

Volume 33
Number 5
November 16, 2015
Pages 89 - 104

The Oklahoma Register

Oklahoma
Secretary of State
Office of Administrative Rules



Mary Fallin, Governor
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Secretary of State
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This publication is issued and printed by the Secretary of State as authorized by 75 O.S., Section 255. 44 copies have been prepared and distributed at a cost of \$105.60. Copies have been deposited with the Oklahoma Department of Libraries, Publications Clearinghouse.

ISSN 0030-1728

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Notices of Rulemaking Intent

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

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

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

TITLE 150. OKLAHOMA DEPARTMENT OF COMMERCE CHAPTER 15. SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

[OAR Docket #15-817]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Consultant Certification

150:15-9-2. Requirements for certification [AMENDED]

150:15-9-4. Duration and recertification [AMENDED]

150:15-9-5. Disciplinary action and complaint process [AMENDED]

150:15-9-6. Penalties [AMENDED]

150:15-9-7. Process to impose penalties [AMENDED]

150:15-9-8. Interim certification and use of mentor [AMENDED]

150:15-9-9. Unethical conduct per se [AMENDED]

SUMMARY:

This action is to clarify the existing Consultant Certification program rules at the Oklahoma Department of Commerce for the Small Cities Community Development Block Grant Program.

AUTHORITY:

The legislation establishing the Oklahoma Department of Commerce; 74 O.S. §§ 5001 et seq.

COMMENT PERIOD:

Written and oral comments will be accepted from November 16, 2015 through December 17, 2015 during regular business hours by contacting Donald R. Hackler, Jr., Deputy Director/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104, (405) 815-5359, or Donald.Hackler@commerce.ok.gov

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Friday, December 18, 2015, at Gallery 1-1, 900 North Stiles Avenue, Oklahoma City, Oklahoma. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct

costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Donald R. Hackler, Jr., Deputy Director/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104.

COPIES OF THE PROPOSED RULES:

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

RULE IMPACT STATEMENT:

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

CONTACT PERSON:

Donald R. Hackler, Jr., Deputy Director/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma 73104 (405) 815-5359 Donald.Hackler@commerce.ok.gov.

[OAR Docket #15-817; filed 10-23-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #15-819]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 1. General Teaching Certificate Requirements

210:20-9-9. Kinds, types, classes, and processing fees of certificates [AMENDED]

SUMMARY:

The rule that lists classes of teacher and administrator certificates contains outdated references to a specific "license" category for first-year teachers, a certification status that no longer exists. The proposed amendments strike references to this obsolete category.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104

Notices of Rulemaking Intent

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 16, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-819; filed 10-23-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #15-820]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 1. General Teaching Certificate Requirements

210:20-9-10.2. Teacher Competency Review Panel: recommendation for certification; fee assessment [REVOKED]

SUMMARY:

This rule must be revoked because the authorizing statute has been repealed. The Teacher Competency Review Panel that was described by 70 O.S. § 6-202 is no longer in place.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 6-202

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 16, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-820; filed 10-23-15]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF**

[OAR Docket #15-821]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-94. Period of validity of certificates [AMENDED]

SUMMARY:

The proposed amendments remove language that referred to a certification category which is no longer in use, a former one year license for first-year teachers. A provision is also added to the subsection on emergency certification. The amendment to the emergency certification subsection provides that the one (1) year validity period of an emergency teaching certificate may be extended for one (1) additional year at the request of the superintendent of the employing district.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from October 15, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-821; filed 10-23-15]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF**

[OAR Docket #15-822]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-95. Effective date of teaching certificates and licenses [AMENDED]

Notices of Rulemaking Intent

SUMMARY:

Senate Bill 29 (2015) established new effective dates for renewed teaching certificates, which required an emergency amendment to update this rule accordingly. The proposed permanent version also aligns the effective dates of newly issued teaching certificates with the dates established for renewed certificates under SB 29. Under these amendments, the certificate of an applicant who completes all requirements for certification and submits an application and supporting documentation between May 1 and December 31 will have an effective date of July 1. The certificate of an applicant who submits the required documentation between January 1 and April 30 will be dated the first day of the month in which the application and documents are received.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 16, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication

of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-822; filed 10-23-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #15-823]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-96. Requirements for renewal or reissuance of certificates [AMENDED]

SUMMARY:

The rule that lists requirements for the renewal of teaching certificates contains outdated references to a specific "license" category for first-year teachers, a certification status that no longer exists. The proposed amendments strike references to this obsolete category, and also to a "Professional certificate" category no longer in use.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 16, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to

ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-823; filed 10-23-15]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF**

[OAR Docket #15-824]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-100. Teacher Competency Review Panel [REVOKED]

SUMMARY:

This rule must be revoked because the authorizing statute has been repealed. The Teacher Competency Review Panel that was described by 70 O.S. § 6-202 is no longer in place.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 6-202

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 16, 2015 until 4:30 p.m., Friday, December 18, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, December 18, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-824; filed 10-23-15]

Notices of Rulemaking Intent

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

[OAR Docket #15-814]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULE:

Subchapter 3. Organizational Licensing
325:15-3-4. Application for organization license

[AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to the rule to delete obsolete language. The three racetracks licensed by the Commission no longer charge admission, so the two references to an admission price need to be removed.

AUTHORITY:

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

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on January 4, 2016.

COPIES OF PROPOSED RULE AMENDMENTS:

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

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by December 1, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

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

[OAR Docket #15-814; filed 10-22-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

[OAR Docket #15-815]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULE:

Subchapter 5. Occupation Licensing
325:15-5-10. Grounds for denial, refusal, suspension or revocation of license [AMENDED]

SUMMARY:

This is an updated Notice of Rulemaking Intent [NRI] from the one published September 15, 2015. The regulatory text shared with that NRI had an incorrect statutory citation. The regulatory text, including the correct statutory citation, will be distributed with this NRI to industry stakeholders. The Ad Hoc Committee on Rules has proposed amendments to this rule to update information and/or delete obsolete language.

AUTHORITY:

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

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on January 4, 2016.

COPIES OF PROPOSED RULE AMENDMENTS:

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

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by December 1, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

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

[OAR Docket #15-815; filed 10-22-15]

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

[OAR Docket #15-816]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULE:

325:35-1-37. Agreements to be filed [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed an amendment to change the deadline for submitting the next year's Horsemen's Agreement [between a racetrack and a horsemen's representative organization] from June 1 to October 1 of the preceding year.

AUTHORITY:

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

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, January 4, 2016, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on January 4, 2016.

COPIES OF PROPOSED RULE AMENDMENTS:

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

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by December 1, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

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

[OAR Docket #15-816; filed 10-22-15]

Emergency Adoptions

"If an agency finds that a rule is necessary as an emergency measure, the rule may be promulgated" if the Governor approves the rules after determining "that the rule is necessary as an emergency measure to do any of the following:

- a. protect the public health, safety or welfare,
- b. comply with deadlines in amendments to an agency's governing law or federal programs,
- c. avoid violation of federal law or regulation or other state law,
- d. avoid imminent reduction to the agency's budget, or
- e. avoid serious prejudice to the public interest." [75 O.S., Section 253(A)]

An emergency rule is considered promulgated immediately upon approval by the Governor, and effective immediately upon the Governor's approval or a later date specified by the agency in the emergency rule document. An emergency rule expires on September 15 following the next regular legislative session after its 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 cites to 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 800. DEPARTMENT OF WILDLIFE CONSERVATION CHAPTER 25. WILDLIFE RULES

[OAR Docket #15-813]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 7. General Hunting Seasons

Part 19. Seasons on Areas Owned or Managed by the Oklahoma Department of Wildlife Conservation and the U.S. Fish and Wildlife Service

800:25-7-86.1. Camp Gruber ~~Maneuver~~ Training Center (~~CGMTC~~CGTC) [AMENDED]

AUTHORITY:

Title 29 O.S., Sections 3-103 and 5-401 Article XXVI, Sections 1 and 3 of the Constitution of Oklahoma; Department of Wildlife Conservation Commission.

ADOPTION:

August 3, 2015

EFFECTIVE:

Immediately upon Governor's approval or September 2, 2015, whichever is later.

APPROVED BY GOVERNOR:

August 17, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the legislature.

SUPERSEDED EMERGENCY ACTION:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

Emergency rules are needed due to the signing of the Memorandum of Understanding (MOU) on 6/11/2015 allowing additional access opportunities on the Camp Gruber Training Center and in order for them to be in effect for this fall hunting season.

ANALYSIS:

MOU allows additional opportunities for access, guaranteed hunting seasons, and other opportunities for area users. Once rules are passed, the public can be notified of these new opportunities and published in the hunting regulations booklet.

CONTACT PERSON:

Alan Peoples, Chief of Wildlife Division, Oklahoma Department of Wildlife Conservation, PO Box 53465, Oklahoma City, Ok 73152. Phone: 405/521-2739 or Rhonda Hurst, APA Liaison, phone: 405/522-6279.

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN,
THE FOLLOWING EMERGENCY RULES ARE
CONSIDERED PROMULGATED UPON APPROVAL BY**

**THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION
253(F) AND EFFECTIVE UPON APPROVAL BY THE
GOVERNOR OR SEPTEMBER 2, 2015, WHICHEVER
IS LATER:**

SUBCHAPTER 7. GENERAL HUNTING SEASONS

PART 19. SEASONS ON AREAS OWNED OR MANAGED BY THE OKLAHOMA DEPARTMENT OF WILDLIFE CONSERVATION AND THE U.S. FISH AND WILDLIFE SERVICE

800:25-7-86.1. Camp Gruber ~~Maneuver~~ Training Center (~~CGMTC~~CGTC)

The following area regulations and hunting and trapping seasons apply to designated open areas on ~~Camp Gruber~~ ~~MTC~~CGTC.

(1) All hunter(s)/trapper(s), regardless of age or military status, entering CGTC must possess the following:

(A) A hunting/trapping license or proof of exemption appropriate for the season being hunted/trapped as stated in the Oklahoma Hunting Regulation Guide booklet, published by ODWC.

(B) A valid Unexploded Ordinance (UXO) permit from CGTC.

(C) Hunter Education certification as required and outlined in the current Oklahoma Hunting Regulation Guide booklet.

(2) All other recreational users (anglers, horseback riders, etc.) entering CGTC for any reason are required to have in their possession a valid UXO permit.

(3) The following designated hunting seasons will apply to all hunting areas (#1, #2, #3, #5) on CGTC.

(A) The three-day youth deer gun season in October.

(B) The nine-day primitive firearms (muzzleloader) deer season, beginning the fourth Saturday in October and continuing for nine consecutive days.

Emergency Adoptions

- (C) The sixteen-day deer gun season, beginning the Saturday before Thanksgiving and continuing for sixteen consecutive days.
- (D) December 11 through Martin Luther King Day of each year, for all open hunting/trapping seasons listed for CGTC in the Oklahoma Hunting Regulation Guide booklet.
- (E) April 15 through May 6 for spring turkey hunting.
- (4) No later than 8:00 A.M. the day before the start of each designated hunting season, the gates west of Highway 10 (gates 5, 43, 44, 45, 46, 48 and 49), Hill Top gate (gate 12), Black Hollow gate (gate 16), Wild Horse Road gate (gate 17), Pumpkin Center Road gate (gate 23), and south Highway 10 gate (gate 38) will be opened and they will close at midnight on the last day of each designated hunting season.
- (5) Hunter/trapper use and access to hunting areas will also be allowed outside the designated hunting seasons whenever specific hunting areas are available and the use and access can be granted without impairment to the military mission.
- (6) Hunting areas west of Highway 10 (#4, #6) will remain open year-round for all open hunting/trapping seasons listed for CGTC in the Oklahoma Hunting Regulation Guide booklet, unless required for military training and coordinated with ODWC a minimum of 30 days in advance.
- (7) Camping on CGTC will be allowed only in Hunter's Camp 2 and only during the designated hunting seasons.
- (A) Controlled public access routes to the camping area will be through Hill Top Road (gate 12), and Wild Horse Road (gate 17). These gates will be open by 8:00 A.M. the day before the start of the designated hunting seasons and will close at midnight on the last day of each designated hunting season.
- (B) Open fire(s) will be allowed in the designated camping area only. CGTC may restrict the use of fire(s) in the camping area during dry conditions or if the CGTC is under a county or state burn ban.
- (C) Quiet shall be maintained in the camping area between the hours of 11 P.M. and 7 A.M. and all dogs or other pets must be kept on a leash or otherwise confined while in the camping area.
- (D) Fishing will be allowed in the ponds at Hunter's Camp 2 during the designated hunting seasons with a fishing license or proof of exemption as stated in the Oklahoma Fishing Regulation Guide booklet, published by ODWC.
- (8) All motorized vehicles must stay on the maintained road network. No all-terrain vehicles (ATVs) are allowed on the CGTC, except for those individuals who possess an ODWC Non-ambulatory permit. Permit holders operating an ATV are required to wear a reflective vest, DOT approved motorcycle helmet, eye protection (meets or exceeds ASNI 287.1 standards), long sleeve shirt, pants, over the ankle footwear, and full fingered gloves or mittens.
- Speeds on all ATV's will not exceed 25 MPH. Additionally, all motor vehicle and non-ambulatory vehicle permit holders must abide by all rules and regulations applicable to the permit as listed in the Oklahoma Hunting Guide Regulation booklet. Only those hunting areas and/or roads that are determined suitable and specifically designated for such will be open, intended users will inquire with Range Operations in building 740 for a map of designated areas/roads.
- (9) Quail: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (10) Pheasant: Closed season.
- (11) Prairie chicken: Closed season.
- (12) Turkey-Fall:
- (A) Archery: Same as statewide season dates, either-sex.
- (B) Gun: Closed season.
- (13) Turkey-Spring: Same as statewide season dates, 1 tom limit.
- (14) Squirrel: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (15) Rabbit: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (16) Crow: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (17) Dove: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (18) Rail and gallinule: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (19) Common snipe: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (20) Woodcock: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (21) Deer-archery: Same as statewide season dates.
- (22) Deer-primitive firearms: Same as statewide season dates, except open to antlerless hunting the first and second weekends only.
- (23) Deer-gun: Same as statewide dates, except closed to antlerless deer hunting.
- (24) Trapping: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.
- (25) Pursuit with hounds: Same as statewide dates, except closed from the opening day of deer archery season through deer gun season and spring turkey season.
- (26) Predator/furbearer calling: Same as statewide dates, except closed from the opening day of deer archery season through deer gun season and spring turkey season.

(~~1927~~) Waterfowl: Same as statewide season dates, except closed from the opening day of deer archery season through deer gun season.

[OAR Docket #15-813; filed 10-14-15]

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

1:2015-45.

EXECUTIVE ORDER 2015-45

Planes and other aircraft that are owned, leased, chartered, or rented by the State or its agencies (hereinafter, "aircraft") can be an important tool of government. Such vehicles allow for the quick transportation of public officers between far-flung regions of Oklahoma when time is of the essence; permit officials to aerially assess storm, wildfire, or flood damage and better coordinate an effective response to these types of disasters; critically assist search and rescue operations; and, of course, aid in law enforcement's drug interdiction efforts and in the location and capture of criminals, more generally. However, the inherently high cost of acquiring, maintaining, and operating aircraft means that the State of Oklahoma has a responsibility to oversee their acquisition and use with an eye towards coordinating utilization and eliminating inefficiencies.

As a result, I, Mary Fallin, Governor of the State of Oklahoma, by the authority vested in me pursuant to Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby direct and order as follows:

1. All air assets of State law enforcement agencies, including the Oklahoma Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Department of Public Safety (DPS), and the Oklahoma State Bureau of Investigation, shall be transferred to the custody and control of the Commissioner of DPS (hereinafter, "Commissioner") within thirty (30) days of issuance of this Order. During this timeframe, State law enforcement agencies and DPS shall also meet to begin negotiation of such interagency agreements-including, but not limited to, agreements under the State Personnel Interchange Program-as may be necessary to ensure that personnel, aviation-related financial assets, and other resources associated with the maintenance and continued operation of the aircraft are likewise transferred to the custody and control of DPS.
2. The administrative head of every "state agency," as that term is defined in 61 O.S. § 327(A), shall provide advance written notice to the Director of the Office of Management and Enterprise Services (OMES) every time the agency intends to purchase, lease, charter, or rent aircraft. This notice

must include the cost of, source of funding for, and projected duration of aircraft use. Any aircraft that is purchased or otherwise permanently acquired by the State or an agency is subject to the reporting requirements of 74 O.S. § 110.1.

3. The Director of OMES, in conjunction with the Commissioner, shall develop a comprehensive management plan for aircraft, which shall be consistent with Oklahoma law-including, but not limited to, 63 O.S. § 2-109 and 74 O.S. §§ 85.12b, 150.16, 500.6, 500.6A, and 500.18-and shall include guidelines for:

- a. The consolidation of storage and maintenance operations of aircraft owned by the State or any of its agencies;
- b. The shared use of aircraft owned by the State or any of its agencies that prioritizes availability for law enforcement and other public safety initiatives;
- c. The sale and disposal of aircraft that are not adequately being used or that could be more economically replaced by temporary use alternatives like rentals or charters; and
- d. Evaluating the cost-effectiveness of and securing approval for specific temporary use alternatives like rentals or charters.

4. The Director of OMES and the Commissioner shall submit the finalized comprehensive management plan to me for review and approval within one hundred and twenty (120) days of issuance of this Order. After approval has been secured, the comprehensive management plan shall be distributed to every Cabinet Secretary, who shall further distribute it to the administrative head of all State agencies within his or her respective Cabinet area. The comprehensive management plan shall also be posted electronically on the websites of OMES, DPS, and the Office of the Governor.

5. OMES shall take all necessary steps to convert the approved comprehensive management plan into permanent administrative rules in accordance with the Oklahoma Administrative Procedures Act (75 O.S. §§ 250-308.3).

This Executive Order shall be forwarded to the Director of OMES and the Commissioner, who shall cause the provisions of this Order to be implemented. Copies of this Executive Order shall be supplied to each Cabinet Secretary.

Executive Orders

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 23rd day of October, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

LeeAnn M. Hayes
Acting Assistant Secretary of State

[OAR Docket #15-818; filed 10-23-15]

1:2015-46.

EXECUTIVE ORDER 2015-46

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and by Subsection D of Section 840-2.14 of Title 74 of the Oklahoma Statutes, hereby order, in conjunction with the directives contained in Executive Order 2015-06:

1. Effective December 1, 2015, the Chief Administrative Officer of every "state agency" shall provide to his or her respective Cabinet Secretary (as established by Executive Order 2015-07) written documentation of a ten percent (10%) reduction in non-mission-critical agency expenses for the remainder of FY 2016 and the entirety of FY 2017. Such documentation shall include an explanation of how the dollars saved from said reduction will be reallocated to other needs within the agency.

2. Effective immediately, a moratorium be placed on non-essential out-of-state travel for all employees and officers of agencies that is paid for, in whole or in part, by the State of Oklahoma. This moratorium shall apply to all travel expenses not already incurred as of the date of this Order. Essential travel is expressly limited to travel that is: necessary to maintain professional accreditation that is otherwise unavailable within Oklahoma; critical to the performance of core agency functions; or required by the federal government or necessary to secure or maintain federal funding.

3. Effective December 1, 2015, advance written notification must be given for any proposed: agency, State, and public employee or officer membership(s) in any private or public organization; non-essential out-of-state travel for agency employees and officers that is wholly paid for by an entity other than the State; and non-emergency purchase(s) that exceed \$10,000.00 (collectively, "proposed expense").

a. Notification shall contain: 1) a brief description of the proposed expense, including its cost, the reason for its necessity, and the costs (if any) that could attach to the State

if the request is denied; and 2) any deadlines for receiving approval.

b. Notification shall be submitted to the agency's Cabinet Secretary by: 1) the agency's governing board or commission, where applicable; or 2) the agency's Chief Administrative Officer, for those agencies without a governing board or commission.

c. If the Cabinet Secretary denies a proposed expense or fails to provide the agency with an approval by the requested deadline, the agency may submit the notification as established in subsection (a), above, to me or my designee at the Office of the Governor for consideration.

d. Written approval as provided in subsections (b) or (c), above, must be obtained prior to incurring any legal obligation to pay a proposed expense.

Copies of this Executive Order shall be distributed to all Cabinet Secretaries and to the Chief Administrative Officers of all State agencies for immediate implementation.

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 26th day of October, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

LeeAnn M. Hayes
Acting Assistant Secretary of State

[OAR Docket #15-825; filed 10-26-15]

1:2015-47.

EXECUTIVE ORDER 2015-47

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct that appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 11:00 a.m. on Monday, October 26, 2015, to 8:00 a.m. on Monday, November 2, 2015, to honor those lost and wounded during the Oklahoma State University Homecoming parade tragedy on October 24, 2015.

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 26th day of October, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Tod Wall
Assistant Secretary of State

[OAR Docket #15-826; filed 10-26-15]

1:2015-48.

EXECUTIVE ORDER 2015-48

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby direct all "state agencies," as defined by 61 O.S. § 327(A), to immediately review their inventories of State-owned real property assets and dispose of any underutilized property to generate revenue for State government operations, reduce expenditures, and return real property to local tax rolls.

The Office of Management and Enterprise Services is hereby directed to assist State agencies with the disposal of underutilized real property assets in accordance with Section 327 of Title 61 of the Oklahoma Statutes.

This Executive Order shall be forwarded to all members of the Governor's Cabinet 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 28th day of October, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Tod Wall
Assistant Secretary of State

[OAR Docket #15-827; filed 10-28-15]
