

Volume 35  
Number 4  
November 1, 2017  
Pages 75 - 84

# The Oklahoma Register

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Oklahoma  
Secretary of State  
Office of Administrative Rules



**Mary Fallin, Governor**  
**Dave Lopez,**  
**Secretary of State**  
**Peggy Coe, Editor-in-Chief**

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ISSN 0030-1728

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State Department of <b>POLLUTION</b> Control ( <i>abolished 1-1-93</i> ) . . . . .	555	Board of <b>VETERINARY</b> Medical Examiners . . . . .	775
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<b>Agency</b>	<b>Title</b>	<b>Agency</b>	<b>Title</b>
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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
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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 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF**

*[OAR Docket #17-709]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-102. Career development program for paraprofessionals [AMENDED]

### **SUMMARY:**

The proposed amendment makes an adjustment to the validity period for the provisional teaching certificates issued to qualifying paraprofessionals. Historically, a paraprofessional qualifying for a provisional teaching certificate under this administrative rule was issued a certificate valid for one (1) year, which could be renewed twice for a total of three (3) years of provisional teaching certification. The proposed change provides that a qualifying paraprofessional is instead eligible for a provisional teaching certificate valid for up to three (3) years. This will reduce the administrative burden on the State Department of Education Office of Certification, as well as on the paraprofessionals who qualify for provisional certification under the career development program.

### **AUTHORITY:**

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 6-127A

### **COMMENT PERIOD:**

Written comments on the proposed rule(s) will be accepted from November 1, 2017 until 4:30 p.m. on Friday, December 1, 2017.

Written comments in electronic form will be accepted during the open public comment period via email at [rules@sde.ok.gov](mailto:rules@sde.ok.gov) or by fax at (405) 522-6256. 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 1, 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 #17-709; filed 10-6-17]*

## **TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

*[OAR Docket #17-710]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## Notices of Rulemaking Intent

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### PROPOSED RULES:

- Subchapter 21. Alternative Instructional Delivery Systems  
210:35-21-1. Purpose and scope [REVOKED]  
210:35-21-2. Alternative instructional delivery systems  
[REVOKED]

### SUMMARY:

This subchapter addressing student instruction by means other than traditional classroom settings was originally adopted in 1994. The "Alternative instructional delivery systems" rule has become outdated due to changes in law and other regulations, as well as technological advances. The subchapter is proposed for revocation, since the more detailed rules for "Supplemental Online Course Procedures" under Chapter 15, Subchapter 34 provide schools with more current and appropriate guidance for technology-based instruction.

### AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 3-104.4

### COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from November 1, 2017 until 4:30 p.m. on Friday, December 1, 2017.

Written comments in electronic form will be accepted during the open public comment period via email at [rules@sde.ok.gov](mailto:rules@sde.ok.gov) or by fax at (405) 522-6256. 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 1, 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 #17-710; filed 10-6-17]*

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

*[OAR Docket #17-708]*

### INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Subchapter 1. General Provisions

235:10-1-1 [AMENDED]

235:10-1-2 [AMENDED]

Subchapter 3. Qualifications and Requirements for  
Licensure

235:10-3-2 [NEW]

235:10-3-5 [AMENDED]

Subchapter 5. Licensing Fees

235:10-5-1 [AMENDED]

235:10-5-2 [AMENDED]

Subchapter 7. Licensure Renewal, Revocation and  
Suspension

235:10-7-1 [AMENDED]

235:10-7-2 [NEW]

Subchapter 9. Procedures for Disposition of Cases

235:10-9-9 [AMENDED]

Subchapter 11. Minimum Standard of Performance

235:10-11-1 [NEW]

Subchapter 13. Continuing Education

235:10-13-10 [AMENDED]

Subchapter 14. Crematories

235:10-14-1 [NEW]

### SUMMARY:

The proposed rules realign our mission statement, allow another dissolution method, clarifies the role of the funeral director in charge, changes the name of the embalming log, clarifies who a funeral director in charge is and when they shall notify the Board and allows more time for exigent circumstances regarding funeral director in charge, changes how apprenticeship reports are received, active duty military exemption for fees, clarifies lapsed or cancelled license, adds invalidation of test scores as a prohibited act, includes

Executive Director in subpoenas, deletes Anatomical Board requirements in Funeral Board rules, includes ethical standards for licensees, ramifications for aiding or abetting unlicensed practice, mandates identification of human remains to ensure public protection until final disposition.

**AUTHORITY:**

Oklahoma Funeral Board; Title 59 O.S. Section 396.2a. 1, 4, 12, 13, 17, 18, & 20

**COMMENT PERIOD:**

Persons wishing to present their views regarding this action may do so by delivering or mailing their written comments to the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175 Oklahoma City, Oklahoma 73118, from November 1, 2017 to December 4, 2017.

**PUBLIC HEARING:**

A public comment period will be held on Thursday, December 7, 2017 in the Oklahoma State Capitol, Room 231; 2300 North Lincoln Blvd, Oklahoma City, Oklahoma, 73105 starting at 10:00AM. If not signed up by 10:30 you are not eligible to make a public comment.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The Oklahoma Funeral Board request that business entities affected by these proposed rules provide the Board, within the comment period, in dollar amounts the level of direct cost, 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 Chris Ferguson at the above address, before the close of the comment period on December 4, 2017.

**RULE IMPACT STATEMENT**

A rule impact statement will be prepared and available on and after November 10, 2017, at the office of the Oklahoma Funeral Board.

**CONTACT PERSON:**

Chris Ferguson, Executive Director, Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175 Oklahoma City, Oklahoma 73118, 405-522-1790.

*[OAR Docket #17-708; filed 10-4-17]*

**TITLE 270. OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM  
CHAPTER 10. FIREFIGHTERS PENSION AND RETIREMENT PLAN**

*[OAR Docket #17-707]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

270:10-1-8 [AMENDED]

**SUMMARY:**

The proposed rule amendment to 270:10-1-8(g) identifies periods of military service in Yugoslavia, Kosovo, Afghanistan and Iraq. The proposed rule amendment adds a new paragraph (4) to 270:10-1-8(g). The proposed rule amendment is needed to enumerate the service dates and areas of responsibility as provided by 11 O.S. Section 49-138(C)(2).

**AUTHORITY:**

Oklahoma Firefighters Pension and Retirement Board; 11 O.S., Sections 49-100.7 and 49-138.

**COMMENT PERIOD:**

Persons may submit oral or written comments through December 4, 2017 to Chase Rankin, Controller, Oklahoma Firefighters Pension and Retirement System 6601 Broadway Extension, Suite 100, Oklahoma City, OK 73116, (405) 522-4600 or by email to Chase.Rankin@firepension.ok.gov.

**PUBLIC HEARING:**

A public hearing will be held to provide a means by which persons may offer oral input on the content of the proposed rules: 10:30 a.m., Friday, December 15, 2017, 6601 Broadway Extension, Suite 100, Oklahoma City, OK 73116.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

n/a

**COPIES OF PROPOSED RULES:**

The proposed rules may be viewed on the System's website at <https://www.ok.gov/fprs/> and copies may be obtained from the Oklahoma Firefighters Pension and Retirement System office located at 6601 Broadway Extension, Suite 100, Oklahoma City, OK 73116. Copies may also be obtained by written request mailed to the attention of Chase Rankin, 6601 Broadway Extension, Suite 100, Oklahoma City, OK 73116, or emailed to Chase.Rankin@firepension.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review after November 13, 2017 at the above addresses.

**CONTACT PERSON:**

Chase Rankin, Controller, Oklahoma Firefighters Pension and Retirement System (405) 522-4600 or Chase.Rankin@firepension.ok.gov.

*[OAR Docket #17-707; filed 10-4-17]*



# 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 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 5. ADULT PROTECTIVE SERVICES

[OAR Docket #17-706]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 5. Investigation of Adult Protective Services ~~Referrals~~ Reports  
[AMENDED]

340:5-5-2. Initiating investigations [AMENDED]

(Reference WF 17-19)

### AUTHORITY:

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162).

### ADOPTION:

September 8, 2017

### APPROVED BY GOVERNOR:

September 29, 2017

### EFFECTIVE:

Immediately upon Governor's approval.

### EXPIRATION:

Effective through September 14, 2018, unless superseded by another rule or disapproved by the Legislature.

### SUPERSEDED EMERGENCY ACTIONS:

n/a

### INCORPORATIONS BY REFERENCE:

n/a

### FINDING OF EMERGENCY:

The proposed amendments allow Adult Protective Services (APS) to deploy limited existing resources to reduce the risk to as many vulnerable adults as possible because emergencies require the expertise of first responders, with APS follow-up; service planning is possible after an emergency is stabilized; and staff reductions make current deadlines impossible to meet in all cases.

### GIST/ANALYSIS:

The proposed amendments to Chapter 5, Subchapter 5 amend the rule to align deadlines in order to meet the legislative mandate of lean government. Oklahoma Administrative Code 340:5-5-2 is amended to: (1) modify the deadline for initiating investigations from three days (72 hours) to five days (120 hours), with supervisor discretion for earlier initiations; (2) change "emergency response" with a four-hour deadline to "urgent response" with a 24-hour deadline, with supervisor discretion for earlier initiations; and (3) immediately refer emergencies to first responders, such as law enforcement or EMSA by calling 911.

### CONTACT PERSON:

Dena Thayer at 405-521-4326

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

## SUBCHAPTER 5. INVESTIGATION OF ADULT PROTECTIVE SERVICES ~~REFERRALS~~ REPORTS

### 340:5-5-2. Initiating investigations

An Adult Protective Services (APS) specialist initiates an investigation by a visit to the vulnerable adult who is the alleged victim (AV) at the adult's ~~home or other place of~~ location or residence.

#### (1) Time frame for initiating investigations.

(A) The APS specialist initiates the ~~maltreatment~~ maltreatment investigation of ~~referrals of maltreatment~~ as soon as possible within ~~three working~~ five-business days, not to exceed ~~72~~ 120 hours from the time of the receipt of APS received the report in the Oklahoma Department of Human Services (OKDHS), excluding weekends and official OKDHS state holidays. An APS specialist IV or designee may determine that a more prompt initiation is required.

(B) ~~In the case of an emergency~~ urgent situation, when ~~immediate~~ prompt action may be required, the APS specialist initiates the investigation ~~as soon as possible~~ within four 24 hours of receipt, or sooner at the discretion of the APS specialist IV or designee.

(2) **Denial of access to the AV.** ~~When~~ the APS specialist is denied entry into the AV's residence of the AV, or is denied a private interview with the AV, ~~OKDHS staff may petition~~ the Oklahoma Department of Human Services petitions the court for an order allowing entry or access.

[OAR Docket #17-706; filed 10-3-17]



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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."

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## TITLE 1. EXECUTIVE ORDERS

**1:2017-11A.**

### AMENDED EXECUTIVE ORDER 2017-11

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 the Oklahoma Statutes hereby order the formation of the Oklahoma Task Force on Sexual Assault Forensic Evidence (Task Force).

The Task Force shall:

1. Examine the process for gathering and analyzing sexual assault forensic evidence kits in the State;
2. Identify the number of untested evidence collection kits in the possession of each law enforcement agency in the State by means of an audit conducted by each agency;
3. Identify possible improvements for law enforcement training on responding to and investigating sexual assaults;
4. Identify possible improvements for victim access to evidence other than sexual assault forensic evidence kits, including but not limited to police reports and other physical evidence;
5. Identify possible procedures for the testing of anonymous sexual assault evidence kits;
6. Identify additional rights of victims concerning the sexual assault forensic evidence kits testing process; and
7. Identify and pursue grants and other funding sources in order to eliminate the backlog of untested sexual assault forensic evidence kits, reduce testing wait times, provide victim notification, and improve efficiencies in the kit testing process.

The Governor, or designee, shall serve as the Chairperson of the Task Force. The members of the Task Force shall be appointed by and serve at the pleasure of the Governor, and shall include: the Chief of the Attorney General's Victim Services Unit, or designee; one survivor of sexual assault with experience with sexual assault forensic evidence kit collection; a sexual assault nurse examiner; a person designated by the Director of the Oklahoma State Bureau of Investigation who has expertise in the analysis of sexual assault forensic evidence kits; a person with experience seeking and applying for grants and other private funding; two nonvoting members from among the members of the Senate, of which may not be from

the same political party; two nonvoting members from among the members of the House of Representatives, of which may not be from the same political party; the Executive Director of the Oklahoma Sheriffs' Association, or designee; the Chief of the Oklahoma City Police Department, or designee; the Chief of the Tulsa Police Department, or designee; the Executive Director of the Oklahoma Association of Chiefs of Police, or designee; an attorney from a Public Defenders office with criminal defense experience; a sexual assault victims' advocate from a community-based organization; the Executive Coordinator of the Oklahoma District Attorneys Council, or designee; and the Executive Director of the Native Alliance Against Violence, or designee.

The Task Force shall meet at such times and places as the Chairperson deems appropriate. Members shall serve without compensation or travel reimbursement. Administrative support for the Task Force, including personnel necessary to ensure the proper performance of its duties and responsibilities, shall be provided by the Senate. A quorum of the Task Force shall be required to approve any final action of the Task Force. Seven (7) members will constitute quorum.

No later than December 30, 2017, each law enforcement agency shall submit to the Attorney General and the Task Force a written report stating the results of the audit conducted by the agency and including the number of untested evidence collection kits in the possession of that law enforcement agency. Before, during, and after the statewide audit, any and all sexual assault forensic evidence kits currently in the possession of any law enforcement agency are to be preserved until such time that the audit is concluded and the law enforcement agency is informed in writing by the Task Force that evidence kits may be disposed of.

As a function of the audit required by the Task Force, every agency charged with the maintenance, storage, or preservation of untested sexual assault forensic evidence kits shall inventory all untested kits and identify the following: the unique identifier for the kit; the date the crime occurred; and the date of the examination and forensic collection. The agency may, but is not required to, disclose the reasons for not submitting the collected kit to the laboratory for analysis.

The Task Force shall prepare and submit a report of its findings and recommendations based on the results of the audits conducted by each law enforcement agency to the Governor,

## Executive Orders

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the President Pro Tempore of the Senate, and the Speaker of the House of Representatives no later than July 1, 2018.

This Executive Order shall be distributed to the Secretary of State and each Task Force member.

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 the 12<sup>th</sup> day of October, 2017.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Dave Lopez  
Secretary of State

*[OAR Docket #17-714; filed 10-12-17]*

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**1:2017-30.**

### EXECUTIVE ORDER 2017-30

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, and upon all public buildings and grounds in Oklahoma, at half-staff, until sunset October 6, 2017, as a mark of respect for those who were killed or wounded in the mass shooting in Las Vegas, Nevada, on October 1, 2017.

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 2<sup>nd</sup> day of October, 2017.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Dave Lopez  
Secretary of State

*[OAR Docket #17-705; filed 10-2-17]*

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**1:2017-31.**

### EXECUTIVE ORDER 2017-31

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution hereby declare the following:

1. Having been advised and informed by the Tulsa County Sherriff and the Tulsa County Purchasing Director that there is a temporary emergency need for immediate action to replenish the inventory of the Tulsa County Jail Commissary to protect the jail personnel from physical injury and potential property damage.
2. In accordance with 19 O.S. § 1501-3q there is hereby declared a State of Emergency in Tulsa County until October 30, 2017, and the District Attorney of Tulsa County shall have the authority to temporarily waive competitive bidding procedures for purchases for the Tulsa County Jail Commissary that may expedite a response to the emergency situation.
3. The Executive Order shall terminate on October 30, 2017.

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 9<sup>TH</sup> day of October, 2017.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Dave Lopez  
Secretary of State

*[OAR Docket #17-713; filed 10-9-17]*

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**TITLE 777. STATEWIDE VIR-  
TUAL CHARTER SCHOOL BOARD  
CHAPTER 10. STATEWIDE VIRTUAL  
CHARTER SCHOOLS**

**PROMULGATION ERROR:**

Amendments to two Sections - 777:10-3-3 and 777:10-5-3 - were mistakenly included in finally adopted permanent rules submitted by the Statewide Virtual Charter School Board for promulgation in the 9-1-17 issue of the *Oklahoma Register* [see 34 Ok Reg 2134; Docket # 17-640], with a scheduled effective date of 9-11-17. However, the proposed amendments to these two Sections had been disapproved by Governor's Declaration on 6-13-17, and should not have been promulgated. As such, the aforementioned amendments to 777:10-3-3 and 777:10-5-3 did NOT become effective as scheduled and are not being published in the *Oklahoma Administrative Code*.

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