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**Mary Fallin, Governor**  
**Chris Benge,**  
**Secretary of State**  
**Peggy Coe, Editor-in-Chief**

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Oklahoma Board of <b>NURSING</b> . . . . .	485	<b>TOBACCO</b> Settlement Endowment Trust Fund . . . . .	723
Oklahoma State Board of Examiners for <b>LONG-TERM</b> Care Administrators (Formerly: Oklahoma State Board of Examiners for <b>NURSING</b> Home Administrators) . . . . .	490	Oklahoma <b>TOURISM</b> and Recreation Department . . . . .	725
Board of Regents of <b>OKLAHOMA</b> City Community College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	495	Department of <b>TRANSPORTATION</b> . . . . .	730
Board of Regents of <b>OKLAHOMA</b> Colleges ( <i>exempted 11-1-98</i> ) . . . . .	500	Oklahoma <b>TRANSPORTATION</b> Authority ( <i>Name changed to</i> Oklahoma <b>TURNPIKE</b> Authority <i>11-1-05</i> ) - See Title 731	
Board of Examiners in <b>OPTOMETRY</b> . . . . .	505	Oklahoma <b>TURNPIKE</b> Authority (Formerly: Oklahoma <b>TRANSPORTATION</b> Authority AND Oklahoma <b>TURNPIKE</b> Authority) - See also Title 745 . . . . .	731
State Board of <b>OSTEOPATHIC</b> Examiners . . . . .	510	State <b>TREASURER</b> . . . . .	735
<b>PARDON</b> and Parole Board . . . . .	515	Board of Regents of <b>TULSA</b> Community College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	740
Oklahoma <b>PEANUT</b> Commission . . . . .	520	Oklahoma <b>TURNPIKE</b> Authority ( <i>Name changed to Oklahoma</i> <b>TRANSPORTATION</b> Authority <i>11-1-99 - no rules enacted in this</i> <i>Title - See Title 731</i> ) . . . . .	745
Oklahoma State <b>PENSION</b> Commission . . . . .	525	Oklahoma <b>UNIFORM</b> Building Code Commission . . . . .	748
State Board of Examiners of <b>PERFUSIONISTS</b> . . . . .	527	Board of Trustees for the <b>UNIVERSITY</b> Center at Tulsa ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	750
Office of <b>PERSONNEL</b> Management ( <i>consolidated under Office</i> <i>of Management and Enterprise Services 8-26-11 - See Title</i> <i>260</i> ) . . . . .	530	<b>UNIVERSITY</b> Hospitals Authority . . . . .	752
Board of Commercial <b>PET</b> Breeders ( <i>abolished 7-1-12 - See Title</i> <i>35</i> ) . . . . .	532	<b>UNIVERSITY</b> Hospitals Trust . . . . .	753
Oklahoma State Board of <b>PHARMACY</b> . . . . .	535	Board of Regents of the <b>UNIVERSITY</b> of Oklahoma ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	755
<b>PHYSICIAN</b> Manpower Training Commission . . . . .	540	Board of Regents of the <b>UNIVERSITY</b> of Science and Arts of Oklahoma ( <i>exempted 11-1-98</i> ) . . . . .	760
Board of <b>PODIATRIC</b> Medical Examiners . . . . .	545	Oklahoma <b>USED</b> Motor Vehicle and Parts Commission . . . . .	765
Oklahoma <b>POLICE</b> Pension and Retirement System . . . . .	550	Oklahoma Department of <b>VETERANS</b> Affairs . . . . .	770
State Department of <b>POLLUTION</b> Control ( <i>abolished 1-1-93</i> ) . . . . .	555	Board of <b>VETERINARY</b> Medical Examiners . . . . .	775
<b>POLYGRAPH</b> Examiners Board . . . . .	560	Statewide <b>VIRTUAL</b> Charter School Board . . . . .	777
Oklahoma Board of <b>PRIVATE</b> Vocational Schools . . . . .	565		
State Board for <b>PROPERTY</b> and Casualty Rates ( <i>abolished 7-1-06; see also Title 365</i> ) . . . . .	570		
State Board of Examiners of <b>PSYCHOLOGISTS</b> . . . . .	575		
Department of <b>CENTRAL</b> Services (Formerly: Office of <b>PUBLIC</b> Affairs; <i>consolidated under Office of Management and Enterprise</i> <i>Services 8-26-11 - See Title 260</i> ) . . . . .	580		

<b>Agency</b>	<b>Title</b>	<b>Agency</b>	<b>Title</b>
Oklahoma Department of <b>CAREER</b> and Technology Education (Formerly: Oklahoma Department of <b>VOCATIONAL</b> and Technical Education) . . . . .	780	Oklahoma <b>WHEAT</b> Commission . . . . .	795
Oklahoma <b>WATER</b> Resources Board . . . . .	785	Department of <b>WILDLIFE</b> Conservation . . . . .	800
Board of Regents of <b>WESTERN</b> Oklahoma State College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	790	<b>WILL</b> Rogers and J.M. Davis Memorials Commission . . . . .	805
		Oklahoma <b>WORKERS'</b> Compensation Commission . . . . .	810



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

*[OAR Docket #15-928]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

435:20-1-1. Definitions [AMENDED]

Subchapter 3. Licensure of Physical Therapist and Assistants

435:20-3-2. Criteria for disqualification as a physical therapist [AMENDED]

435:20-3-3. Criteria for disqualification as a physical therapy assistant [AMENDED]

Subchapter 5. Regulation of Practice

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

### **SUMMARY:**

The proposed revisions are necessary to keep the language in the rules consistent with the language in the law passed under Title 59 O.S. 2011 § 887.13.

### **AUTHORITY:**

59 O.S. § 887.5.A (1); Oklahoma Board of Medical Licensure and Supervision

### **COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by February 4, 2016 at the following address: Oklahoma Board of Medical Licensure and Supervision, Attn: Barbara Smith, 101 NE 51st Street, Oklahoma City, Oklahoma 73105 or bsmith@okmedicalboard.org.

### **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m. on Friday, February 12, 2016, at the Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

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

Copies of the proposed rules may be obtained from the Oklahoma Board of Medical Licensure and Supervision website at [www.okmedicalboard.org](http://www.okmedicalboard.org) under the Physical

Therapy tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at [okmedicalboard.org](http://okmedicalboard.org) under the Physical Therapy tab after January 18, 2016.

### **CONTACT PERSON:**

Lyle R. Kelsey, Executive Director, (405) 962-1400, [lkelsey@okmedicalboard.org](mailto:lkelsey@okmedicalboard.org).

*[OAR Docket #15-928; filed 12-3-15]*

## **TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION CHAPTER 25. ATHLETIC TRAINERS AND APPRENTICES**

*[OAR Docket #15-926]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

435:25-1-2. Definitions [AMENDED]

Subchapter 11. Disciplinary Action

435:25-11-1. Grounds for disciplinary action [AMENDED]

### **SUMMARY:**

The proposed revisions are necessary to keep the language in the rules consistent with the language in the law passed under Title 59 O.S. 2011 § 532.

### **AUTHORITY:**

59 O.S. § 528.1; Oklahoma Board of Medical Licensure and Supervision

### **COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by February 4, 2016 at the following address: Oklahoma Board of Medical Licensure and Supervision, Attn: Barbara Smith, 101 NE 51st Street, Oklahoma City, Oklahoma 73105 or bsmith@okmedicalboard.org.

### **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m. on Wednesday, February 10, 2016, at the Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

## Notices of Rulemaking Intent

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### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Board of Medical Licensure and Supervision website at [www.okmedicalboard.org](http://www.okmedicalboard.org) under the Athletic Trainer tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at [okmedicalboard.org](http://okmedicalboard.org) under the Athletic Trainer tab after January 18, 2016.

### CONTACT PERSON:

Lyle R. Kelsey, Executive Director, (405) 962-1400, [lkelsey@okmedicalboard.org](mailto:lkelsey@okmedicalboard.org).

*[OAR Docket #15-926; filed 12-3-15]*

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### TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION CHAPTER 30. OCCUPATIONAL THERAPISTS AND ASSISTANTS

*[OAR Docket #15-927]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

435:30-1-2. Definitions [AMENDED]

435:30-1-10. Grounds for disciplinary action [AMENDED]

### SUMMARY:

The proposed revisions are necessary to keep the language in the rules consistent with the language in the law passed under Title 59 O.S. 2011 § 888.9.

### AUTHORITY:

59 O.S. § 888.14; Oklahoma Board of Medical Licensure and Supervision

### COMMENT PERIOD:

Persons wishing to present their views in writing may do so by February 4, 2016 at the following address: Oklahoma Board of Medical Licensure and Supervision, Attn: Barbara Smith, 101 NE 51st Street, Oklahoma City, Oklahoma 73105 or [bsmith@okmedicalboard.org](mailto:bsmith@okmedicalboard.org).

### PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Thursday, February 11, 2016, at the Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Board of Medical Licensure and Supervision website at [www.okmedicalboard.org](http://www.okmedicalboard.org) under the Occupational Therapy tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at [okmedicalboard.org](http://okmedicalboard.org) under the Occupational Therapy tab after January 18, 2016.

### CONTACT PERSON:

Lyle R. Kelsey, Executive Director, (405) 962-1400, [lkelsey@okmedicalboard.org](mailto:lkelsey@okmedicalboard.org).

*[OAR Docket #15-927; filed 12-3-15]*

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### TITLE 455. MERIT PROTECTION COMMISSION CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

*[OAR Docket #15-931]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Subchapter 1. General Provisions

455:10-1-1 [AMENDED]

455:10-1-2 [AMENDED]

455:10-1-5 [AMENDED]

Subchapter 3. Jurisdiction, Rights and Processes

455:10-3-2 [AMENDED]

455:10-3-5 [AMENDED]

455:10-3-6 [AMENDED]

455:10-3-14 [AMENDED]

Subchapter 9. Hearing Process

455:10-9-1 [AMENDED]

455:10-9-2 [AMENDED]

455:10-9-3 [AMENDED]

455:10-9-5 [AMENDED]

Subchapter 11. Discipline

455:10-11-15 [AMENDED]

455:10-11-16 [AMENDED]

455:10-11-17 [AMENDED]

Subchapter 13. Discovery

455:10-13-4 [AMENDED]

Subchapter 19. Internal Agency Grievance Resolution Procedures

Part 5. Grievance Provisions

455:10-19-35 [AMENDED]

Subchapter 21. Presiding Officials, Representatives, Witnesses and Parties

455:10-21-6 [AMENDED]

**SUMMARY:**

The proposed rule amendments change references to Office of Personnel Management to Human Capital Management Division of the Office of Management and Enterprise Services to bring the rules in line with changes in Oklahoma law consolidating the Office of Personnel Management into the Office of Management and Enterprise Services, and change references to the related rules in OAC 260 (Office of Management and Enterprise Services) from OAC 530 (Office of Personnel Management), which were revoked effective September 12, 2014. The modifications also define the Merit Protection Commission's on-line filing system and adds references to use of the system and clarifies some language. The amendments also reflect corrections to references to rules and statutes, including references to the Americans With Disabilities Amendments Act.

**AUTHORITY:**

The authority for these rules is Section 840-1.9 of Title 74 of the Oklahoma Statutes. The primary basis is the Oklahoma Personnel Act, Section 840-1.1 *et seq.* of Title 74 of the Oklahoma Statutes.; Merit Protection Commission

**COMMENT PERIOD:**

Persons wishing to present their comments orally or in writing may do so before 4:30 p.m. on February 3, 2016, at the offices of the Merit Protection Commission, 3545 N. W. 58th Street, Ste. 360, Oklahoma City, OK 73112.

**PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m. on Wednesday, February 3, 2016, at the offices of the Merit Protection Commission, 3545 N. W. 58th Street, 5th Floor Conference Room, Oklahoma City, OK 73112. Anyone who wishes to speak must sign in at the door by 10:05 a.m.

**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 by the conclusion of the comment period at 4:30 p.m. on February 3, 2016, and/or at the public hearing on February 3, 2016, at the office of the Merit Protection Commission, at the above address.

**COPIES OF PROPOSED RULES:**

Interested persons may inspect proposed rules at the offices of the Merit Protection Commission, 3545 N. W. 58th Street, Ste. 360, Oklahoma City, OK 73112, before the close of comment period on February 3, 2016. The proposed rules will also be available on the Merit Protection Commission website, <http://www.ok.gov/okmpc/>

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be available on and after publication of this notice on January 4, 2016, at the same location listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

John Carrington, Human Resources Programs Manager, (405) 525-9144, John.Carrington@mpc.ok.gov.

[OAR Docket #15-931; filed 12-8-15]

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

[OAR Docket #15-920]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 25. Deferred Compensation [AMENDED]

**SUMMARY:**

Additions, revocations and amendments are proposed necessitating permanent rulemaking action. The agency is considering proposals which are designed to make the administration of the Deferred Compensation Plan more efficient and member service oriented. The topics include the distribution of rollover contributions.

**AUTHORITY:**

Oklahoma Public Employees Retirement System Board of Trustees, pursuant to 74 O.S. Section 1701.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:30 p.m. on February 17, 2016, by mail or hand-delivery, to the offices of Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**PUBLIC HEARING:**

A Public Hearing will be held to provide an opportunity for persons to present their views orally at 1:30 p.m., Thursday, February 18, 2016, in the Board Room of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday, (excluding legal holidays) from Dessa Baker-Inman, General Counsel, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**RULE IMPACT STATEMENT:**

A rule impact statement will be prepared as required by 75 O.S. Section 303(D), and will be available on and after January 4, 2016, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200,

## Notices of Rulemaking Intent

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Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**CONTACT PERSON:**

Dessa Baker-Inman, General Counsel (405) 858-6737.

*[OAR Docket #15-920; filed 12-1-15]*

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

*[OAR Docket #15-921]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 35. Deferred Savings Incentive Plan [AMENDED]

**SUMMARY:**

Additions, revocations and amendments are proposed necessitating permanent rulemaking action. The agency is considering proposals which are designed to make the administration of the Deferred Savings Incentive Plan more efficient and member service oriented or to ensure continued Plan qualification under the Internal Revenue Code. The topics include the distribution of rollover contributions.

**AUTHORITY:**

Oklahoma Public Employees Retirement System Board of Trustees, pursuant to 74 O.S. Section 1707.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:30 p.m. on February 17, 2016, by mail or hand-delivery, to the offices of Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**PUBLIC HEARING:**

A Public Hearing will be held to provide an opportunity for persons to present their views orally at 1:30 p.m., Thursday, February 18, 2016, in the Board Room of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday, (excluding legal holidays) from Dessa Baker-Inman, General Counsel, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**RULE IMPACT STATEMENT:**

A rule impact statement will be prepared as required by 75 O.S. Section 303(D), and will be available on and after January

4, 2016, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**CONTACT PERSON:**

Dessa Baker-Inman, General Counsel (405) 858-6737.

*[OAR Docket #15-921; filed 12-1-15]*

**TITLE 590. OKLAHOMA PUBLIC  
EMPLOYEES RETIREMENT SYSTEM  
CHAPTER 40. DEFINED CONTRIBUTION  
SYSTEM**

*[OAR Docket #15-922]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 40. Defined Contribution System [AMENDED]

**SUMMARY:**

Additions, revocations and amendments are proposed necessitating permanent rulemaking action. The agency is considering proposals which are designed to make the administration of the Public Employees Retirement System more efficient and member service oriented or to ensure continued Plan qualification under the Internal Revenue Code. Proposed changes include topics related to the defined contribution system created by Enrolled HB 2630 and Enrolled SB 2120 enacted by the 2014 legislature and amended by HB 1376 enacted by the 2015 legislature. These topics include general provisions applicable to the 401(a) plan and the 457(b) plan, session-only employees, participation dates, contribution rates, vesting, forfeiture of non-vested contributions, investment gains and losses, time period for payment of benefits, maximum limits for contributions, investment vehicles and distribution of rollover contributions.

**AUTHORITY:**

Oklahoma Public Employees Retirement System Board of Trustees, pursuant to 74 O.S. Section 909.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:30 p.m. on February 17, 2016, by mail or hand-delivery, to the offices of Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**PUBLIC HEARING:**

A Public Hearing will be held to provide an opportunity for persons to present their views orally at 1:30 p.m., Thursday, February 18, 2016, in the Board Room of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday, (excluding legal holidays) from Dessa Baker-Inman, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**RULE IMPACT STATEMENT:**

A rule impact statement will be prepared as required by 75 O.S. Section 303(D), and will be available on and after publication of this notice on January 4, 2016, at the offices of the Oklahoma Public Employees Retirement System, 5801 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73118, or on the OPERS website at [www.opers.ok.gov](http://www.opers.ok.gov).

**CONTACT PERSON:**

Dessa Baker-Inman, General Counsel (405) 858-6737.

*[OAR Docket #15-922; filed 12-1-15]*

**TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #15-923]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 5. Program Divisions Within the Department
  - 612:1-5-3. Division of Vocational Rehabilitation for the Blind & Visually Impaired (DVRBVI) [AMENDED]
- Subchapter 17. Availability of Information, Scope and Description of Open Meetings
  - 612:1-17-2. Scope and description of the Open Meetings Act [AMENDED]

**SUMMARY:**

The changes throughout Chapter 1 involve updating and removal of antiquated language. The proposed change deletes the indication that all diabetics will be served by the DVRBVI division. Updates include clarifying and updating language to reflect current use of terms.

**AUTHORITY:**

Commission for Rehabilitation Services; 74 O.S. § 166.1 et seq.; 74 O.S. § 166.2

**COMMENT PERIOD:**

Written and oral comments will be accepted December 4, 2015 through February 10, 2016 during regular business hours by contacting Tina Calloway, Department of Rehabilitation Services, 3535 NW 58<sup>th</sup> Suite 500, Oklahoma City, Oklahoma 73112, Telephone 405-951-3552.

**PUBLIC HEARING:**

Monday, February 8, 2016  
4:00 P.M. - 6:00 P.M.,

Department of Rehabilitation Services  
2<sup>nd</sup> Floor Conference Room  
3535 N.W. 58<sup>th</sup> Street  
Oklahoma City, Oklahoma

Tuesday, February 9, 2016  
1:00 P.M. - 3:00 P.M.  
Total Source for Hearing-loss and Access  
8740 E. 11<sup>th</sup> St., Conference Room  
Tulsa, Oklahoma

Wednesday, February 10, 2016  
1:00 P.M. - 3:00 P.M.  
Great Plains Technology Center  
4500 W. Lee Blvd., Bldg. 700, Room 701  
Centennial Conference Center  
Lawton, Oklahoma

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

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

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from: the DRS Web Site [www.okdrs.gov](http://www.okdrs.gov) by e-mail [policycomment@okdrs.gov](mailto:policycomment@okdrs.gov) by letter to the Policy Development Unit, attention Tina Calloway, Department of Rehabilitation Services, 3535 N.W. 58<sup>th</sup>, Suite 500, Oklahoma City, Oklahoma 73112 or by calling (405) 951-3552 - Toll free 1-800-845-8476.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303 (D), a rule impact statement will be issued and made available after January 4, 2016, at the Department of Rehabilitation Services office at the above address.

**CONTACT PERSON:**

Tina Calloway, Rulemaking Liaison, (405) 951-3552

*[OAR Docket #15-923; filed 12-1-15]*

**TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES  
CHAPTER 3. MANAGEMENT SERVICES DIVISION**

*[OAR Docket #15-924]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

# Notices of Rulemaking Intent

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## PROPOSED RULES:

- Subchapter 5. ~~Policy Development and Program Standards~~ Process Improvement [AMENDED]  
Part 1. General Provisions  
612:3-5-1. Purpose [AMENDED]  
Part 3. ~~Policy Development~~ [AMENDED]  
612:3-5-12. ~~Policy Development~~ [AMENDED]  
612:3-5-13. Drafting of new or revised policy [REVOKED]  
612:3-5-14. Adoption of new or revised policy [REVOKED]  
612:3-5-15. When new or revised policy becomes effective [REVOKED]  
612:3-5-16. State office memoranda [REVOKED]  
612:3-5-17. Department publications [REVOKED]  
612:3-5-18. Petition requesting promulgation [REVOKED]  
612:3-5-19. DRS staff responsibility [REVOKED]  
Part 5. Program Standards  
612:3-5-29. Program Standards [AMENDED]  
612:3-5-30. Vocational Rehabilitation and Vocational Rehabilitation for the Blind & Visually Impaired compliance reviews [REVOKED]  
612:3-5-31. Vocational Rehabilitation and Vocational Rehabilitation for the Blind & Visually Impaired outcome measures [REVOKED]  
Part 7. Case Review [NEW]  
612:3-5-35. Case Review [NEW]

## SUMMARY:

Changes to Chapter 3 involve name change of Policy Development and Program Standards becoming Process Improvement. Additional changes include combining policies into one cohesive document and eliminate multiple related policies.

## AUTHORITY:

Commission for Rehabilitation Services; 74 O.S. § 166.2

## COMMENT PERIOD:

Written and oral comments will be accepted December 4, 2015 through February 10, 2016 during regular business hours by contacting Tina Calloway, Department of Rehabilitation Services, 3535 NW 58<sup>th</sup> Suite 500, Oklahoma City, Oklahoma 73112, Telephone 405-951-3552.

## PUBLIC HEARING:

Monday, February 8, 2016  
4:00 P.M. - 6:00 P.M.,  
Department of Rehabilitation Services  
2<sup>nd</sup> Floor Conference Room  
3535 N.W. 58<sup>th</sup> Street  
Oklahoma City, Oklahoma

Tuesday, February 9, 2016  
1:00 P.M. - 3:00 P.M  
Total Source for Hearing-loss and Access  
8740 E. 11<sup>th</sup> St., Conference Room  
Tulsa, Oklahoma

Wednesday, February 10, 2016  
1:00 P.M. - 3:00 P.M  
Great Plains Technology Center  
4500 W. Lee Blvd., Bldg. 700, Room 701  
Centennial Conference Center  
Lawton, Oklahoma

## REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

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

## COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from: the DRS Web Site [www.okdrs.gov](http://www.okdrs.gov) by e-mail [policycomment@okdrs.gov](mailto:policycomment@okdrs.gov) by letter to the Policy Development Unit, attention Tina Calloway, Department of Rehabilitation Services, 3535 N.W. 58<sup>th</sup>, Suite 500, Oklahoma City, Oklahoma 73112 or by calling (405) 951-3552 - Toll free 1-800-845-8476.

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303 (D), a rule impact statement will be issued and made available after January 4, 2016, at the Department of Rehabilitation Services office at the above address.

## CONTACT PERSON:

Tina Calloway, Rulemaking Liaison, (405) 951-3552

*[OAR Docket #15-924; filed 12-1-15]*

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## TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES CHAPTER 10. VOCATIONAL REHABILITATION AND VOCATIONAL REHABILITATION FOR THE BLIND & VISUALLY IMPAIRED

*[OAR Docket #15-925]*

## RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

## PROPOSED RULES:

- Subchapter 1. General Provisions  
612:10-1-2. Definitions [AMENDED]  
Subchapter 7. Vocational Rehabilitation and Vocational Rehabilitation for the Blind & Visually Impaired  
Part 1. Scope of Vocational Rehabilitation and Vocational Rehabilitation for the Blind & Visually Impaired  
612:10-7-1. Overview of Vocational Rehabilitation and Vocational Rehabilitation for the Blind & Visually Impaired [AMENDED]

- Part 3. Case Processing Requirements
- 612:10-7-21.1. Processing incoming referrals [AMENDED]
- 612:10-7-24.1. Basic eligibility requirements for vocational rehabilitation services [AMENDED]
- Subchapter 9. Rehabilitation Teaching Services
- Part 5. Services
- 612:10-9-32. Diagnosis and evaluation for ~~homemaker cases~~ [AMENDED]
- Subchapter 11. Independent Living Services for Older and Individuals who are Blind
- Part 1. Scope of Services
- 612:10-11-2. Basic eligibility requirements [AMENDED]
- Part 3. Case Processing
- 612:10-11-24. Successful Closure Status [REVOKED]
- 612:10-11-25. Unsuccessful Closure Status [REVOKED]
- 612:10-11-26. Previously closed cases [REVOKED]
- 612:10-11-27. Inter-program transfers [REVOKED]
- Part 5. Provision of Services
- 612:10-11-43. Reader/Sighted Guide services [AMENDED]
- 612:10-11-44. Orientation and Mobility services (O&M) [REVOKED]
- 612:10-11-58. Adapted Communication Skills Training [AMENDED]

**SUMMARY:**

The changes to Chapter 10 consist of updating use of terms to match federal law; revision of rehabilitation teaching eligibility to specify teachers may serve persons with any visual impairments that result in significant functional issues; adding the revised WIOA language regarding advancing in employment; the addition of language regarding pre-employment transition services to be compliant with the new federal Workforce Innovation and Opportunity Act and the deletion of reference to 'homemaker' to be compliant with the federal rules eliminating the option for a vocational goal.

**AUTHORITY:**

Commission for Rehabilitation Services; 29 USC 701, 705, 723, and 796; 74 OS § 166.1 et seq.; 34 CFR 267 and 361.50.

**COMMENT PERIOD:**

Written and oral comments will be accepted December 4, 2015 through February 10, 2016 during regular business hours by contacting Tina Calloway, Department of Rehabilitation Services, 3535 NW 58<sup>th</sup> Suite 500, Oklahoma City, Oklahoma 73112, Telephone 405-951-3552.

**PUBLIC HEARING:**

Monday, February 8, 2016  
 4:00 P.M. - 6:00 P.M.,  
 Department of Rehabilitation Services  
 2<sup>nd</sup> Floor Conference Room  
 3535 N.W. 58<sup>th</sup> Street  
 Oklahoma City, Oklahoma

Tuesday, February 9, 2016  
 1:00 P.M. - 3:00 P.M.

Total Source for Hearing-loss and Access  
 8740 E. 11<sup>th</sup> St., Conference Room  
 Tulsa, Oklahoma

Wednesday, February 10, 2016  
 1:00 P.M. - 3:00 P.M.  
 Great Plains Technology Center  
 4500 W. Lee Blvd., Bldg. 700, Room 701  
 Centennial Conference Center  
 Lawton, Oklahoma

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

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

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from: the DRS Web Site [www.okdrs.gov](http://www.okdrs.gov) by e-mail [policycomment@okdrs.gov](mailto:policycomment@okdrs.gov) by letter to the Policy Development Unit, attention Tina Calloway, Department of Rehabilitation Services, 3535 N.W. 58<sup>th</sup>, Suite 500, Oklahoma City, Oklahoma 73112 or by calling (405) 951-3552 - Toll free 1-800-845-8476.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303 (D), a rule impact statement will be issued and made available after January 4, 2016, at the Department of Rehabilitation Services office at the above address.

**CONTACT PERSON:**

Tina Calloway, Rulemaking Liaison, (405) 951-3552

*[OAR Docket #15-925; filed 12-1-15]*

**TITLE 715. TEACHERS' RETIREMENT SYSTEM  
 CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #15-933]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 715:1-1-8. Payment of salaries and claims [AMENDED]
- 715:1-1-13. Change of address, name or district [AMENDED]

**SUMMARY:**

715:1-1-8 is being amended to update internal staff titles that may authorize payment of claims. 715:1-1-13 is being amended to allow name or address change requests to be

## Notices of Rulemaking Intent

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submitted online electronically through the OTRS Client Portal.

### **AUTHORITY:**

70 O.S. Section 17-101, et seq., especially Section 17-106(10); Teachers' Retirement System Board of Trustees

### **COMMENT PERIOD:**

Written comments may be made from January 5, 2016 through February 5, 2016, filed and available for inspection in the Office of the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma, from 8:30 a.m. until 5:00 p.m., Monday through Friday, excluding holidays, or by mailing same to the Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

### **PUBLIC HEARING:**

A public hearing will be held from 9:00 a.m. to 10:00 a.m. on February 11, 2016, at the offices of the Teachers' Retirement System, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma. Written notice of intent to make oral comments is encouraged. Individuals who file a written notice to comment will be scheduled to speak before comments are accepted from the audience. Written notice may be filed with the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, until 5:00 p.m. on February 9, 2016. Written notice may be mailed to: Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

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

Copies of the proposed rules may be obtained for review from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, and also will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)).

### **RULE IMPACT STATEMENT:**

The Oklahoma Teachers' Retirement System will issue a rule impact statement. Copies of the statement will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)) or may be obtained from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, beginning January 18, 2016, between 8:30 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

### **CONTACT PERSON:**

Julie Ezell, Rules Liaison (405) 521-4746.

*[OAR Docket #15-933; filed 12-8-15]*

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## **TITLE 715. TEACHERS' RETIREMENT SYSTEM CHAPTER 10. GENERAL OPERATIONS**

*[OAR Docket #15-934]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 3. Service Eligibility

715:10-3-1. Requirements for creditable service [AMENDED]

Subchapter 5. Establishing Other Service Credits

715:10-5-1. Oklahoma service credit after July 1, 1943 [AMENDED]

715:10-5-4. Cost to purchase Oklahoma service [NEW]

715:10-5-4.1. Payment of Contribution Deficit for Education Employees Service Incentive Plan [AMENDED]

715:10-5-9. Re-establishing withdrawn service [AMENDED]

715:10-5-11. Military service limited to maximum of five years [NEW]

Subchapter 7. Membership Vesting and Termination

715:10-7-1. Vesting of membership in TRS [AMENDED]

Subchapter 9. Survivor Benefits

715:10-9-6. Probate Waivers [NEW]

Subchapter 11. Withdrawal from Membership and Refund of Deposits

715:10-11-2. Withdrawal of optional membership while still employed [AMENDED]

Subchapter 13. Contributions for Membership Service

715:10-13-1. Regular annual compensation requirements [NEW]

715:10-13-13. Contributions while receiving payments from Workers' Compensation [AMENDED]

Subchapter 15. Service Retirement

715:10-15-3. Date of retirement; making application [AMENDED]

715:10-15-7.2. Retirement formula for members retiring under provisions of the Education Employees Service Incentive Plan ("EESIP") [AMENDED]

715:10-15-10. Retirement plans [AMENDED]

715:10-15-10.2. Partial lump-sum payments [AMENDED]

715:10-15-11. Designation of beneficiaries for retirement options [AMENDED]

715:10-15-16. Review by Medical Board [AMENDED]

Subchapter 17. Post-Retirement Employment

715:10-17-12. Earnings report by remitting agencies [AMENDED]

715:10-17-13. Election to return to qualifying employment [AMENDED]

Subchapter 25. Qualified Domestic Relations Order [NEW]

715:10-25-1. Definition [NEW]

715:10-25-2. Filing a qualified domestic order [NEW]

715:10-25-3. Contents of qualified domestic order [NEW]

715:10-25-4. Payment to alternate payee [NEW]  
715:10-25-5. Termination of a qualified domestic order [NEW]

**SUMMARY:**

OTRS is proposing to: amend 715:10-3-1 to provide more structure on how service credit is calculated and provide for rounding of service credit awarded; amend 715:10-5-4 provide information, guidance, and procedures on how the cost to purchase Oklahoma service is calculated; amend 715:10-5-4.1 to provide that all EESIP payments must be completed at least ninety days prior to retirement; amend 715:10-5-1 to fix a clerical error; amend 715:10-5-9 to require all payments for withdrawn service to be completed at least ninety days prior to retirement; amend 715:10-5-11 to provide a procedure for the purchase of military service; amend 715:10-7-1 to provide that the five years required for vesting requires a member to have five years of service credit; amend 715:10-9-6 to provide procedure for the submission of a probate waiver; amend 715:10-11-2 to make it clearer that a forfeiture of benefits when an optional member withdraws does not forfeit any future benefits the member may become entitled to; amend 715:10-13-1 to provide examples of what payments meet the definition of regular annual compensation; amend 715:10-13-13 to allow employers to continue remitting contributions on an employee's full regular annual compensation during a period when an employee is receiving Workers' Compensation; amend 715:10-15-3 to make it clear that the Intent to Retire must be returned to OTRS no less than 60 days prior to the date of retirement; amend 715:10-15-7.2 to provide that an employee who participates in EESIP, and then becomes employed by a non-participating EESIP employer, does not lose their EESIP wear-away performed prior to employment by a non-participating employer; amend 715:10-15-10 to clarify that certain retirement options allow the naming of a joint annuitant; amend 715:10-15-10.2 to provide a procedure for the payment of partial lump sum options; amend 715:10-15-11 providing guidance as to the designation of beneficiary in case of divorce; amend 715:10-15-16 to provide that a member granted temporary disability cannot apply for permanent disability until they are within one month of the expiration of the temporary disability; amend 715:10-17-12 to provide a deadline for the submission of the Employer Year End Report; amend 715:10-17-13 to provide clarity regarding the return to active contributing status after retirement; amend 715:10-25-1 through 715:10-25-5 to provide a procedure and guidance regarding the submission of Qualified Domestic Orders.

**AUTHORITY:**

70 O.S. Section 17-101, et seq., especially Section 17-106(10); Teachers' Retirement System Board of Trustees

**COMMENT PERIOD:**

Written comments may be made from January 5, 2016 through February 5, 2016, filed and available for inspection in the Office of the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500

N. Lincoln Blvd., Oklahoma City, Oklahoma, from 8:30 a.m. until 5:00 p.m., Monday through Friday, excluding holidays, or by mailing same to the Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

**PUBLIC HEARING:**

A public hearing will be held from 9:00 a.m. to 10:00 a.m. on February 11, 2016, at the offices of the Teachers' Retirement System, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma. Written notice of intent to make oral comments is encouraged. Individuals who file a written notice to comment will be scheduled to speak before comments are accepted from the audience. Written notice may be filed with the Executive Director, Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, until 5:00 p.m. on February 9, 2016. Written notice may be mailed to: Executive Director, Teachers' Retirement System of Oklahoma, P.O. Box 53524, Oklahoma City, OK 73152.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, and also will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)).

**RULE IMPACT STATEMENT:**

The Oklahoma Teachers' Retirement System will issue a rule impact statement. Copies of the statement will be available on the TRS website ([www.ok.gov/TRS](http://www.ok.gov/TRS)) or may be obtained from the Teachers' Retirement System of Oklahoma, 5<sup>th</sup> Floor, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105, beginning January 18, 2016, between 8:30 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

**CONTACT PERSON:**

Julie Ezell, Rules Liaison (405) 521-4746.

*[OAR Docket #15-934; filed 12-8-15]*

**TITLE 730. DEPARTMENT OF TRANSPORTATION  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #15-932]*

**RULEMAKING ACTION:**

Notice of rulemaking intent

**PROPOSED RULES:**

Subchapter 5. Department of Transportation  
730:1-5-1. [AMENDED]

## Notices of Rulemaking Intent

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### **SUMMARY:**

The proposed rulemaking action is to reflect statutory changes to the Director's authority to enter into emergency contracts.

### **AUTHORITY:**

Oklahoma Transportation Commission; 61 O.S. § 130 and 69 O.S. §§ 101, 301, 303, 304 and 4002

### **COMMENT PERIOD:**

Persons may submit written and oral comments to Tim Gatz, Deputy Director, at 200 NE 21<sup>st</sup> Street, Oklahoma City, OK 73105-3204 during the period from January 9, 2016 to February 8, 2016.

### **PUBLIC HEARING:**

A public hearing will not be held for this proposed rulemaking action; however, pursuant to 75 O.S. § 303(B)(9), "persons may demand a hearing" by contacting Tim Gatz, Deputy Director, at (405) 521-3690 no later than 4:30pm on February 8, 2016.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Though this proposed rulemaking action should not affect business entities, the Department welcomes comments.

Comments may be sent to: Oklahoma Department of Transportation, Attn: Brian Bigbie, 200 NE 21<sup>st</sup> Street, Room 1C3, Oklahoma City, OK 73105 or sent electronically by sending requests to bbigbie@odot.org before the close of the comment period.

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

Copies of the proposed rules may be obtained at the Oklahoma Department of Transportation, 200 NE 21<sup>st</sup> Street, Room 1C3, Oklahoma City, OK 73105 or sent electronically by sending request to: bbigbie@odot.org

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared prior to January 19, 2016 and may be obtained at the same location listed above for obtaining copies.

### **CONTACT PERSON:**

Brian Bigbie (405)522-8166

*[OAR Docket #15-932; filed 12-8-15]*

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# Submissions to Governor and Legislature

Within 10 calendar days after adoption by an agency of proposed PERMANENT rules, the agency must submit the rules to the Governor and the Legislature. A "statement" of such submission must subsequently be published by the agency in the *Register*.  
For additional information on submissions to the Governor/Legislature, see 75 O.S., Section 303.1 and 308.

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

*[OAR Docket #15-935]*

**RULEMAKING ACTION:**

Submission to Governor and Legislature

**RULES:**

Subchapter 1. General Provisions

240:10-1-2. Definitions [AMENDED]

240:10-1-6. Date of receipt of payments [NEW]

Subchapter 3. Benefits

Part 5. Eligibility

240:10-3-22. Filing claims for benefits [AMENDED]

Part 11. Filing Claims - Notice

240:10-3-54. ~~Email~~ Electronic notification for employer in  
unemployment benefit claims [AMENDED]

**SUBMISSION OF ADOPTED RULES TO GOVERNOR  
AND LEGISLATURE:**

December 8, 2015

*[OAR Docket #15-935; filed 12-8-15]*

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# Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

## TITLE 1. EXECUTIVE ORDERS

**1:2015-53.**

### EXECUTIVE ORDER 2015-53

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 upon receipt until 7:59 a.m. on Monday, December 7, 2015, in memory of those killed and injured in the senseless act of violence perpetrated in San Bernardino, California on December 2, 2015.

This Executive Order shall be forwarded to the Division of Capital Assets Management, which 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 3<sup>rd</sup> day of December, 2015.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Chris Bengé  
Secretary of State

*[OAR Docket #15-929; filed 12-3-15]*

**1:2015-54.**

### EXECUTIVE ORDER 2015-54

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by Section 90.10 of Title 25 of the Oklahoma Statutes, in recognition of Oklahoma Pearl Harbor Remembrance Day and those who died or were injured in World War II, hereby direct the appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff from 8:00 a.m. until 5:00 p.m. Monday, December 7, 2015, to honor the many Oklahoma and United States citizens who died on December 7, 1941, as a result of the attack by the Japanese on Pearl Harbor, Hawaii.

This Executive Order shall be forwarded to the Division 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 3<sup>rd</sup> day of December, 2015.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Chris Bengé  
Secretary of State

*[OAR Docket #15-930; filed 12-3-15]*

