i>11-1-98</i>)	125	Individual Self-Insured GUARANTY Fund Board	303
Department of CENTRAL Services (<i>Formerly</i> : Office of PUBLIC Affairs) - <i>See</i> Title 580		STATE Use Committee (<i>Formerly</i> : Committee on Purchases of Products and Services of the Severely HANDICAPPED)	304
CEREBRAL Palsy Commission	130	Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns)	305
Commission on CHILDREN and Youth	135	Oklahoma State Department of HEALTH	310
Board of CHIROPRACTIC Examiners	140	Oklahoma Basic HEALTH Benefits Board (<i>abolished 11-1-97</i>)	315
Oklahoma Department of EMERGENCY Management (<i>Formerly</i> : Department of CIVIL Emergency Management)	145	Oklahoma HEALTH Care Authority	317
Oklahoma Department of COMMERCE	150	HIGHWAY Construction Materials Technician Certification Board	318
COMMUNITY Hospitals Authority	152	Oklahoma HISTORICAL Society	320
COMPSOURCE Oklahoma (<i>Formerly</i> : State INSURANCE Fund) - <i>See</i> Title 370		Oklahoma HORSE Racing Commission	325
Oklahoma CONSERVATION Commission	155	Oklahoma HOUSING Finance Agency	330
CONSTRUCTION Industries Board	158	Oklahoma HUMAN Rights Commission	335
Department of CONSUMER Credit	160	Department of HUMAN Services	340
CORPORATION Commission	165	Committee for INCENTIVE Awards for State Employees	345
Department of CORRECTIONS	170	Oklahoma INDIAN Affairs Commission	350
State Board of COSMETOLOGY	175	Oklahoma INDIGENT Defense System	352
Oklahoma State CREDIT Union Board	180	Oklahoma INDUSTRIAL Finance Authority	355
CRIME Victims Compensation Board	185	INJURY Review Board	357
Joint CRIMINAL Justice System Task Force Committee	190	Oklahoma State and Education Employees Group INSURANCE Board	360
Board of DENTISTRY	195	INSURANCE Department	365
Oklahoma DEVELOPMENT Finance Authority	200	COMPSOURCE Oklahoma (<i>Formerly</i> : State INSURANCE Fund)	370
Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns) - <i>See</i> Title 305		Oklahoma State Bureau of INVESTIGATION	375
Board of Regents of EASTERN Oklahoma State College (<i>exempted</i> <i>11-1-98</i>)	205	Council on JUDICIAL Complaints	376
		Office of JUVENILE Affairs	377
		Department of LABOR	380
		Department of the Commissioners of the LAND Office	385
		Council on LAW Enforcement Education and Training	390
		Oklahoma LAW Enforcement Retirement System	395
		Board on LEGISLATIVE Compensation	400

Agency/Title Index – continued

Agency	Title	Agency	Title
Oklahoma Department of LIBRARIES	405	Oklahoma SAVINGS and Loan Board (<i>abolished 7-1-93</i>)	625
LIEUTENANT Governor	410	SCENIC Rivers Commission	630
Oklahoma LINKED Deposit Review Board	415	Oklahoma Commission on SCHOOL and County Funds	
Oklahoma LIQUEFIED Petroleum Gas Board	420	Management	635
Oklahoma LIQUEFIED Petroleum Gas Research, Marketing and Safety		Advisory Task Force on the Sale of SCHOOL Lands (<i>functions</i>	
Commission	422	<i>concluded 2-92</i>)	640
LITERACY Initiatives Commission	425	The Oklahoma School of SCIENCE and Mathematics	645
LONG-RANGE Capital Planning Commission	428	Oklahoma Center for the Advancement of SCIENCE and	
Oklahoma State Board of Examiners for LONG-TERM Care		Technology	650
Administrators (<i>Formerly</i> : Oklahoma State Board of Examiners		SECRETARY of State	655
for NURSING Home Administrators) - <i>See</i> Title 490		Department of SECURITIES	660
LOTTERY Commission, Oklahoma	429	Board of Regents of SEMINOLE State College (<i>exempted</i>	
Board of Trustees for the MCCURTAIN County Higher Education		<i>11-1-98</i>)	665
Program (<i>exempted 11-1-98</i>)	430	SHEEP and Wool Commission	670
Commission on MARGINALLY Producing Oil and Gas Wells	432	State Board of Licensed SOCIAL Workers	675
State Board of MEDICAL Licensure and Supervision	435	SOUTHERN Growth Policies Board	680
MEDICAL Technology and Research Authority of Oklahoma	440	Oklahoma SOYBEAN Commission (<i>abolished 7-1-97</i>)	685
Board of MEDICOLEGAL Investigations	445	Board of Examiners for SPEECH-LANGUAGE Pathology and	
Department of MENTAL Health and Substance Abuse Services	450	Audiology (<i>Formerly</i> : Board of Examiners for SPEECH	
MERIT Protection Commission	455	Pathology and Audiology)	690
MILITARY Planning Commission, Oklahoma Strategic	457	STATE Employee Charitable Contributions, Oversight	
Department of MINES	460	Committee for (<i>Formerly</i> : STATE Agency	
Oklahoma MOTOR Vehicle Commission	465	Review Committee)	695
Board of Regents of MURRAY State College (<i>exempted 11-1-98</i>)	470	STATE Use Committee (<i>Formerly</i> : Committee on Purchases of Products	
Oklahoma State Bureau of NARCOTICS and Dangerous Drugs		and Services of the Severely HANDICAPPED) - <i>See</i> Title 304	
Control	475	Oklahoma STUDENT Loan Authority	700
Board of Regents of NORTHERN Oklahoma College (<i>exempted</i>		TASK Force 2000	705
<i>11-1-98</i>)	480	Oklahoma TAX Commission	710
Oklahoma Board of NURSING	485	Oklahoma Commission for TEACHER Preparation	712
Oklahoma State Board of Examiners for LONG-TERM Care		TEACHERS' Retirement System	715
Administrators (<i>Formerly</i> : Oklahoma State Board of Examiners		State TEXTBOOK Committee	720
for NURSING Home Administrators)	490	TOBACCO Settlement Endowment Trust Fund	723
Board of Regents of OKLAHOMA City Community College (<i>exempted</i>		Oklahoma TOURISM and Recreation Department	725
<i>11-1-98</i>)	495	Department of TRANSPORTATION	730
Board of Regents of OKLAHOMA Colleges (<i>exempted 11-1-98</i>)	500	Oklahoma TRANSPORTATION Authority (<i>Name changed to</i>	
Board of Examiners in OPTOMETRY	505	Oklahoma TURNPIKE Authority <i>11-1-05</i>) - <i>See</i> Title 731	
State Board of OSTEOPATHIC Examiners	510	Oklahoma TURNPIKE Authority (<i>Formerly</i> : Oklahoma	
PARDON and Parole Board	515	TRANSPORTATION Authority AND Oklahoma TURNPIKE	
Oklahoma PEANUT Commission	520	Authority) - <i>See</i> also Title 745	731
Oklahoma State PENSION Commission	525	State TREASURER	735
State Board of Examiners of PERFUSIONISTS	527	Board of Regents of TULSA Community College (<i>exempted</i>	
Office of PERSONNEL Management	530	<i>11-1-98</i>)	740
Board of Commercial PET Breeders	532	Oklahoma TURNPIKE Authority (<i>Name changed to Oklahoma</i>	
Oklahoma State Board of PHARMACY	535	TRANSPORATION Authority <i>11-1-99</i> - <i>no rules enacted in this</i>	
PHYSICIAN Manpower Training Commission	540	<i>Title - See</i> Title 731)	745
Board of PODIATRIC Medical Examiners	545	Oklahoma UNIFORM Building Code Commission	748
Oklahoma POLICE Pension and Retirement System	550	Board of Trustees for the UNIVERSITY Center at Tulsa (<i>exempted</i>	
State Department of POLLUTION Control (<i>abolished 1-1-93</i>)	555	<i>11-1-98</i>)	750
POLYGRAPH Examiners Board	560	UNIVERSITY Hospitals Authority	752
Oklahoma Board of PRIVATE Vocational Schools	565	UNIVERSITY Hospitals Trust	753
State Board for PROPERTY and Casualty Rates		Board of Regents of the UNIVERSITY of Oklahoma (<i>exempted</i>	
(<i>abolished 7-1-06; see also Title 365</i>)	570	<i>11-1-98</i>)	755
State Board of Examiners of PSYCHOLOGISTS	575	Board of Regents of the UNIVERSITY of Science and Arts	
Department of CENTRAL Services (<i>Formerly</i> : Office of PUBLIC		of Oklahoma (<i>exempted 11-1-98</i>)	760
Affairs)	580	Oklahoma USED Motor Vehicle and Parts Commission	765
PUBLIC Employees Relations Board	585	Oklahoma Department of VETERANS Affairs	770
Oklahoma PUBLIC Employees Retirement System	590	Board of VETERINARY Medical Examiners	775
Department of PUBLIC Safety	595	Oklahoma Department of CAREER and Technology Education	
REAL Estate Appraiser Board	600	(<i>Formerly</i> : Oklahoma Department of VOCATIONAL and	
Oklahoma REAL Estate Commission	605	Technical Education)	780
Board of Regents of REDLANDS Community College (<i>exempted</i>		Oklahoma WATER Resources Board	785
<i>11-1-98</i>)	607	Board of Regents of WESTERN Oklahoma State College (<i>exempted</i>	
State REGENTS for Higher Education	610	<i>11-1-98</i>)	790
State Department of REHABILITATION Services	612	Oklahoma WHEAT Commission	795
Board of Regents of ROGERS State College (<i>exempted 11-1-98</i>)	615	Department of WILDLIFE Conservation	800
Board of Regents of ROSE State College (<i>exempted 11-1-98</i>)	620	WILL Rogers and J.M. Davis Memorials Commission	805

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

[OAR Docket #13-202]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. Permits for Minor Facilities

Part 9. Permits by Rule

252:100-7-60. [AMENDED]

252:100-7-60.5. [NEW]

Appendix E. Primary Ambient Air Quality Standards [REVOKED]

Appendix E. Primary Ambient Air Quality Standards [NEW]

SUMMARY:

The Department is proposing to modify OAC 252:100-7, Permits for Minor Facilities, to add a new Permit By Rule (PBR) for minor facilities and area sources in the oil and natural gas (O&NG) sector. The PBR would streamline the permitting process for O&NG sources affected by recent changes to the federal standards. The Department is also proposing to update the PBR general requirements and references. The Department is proposing to change the requirements regarding registration under PBRs to make the registration effective upon receipt of the application by the Department of Environmental Quality.

The Department proposes changing Appendix E, Primary Ambient Air Quality Standards, to maintain consistency with the National Ambient Air Quality Standards. Specifically, the primary standards for particulate matter less than or equal to 2.5 microns in diameter (PM_{2.5}) would be modified to reflect recent changes made by the Environmental Protection Agency.

AUTHORITY:

The powers and duties of the Environmental Quality Board are set out in 27A O.S. Section 2-2-101 and 27A O.S. Section 2-5-106 and those of the Air Quality Advisory Council in 27A O.S. Section 2-2-201 and 27A O.S. Section 2-5-107. The legal authority authorizing the proposed rules is found in the Oklahoma Clean Air Act, 27A O.S. Sections 2-5-101 through -117, specifically 27A O.S. Section 2-5-105 for Subchapter 7 and Appendix E; and 27A O.S. Section 2-5-112 and -114 for Subchapter 7.

COMMENT PERIOD:

Written comments on the proposed rulemakings will be accepted prior to and at the hearing on April 17, 2013. For comments received at least five (5) business days prior to

the Council meeting, staff will post written responses on the Department's web page at least one (1) day prior to the Council meeting. Oral comments may be made at the April 17, 2013 hearing and at the June 18, 2013 Environmental Quality Board hearing.

PUBLIC HEARINGS:

A public hearing is scheduled before the Air Quality Advisory Council at 9:00 a.m. on Wednesday, April 17, 2013, at the Broken Arrow campus of Tulsa Tech, 4000 West Florence Street, Tulsa, Oklahoma 74011.

Also, a public hearing is scheduled before the Environmental Quality Board at 9:30 a.m. on Tuesday, June 18, 2013, at the Great Plains Area Vo-Tech, 2001 E. Gladstone, Frederick, Oklahoma 73542.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 CFR Section 51.102 and 27A O.S. Section 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 CFR Part 70 and 27A O.S. Section 2-5-112(B)(9).

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

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

COPIES OF PROPOSED RULES:

The proposed rules are available for review 30 days prior to the hearing on the DEQ Air Quality Division website at http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm. Copies also may be obtained from the Department by calling the contact person listed below.

RULE IMPACT STATEMENTS:

The rule impact statements will be available on and after March 15, 2013 on the DEQ Air Quality Division website at http://www.deq.state.ok.us/AQDnew/council_mtgs/index.htm. Copies also may be obtained from the Department by calling the contact person listed below.

CONTACT PERSON:

The contact person for these proposals is Cheryl E. Bradley, Environmental Programs Manager, at (405) 702-4218. Please send written comments on the proposed rule changes to Ms. Bradley at cheryl.bradley@deq.ok.gov. Mail should

Notices of Rulemaking Intent

be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677, ATTN: Cheryl E. Bradley. The Air Quality Division FAX number is (405)702-4101.

PERSONS WITH DISABILITIES:

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify

the Air Quality Division three (3) days in advance at (405)702-4172. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

[OAR Docket #13-202; filed 2-15-13]

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 235. OKLAHOMA FUNERAL BOARD CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #13-250]

INTENDED RULEMAKING ACTION:

Submission for gubernatorial/legislative review

PROPOSED RULES:

235:1-1-2 [AMENDED]

SUBMITTED TO GOVERNOR:

February 22, 2013

SUBMITTED TO HOUSE:

February 22, 2013

SUBMITTED TO SENATE:

February 22, 2013

[OAR Docket #13-250; filed 2-22-13]

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

[OAR Docket #13-251]

INTENDED RULEMAKING ACTION:

Submission for gubernatorial/legislative review

PROPOSED RULES:

Subchapter 1. General Provisions

235:10-1-2 [AMENDED]

235:10-1-4 [AMENDED]

Subchapter 3. Qualifications and Requirements for License

235:10-3-2 [AMENDED]

235:10-3-5 [AMENDED]

Subchapter 5. Licensing Fees

235:10-5-2 [AMENDED]

Subchapter 7. Licensure Renewal, Revocation, and
Suspension

235:10-7-2 [AMENDED]

Subchapter 11. Minimum Standards of Performance

235:10-11-1 [AMENDED]

SUBMITTED TO GOVERNOR:

February 22, 2013

SUBMITTED TO HOUSE:

February 22, 2013

SUBMITTED TO SENATE:

February 22, 2013

[OAR Docket #13-251; filed 2-22-13]

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

[OAR Docket #13-252]

INTENDED RULEMAKING ACTION:

Submission for gubernatorial/legislative review

PROPOSED RULES:

Subchapter 5. Licensing Fees

235:10-5-1 [AMENDED]

SUBMITTED TO GOVERNOR:

February 22, 2013

SUBMITTED TO HOUSE:

February 22, 2013

SUBMITTED TO SENATE:

February 22, 2013

[OAR Docket #13-252; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 1. COMMISSION POWERS AND JURISDICTION

[OAR Docket #13-235]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:1-1-14 [AMENDED]

325:1-1-16 [AMENDED]

325:1-1-21 [AMENDED]

325:1-1-22 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-235; filed 2-22-13]

Submissions for Review

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

[OAR Docket #13-236]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:10-1-2 [AMENDED]

325:10-1-11 [AMENDED]

325:10-1-30 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-236; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

[OAR Docket #13-237]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

Subchapter 1. General Provisions

325:15-1-2 [AMENDED]

Subchapter 5. Occupation Licensing

325:15-5-8 [AMENDED]

325:15-5-17 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-237; filed 2-22-13]

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

[OAR Docket #13-238]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:20-1-2 [AMENDED]

325:20-1-4 [AMENDED]

325:20-1-18 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-238; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 25. ENTRIES AND DECLARATIONS

[OAR Docket #13-239]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:25-1-2 [AMENDED]

325:25-1-11 [AMENDED]

325:25-1-23 [AMENDED]

325:25-1-30.1 [NEW]

325:25-1-32 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-239; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 30. CLAIMING RACES

[OAR Docket #13-240]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:30-1-2 [AMENDED]

325:30-1-5 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-240; filed 2-22-13]

**TITLE 325. OKLAHOMA HORSE RACING
COMMISSION
CHAPTER 35. GENERAL CONDUCT**

[OAR Docket #13-241]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:35-1-2 [AMENDED]
325:35-1-13 [AMENDED]
325:35-1-34 [AMENDED]
325:35-1-37 [AMENDED]
325:35-1-38 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-241; filed 2-22-13]

**TITLE 325. OKLAHOMA HORSE RACING
COMMISSION
CHAPTER 40. VETERINARIAN PRACTICES**

[OAR Docket #13-242]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:40-1-2 [AMENDED]
325:40-1-8 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-242; filed 2-22-13]

**TITLE 325. OKLAHOMA HORSE RACING
COMMISSION
CHAPTER 45. MEDICATION AND EQUINE
TESTING PROCEDURES**

[OAR Docket #13-243]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:45-1-2 [AMENDED]
325:45-1-20 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-243; filed 2-22-13]

**TITLE 325. OKLAHOMA HORSE RACING
COMMISSION
CHAPTER 50. HUMAN SUBSTANCE ABUSE
TESTING**

[OAR Docket #13-244]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:50-1-2 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-244; filed 2-22-13]

**TITLE 325. OKLAHOMA HORSE RACING
COMMISSION
CHAPTER 55. FIRE PREVENTION AND
SECURITY**

[OAR Docket #13-245]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:55-1-2 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-245; filed 2-22-13]

Submissions for Review

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

[OAR Docket #13-246]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:60-1-2 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-246; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 65. PARI-MUTUEL WAGERING

[OAR Docket #13-247]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

Subchapter 1. General Provisions

325:65-1-31.1 [AMENDED]

325:65-1-34 [AMENDED]

325:65-1-35 [AMENDED]

325:65-1-40 [AMENDED]

325:65-1-43 [AMENDED]

325:65-1-44 [AMENDED]

325:65-1-50 [AMENDED]

Subchapter 7. Interjurisdiction Common Pool Wagering

325:65-7-3 [AMENDED]

Subchapter 9. Calculation of Payoffs and Distribution of

Pools

325:65-9-4 [AMENDED]

325:65-9-5 [AMENDED]

325:65-9-6 [AMENDED]

325:65-9-7 [AMENDED]

325:65-9-8 [AMENDED]

325:65-9-10 [AMENDED]

325:65-9-18 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-247; filed 2-22-13]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 70. OBJECTIONS AND PROTESTS; HEARINGS AND APPEALS

[OAR Docket #13-248]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:70-1-2 [AMENDED]

325:70-1-23 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-248; filed 2-22-13]

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

[OAR Docket #13-249]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULE:

325:75-1-2 [AMENDED]

325:75-1-3 [AMENDED]

325:75-1-3.1 [AMENDED]

325:75-1-11 [AMENDED]

325:75-1-12.1 [AMENDED]

325:75-1-15 [AMENDED]

325:75-1-21 [AMENDED]

SUBMITTED TO GOVERNOR:

January 30, 2013

SUBMITTED TO HOUSE:

January 30, 2013

SUBMITTED TO SENATE:

January 30, 2013

[OAR Docket #13-249; filed 2-22-13]

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

[OAR Docket #13-208]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

- Subchapter 3. Office of Client Advocacy
 - Part 1. Administration
 - 340:2-3-1 [AMENDED]
 - 340:2-3-2 [AMENDED]
 - 340:2-3-12 [AMENDED]
 - 340:2-3-26 [AMENDED]
 - Part 3. Investigations
 - 340:2-3-32 through 340:2-3-37 [AMENDED]
 - Part 5. Grievances
 - 340:2-3-45 [AMENDED]
 - 340:2-3-47 [AMENDED]
 - 340:2-3-50 [AMENDED]
 - Part 7. Grievance and Abuse Review Committee
 - 340:2-3-62 [AMENDED]

(Reference WF 12-09)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-208; filed 2-15-13]

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

[OAR Docket #13-209]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

- Subchapter 7. Office of Inspector General
 - Part 3. ~~Single Audit Guide~~ Audits of Grant Recipients and Subrecipients
 - 340:2-7-25 through 340:2-7-30 [AMENDED]

(Reference WF 12-11)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-209; filed 2-15-13]

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

[OAR Docket #13-210]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

- Subchapter 1. General Provisions
 - 340:5-1-3 [AMENDED]
 - 340:5-1-8 [AMENDED]
- Subchapter 3. Reports of Maltreatment of Vulnerable Adults
 - 340:5-3-4 [AMENDED]
 - 340:5-3-6 [AMENDED]
- Subchapter 5. Investigation of Adult Protective Services Referrals
 - 340:5-5-3 through 340:5-5-4 [AMENDED]
 - 340:5-5-6 [AMENDED]

(Reference APA WF 12-16)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-210; filed 2-15-13]

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

[OAR Docket #13-211]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

- Subchapter 2. Temporary Assistance for Needy Families (TANF) Work Program
 - 340:10-2-3 [AMENDED]
 - 340:10-2-6 [AMENDED]
- Subchapter 3. Conditions of Eligibility - Need
 - Part 3. Income
 - 340:10-3-33 [AMENDED]
 - 340:10-3-40 [AMENDED]
 - Part 5. Assistance Payments

Submissions for Review

340:10-3-56 through 340:10-3-57 [AMENDED]
Subchapter 4. Mandatory Drug Screening [NEW]
340:10-4-1 [NEW]
Subchapter 10. Conditions of Eligibility - Deprivation
340:10-10-3 [AMENDED]
(Reference APA WF 12-15 and 12-20)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-211; filed 2-15-13]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 25. OKLAHOMA CHILD SUPPORT SERVICES

[OAR Docket #13-212]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 1. Scope and Applicability
340:25-1-2.1 [AMENDED]
340:25-1-3.1 [AMENDED]
Subchapter 3. Commissioned Peace Officers
340:25-3-3 [AMENDED]
Subchapter 5. Operational Policies
Part 9. Disclosure of Information
340:25-5-67 through 340:25-5-67.1 [AMENDED]
Part 15. Case Initiation, Case Management, and Case Closure
340:25-5-114 [AMENDED]
340:25-5-123 [AMENDED]
340:25-5-133 [AMENDED]
Part 17. Past Support
340:25-5-140 through 340:25-5-140.1 [AMENDED]
Part 21. Establishment
340:25-5-176.1 [AMENDED]
340:25-5-179.1 [AMENDED]
Part 23. Enforcement
340:25-5-213 [AMENDED]
Part 37. Recovery
340:25-5-305 [AMENDED]
Part 39. Accounting and Distribution
340:25-5-345.2 [AMENDED]
340:25-5-350.1 [AMENDED]
340:25-5-350.3 [AMENDED]
340:25-5-351 through 340:25-5-352 [AMENDED]
(Reference WF 12-12)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-212; filed 2-15-13]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 40. CHILD CARE SUBSIDY PROGRAM

[OAR Docket #13-213]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 3. Initial Application
340:40-3-1 [AMENDED]
Subchapter 7. Eligibility
340:40-7-3.1 [AMENDED]
340:40-7-6 through 340:40-7-8 [AMENDED]
340:40-7-11 through 340:40-7-12 [AMENDED]
Subchapter 9. Procedures Relating to Case Changes
340:40-9-1 [AMENDED]
340:40-9-3 [AMENDED]
Subchapter 13. Child Care Rates and Provider Issues
340:40-13-2 through 340:40-13-3 [AMENDED]
Subchapter 16. Improper Authorization Initiative Payments
Error Rate Review Process
340:40-16-1 [AMENDED]
(Reference APA WF 12-13 and 12-21)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-213; filed 2-15-13]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 50. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

[OAR Docket #13-214]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 3. Application Process
340:50-3-1 through 340:50-3-3 [AMENDED]
Subchapter 5. Non-Financial Eligibility Criteria
Part 1. Household Definition

340:50-5-7 [AMENDED]
Subchapter 7. Financial Eligibility Criteria
Part 3. Income
340:50-7-22 [AMENDED]
Subchapter 9. Eligibility and Benefit Determination
Procedures
340:50-9-3 through 340:50-9-6 [AMENDED]
Subchapter 11. Special Procedures
Part 1. Households Entitled to Expedited Service
340:50-11-3 through 340:50-11-6 [AMENDED]
Part 3. Simplified Supplemental Nutrition Assistance
Program (SSNAP) for Temporary Assistance for Needy
Families (TANF) and Companion State Supplemental
Payment (SSP) Recipient(s)
340:50-11-22 [AMENDED]
340:50-11-27 [AMENDED]
Part 7. Replacement When Food Purchased with Food
Benefits is Destroyed
340:50-11-64 [AMENDED]
Subchapter 15. Overpayments and Fraud
Part 1. Overpayments
340:50-15-7 [AMENDED]
340:50-15-9 [AMENDED]
(Reference WF 12-19)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-214; filed 2-15-13]

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

[OAR Docket #13-215]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 3. Eligibility for Benefits
340:65-3-1 [AMENDED]
340:65-3-2.1 [AMENDED]
340:65-3-5 [AMENDED]
340:65-3-7 through 340:65-3-9 [AMENDED]
Subchapter 5. Procedures Relating to Case Changes
Part 1. General Provisions
340:65-5-1 [AMENDED]
Subchapter 11. Voter Registration [NEW]
340:65-11-1 through 340:65-11-4 [NEW]
(Reference APA WF 12-14)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-215; filed 2-15-13]

**TITLE 340. DEPARTMENT OF HUMAN
SERVICES
CHAPTER 70. SOCIAL SERVICES**

[OAR Docket #13-216]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 10. Acquired Immune Deficiency Syndrome
(AIDS) Coordination and Information Services (ACIS)
[NEW]

340:70-10-1 through 70-10-3 [NEW]

(Reference WF 12-17)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-216; filed 2-15-13]

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

[OAR Docket #13-217]

RULEMAKING ACTION:

Submission for gubernatorial/legislative review

RULES:

Subchapter 1. General Provisions of Child Welfare Services
Part 1. Scope and Applicability
340:75-1-2 [AMENDED]
340:75-1-13 through 340:75-1-14 [AMENDED]
340:75-1-16 through 340:75-1-18.1 [AMENDED]
340:75-1-18.4 [AMENDED]
340:75-1-20 through 340:75-1-23 [AMENDED]
340:75-1-23.1 [AMENDED AND RENUMBERED TO
340:75-6-40.8]
340:75-1-24 [REVOKED]
340:75-1-26 through 340:75-1-26.2 [AMENDED]
340:75-1-28 through 340:75-1-31 [AMENDED]
Part 3. Child Welfare Confidentiality
340:75-1-42 [AMENDED]
340:75-1-45 through 340:75-1-46 [AMENDED]
Part 7. Interstate Compact on the Placement of Children

Submissions for Review

340:75-1-86 [AMENDED]
Part 9. Rules Regarding Human Immunodeficiency Virus (HIV)
340:75-1-113 through 340:75-1-114 [AMENDED]
340:75-1-115 through 340:75-1-120 [REVOKED]
Part 10. Oklahoma Children's Services (OCS)
340:75-1-150 through 340:75-1-152 [AMENDED]
340:75-1-152.3 [AMENDED]
340:75-1-152.5 through 340:75-1-152.7 [AMENDED]
340:75-1-152.8 [REVOKED]
340:75-1-152.9 [AMENDED]
340:75-1-154 through 340:75-1-155 [AMENDED]
Part 15. ~~Training~~ for Child Welfare Specialist Training Workers
340:75-1-230 through 233 [AMENDED]
340:75-1-240 through 340:75-1-241 [AMENDED]
Subchapter 3. Child Protective Services
340:75-3-1 [AMENDED AND RENUMBERED TO 340:75-3-100]
340:75-3-2 [AMENDED AND RENUMBERED TO 340:75-3-120]
340:75-3-4 [AMENDED AND RENUMBERED TO 340:75-3-100]
340:75-3-5 [AMENDED AND RENUMBERED TO 340:75-3-110]
340:75-3-6 [AMENDED AND RENUMBERED TO 340:75-3-130]
340:75-3-6.1 [AMENDED AND RENUMBERED TO 340:75-3-400]
340:75-3-7 [AMENDED AND RENUMBERED TO 340:75-3-140]
340:75-3-7.1 [AMENDED AND RENUMBERED TO 340:75-3-140]
340:75-3-7.3 [AMENDED AND RENUMBERED TO 340:75-3-310]
340:75-3-7.4 [AMENDED AND RENUMBERED TO 340:75-3-200]
340:75-3-7.5 [AMENDED AND RENUMBERED TO 340:75-3-210]
340:75-3-8 [AMENDED AND RENUMBERED TO 340:75-3-220]
340:75-3-8.1 [AMENDED AND RENUMBERED TO 340:75-3-410]
340:75-3-8.2 [AMENDED AND RENUMBERED TO 340:75-3-420]
340:75-3-8.3 [AMENDED AND RENUMBERED TO 340:75-3-430]
340:75-3-8.4 [AMENDED AND RENUMBERED TO 340:75-3-440]
340:75-3-8.7 [AMENDED AND RENUMBERED TO 340:75-3-450]
340:75-3-9.1 [AMENDED AND RENUMBERED TO 340:75-3-460]
340:75-3-10.1 [AMENDED AND RENUMBERED TO 340:75-3-300]

340:75-3-10.2 [AMENDED AND RENUMBERED TO 340:75-3-500]
340:75-3-10.3 [AMENDED AND RENUMBERED TO 340:75-3-120]
340:75-3-11 [AMENDED AND RENUMBERED TO 340:75-3-510]
340:75-3-12 [AMENDED AND RENUMBERED TO 340:75-3-140]
340:75-3-13 [AMENDED AND RENUMBERED TO 340:75-3-520]
340:75-3-20 [AMENDED AND RENUMBERED TO 340:75-3-530]
340:75-3-100 [NEW]
340:75-3-110 [NEW]
340:75-3-120 [NEW]
340:75-3-130 [NEW]
340:75-3-140 [NEW]
340:75-3-200 [NEW]
340:75-3-210 [NEW]
340:75-3-220 [NEW]
340:75-3-300 [NEW]
340:75-3-400 [NEW]
340:75-3-410 [NEW]
340:75-3-420 [NEW]
340:75-3-430 [NEW]
340:75-3-440 [NEW]
340:75-3-450 [NEW]
340:75-3-460 [NEW]
340:75-3-500 [NEW]
340:75-3-510 [NEW]
340:75-3-520 [NEW]
340:75-3-530 [NEW]
Subchapter 6. Permanency Planning
Part 1. General Provisions
340:75-6-1 [AMENDED]
Part 5. Permanency Planning Services
340:75-6-30 through 340:75-6-31.5 [AMENDED]
Part 7. Family and Child Individualized Service Planning Components
340:75-6-40 through 340:75-6-40.6 [AMENDED]
340:75-6-40.7 through 340:75-6-40.8 [NEW]
340:75-6-44 through 340:75-6-46 [AMENDED]
Part 8. ~~Role of the Child Welfare Worker~~ Specialist Role
340:75-6-48 through 340:75-6-48.1 [AMENDED]
340:75-6-48.2 [REVOKED]
340:75-6-48.3 through 340:75-6-50 [AMENDED]
Part 11. Permanency Planning and Placement Services
340:75-6-85 [AMENDED]
340:75-6-85.2 through 340:75-6-86 [AMENDED]
340:75-6-88 through 340:75-7-89 [AMENDED]
340:75-6-91 through 340:75-6-92 [AMENDED]
Part 13. Independent Living
340:75-6-110 [AMENDED]
Subchapter 7. Foster Home Care
Part 1. General Provisions
340:75-7-2 [AMENDED]

Part 2. Development of Resources
 340:75-7-10 [AMENDED]
 340:75-7-12 [AMENDED]
 340:75-7-14 through 340:75-7-15 [AMENDED]
 340:75-7-18 [AMENDED]
 340:75-7-19 [AMENDED]
 340:75-7-24 [AMENDED]
 Part 4. Roles and Responsibilities
 340:75-7-37 through 340:75-7-38 [AMENDED]
 340:75-7-41 [AMENDED]
 Part 5. Eligibility and Payments
 340:75-7-51 through 340:75-7-53 [AMENDED]
 Part 6. Foster Home Care Support Services
 340:75-7-65 [AMENDED]
 Part 8. Continuous Quality Assessment of a Resource Home
 340:75-7-94 [AMENDED]
 Part 25. Emergency Foster Care Program
 340:75-7-262 [AMENDED]
 Part 27. Contracted Foster Care Program
 340:75-7-280 [AMENDED]
 Part 28. Foster Parent Helpline and ~~Mediation~~ Meditation
 340:75-7-290 through 340:75-7-291 [AMENDED]
 Subchapter 13. Other Child Welfare Services and Medical Services for Children in Out-of-Home Care
 Part 7. Medical Services
 340:75-13-75 [AMENDED]
 340:75-13-80 [AMENDED]
 Subchapter 15. Adoptions
 Part 2. Legal Base and Scope of the Adoption Program
 340:75-15-5 through 340:75-15-7 [AMENDED]
 340:75-15-9 [AMENDED]
 Part 6. Adoption Process
 340:75-15-41.1 [AMENDED]
 340:75-15-42 [REVOKED]
 340:75-15-45 [REVOKED]
 340:75-15-47 [AMENDED]
 Part 10. Integrated Family Assessment and Preparation Process
 340:75-15-82 [AMENDED]
 340:75-15-83 [REVOKED]
 340:75-15-84 [AMENDED]
 340:75-15-87 through 340:75-15-89 [AMENDED]
 340:75-15-91 [AMENDED]
 Subchapter 18. Continuous Quality Improvement
 340:75-18-1 through 340:75-18-2 [AMENDED]
 Subchapter 19. Working with Indian Children
 340:75-19-1 through 340:75-19-3 [AMENDED]
 340:75-19-4 [REVOKED]
 340:75-19-5 through 340:75-19-14 [AMENDED]
 340:75-19-15 through 340:75-19-17 [REVOKED]
 340:75-19-18 through 340:75-19-21 [AMENDED]
 340:75-19-22 [REVOKED]
 340:75-19-23 through 340:75-19-26.1 [AMENDED]
 340:75-19-28 through 340:75-19-33 [AMENDED]

(Reference WF 12-10)
SUBMITTED TO GOVERNOR:
 February 14, 2013
SUBMITTED TO HOUSE:
 February 14, 2013
SUBMITTED TO SENATE:
 February 14, 2013

[OAR Docket #13-217; filed 2-15-13]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 100. DEVELOPMENTAL DISABILITIES SERVICES DIVISION

[OAR Docket #13-218]

RULEMAKING ACTION:
 Submission for gubernatorial/legislative review

RULES:
 Subchapter 3. Administration
 Part 1. General Administration
 340:100-3-5.1 [AMENDED]
 Part 3. Administration
 340:100-3-29 [AMENDED]
 340:100-3-38.10 [AMENDED]

(Reference WF 12-08)
SUBMITTED TO GOVERNOR:
 February 14, 2013
SUBMITTED TO HOUSE:
 February 14, 2013
SUBMITTED TO SENATE:
 February 14, 2013

[OAR Docket #13-218; filed 2-15-13]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 115. FIELD OPERATIONS DIVISION [REVOKED]

[OAR Docket #13-219]

RULEMAKING ACTION:
 Submission for gubernatorial/legislative review

RULES:
 Subchapter 1. General Provisions [REVOKED]
 Part 1. General Provisions [REVOKED]
 340:115-1-1 [REVOKED]
 340:115:1-3 [REVOKED]
 Part 3. Voter Registration [REVOKED]
 340:115-1-21 through 340:115-1-22 [REVOKED]
 340:115-1-24 [REVOKED]
 340:115-1-27 [REVOKED]

Submissions for Review

Subchapter 5. Acquired Immune Deficiency Syndrome (AIDS) and Coordination and Information Services (ACIS) [REVOKED]

340:115-5-1 [REVOKED]

340:115-5-3 [REVOKED]

(Reference WF 12-18)

SUBMITTED TO GOVERNOR:

February 14, 2013

SUBMITTED TO HOUSE:

February 14, 2013

SUBMITTED TO SENATE:

February 14, 2013

[OAR Docket #13-219; filed 2-15-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 1. FUNCTION AND STRUCTURE
OF THE OFFICE OF JUVENILE AFFAIRS**

[OAR Docket #13-225]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. Function and Structure of the Office of Juvenile Affairs

377:1-1-9. Conduct of Committee Meetings [AMENDED]

377:1-1-10. Public hearing regarding a fixed rate [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-225; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 3. ADMINISTRATIVE SERVICES**

[OAR Docket #13-226]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 7. Finance Department

377:3-7-3. Regulatory authority [AMENDED]

377:3-7-4. OJA financial system [AMENDED]

Subchapter 11. Risk Management

Part 1. Drug Policy

377:3-11-2. Definitions [AMENDED]

377:3-11-5. Substance screening [AMENDED]

377:3-11-10. Consequences of positive test results [AMENDED]

377:3-11-11. Job applicant and employee opportunities [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-226; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 5. RELEASE FROM
INSTITUTIONAL PLACEMENT**

[OAR Docket #13-227]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 3. Pre-Release Planning

377:5-3-4. Review of the targeted review date [AMENDED]

Subchapter 5. Hearings

377:5-5-2. Parole Hearing [AMENDED]

377:5-5-3. Parole revocation hearing [AMENDED]

377:5-5-4. Administrative Transfer Hearing [AMENDED]

377:5-5-5. Conduct of Parole Revocation and Administrative Transfer Hearings [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-227; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 10. OFFICE OF JUVENILE
AFFAIRS**

[OAR Docket #13-228]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. General Provisions

377:10-1-4.1. Use of chemical agents [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-228; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 10. OFFICE OF JUVENILE
AFFAIRS**

[OAR Docket #13-229]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. General Provisions

377:10-1-11. Documents and records [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-229; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 15. COMMUNITY-BASED
YOUTH SERVICES**

[OAR Docket #13-230]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 11. Certification of Children's Shelters
Operated by the Oklahoma Department of Human
Services [NEW]

377:15-11-1. Origin and authority [NEW]

377:15-11-2. Duties and responsibilities [NEW]

377:15-11-3. Certification process [NEW]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-230; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 25. JUVENILE SERVICES UNIT**

[OAR Docket #13-231]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 3. Pre-court

Part 5. Restitution

377:25-3-40. Juvenile Offender Victim Restitution Work
Program [AMENDED]

377:25-3-41. Restitution [NEW]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-231; filed 2-20-13]

**TITLE 377. OFFICE OF JUVENILE AFFAIRS
CHAPTER 35. INSTITUTIONAL SERVICES**

[OAR Docket #13-232]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 9. Juvenile Rights

377:35-9-8. Use of tobacco products [AMENDED]

SUBMITTED TO GOVERNOR:

February 20, 2013

SUBMITTED TO HOUSE:

February 20, 2013

SUBMITTED TO SENATE:

February 20, 2013

[OAR Docket #13-232; filed 2-20-13]

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

[OAR Docket #13-233]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 5. Teacher Preparation Program Accreditation

712:10-5-3 [AMENDED]

SUBMITTED TO GOVERNOR:

February 19, 2013

Submissions for Review

SUBMITTED TO HOUSE:

February 19, 2013

SUBMITTED TO SENATE

February 19, 2013

[OAR Docket #13-233; filed 2-21-13]

**TITLE 730. DEPARTMENT OF
TRANSPORTATION
CHAPTER 30. HIGHWAY DESIGN**

[OAR Docket #13-253]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 9. Permitting of Oversize, Overweight and
Special Combination Vehicles

730:30-9-2. [AMENDED]

730:30-9-6. [AMENDED]

730:30-9-7. [AMENDED]

730:30-9-9. [AMENDED]

730:30-9-16. [AMENDED]

APPENDIX A. Gross Weight Load Table for Overweight
Permits Based on Bridge Inventory [REVOKED]

APPENDIX D. Split or "Trunnion" Axles [REVOKED]

APPENDIX D. Dual Lane Axles [NEW]

APPENDIX E. Oklahoma Department of Transportation
Weight Supplement Sheet for Annual Envelop Permit
Not to Exceed 120,000 [REVOKED]

APPENDIX E. Oklahoma Department of Transportation
Weight Supplement Sheet for Annual Envelope Permit
Not to Exceed 120,000 [NEW]

SUBMITTED TO GOVERNOR:

February 8, 2013

SUBMITTED TO HOUSE:

February 8, 2013

SUBMITTED TO SENATE:

February 8, 2013

[OAR Docket #13-253; filed 2-22-13]

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

[OAR Docket #13-203]

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]

800:10-1-7. Possession limit [AMENDED]

Subchapter 3. Methods of Taking

800:10-3-3. Additional definitions [AMENDED]

800:10-3-4. General: hook and line, rod and reel
[AMENDED]

800:10-3-5. Use of bow and arrow, grabhooks, gigs,
spears, and spearguns, snagging, noodling and netting
[AMENDED]

Subchapter 5. Area Restrictions and Special Fees

800:10-5-3. Designated trout areas [AMENDED]

800:10-5-6. Lakes, reservoirs, rivers and streams
[AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2013

SUBMITTED TO HOUSE:

February 6, 2013

SUBMITTED TO SENATE:

February 6, 2013

[OAR Docket #13-203; filed 2-15-13]

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

[OAR Docket #13-204]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 9. Commercial Turtle Harvest

800:15-9-3. General; operating provisions [AMENDED]

800:15-9-3.1. Closed Areas [AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2013

SUBMITTED TO HOUSE:

February 6, 2013

SUBMITTED TO SENATE:

February 6, 2013

[OAR Docket #13-204; filed 2-15-13]

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

[OAR Docket #13-205]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

Subchapter 1. Restricted Exotic Fish

800:20-1-2. List of restricted exotic species [AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2013

SUBMITTED TO HOUSE:

February 6, 2013

SUBMITTED TO SENATE:

February 6, 2013

[OAR Docket #13-205; filed 2-15-13]

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

[OAR Docket #13-206]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 3. Hunting on Corps of Engineers Lands
- 800:25-3-2. Areas open to shotgun with pellets and bow and arrow only [AMENDED]
- 800:25-3-3. Areas open to archery only [AMENDED]
- 800:25-3-4. Areas open to archery and shotgun and muzzleloading firearms [REVOKED]
- 800:25-3-5. Areas open to all firearms other than centerfire [AMENDED]
- Subchapter 5. Migratory Bird Hunting Season
- Part 25. Hunting at Tishomingo Wildlife Management Unit
- 800:25-5-106. General provisions [AMENDED]
- Subchapter 7. General Hunting Seasons
- Part 13. Deer
- 800:25-7-55. Deer-Youth Gun Season [AMENDED]
- Part 19. Seasons on Areas Owned or Managed by the Oklahoma Department of Wildlife Conservation and the U.S. Fish and Wildlife Service
- 800:25-7-83.1. Beaver River WMA - McFarland Unit [AMENDED]
- 800:25-7-92. Chickasaw NRA [AMENDED]
- 800:25-7-108. Hickory Creek WMA [AMENDED]
- 800:25-7-116. Keystone WMA [AMENDED]
- 800:25-7-117. Lexington WMA [AMENDED]
- 800:25-7-120. Love Valley WMA [AMENDED]

- Subchapter 9. Controlled Hunts
- Part 1. Guidelines
- 800:25-9-5. Permit and fees [AMENDED]
- Subchapter 37. Nuisance Wildlife Control Programs
- Part 3. Wildlife and Feral Hog Nuisance and Depredation Rules
- 800:25-37-14. Specific Provisions [AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2013

SUBMITTED TO HOUSE:

February 6, 2013

SUBMITTED TO SENATE:

February 6, 2013

[OAR Docket #13-206; filed 2-15-13]

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

[OAR Docket #13-207]

RULEMAKING ACTION:

Submission for gubernatorial and legislative review

RULES:

- Subchapter 1. Use of Department Managed Lands
- 800:30-1-4. Camping [AMENDED]
- 800:30-1-5. Vehicles [AMENDED]
- 800:30-1-7. Livestock and feral hogs [AMENDED]
- 800:30-1-21. Baiting on Wildlife Management Areas [AMENDED]

SUBMITTED TO GOVERNOR:

February 6, 2013

SUBMITTED TO HOUSE:

February 6, 2013

SUBMITTED TO SENATE:

February 6, 2013

[OAR Docket #13-207; filed 2-15-13]

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

[OAR Docket #13-220]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

Subchapter 2. Definitions

590:10-2-2. Normal retirement age [NEW]

Subchapter 5. Contributions and Compensation

590:10-5-9. Changes to contribution rates; deadline for notifying system [NEW]

Subchapter 7. Retirement Benefits

590:10-7-9. Fractional year computations [AMENDED]

590:10-7-14.1. Seasonal or temporary employment; calculation of 1,000 hours [NEW]

Subchapter 17. Step-Up Election and Benefits

590:10-17-2. Eligibility for step-up [AMENDED]

GUBERNATORIAL APPROVAL:

February 11, 2013

[OAR Docket #13-220; filed 2-19-13]

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

[OAR Docket #13-221]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

Subchapter 1. General Provisions

590:15-1-22. Health insurance contribution [NEW]

590:15-1-23. Normal retirement age [NEW]

GUBERNATORIAL APPROVAL:

February 11, 2013

[OAR Docket #13-221; filed 2-19-13]

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

[OAR Docket #13-222]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

Subchapter 9. Benefits

590:25-9-21. Discontinuance of 2009 required minimum distribution [NEW]

GUBERNATORIAL APPROVAL:

February 11, 2013

[OAR Docket #13-222; filed 2-19-13]

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

[OAR Docket #13-223]

RULEMAKING ACTION:

Gubernatorial approval of permanent rules

RULES:

Subchapter 13. Benefits and Distributions

590:35-13-12. Discontinuance of 2009 required minimum distributions [NEW]

GUBERNATORIAL APPROVAL:

February 11, 2013

[OAR Docket #13-223; filed 2-19-13]

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

[OAR Docket #13-234]

RULEMAKING ACTION:

EMERGENCY adoption

RULE:

325:20-1-22. Duties of the Racing Veterinarian [AMENDED]

AUTHORITY:

75 Oklahoma Statutes §§ 302, 305, and 307; Title 3A O.S., § 204(A); Oklahoma Horse Racing Commission

DATES:

Adoption:

January 24, 2013

Approved by Governor:

February 11, 2013

Effective:

Immediately upon Governor's approval

Expiration:

Effective through July 14, 2014, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

Not Applicable

INCORPORATIONS BY REFERENCE:

Not Applicable

FINDING OF EMERGENCY:

The Oklahoma Horse Racing Commission finds that compelling, extraordinary circumstances necessitate the emergency adoption of rule amendments to Rule 325:20-1-22 of OAC 325 *Rules of Racing*. The reasons for this finding are as follows:

1. Whereas, in the interest of the public health, safety and welfare, the Oklahoma Legislature declared the purpose of the Oklahoma Horse Racing Act was to vest the Oklahoma Horse Racing Commission with plenary power to promulgate rules and regulations for the forceful control of race meetings held in the state and that those rules should, among other things, encourage agriculture and breeding of horses in Oklahoma, maintain race meetings held in the state of the highest quality and free of any horse racing practices which are corrupt, dishonest or unprincipled, and

2. Whereas, injuries to race horses [equine athletes] during races cause harm not only to the horse that suffers a catastrophic injury, but may also result in injury to other horses and jockeys, and

3. Whereas, injuries to race horses during races are often catastrophic, requiring that the horse be humanely euthanized, and

4. Whereas, the Commission's Official Veterinarian at Remington Park has noticed an increase in racing injuries, and

5. Whereas, race day pre-race examination of race horses by veterinarians is a recognized means of reducing injuries to horses during a horse race, and

6. Whereas, the Oklahoma Horse Racing Commission has sought additional appropriations during the last two Legislative Sessions in order to hire additional Official Veterinarians to conduct pre-race examinations and perform other duties, and the Legislature has not made funding for that purpose available to the Commission, and

7. Whereas, some racetracks are now willing to make the Racing Veterinarian available to conduct pre-race examinations of race horses at the racetrack's expense, and

8. Whereas, the Racing Veterinarian - an employee of the racetrack - is not presently empowered to conduct pre-race examinations, and

9. Whereas, the proposed emergency rule, which empowers Racing Veterinarians to conduct pre-race examinations of horses, would allow pre-race examinations of race horses to immediately begin, and

10. Whereas, both Official Horsemen's Representative Organizations perceive the need for immediate action that the rule provides for, to protect the health and well-being of both race horses and jockeys accomplished by this rule, and

11. Whereas, this rule would result in the protection of equine athletes from racing injuries, and

12. Whereas, this rule would provide for the health and protection of the jockeys, and

13. Whereas, this rule would reduce the unnecessary costs and losses to horsemen, when a horse is injured in a race, and

14. Whereas, the reduction of racing injuries will improve the public's perception of horse racing, and

15. Whereas, failure to act now will have an ongoing negative effect upon the Oklahoma horse racing industry, including a negative effect on equine athletes, jockeys, and Owners and Trainers, the Commission finds that:

Compelling public interests in the health, safety and welfare of both equine athletes racing in Oklahoma and jockeys racing in Oklahoma, as well as the financial interests of Owners and Trainers, require the adoption of the proposed emergency rule.

ANALYSIS:

On July 12, 2011, Chairwoman Goumaz of the Oklahoma Horse Racing Commission established an Ad Hoc Committee on Medications to bring together regulators, horsemen's representatives, a state veterinarian and attorneys to discuss health, safety and welfare issues for race horses. The Committee, chaired by Chairwoman Goumaz, consists of three (3) Commissioners of the Oklahoma Horse Racing Commission [Commissioners Becky Goumaz, Brandon Burton and Joe Lucas], the Executive Director of the Horse Racing Commission [Constantin A. Rieger], the Commission Official Veterinarian [Dr. Rudy Garrison], one (1) representative of the Oklahoma Quarter Horse Racing Association [Debbie Schauf, Executive Director], and one (1) representative of the Thoroughbred Racing Association of Oklahoma [Danielle Barber, Interim Executive Director]. The Commission Counsel [Neal Leader, Senior Assistant Attorney General] and Commission Staff Attorney [Mary Ann Roberts] were named as advisory, non-voting members.

At the December 17, 2012 meeting of the Ad Hoc Committee on Medications [with follow-up at its January 9, 2013 meeting], Dr. Garrison provided statistical charts to the Ad Hoc Committee reflecting the increase in catastrophic injuries to horses at Remington Park. He proposed pre-race examinations of horses by the Racing Veterinarian, an employee of the racetrack, to reduce the number of injuries by not allowing unsound horses to race. The Ad Hoc Committee on Medications, thus, recommended an additional responsibility for the Racing Veterinarian: conducting pre-race examinations of entered horses as required by a Commission official [either the Board of Stewards or the Official Veterinarian] for Commission consideration. The Commission approved the recommendation, including the Declaration of Emergency, of rule amendments at its January 24, 2013 Regularly Scheduled Meeting to seek approval of the proposed rule amendments through both the emergency and permanent rulemaking processes.

Emergency Adoptions

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472

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

325:20-1-22. Duties of the Racing Veterinarian

The Racing Veterinarian must be a graduate veterinarian and licensed to practice in the State of Oklahoma. The Racing Veterinarian shall be present in the paddock on the racing course, and at the starting gate during the saddling, the parade, and until the horses are dispatched from the gate for the race; ~~and~~ shall examine any horse when there is a question as to the physical condition of such a horse; and, as the Stewards or Official Veterinarian require, shall conduct pre-race examinations of entered horses. He or she shall report any horse, which in their opinion is incapable of physically exerting its best effort to win, to the Stewards, who may scratch such horse from the race. The Racing Veterinarian shall examine any horse

which appears in physical distress during the race, at the finish of the race; and s/he shall report such horse together with their opinion as to the cause of the distress to the Stewards and to the Official Veterinarian. No Racing Veterinarian shall directly treat or prescribe for any horse scheduled to participate during their term of appointment at any recognized meeting except in an emergency. The Racing Veterinarian has the authority to treat any horse in the event of an emergency, accident or injury; and s/he is authorized to humanely destroy any horse which in their opinion is so seriously injured that it is in the best interests of racing to so act; and every horse owner and Trainer participating in Commission- licensed racing does consent to the humane destruction of such animal. In the case of a horse which has suffered a catastrophic injury, the Racing Veterinarian may obtain a blood sample from the injured horse prior to taking any humane actions necessary. If the trainer is immediately available, he or she may witness the collection process. If the trainer is not immediately available to witness the collection process, any other Commission-licensed individual shall act as the witness to the collection process.

[OAR Docket #13-234; filed 2-22-13]

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

1:2013-5.

EXECUTIVE ORDER 2013-05

I, Mary Fallin, 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 Wednesday, February 20, 2013, to honor Former Representative Kenneth "Ken" Nance, who passed away on Thursday, February 14, 2013.

Kenneth Nance has worked in the capitol for over 50 years. He worked for the House of Representatives as a staff member before going to work as an assistant attorney general. He served in the House of Representatives from 1968 to 1978. After leaving the House of Representatives he would go on to start his own law practice/consulting firm. His service to our state will be missed.

This executive order shall be forwarded to the Department of Capital Assets 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 18th day of February, 2013.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

Michelle R. Day
Secretary of State

[OAR Docket #13-224; filed 2-19-13]

1:2013-6.

EXECUTIVE ORDER 2013-06

I, Todd Lamb, 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, winter storms, excessive snow, and flooding beginning February 24, 2013, and that are continuing, have caused extensive damage to public and private properties with 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 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, winter storms, excessive snow, 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, Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cherokee, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Delaware, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Mayes, McClain, McIntosh, Muskogee, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Seminole, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods and Woodward.

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 continuing disaster emergency, may make necessary emergency acquisitions to fulfill the purposes of this proclamation without regard to limitations or bidding requirements on such acquisitions.

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

Executive Orders

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, Oklahoma, this 25th day of February 2013.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Todd Lamb

ATTEST:
Michelle R. Day
Secretary of State

[OAR Docket #13-254; filed 2-25-13]

1:2013-7.

EXECUTIVE ORDER 2013-7

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. §§ 683.1 *et seq.*, hereby declare that because there is a state of emergency continuing in the State of Oklahoma due to catastrophic weather occurring statewide, it is necessary to assist and expedite all efforts of storm relief. In order to accommodate this need and to provide assistance to the citizens of Oklahoma in this extraordinary situation, I hereby order the temporary suspension of the following as they apply to vehicles used in the support effort:

1. The requirements for size and weights permits of oversized vehicles under Title 47 whose sole purpose is transportation of materials and supplies used for storm relief;
2. The requirements under parts 390 through 399 pursuant to part 390.23 of Federal Motor Carriers Safety Administration Regulations;
3. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission;
4. The requirements for licensing/registration as required by the Oklahoma Tax Commission;

Because of the on-going state of emergency which has existed continually since February 25th, 2013, this Executive Order shall be effective until the end of thirty (30) days after the filing of this Executive Order.

This Executive Order shall be forwarded to the Oklahoma Corporation Commission, the Oklahoma Tax Commission, and the Commissioner of Public Safety, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 28th day of February, 2013.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Michelle R. Day
Secretary of State

[OAR Docket #13-266; filed 2-28-13]
