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**Kevin Stitt, Governor**  
**Michael Rogers,**  
**Secretary of State**  
**Peggy Coe, Editor-in-Chief**

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# Table of Contents

<b>Agency/Action/Subject Index</b> .....	iii
<b>Rules Affected Index</b> .....	iv
<b>Agency Index (Title numbers assigned)</b> .....	v
<b>Notices of Rulemaking Intent</b>	
Law Enforcement Education and Training, Council on (Title 390) .....	199, 200, 201, 204, 205, 206, 207
Libraries, Oklahoma Department of (Title 405) .....	208, 209, 210
Mental Health and Substance Abuse Services, Department of (Title 450) .....	210, 211, 212, 213
Physician Manpower Training Commission (Title 540) .....	213, 214, 215
Real Estate Commission, Oklahoma (Title 605) .....	215
Virtual Charter School Board, Statewide (Title 777) .....	217
Wildlife Conservation, Department of (Title 800) .....	217, 218, 219
<b>Emergency Adoptions</b>	
Management and Enterprise Services, Office of (Title 260) .....	221
Health, Oklahoma State Department of (Title 310) .....	222
Wildlife Conservation, Department of (Title 800) .....	226, 228
<b>Miscellaneous</b>	
State Bond Advisor's Office .....	233



# Agency/Action/Subject Index

**STATE Bond Advisor’s Office**

*Miscellaneous*

Notice of State Ceiling Amount for the Calendar Year  
2019 ..... 233

**MANAGEMENT and Enterprise Services, Office of  
(Title 260)**

*Emergency Adoptions*

Merit System of Personnel Administration Rules  
(Chapter 25) ..... 221

**HEALTH, Oklahoma State Department of (Title 310)**

*Emergency Adoptions*

Medical Marijuana Control Program (Chapter 681) ..... 222

**LAW Enforcement Education and Training, Council on  
(Title 390)**

*Notices of Rulemaking Intent*

Agency Authority and Objectives (Chapter 1) ..... 199  
Administrative Procedures (Chapter 2) ..... 199  
Peace Officer Certification (Chapter 10) ..... 200  
Basic Peace Officer Certification Training  
(Chapter 15) ..... 201  
Reserve Officer Certification and Training  
(Chapter 20) ..... 204  
Continuing Law Enforcement Education (Chapter 25) .... 205  
CDS Detector Dog Certification (Chapter 30) ..... 205  
Regulation of Private Security Industry (Chapter 35) .... 206  
Oklahoma Self-Defense Act (Chapter 40) ..... 207  
Regulating Bail Enforcers (Chapter 60) ..... 207

**LIBRARIES, Oklahoma Department of (Title 405)**

*Notices of Rulemaking Intent*

Administrative Rules of the Board (Chapter 3) ..... 208  
The Oklahoma Publications Clearinghouse  
(Chapter 20) ..... 209  
State Aid Grants to Public Libraries (Chapter 25) ..... 210

**MENTAL Health and Substance Abuse Services,  
Department of (Title 450)**

*Notices of Rulemaking Intent*

Certification of Alcohol and Drug Substance Abuse  
Courses (ADSAC) Organizations and Facilitators  
(Chapter 21) ..... 210  
Certification of Alcohol and Drug Assessment and  
Evaluations Related to Driver’s License Revocation  
(Chapter 22) ..... 211  
Standards and Criteria for Mental Illness Service Program  
(Chapter 27) ..... 211  
Standards and Criteria for Certified Peer Recovery Support  
Specialists (Chapter 53) ..... 212  
Standards and Criteria for Opioid Treatment Programs  
(Chapter 70) ..... 213

**PHYSICIAN Manpower Training Commission (Title 540)**

*Notices of Rulemaking Intent*

Community Match Intern Resident Program  
(Chapter 35) ..... 213  
Physician Assistant Scholarship Program (Chapter 45) ... 214  
Oklahoma Medical Loan Repayment Program  
(Chapter 50) ..... 215

**REAL Estate Commission, Oklahoma (Title 605)**

*Notices of Rulemaking Intent*

Requirements, Standards and Procedures (Chapter 10) ... 215

**VIRTUAL Charter School Board, Statewide (Title 777)**

*Notices of Rulemaking Intent*

Statewide Virtual Charter Schools (Chapter 10) ..... 217

**WILDLIFE Conservation, Department of (Title 800)**

*Notices of Rulemaking Intent*

Operations and Procedures (Chapter 1) ..... 217  
Sport Fishing Rules (Chapter 10) ..... 218  
Wildlife Rules (Chapter 25) ..... 218  
Department of Wildlife Lands Management  
(Chapter 30) ..... 219

*Emergency Adoptions*

Sport Fishing Rules (Chapter 10) ..... 226  
Wildlife Rules (Chapter 25) ..... 228

# Rules Affected Index

[(E) = Emergency action]

Rule	Register Page	Rule	Register Page
210:20-9-91. ....	[AMENDED] (E) ..... 13	540:50-1-2. ....	[AMENDED] (E) ..... 103
260:25-15-52. ....	[AMENDED] (E) ..... 221	540:50-1-3. ....	[AMENDED] (E) ..... 103
310:681-1-4. ....	[NEW] (E) ..... 223	540:50-1-4. ....	[AMENDED] (E) ..... 103
310:681-5-8.1. ....	[NEW] (E) ..... 225	540:50-1-5. ....	[AMENDED] (E) ..... 103
317:30-5-20. ....	[AMENDED] (E) ..... 127	540:50-1-6. ....	[AMENDED] (E) ..... 103
317:30-5-40.1. ....	[AMENDED] (E) ..... 128	540:50-1-7. ....	[AMENDED] (E) ..... 104
317:30-5-42.10. ....	[AMENDED] (E) ..... 128	540:50-1-8. ....	[AMENDED] (E) ..... 104
340:25-5-168. ....	[AMENDED] (E) ..... 97	710:50-15-50. ....	[AMENDED] (E) ..... 35
340:110-1-5. ....	[AMENDED] (E) ..... 182	710:50-15-76. ....	[AMENDED] (E) ..... 36
340:110-1-8.3. ....	[AMENDED] (E) ..... 182	710:50-15-103. ....	[AMENDED] (E) ..... 37
340:110-1-8.6. ....	[AMENDED] (E) ..... 186	710:65-19-216. ....	[NEW] (E) ..... 16
340:110-1-9. ....	[AMENDED] (E) ..... 186	715:1-1-10. ....	[AMENDED] (E) ..... 63
340:110-1-15. ....	[AMENDED] (E) ..... 188	715:10-5-4. ....	[AMENDED] (E) ..... 65
340:110-1-17. ....	[AMENDED] (E) ..... 189	715:10-5-37. ....	[NEW] (E) ..... 66
340:110-1-54. ....	[AMENDED] (E) ..... 191	715:10-9-6. ....	[AMENDED] (E) ..... 66
340:110-3-281.3. ....	[AMENDED] (E) ..... 192	715:10-13-13. ....	[AMENDED] (E) ..... 67
340:110-3-284.2. ....	[AMENDED] (E) ..... 193	715:10-15-7.2. ....	[AMENDED] (E) ..... 67
340:110-5-30. ....	[AMENDED] (E) ..... 194	715:10-15-15. ....	[AMENDED] (E) ..... 68
340:110-5-59. ....	[AMENDED] (E) ..... 195	715:10-15-16. ....	[AMENDED] (E) ..... 69
340:110-5-61.1. ....	[AMENDED] (E) ..... 196	780:20-3-1. ....	[AMENDED] (E) ..... 17
377:10-16-1. ....	[NEW] (E) ..... 61	780:20-3-4. ....	[AMENDED] (E) ..... 20
475:30-1-4. ....	[AMENDED] (E) ..... 62	800:10-1-5. ....	[AMENDED] (E) ..... 227
540:35-1-3. ....	[AMENDED] (E) ..... 100	800:25-7-19. ....	[AMENDED] (E) ..... 229
540:35-1-4. ....	[AMENDED] (E) ..... 100	800:25-7-48. ....	[AMENDED] (E) ..... 229
540:35-1-5. ....	[AMENDED] (E) ..... 101	800:25-7-50. ....	[AMENDED] (E) ..... 230
540:35-1-7. ....	[AMENDED] (E) ..... 101	800:25-7-57. ....	[AMENDED] (E) ..... 230
540:45-1-4. ....	[AMENDED] (E) ..... 102	800:25-7-67. ....	[AMENDED] (E) ..... 231
540:50-1-1. ....	[AMENDED] (E) ..... 103		

# Agency/Title Index

[Assigned as of 2-1-19]

Agency	Title	Agency	Title
Oklahoma <b>ABSTRACTORS</b> Board	5	Office of <b>DISABILITY</b> Concerns ( <i>Formerly</i> : Office of <b>HANDICAPPED</b> Concerns) - <i>See</i> Title 305	
Oklahoma <b>ACCOUNTANCY</b> Board	10	Board of Regents of <b>EASTERN</b> Oklahoma State College ( <i>exempted</i> 11-1-98)	205
State <b>ACCREDITING</b> Agency	15	<b>EDGE</b> Fund Policy Board	208
<b>AD</b> Valorem Task Force ( <i>abolished</i> 7-1-93)	20	State Department of <b>EDUCATION</b>	210
Oklahoma <b>AERONAUTICS</b> Commission	25	<b>EDUCATION</b> Oversight Board ( <i>merged under</i> Office of Educational Quality and Accountability 7-1-14 - <i>See</i> Title 218)	215
Board of Regents for the Oklahoma <b>AGRICULTURAL</b> and Mechanical Colleges ( <i>exempted</i> 11-1-98)	30	Office of <b>EDUCATIONAL</b> Quality and Accountability	218
Oklahoma Department of <b>AGRICULTURE</b> , Food, and Forestry	35	Oklahoma <b>EDUCATIONAL</b> Television Authority	220
Oklahoma Board of Licensed <b>ALCOHOL</b> and Drug Counselors	38	[RESERVED]	225
Board of Tests for <b>ALCOHOL</b> and Drug Influence	40	State <b>ELECTION</b> Board	230
<b>ALCOHOLIC</b> Beverage Laws Enforcement Commission	45	Oklahoma <b>FUNERAL</b> Board ( <i>Formerly</i> : Oklahoma State Board of <b>EMBALMERS</b> and Funeral Directors)	235
<b>ANATOMICAL</b> Board of the State of Oklahoma	50	Oklahoma Department of <b>EMERGENCY</b> Management ( <i>Formerly</i> : Department of <b>CIVIL</b> Emergency Management) - <i>See</i> Title 145	
Board of Governors of the Licensed <b>ARCHITECTS</b> , Landscape Architects and Registered Interior Designers of Oklahoma ( <i>Formerly</i> : Board of Governors of the Licensed <b>ARCHITECTS</b> and Landscape Architects of Oklahoma; and Board of Governors of the Licensed <b>ARCHITECTS</b> , Landscape Architects and Interior Designers of Oklahoma)	55	Oklahoma <b>EMPLOYMENT</b> Security Commission	240
<b>ARCHIVES</b> and Records Commission	60	Oklahoma <b>ENERGY</b> Resources Board	243
Board of Trustees for the <b>ARDMORE</b> Higher Education Program ( <i>exempted</i> 11-1-98)	65	State Board of Licensure for Professional <b>ENGINEERS</b> and Land Surveyors ( <i>Formerly</i> : State Board of Registration for Professional <b>ENGINEERS</b> and Land Surveyors)	245
Oklahoma <b>ARTS</b> Council	70	Board of Trustees for the <b>ENID</b> Higher Education Program ( <i>exempted</i> 11-1-98)	250
Oklahoma State <b>ATHLETIC</b> Commission ( <i>Formerly</i> : Oklahoma Professional <b>BOXING</b> Commission) - <i>See</i> Title 92		Department of <b>ENVIRONMENTAL</b> Quality	252
<b>ATTORNEY</b> General	75	State Board of <b>EQUALIZATION</b>	255
State <b>AUDITOR</b> and Inspector	80	<b>ETHICS</b> Commission ( <i>Title revoked</i> )	257
State <b>BANKING</b> Department	85	<b>ETHICS</b> Commission	258
Oklahoma State Employees <b>BENEFITS</b> Council ( <i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	86	Office of <b>MANAGEMENT</b> and Enterprise Services ( <i>Formerly</i> : Office of State <b>FINANCE</b> )	260
Oklahoma State Employees <b>BENEFITS</b> Council	87	State <b>FIRE</b> Marshal Commission	265
Council of <b>BOND</b> Oversight	90	Oklahoma Council on <b>FIREFIGHTER</b> Training	268
Oklahoma State <b>ATHLETIC</b> Commission ( <i>Formerly</i> : Oklahoma Professional <b>BOXING</b> Commission)	92	Oklahoma <b>FIREFIGHTERS</b> Pension and Retirement System	270
State <b>BURIAL</b> Board ( <i>abolished</i> 7-1-92)	95	[RESERVED]	275
[RESERVED]	100	<b>FORENSIC</b> Review Board	277
Oklahoma <b>CAPITAL</b> Investment Board	105	State Board of Registration for <b>FORESTERS</b>	280
Oklahoma <b>CAPITOL</b> Improvement Authority	110	<b>FOSTER</b> Care Review Advisory Board	285
State <b>CAPITOL</b> Preservation Commission	115	Oklahoma <b>FUNERAL</b> Board ( <i>Formerly</i> : Oklahoma State Board of Embalmers and Funeral Directors) - <i>See</i> Title 235	
<b>CAPITOL-MEDICAL</b> Center Improvement and Zoning Commission	120	Oklahoma <b>FUTURES</b>	290
Oklahoma Department of <b>CAREER</b> and Technology Education ( <i>Formerly</i> : Oklahoma Department of <b>VOCATIONAL</b> and Technical Education) - <i>See</i> Title 780		<b>GOVERNOR</b> ( <i>See also</i> Title 1, Executive Orders)	295
Board of Regents of <b>CARL</b> Albert State College ( <i>exempted</i> 11-1-98)	125	<b>GRAND</b> River Dam Authority	300
Department of <b>CENTRAL</b> Services ( <i>Formerly</i> : Office of <b>PUBLIC</b> Affairs) - <i>See</i> Title 580		Group Self-Insurance Association <b>GUARANTY</b> Fund Board	302
<b>CEREBRAL</b> Palsy Commission	130	Individual Self-Insured <b>GUARANTY</b> Fund Board	303
Commission on <b>CHILDREN</b> and Youth	135	<b>STATE</b> Use Committee ( <i>Formerly</i> : Committee on Purchases of Products and Services of the Severely <b>HANDICAPPED</b> ; <i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	304
Board of <b>CHIROPRACTIC</b> Examiners	140	Office of <b>DISABILITY</b> Concerns ( <i>Formerly</i> : Office of <b>HANDICAPPED</b> Concerns)	305
Oklahoma Department of <b>EMERGENCY</b> Management ( <i>Formerly</i> : Department of <b>CIVIL</b> Emergency Management)	145	Oklahoma State Department of <b>HEALTH</b>	310
Oklahoma Department of <b>COMMERCE</b>	150	Oklahoma Basic <b>HEALTH</b> Benefits Board ( <i>abolished</i> 11-1-97)	315
<b>COMMUNITY</b> Hospitals Authority	152	Oklahoma <b>HEALTH</b> Care Authority	317
<b>COMPSOURCE</b> Oklahoma ( <i>Formerly</i> : State <b>INSURANCE</b> Fund) - <i>See</i> Title 370		<b>HIGHWAY</b> Construction Materials Technician Certification Board	318
Oklahoma <b>CONSERVATION</b> Commission	155	Oklahoma <b>HISTORICAL</b> Society	320
<b>CONSTRUCTION</b> Industries Board	158	Oklahoma <b>HORSE</b> Racing Commission	325
Department of <b>CONSUMER</b> Credit	160	Oklahoma <b>HOUSING</b> Finance Agency	330
<b>CORPORATION</b> Commission	165	Oklahoma <b>HUMAN</b> Rights Commission	335
Department of <b>CORRECTIONS</b>	170	Department of <b>HUMAN</b> Services	340
State Board of <b>COSMETOLOGY</b> and Barbering	175	Committee for <b>INCENTIVE</b> Awards for State Employees	345
Oklahoma State <b>CREDIT</b> Union Board	180	Oklahoma <b>INDIAN</b> Affairs Commission	350
<b>CRIME</b> Victims Compensation Board	185	Oklahoma <b>INDIGENT</b> Defense System	352
Joint <b>CRIMINAL</b> Justice System Task Force Committee	190	Oklahoma <b>INDUSTRIAL</b> Finance Authority	355
Board of <b>DENTISTRY</b>	195	<b>INJURY</b> Review Board	357
Oklahoma <b>DEVELOPMENT</b> Finance Authority	200	Oklahoma State and Education Employees Group <b>INSURANCE</b> Board ( <i>consolidated under</i> Office of Management and Enterprise Services 8-26-11 - <i>See</i> Title 260)	360
		<b>INSURANCE</b> Department	365

## Agency/Title Index – *continued*

Agency	Title	Agency	Title
<b>COMPSOURCE</b> Oklahoma (Formerly: State <b>INSURANCE</b> Fund) . . . . .	370	<b>PUBLIC</b> Employees Relations Board . . . . .	585
Oklahoma State Bureau of <b>INVESTIGATION</b> . . . . .	375	Oklahoma <b>PUBLIC</b> Employees Retirement System . . . . .	590
Council on <b>JUDICIAL</b> Complaints . . . . .	376	Department of <b>PUBLIC</b> Safety . . . . .	595
Office of <b>JUVENILE</b> Affairs . . . . .	377	<b>REAL</b> Estate Appraiser Board . . . . .	600
Department of <b>LABOR</b> . . . . .	380	Oklahoma <b>REAL</b> Estate Commission . . . . .	605
Department of the Commissioners of the <b>LAND</b> Office . . . . .	385	Board of Regents of <b>REDLANDS</b> Community College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	607
Council on <b>LAW</b> Enforcement Education and Training . . . . .	390	State <b>REGENTS</b> for Higher Education . . . . .	610
Oklahoma <b>LAW</b> Enforcement Retirement System . . . . .	395	State Department of <b>REHABILITATION</b> Services . . . . .	612
Board on <b>LEGISLATIVE</b> Compensation . . . . .	400	Board of Regents of <b>ROGERS</b> State College ( <i>exempted 11-1-98</i> ) . . . . .	615
Oklahoma Department of <b>LIBRARIES</b> . . . . .	405	Board of Regents of <b>ROSE</b> State College ( <i>exempted 11-1-98</i> ) . . . . .	620
<b>LIEUTENANT</b> Governor . . . . .	410	Oklahoma <b>SAVINGS</b> and Loan Board ( <i>abolished 7-1-93</i> ) . . . . .	625
Oklahoma <b>LINKED</b> Deposit Review Board . . . . .	415	<b>SCENIC</b> Rivers Commission . . . . .	630
Oklahoma <b>LIQUEFIED</b> Petroleum Gas Board . . . . .	420	Oklahoma Commission on <b>SCHOOL</b> and County Funds Management . . . . .	635
Oklahoma <b>LIQUEFIED</b> Petroleum Gas Research, Marketing and Safety Commission . . . . .	422	Advisory Task Force on the Sale of <b>SCHOOL</b> Lands ( <i>functions</i> <i>concluded 2-92</i> ) . . . . .	640
<b>LITERACY</b> Initiatives Commission . . . . .	425	The Oklahoma School of <b>SCIENCE</b> and Mathematics . . . . .	645
<b>LONG-RANGE</b> Capital Planning Commission . . . . .	428	Oklahoma Center for the Advancement of <b>SCIENCE</b> and Technology . . . . .	650
Oklahoma State Board of Examiners for <b>LONG-TERM</b> Care Administrators (Formerly: Oklahoma State Board of Examiners for <b>NURSING</b> Home Administrators) - <i>See</i> Title 490		<b>SECRETARY</b> of State . . . . .	655
<b>LOTTERY</b> Commission, Oklahoma . . . . .	429	Department of <b>SECURITIES</b> . . . . .	660
Board of Trustees for the <b>MCCURTAIN</b> County Higher Education Program ( <i>exempted 11-1-98</i> ) . . . . .	430	Board of Regents of <b>SEMINOLE</b> State College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	665
Office of <b>MANAGEMENT</b> and Enterprise Services (Formerly: Office of State <b>FINANCE</b> ) - <i>See</i> Title 260		<b>SHEEP</b> and Wool Commission . . . . .	670
Commission on <b>MARGINALLY</b> Producing Oil and Gas Wells . . . . .	432	State Board of Licensed <b>SOCIAL</b> Workers . . . . .	675
State Board of <b>MEDICAL</b> Licensure and Supervision . . . . .	435	<b>SOUTHERN</b> Growth Policies Board . . . . .	680
<b>MEDICAL</b> Technology and Research Authority of Oklahoma . . . . .	440	Oklahoma <b>SOYBEAN</b> Commission ( <i>abolished 7-1-97</i> ) . . . . .	685
Board of <b>MEDICOLEGAL</b> Investigations . . . . .	445	Board of Examiners for <b>SPEECH-LANGUAGE</b> Pathology and Audiology (Formerly: Board of Examiners for <b>SPEECH</b> Pathology and Audiology) . . . . .	690
Department of <b>MENTAL</b> Health and Substance Abuse Services . . . . .	450	<b>STATE</b> Employee Charitable Contributions, Oversight Committee for (Formerly: <b>STATE</b> Agency Review Committee) . . . . .	695
<b>MERIT</b> Protection Commission . . . . .	455	<b>STATE</b> Use Committee (Formerly: Committee on Purchases of Products and Services of the Severely <b>HANDICAPPED</b> ) - <i>See</i> Title 304	
<b>MILITARY</b> Planning Commission, Oklahoma Strategic . . . . .	457	Oklahoma <b>STUDENT</b> Loan Authority . . . . .	700
Department of <b>MINES</b> . . . . .	460	<b>TASK</b> Force 2000 . . . . .	705
Oklahoma <b>MOTOR</b> Vehicle Commission . . . . .	465	Oklahoma <b>TAX</b> Commission . . . . .	710
Board of Regents of <b>MURRAY</b> State College ( <i>exempted 11-1-98</i> ) . . . . .	470	Oklahoma Commission for <b>TEACHER</b> Preparation ( <i>merged under</i> <i>Office of Educational Quality and Accountability 7-1-14 - See Title</i> <i>218</i> ) . . . . .	712
Oklahoma State Bureau of <b>NARCOTICS</b> and Dangerous Drugs Control . . . . .	475	<b>TEACHERS'</b> Retirement System . . . . .	715
Board of Regents of <b>NORTHERN</b> Oklahoma College ( <i>exempted</i> <i>11-1-98</i> ) . . . . .	480	State <b>TEXTBOOK</b> Committee . . . . .	720
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> ) - <i>See</i> 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) - <i>See</i> 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</i> Title 731) . . . . .	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</i> Office of Management and Enterprise Services <i>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</i> Office of Management and Enterprise Services <i>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 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES**

*[OAR Docket #19-8]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

390:1-1-1. [AMENDED]

390:1-1-2. [AMENDED]

390:1-1-2.1. [AMENDED]

390:1-1-6. [AMENDED]

390:1-1-12. [AMENDED]

### **SUMMARY:**

Amendments to 390:1-1-1 Purpose, to remove the word chapter and replace with the word Title.

Amendments to 390:1-1-2 Compliance with laws and rules, replacing the word chapter with Title in (a) and (b).

Amendments to 390:1-1-2.1 Definitions, new definition of Accreditation or Accredited as it relates to Colleges or Universities means accredited through one of the following accrediting entities: Council for Higher Education and Accreditation (CHEA); Accrediting Commission for Community and Junior Colleges (ACCJC) Western Association of Schools and Colleges; Higher Learning Commission (HLC); Middle States Commission on Higher Education (MSCHE); New England Commission of Higher Education (NECHE); Southern Association of Colleges and Schools Commission on Colleges (SACSCOC); and WACS Senior College and University Commission (WSCUC).

Amendments to 390:1-1-6 Public records, (e) (2) adding verbiage to an Agency requests for records will be accepted if on agency letterhead and received by U.S. Mail with original signature. If the Agency requesting the records has an email address ending in .org, .gov, .state, or .us then an email request is sufficient.

Amendments to 390:1-1-12. Event and course fees, adding verbiage to allow CLEET to establish a per student/per agency rate based on instructor fees, training materials, travel, facility rental and other incidental costs incurred.

### **AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

### **COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

### **PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

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

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

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

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

### **CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-8; filed 1-7-19]*

## **TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 2. ADMINISTRATIVE PROCEDURES**

*[OAR Docket #19-9]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

## Notices of Rulemaking Intent

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### PROPOSED RULES:

390:2-1-2 [AMENDED]

390:2-1-12 [AMENDED]

### SUMMARY:

Amendments to 390:2-1-2 Denials, reprimands, suspensions, revocations, disciplinary penalties, fines, (c) Disciplinary procedures to remove Section 301 and replace with Section 250.

(c) (2) to remove (Q).

Amendments to 390:2-1-12 Procedures to petition for promulgation, to remove Section 306 and replace with Section 305.

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

### CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-9; filed 1-7-19]*

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## TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 10. PEACE OFFICER CERTIFICATION

*[OAR Docket #19-10]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:10-1-4 [AMENDED]

### SUMMARY:

Amendments to 390:10-1-4 Peace officer employment standards, adding verbiage concerning notification of a name, telephone number and current mailing address change. Notification must be made, in writing, with an original signature within ten (10) days of the effective change of all peace, reserve and tribal officers.

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2018.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant,  
(405) 239-5152.

*[OAR Docket #19-10; filed 1-7-19]*

**TITLE 390. COUNCIL ON LAW  
ENFORCEMENT EDUCATION AND  
TRAINING  
CHAPTER 15. BASIC PEACE OFFICER  
CERTIFICATION TRAINING**

*[OAR Docket #19-11]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. Basic Academy Programs  
390:15-1-6 [AMENDED]
- Subchapter 3. Collegiate Officer Program  
390:15-3-9 [AMENDED]
- Subchapter 4. Non-Commissioned or Appointed Officer  
Program [NEW]  
390:15-4-1 [NEW]  
390:15-4-2 [NEW]  
390:15-4-3 [NEW]  
390:15-4-4 [NEW]  
390:15-4-5 [NEW]  
390:15-4-6 [NEW]  
390:15-4-7 [NEW]  
390:15-4-8 [NEW]  
390:15-4-9 [NEW]  
390:15-4-10 [NEW]  
390:15-4-11 [NEW]
- Subchapter 5. Reserve Officer Bridge Academy  
390:15-5-2 [AMENDED]  
390:15-5-7 [AMENDED]

**SUMMARY:**

- Subchapter 1. Basic Academy Programs  
Amendments to 390:15-1-6 Basic Academy participation, adding verbiage to (d) All trainees shall execute a promissory note for academy training expenses pursuant to 70 O.S. 3311.11 whereby stating a trainee promises to repay the note by remaining in the law enforcement profession in the state of Oklahoma as a full-time peace officer for four (4) years following graduation from the basic laws enforcement academy
- Subchapter 3. Collegiate Officer Program  
Amendments to 390:15-3-9 Instructor requirements, (b) Instructors of record shall attend and complete a CLEET three (3) day skills refresher/update course for instructing in a basic academy setting once every three years. Remove (c).
- Subchapter 4 Non-Commissioned or Appointed Officer Program  
New rule 390:15-4-1 Purpose, The Non-Commissioned or Appointed Officer Program (NCAP) provides an alternative

route to full time and reserve peace officer certification in a career in law enforcement who are not commissioned or appointed as peace officers, via any state supported technology center school or higher education institutions as approved by CLEET.

New rule 390:15-4-2 Program administration,

The Council on Law Enforcement Education and Training shall provide a route to peace officer certification by providing state-supported technology center schools or higher education institutions authority to conduct courses of study which are designed to include and cover all CLEET mandated Basic law Enforcement Academy course objectives for actual classroom training. Outside the classroom training shall be provided at the CLEET training facility, unless authorized by CLEET to conduct outside the classroom training to include skills training.

CLEET shall establish minimum NCAP standards for instructors, curriculum, program evaluation, student enrollment, achievement and certification.

CLEET shall provide two (2) outside the classroom training sessions for NCAP at the CLEET training facility (one in the spring and one in the fall). Each training session shall be, at a minimum, 22 days in duration and shall include: Law Enforcement Driver Training, Defensive Tactics, Firearms, Practical Exercises and the administration of the final qualification examination. All costs for the training sessions at the CLEET training facility shall be paid to CLEET in advance, unless other arrangements are made with the CLEET Financial Manager. Student limits for each session are 30 students per session unless otherwise approved by the Executive Director.

NCAP entities who in making their application to host a basic law enforcement academy request approval to conduct the outside of classroom training shall meet the training instructor and facilities requirements found in the CLEET policies for conducting off-site Firearms Instructor, LEDT Instructor, and Defensive Tactics Instructor training. Facilities will be inspected by a CLEET employee to confirm compliance.

New rule 390:15-4-3 CLEET oversight and program administration,

CLEET shall require state-supported technology center schools and higher education institutions to complete an application for review and vote by the Council. The Council may approve up to two (2) new entities each year to offer the NCAP. Applications rejected by the Council will receive a notice providing a clear and concise statement pertaining to the reason behind the denial.

NCAP entities shall be required to appoint a NCAP Director.

CLEET shall set the schedule for each outside the classroom session to be held at the CLEET training facility by the 1<sup>st</sup> of October in the preceding year.

Approved entities shall arrange their NCAP training schedule so that the training to be completed at the CLEET training facility occur at the end of the program.

## Notices of Rulemaking Intent

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CLEET shall provide approved NCAP entities the per session costs for all NCAP training to be completed at the CLEET training facility.

NCAPs are required to meet minimum curriculum requirements as set forth in OAR 390:15-1-2.

All academic NCAP testing shall be subject to the sponsoring institution's testing and grading system, except in no case shall a passing grade be lower than 75 percent. First Aid skills area testing shall meet the minimum grading requirements set forth by CLEET or the certifying First Aid institution.

CLEET shall support the student attendance/participation policy of any NCAP institution with the exception that all skills training shall be 100 percent participation. All training completed at the CLEET training facility shall be 100 percent participation.

New rule 390:15-4-4 Director's qualifications,

NCAP Directors should possess abilities which would enable them to assume administrative responsibility for planning, scheduling, presenting, coordinating, reporting and generally managing a NCAP.

CLEET may deny, suspend or revoke certification of a NCAP Director for cause.

New rule 390:15-4-5 Director's functions,

NCAP Directors are responsible for completing the following:

The entity's application and seeking Council approval for the program; program resource allocation; ensuring adequate facilities are available throughout the program; program records maintenance; selection of instructors; and instructor evaluations.

NCAP Directors are responsible for their entity's efforts toward basic law enforcement training, including maintaining the academy schedule (subject and instructors), student attendance records and disciplinary actions, curriculum and test/exam security and all other records pertaining to each student enrolled who may graduate or may be removed from training.

NCAP Directors are responsible for ensuring that all course participants complete the required background investigation pursuant to 70 O.S., subsection 3311.16 (B).

All files associated with approved NCAPs shall be maintained for audit review by CLEET upon request by a representative of CLEET.

NCAP Directors are responsible for submitting documentation to CLEET of NCAP course completion, and any other documents required by CLEET, prior to a student taking the qualification examination.

NCAP Directors are responsible for providing the following documentation to CLEET within fifteen (15) calendar days following the completion of each basic law enforcement academy class:

A final roster of graduates and their social security numbers; Student Academic and proficiency scores from all examinations and proficiency tests; and A final course

schedule clearly indicating the actual instructors of each unit of instruction.

New rule 390:15-4-6 Curriculum mandates.

The curriculum of the Basic Academy, and through association the NCAP, is established by the Curriculum Review Board. The curriculum shall include functional areas as prescribed by the Council through the Curriculum Review Board. Functional areas may include, but shall not be limited to the following:

Orientation/Legal Matters

First Aid

Firearms

Criminal Investigation

Custody Control and Defensive Tactics

Traffic

Patrol

Community Relations

Law Enforcement Driver Training

DWI Detection and Standardized Field Sobriety Testing (SFST)

Radar

Ethics

CLEET shall make functional area instructional objectives, as well as current Basic Academy lesson plans, available to all NCAP entities. NCAP entities shall abide by the provisions of 70 O.S., subsection 3311.16 (D). NCAP entities may utilize a collegiate accredited First Aid course and a collegiate accredited CPR course as a substitute for CLEET's First Aid course.

New rule 390:15-4-7 Course testing,

All academic NCAP course testing shall be subject to the entity's testing and grading system with the exception that under no circumstances shall a course grade of less than 80 percent for First Aid, and successful achievement on other cognitive examinations or performance tests shall be at a standard established by CLEET for a course offering which contains a portion of the CLEET basic Academy instructional goals and objectives.

NCAP skills training courses shall meet the minimum grading standards set forth for the CLEET

Basic Academy skills training programs.

Practical application exercises may be evaluated at a standard established by the NCAP entities approved by the Council to conduct outside of classroom training.

New rule 390:15-4-8 Qualification examination,

The CLEET qualification examination, administered to NCAP students by an authorized CLEET representative, is a comprehensive objective examination which covers, at a minimum, those topical areas set forth in OAR 390:15-1-2 and 390:15-3-6. Should additional topical areas be added, the qualification examination may be expanded to cover such additions.

The qualification examination shall be administered at the conclusion of the two CLEET training facility training sessions (one in the spring and one in the fall).

Students who pass the qualification examination shall have two-years from the date they pass the qualification examination to obtain a commission or appointment with recognized Oklahoma law enforcement agency. Certification shall be withheld until they have been commissioned and all requirements of 70 O.S., subsection 3311 have been met.

Successful achievement of the qualification examination will be at a standard established by CLEET.

Students who fail their initial qualification examination may be given only one retest.

New rule 390: 15-4-9 Instructor requirements,

Skills area instructors of record, or lead instructors, are required to meet the instructor specifications set forth in OAR 390:25-1-9 through 390:25-1-12.

Instructors of record (lead instructors) shall attend and complete a CLEET three (3) day skills refresher/update course for instructing in a basic academy setting (the academy first day classroom, and the two days thereafter) once every three years. This requirement may be accomplished during any CLEET approved basic law enforcement academy offered in the state.

Skills instructors who are not lead instructors or instructors of record, shall meet the CLEET specialized instructor requirements set forth in OAR 390:25-1-9 through 390:25-1-12. They must also assist in a CLEET basic academy or an approved city/agency basic academy every three years.

Instructors who teach in the NCAP shall possess CLEET recognized instructor training, or shall possess professionally recognized training and experience in the assigned subject area.

Instructors for portions of the NCAP legal block identified by CLEET must be taught by an attorney currently licensed by the Oklahoma Bar Association.

New rule 390:15-4-10 Student responsibilities,

All students admitted to a NCAP must meet the admission requirements of the Council approved state-supported technology center school or higher education institution entities.

NCAP students must meet the requirements set forth in 70 O.S., Section 3311 and the requirements set forth in 390:10-1-4.

NCAP student class absences shall be recorded in accordance with individual training entity's policies.

NCAP tract students shall be accountable for 100 percent participation in skills level courses.

Prior to enrolling in a NCAP course, students shall request a current local records check from their county of residence and the Oklahoma State Bureau of Investigation, and shall submit the returns to the NCAP school Director prior to the first day of training.

NCAP students must present a picture identification when taking the qualification examination.

NCAP students must successfully complete all NCAP course work and successfully pass the qualification examination at a standard established by CLEET to be eligible for peace officer certification.

NCAP students who do not complete the NCAP curriculum have one year to complete the training from the date the student began the NCAP training. If the student fails to complete the training within one year, the student shall be required to retake the training, paying again for the training.

New rule 390: 15-4-11 Psychological evaluations,

Prior to the first day of training, all students shall be administered a Minnesota Multi-Phasic Personality Inventory (MMPI), or a CLEET approved equivalent psychological examination, by a person qualified to administer such examinations. Examinations shall be evaluated by a licensed psychologist of each student's choice and at each student's expense. The results of the psychological evaluations shall be forwarded to the NCAP Director, by the evaluating psychologist on forms to be provided by CLEET.

If, after evaluating this initial psychological testing instrument, an evaluating psychologist is not able to form an opinion as to whether or not an applicant is "at risk" or "capable" of exercising appropriate judgement, restraint, and self-control in the use of a firearm, the the psychologist will "employ whatever other psychological measuring instruments or techniques deemed necessary to form his professional opinion". For the purposes of this subsection, an evaluating psychologist is not necessarily obliged to find an applicant "at risk", by virtue of deficiencies in any particular area (judgement, restraint, and self-control), but may consider the applicant's psychological traits in light of all three areas in formulating his opinion.

Any additional testing shall be done through mutual agreement between the psychologist and the applicant, and at the expense of the applicant.

In the event that the evaluating psychologist is unable to form an opinion (either "at risk" or "capable"), or in the event an applicant does not agree to any further testing, the evaluating psychologist may so indicate on the "Notification of Psychological Evaluation for Peace Officers Full-Time and Reserve." In such cases, the applicant's psychological evaluation shall be treated in the same manner as an "at risk" evaluation, pursuant to the Act.

No psychological evaluation shall be accepted as valid for the purposes of this Act when the following conditions have not been satisfied: The evaluation results may be used for up to one (1) year from the date of the evaluation; and the evaluation must have been performed for the specific purpose of evaluating an applicant's capability of exercising appropriate judgement, restraint, and self-control in the use of a firearm.

Subchapter 5. Reserve Officer Bridge Academy

Amendments to 390:15-5-2 Eligibility, (a) Remove in the past two years and replace with for the past six (6) months and Section 3311, remove (E)(2)(G).

Amendments to 390:15-5-7 Bridge Academy participation adding verbiage to (d) All trainees shall execute a promissory note for academy training expenses pursuant to 70 O.S. 3311.11 whereby stating a trainee promises to repay the note by remaining in the law enforcement profession in the state of Oklahoma as a full-time peace officer for four (4)

# Notices of Rulemaking Intent

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years following graduation from the basic laws enforcement academy

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-11; filed 1-7-19]*

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**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING**

*[OAR Docket #19-12]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

390:20-1-2 [AMENDED]

390:20-1-3.1 [AMENDED]

390:20-1-16 [AMENDED]

**SUMMARY:**

Amendment to 390:20-1-2 Reserve officer defined; employment standards, (a) removing (4).

Adding verbiage to (d) and (e) adding verbiage concerning notification of a name, telephone number and current mailing address change. Notification must be made, in writing, with an original signature within ten (10) days of the effective change of all peace, reserve and tribal officers.

Amendments to 390:20-1-3.1 Reserve coordinator qualifications, (a) add (6) that a reserve coordinator will be required to attend a current Reserve Coordinator School prior to being given approval to conduct a reserve academy.

Amendments to 390:20-1-16 Reserve Academy Instructor requirements, (b) Instructors of record shall attend and complete a CLEET three (3) day skills refresher/update course for instructing in a basic academy setting once every three years. Remove (c).

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant,  
(405) 239-5152.

*[OAR Docket #19-12; filed 1-7-19]*

**TITLE 390. COUNCIL ON LAW  
ENFORCEMENT EDUCATION AND  
TRAINING  
CHAPTER 25. CONTINUING LAW  
ENFORCEMENT EDUCATION**

*[OAR Docket #19-13]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:25-1-1 [AMENDED]
- 390:25-1-3 [AMENDED]
- 390:25-1-8 [AMENDED]
- 390:25-1-18 [AMENDED]

**SUMMARY:**

Amendments to 390:25-1-1 Purpose, (c) remove the word accredited and replace with the word cataloged.

Amendments to 390:25-1-3 Enrollment and tuition, (a) language added to clarify enrollment priority for continuing education.

Amendments to 390:25-1-8 Outside law enforcement schools and seminars, (1) verbiage added that CLEET will maintain a centralized depository of training records for every peace officer, reserve and fulltime which has been certified by the state of Oklahoma.

Amendments to 390:25-1-18 Point computation formula, language added to (c) Each semester hour of college credit from an Accredited College or University shall equal one training point; each quarter hour shall equal two-third point.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor,

reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant,  
(405) 239-5152.

*[OAR Docket #19-13; filed 1-7-19]*

**TITLE 390. COUNCIL ON LAW  
ENFORCEMENT EDUCATION AND  
TRAINING  
CHAPTER 30. CDS DETECTOR DOG  
CERTIFICATION**

*[OAR Docket #19-14]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:30-1-2 [AMENDED]
- 390:30-1-6 [AMENDED]

**SUMMARY:**

Amendments to 390:30-1-2 Definitions, CDS detector canine team, added verbiage to clarify it is one dog with one handler except with the Department of Corrections. Removed Definition for Canine team.

Amendments to 390:30-1-6 CDS Detector Dog Certification, (k) remove the work issuance and replace with evaluation.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

# Notices of Rulemaking Intent

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## REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

## COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

## RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

## CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-14; filed 1-7-19]*

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## TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

*[OAR Docket #19-15]*

## RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

## PROPOSED RULES:

Subchapter 5. License Requirements

390:35-5-2 [NEW]

390:35-5-8 [AMENDED]

390:35-5-13 [AMENDED]

Subchapter 7. Application Procedure

390:35-7-3 [AMENDED]

390:35-7-4 [AMENDED]

Subchapter 9. Violations and Investigations

390:35-9-7 [NEW]

## SUMMARY:

Subchapter 5. License Requirements:

New Rule 390:35-5-2 Security guard, armed security guard, and private investigator licenses,

Applicants for security guard, private investigator or armed security guard licenses must meet and satisfy the requirements set forth in 59 O.S., Section 1750.1 et seq., The Oklahoma Security Guard and Private Investigator Act.

Applicants for Armed Security Guard or armed private investigator licenses must further: Successfully pass a psychological evaluation by a licensed psychologist; provided that the applicant shall bear the cost of such evaluation. Successfully complete the firearms phase of private security training; be twenty-one (21) years of age.

Applicants for an armed security guard license must submit an affidavit that they are gainfully employed as an armed security guard and that a firearm is required within the scope of their employment.

An Armed Security Guard License grants no authority to carry a firearm when not acting directly in the course and scope of employment.

Amendments to 390:35-5-8, Licensure of private investigators to carry a firearm, (c) Remove concealed carry and replace with firearm. Remove Section 1750.5 (C) and replace with Section 1750.

Amendments to 390:35-5-13 Notification of change of name or address or telephone number, (b) Adding verbiage concerning notification of a name, telephone number and current mailing address change. Notification must be made, in writing, with an original signature within ten (10) days of the effective change of all private investigators and security guards.

Subchapter 7. Application Procedure:

Amendments to 390:35-7-3 Accuracy and completeness of application, (c) If an application is incomplete, the applicant will be notified and have thirty (30) days to provide the documentation necessary to make the corrections. CLEET will then return the application fees less the established processing fees and will offer no further consideration of the incomplete application.

Amendments to 390:35-7-4 Background investigation of applicants, (a) Appendix A of this Chapter, ~~shall~~ may be deemed as disqualifying convictions.

Subchapter 9. Violations and investigations add 390:35-9-7 Reinstatement of License

New Rule 390:35-9-7 Reinstatement of License, A Security or Investigator license that has been revoked may not be reinstated.

If a Security or Investigator license has been suspended, the Licensee may apply for reinstatement after the term of suspension has passed.

The applicant for reinstatement must show that all other qualifications for licensing have been met.

An application for reinstatement must be accompanied by a non-refundable fee in the amount set in Appendix 'D'.

## AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., § 1350.1 et seq.; 59 O.S., § 1750.1 through 1750.14; 70 O.S., § 3311 et seq.

## COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to [shelly.lowrance@cleet.state.ok.us](mailto:shelly.lowrance@cleet.state.ok.us).

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-15; filed 1-7-19]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 40. OKLAHOMA SELF-DEFENSE ACT**

*[OAR Docket #19-16]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 5. Instructor Approval  
390:40-5-2 [AMENDED]

**SUMMARY:**

Subchapter 5. Instructor Approval  
Amendment to 390:40-5-2 Instructor training requirements, (1) verbiage was added,

Prior to making application with CLEET as an approved instructor, applicants will be required to attend a firearms instructor school meeting the following minimum requirements: Firearms instructor training conducted by one of the following CLEET; National Rifle Association;

Oklahoma Rifle Association; federal law enforcement agencies; or other professionally recognized organizations.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.16; 20 O.S., § 1313.2.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to [shelly.lowrance@cleet.state.ok.us](mailto:shelly.lowrance@cleet.state.ok.us).

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 5, 2019, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-16; filed 1-7-19]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 60. REGULATING BAIL ENFORCERS**

*[OAR Docket #19-17]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 7. Disciplinary Actions  
390:60-7-5 [AMENDED]

## Notices of Rulemaking Intent

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### SUMMARY:

Amendments to 390:60-7-5 Notification of change of name or address or telephone number, Adding verbiage to (a) and (b) concerning notification of a name, telephone number and current mailing address change. Notification must be made, in writing, with an original signature within ten (10) days of the effective change of all Bail Enforcers. Remove (c).

### AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., § 1301, 1303, 1327, 1328, 1329, 1332 and 1332.1.1; 59 O.S., §1350.1 through 1350.20; 59 O.S. §1750.1 through 1750.14; 70 O.S., § 3311 et seq.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 4, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

### PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 1:00 p.m. on March 5, 2019 at CLEET, 2401 Egypt Road, Ada, Oklahoma, 74820.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on March 4, 2019.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-306-2398 or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 15, 2019 at the CLEET offices and web address listed above.

### CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

*[OAR Docket #19-17; filed 1-7-19]*

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## TITLE 405. OKLAHOMA DEPARTMENT OF LIBRARIES CHAPTER 3. ADMINISTRATIVE RULES OF THE BOARD

*[OAR Docket #19-3]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

405:3-1-14. Appeals on agency decisions on eligibility for state aid [NEW]

### SUMMARY:

The proposed new section 405:3-1-14 provides communities who have been determined to be ineligible to qualify for state aid according to OAC 405:25-1-3 by agency administration to have the ability to request appeal and review of the decision by the Oklahoma Department of Libraries Board.

### AUTHORITY:

Oklahoma Department of Libraries Board; 65 O.S. §2-106(m)

### COMMENT PERIOD:

Written comments will be accepted through March 4, 2019 at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, OK 73105, Attn: Jan Davis, or by email to [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov).

### PUBLIC HEARING:

A public hearing will be held from 10:00 a.m. to 11 a.m. on Monday, March 4, 2019, at the offices of the Oklahoma Department of Libraries, in the South Conference Room, second floor, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 10:05 a.m.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, equipment, construction, labor professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Jan Davis, at the above addresses, before the close of the comment period on March 4, 2019.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person, may be viewed on the Department of Libraries website at: <https://libraries.ok.gov/proposedrules/> or may be viewed at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, Oklahoma 73105.

### RULE IMPACT STATEMENT:

The Rule Impact Statement for the proposed rules will be on file at the Department of Libraries and may be requested from

the contact person, or viewed on the Department of Libraries website at <https://libraries.ok.gov/proposedrules/> on and after February 15, 2019.

**CONTACT PERSON:**

Jan Davis, Rules Liaison, (405) 522-3191, [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov)

*[OAR Docket #19-3; filed 1-4-19]*

**TITLE 405. OKLAHOMA DEPARTMENT OF LIBRARIES  
CHAPTER 20. THE OKLAHOMA PUBLICATIONS CLEARINGHOUSE**

*[OAR Docket #19-1]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
  - 405:20-1-2. Organization [AMENDED]
  - 405:20-1-3. Functions [AMENDED]
  - 405:20-1-4. Advisory Council [REVOKED]
  - 405:20-1-5. Location and hours of operation; service [AMENDED]
  - 405:20-1-6. Requests for promulgation, amendment, or repeal of a rule [AMENDED]
  - 405:20-1-7. Petition for declaratory ruling [AMENDED]
- Subchapter 5. Communications
  - 405:20-5-3. Transmittal form [REVOKED]
- Subchapter 7. Publication Identity, Cost, and Deposit
  - 405:20-7-2. Publication cost statement; declaration of deposit [AMENDED]
- Subchapter 9. Depository Requirements
  - 405:20-9-1. Publications required to be deposited [AMENDED]
  - 405:20-9-2. Number of copies to be deposited [AMENDED]
  - 405:20-9-3. Legal publications [REVOKED]
  - 405:20-9-5. Noncompliance by agency [AMENDED]
- Subchapter 11. Oklahoma State Depository Library System
  - 405:20-11-1. Statutory depositories [AMENDED]
  - 405:20-11-4. Method of distribution [REVOKED]
  - 405:20-11-6. Depository guidelines [AMENDED]
- Subchapter 13. Legal Exchange Program [REVOKED]
  - 405:20-13-1. Participating libraries in legal publications exchange [REVOKED]
  - 405:20-13-2. Distribution of legal publications [REVOKED]
  - 405:20-13-3. Written agreement for legal publications exchange [REVOKED]

**SUMMARY:**

The Department is proposing amendments to Title 405, Chapter 20 of Oklahoma Administrative Code to clarify requirements of the rules and to bring the rules into alignment with changes to the Oklahoma Statutes since the rules were last amended.

**AUTHORITY:**

Oklahoma Department of Libraries Board; 65 O.S. §2-106 (m)

**COMMENT PERIOD:**

Written comments will be accepted through March 4, 2019 at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, OK 73105, Attn: Jan Davis, or by email to [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov).

**PUBLIC HEARING:**

A public hearing will be held from 9:00 a.m. to 10 a.m. on March 4, 2019, at the offices of the Oklahoma Department of Libraries, in the South Conference Room, second floor, 200 N.E. 18<sup>th</sup> 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:**

The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, equipment, construction, labor professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Jan Davis, at the above addresses, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, may be viewed on the Department of Libraries website at: <https://libraries.ok.gov/proposedrules/> or may be viewed at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, Oklahoma 73105.

**RULE IMPACT STATEMENT:**

The Rule Impact Statement for the proposed rules will be on file at the Department of Libraries and may be requested from the contact person, or viewed on the Department of Libraries website at <https://libraries.ok.gov/proposedrules/> on and after February 15, 2019.

**CONTACT PERSON:**

Jan Davis, Rules Liaison, (405) 522-3191, [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov)

*[OAR Docket #19-1; filed 1-4-19]*

## Notices of Rulemaking Intent

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### **TITLE 405. OKLAHOMA DEPARTMENT OF LIBRARIES CHAPTER 25. STATE AID GRANTS TO PUBLIC LIBRARIES**

*[OAR Docket #19-2]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

405:25-1-5. Ineligibility notification [AMENDED]

#### **SUMMARY:**

The Department is proposing amendments to OAC 405:25-1-5 to provide an appeal to the Oklahoma Department of Libraries Board by communities that have been determined to be ineligible by agency administration. The amendment includes a specific period of time in which the appeal must be filed by the community with the Board.

#### **AUTHORITY:**

Oklahoma Department of Libraries Board; 65 O.S. §2-106(m)

#### **COMMENT PERIOD:**

Written comments will be accepted through March 4, 2019 at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, OK 73105, Attn: Jan Davis, or by email to [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov).

#### **PUBLIC HEARING:**

A public hearing will be held from 10:00 a.m. to 11 a.m. on Monday, March 4, 2019, at the offices of the Oklahoma Department of Libraries, in the South Conference Room, second floor, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 10:05 a.m.

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

The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees and the indirect costs such as reporting, record keeping, equipment, construction, labor professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Jan Davis, at the above addresses, before the close of the comment period on March 4, 2019.

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

Copies of the proposed rules may be obtained from the contact person, may be viewed on the Department of Libraries website at: <https://libraries.ok.gov/proposedrules/> or may be viewed at the Oklahoma Department of Libraries, 200 N.E. 18<sup>th</sup> Street, Oklahoma City, Oklahoma 73105.

#### **RULE IMPACT STATEMENT:**

The Rule Impact Statement for the proposed rules will be on file at the Department of Libraries and may be requested from the contact person, or viewed on the Department of Libraries

website at <https://libraries.ok.gov/proposedrules/> on and after February 15, 2019.

#### **CONTACT PERSON:**

Jan Davis, Rules Liaison, (405) 522-3191, [jan.davis@libraries.ok.gov](mailto:jan.davis@libraries.ok.gov)

*[OAR Docket #19-2; filed 1-4-19]*

### **TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES CHAPTER 21. CERTIFICATION OF ALCOHOL AND DRUG SUBSTANCE ABUSE COURSES (ADSAC) ORGANIZATIONS AND FACILITATORS**

*[OAR Docket #19-19]*

#### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

#### **PROPOSED RULES:**

Chapter 21. Certification of Alcohol and Drug Substance Abuse Courses (ADSAC) Organizations and Facilitators [AMENDED]

#### **SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 21 are part of the Department's review of Title 450. The proposed rules revise application requirements, minimum curriculum requirements as well as increase the time that certified assessors must keep client records from 5 years to 6 years. Rules also raise the threshold that providers must meet in order to obtain certification from 51% to 75% on clinical standards.

#### **AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-451 through 3-453.1; 47 O.S. §§ 6-212.2, 11-902 and 761(D); 22 O.S. §§ 991a and 991c.

#### **COMMENT PERIOD:**

Persons wishing to submit written comments may do so from February 1, 2019, until 5:00 p.m., March 4, 2019, to the attention of Traylor Rains-Sims, Administrative Rules Liaison. Written comments may be mailed to the Oklahoma Department of Mental Health and Substance Abuse Services, 2000 NE Classen Suite E600, Oklahoma City, OK 73106 or hand-delivered to the Department at 2000 N. Classen Suite E600, Oklahoma City, OK, or by email at [Traylor.Rains-Sims@odmhsas.org](mailto:Traylor.Rains-Sims@odmhsas.org).

#### **PUBLIC HEARING:**

The Department will conduct a public hearing on March 5, 2019, at 10:00 a.m. at the ODMHSAS offices located at 2000 N.E. Classen Suite E600, Oklahoma City, OK 73106.

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

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, 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 Traylor Rains-Sims, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or through the ODMHSAS website at www.odmhsas.org.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning February 1, 2019. Copies may be obtained from the Department's website at www.odmhsas.org or from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or email at Traylor.Rains-Sims@odmhsas.org.

**CONTACT PERSON:**

Traylor Rains-Sims, Administrative Rules Liaison, (405) 248-9345 or Traylor.Rains-Sims@odmhsas.org.

*[OAR Docket #19-19; filed 1-8-19]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 22. CERTIFICATION OF ALCOHOL AND DRUG ASSESSMENT AND EVALUATIONS RELATED TO DRIVER'S LICENSE REVOCATION**

*[OAR Docket #19-20]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 22. Certification of Alcohol and Drug Assessment and Evaluations Related to Driver's License Revocation [AMENDED]

**SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 22 are part of the Department's review of Title 450. The proposed rules add a new override which would allow assessors to lower an intervention category when the client does not meet the ASAM level of care recommended by the ADSAC assessment. Revisions also revise application requirements as well as raise the threshold that providers must meet in order to obtain certification from 51% to 75% on scored clinical standards.

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 2-101, 3-453 and 3-460; 47 O.S. §§ 6-212.2 and 11-902; 22 O.S. §§ 991a and 991c.

**COMMENT PERIOD:**

Persons wishing to submit written comments may do so from February 1, 2019, until 5:00 p.m., March 4, 2019, to the attention of Traylor Rains-Sims, Administrative Rules Liaison. Written comments may be mailed to the Oklahoma Department of Mental Health and Substance Abuse Services, 2000 NE Classen Suite E600, Oklahoma City, OK 73106 or hand-delivered to the Department at 2000 N. Classen Suite E600, Oklahoma City, OK, or by email at Traylor.Rains-Sims@odmhsas.org.

**PUBLIC HEARING:**

The Department will conduct a public hearing on March 5, 2019, at 10:00 a.m. at the ODMHSAS offices located at 2000 N.E. Classen Suite E600, Oklahoma City, OK 73106.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, 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 Traylor Rains-Sims, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or through the ODMHSAS website at www.odmhsas.org.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning February 1, 2019. Copies may be obtained from the Department's website at www.odmhsas.org or from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or email at Traylor.Rains-Sims@odmhsas.org.

**CONTACT PERSON:**

Traylor Rains-Sims, Administrative Rules Liaison, (405) 248-9345 or Traylor.Rains-Sims@odmhsas.org.

*[OAR Docket #19-20; filed 1-8-19]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 27. STANDARDS AND CRITERIA FOR MENTAL ILLNESS SERVICE PROGRAM**

*[OAR Docket #19-21]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 27. Standards and Criteria for Mental Illness Service Program [AMENDED]

## Notices of Rulemaking Intent

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### SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 27 are part of the Department's review of Title 450. The proposed rules are intended to clarify requirements for the health and safety of the facility environment as well as clarify requirements for required emergency services. Proposed revisions require the use of ASAM criteria for clients admitted for co-occurring treatment services and clarify requirements for service plan documentation and progress notes.

### AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-323A.

### COMMENT PERIOD:

Persons wishing to submit written comments may do so from February 1, 2019, until 5:00 p.m., March 4, 2019, to the attention of Traylor Rains-Sims, Administrative Rules Liaison. Written comments may be mailed to the Oklahoma Department of Mental Health and Substance Abuse Services, 2000 NE Classen Suite E600, Oklahoma City, OK 73106 or hand-delivered to the Department at 2000 N. Classen Suite E600, Oklahoma City, OK, or by email at Traylor.Rains-Sims@odmhsas.org.

### PUBLIC HEARING:

The Department will conduct a public hearing on March 5, 2019, at 10:00 a.m. at the ODMHSAS offices located at 2000 N.E. Classen Suite E600, Oklahoma City, OK 73106.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, 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 Traylor Rains-Sims, at the above address, before the close of the comment period on March 4, 2019.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or through the ODMHSAS website at [www.odmhsas.org](http://www.odmhsas.org).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning February 1, 2018. Copies may be obtained from the Department's website at [www.odmhsas.org](http://www.odmhsas.org) or from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or email at Traylor.Rains-Sims@odmhsas.org.

### CONTACT PERSON:

Traylor Rains-Sims, Administrative Rules Liaison, (405) 248-9345 or Traylor.Rains-Sims@odmhsas.org.

*[OAR Docket #19-21; filed 1-8-19]*

## TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES CHAPTER 53. STANDARDS AND CRITERIA FOR CERTIFIED PEER RECOVERY SUPPORT SPECIALISTS

*[OAR Docket #19-22]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Chapter 53. Standards and Criteria for Certified Peer Recovery Support Specialists [AMENDED]

### SUMMARY:

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 53 are part of the Department's review of Title 450. The proposed rules are intended to update definitions and qualifications for certification as a peer recovery support specialist as well as update continuing education requirements to maintain certification. Proposed revisions also require that all C-PRSS be supervised by individuals who have successfully completed ODMHSAS approved Supervising PRSS Training.

### AUTHORITY:

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-326.

### COMMENT PERIOD:

Persons wishing to submit written comments may do so from February 1, 2019, until 5:00 p.m., March 4, 2019, to the attention of Traylor Rains-Sims, Administrative Rules Liaison. Written comments may be mailed to the Oklahoma Department of Mental Health and Substance Abuse Services, 2000 NE Classen Suite E600, Oklahoma City, OK 73106 or hand-delivered to the Department at 2000 N. Classen Suite E600, Oklahoma City, OK, or by email at Traylor.Rains-Sims@odmhsas.org.

### PUBLIC HEARING:

The Department will conduct a public hearing on March 5, 2019, at 10:00 a.m. at the ODMHSAS offices located at 2000 N.E. Classen Suite E600, Oklahoma City, OK 73106.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, 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 Traylor Rains-Sims, at the above address, before the close of the comment period on March 4, 2019.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or through the ODMHSAS website at [www.odmhsas.org](http://www.odmhsas.org).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning February 1, 2019. Copies may be obtained from the Department's website at www.odmhsas.org or from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or email at Traylor.Rains-Sims@odmhsas.org.

**CONTACT PERSON:**

Traylor Rains-Sims, Administrative Rules Liaison, (405) 248-9345 or Traylor.Rains-Sims@odmhsas.org.

*[OAR Docket #19-22; filed 1-8-19]*

**TITLE 450. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES  
CHAPTER 70. STANDARDS AND CRITERIA FOR OPIOID TREATMENT PROGRAMS**

*[OAR Docket #19-23]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 70. Standards and Criteria for Opioid Treatment Programs [AMENDED]

**SUMMARY:**

In accordance with the Administrative Procedures Act the proposed rule revisions to Chapter 70 are part of the Department's review of Title 450. The proposed rules are intended to update terminology from "counseling" to "psychotherapy or therapy". Rules further clarify that "psychotherapy or therapy" must be provided by Licensed Behavioral Health Professionals or Licensure Candidates.

**AUTHORITY:**

Oklahoma Department of Mental Health and Substance Abuse Services Board; 43A O.S. §§ 3-601 through 3-603.

**COMMENT PERIOD:**

Persons wishing to submit written comments may do so from February 1, 2019, until 5:00 p.m., March 4, 2019, to the attention of Traylor Rains-Sims, Administrative Rules Liaison. Written comments may be mailed to the Oklahoma Department of Mental Health and Substance Abuse Services, 2000 NE Classen Suite E600, Oklahoma City, OK 73106 or hand-delivered to the Department at 2000 N. Classen Suite E600, Oklahoma City, OK, or by email at Traylor.Rains-Sims@odmhsas.org.

**PUBLIC HEARING:**

The Department will conduct a public hearing on March 5, 2019, at 10:00 a.m. at the ODMHSAS offices located at 2000 N.E. Classen Suite E600, Oklahoma City, OK 73106.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

ODMHSAS asks business entities affected by the proposed rules to provide written information to the Department, 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 Traylor Rains-Sims, at the above address, before the close of the comment period on March 4, 2019.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or through the ODMHSAS website at www.odmhsas.org.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D) ODMHSAS will prepare a rule impact statement which will be available beginning February 1, 2019. Copies may be obtained from the Department's website at www.odmhsas.org or from Traylor Rains-Sims, Administrative Rules Liaison, at the above address or email at Traylor.Rains-Sims@odmhsas.org.

**CONTACT PERSON:**

Traylor Rains-Sims, Administrative Rules Liaison, (405) 248-9345 or Traylor.Rains-Sims@odmhsas.org.

*[OAR Docket #19-23; filed 1-8-19]*

**TITLE 540. PHYSICIAN MANPOWER TRAINING COMMISSION  
CHAPTER 35. COMMUNITY MATCH INTERN RESIDENT PROGRAM**

*[OAR Docket #19-26]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 540:35-1-3 [AMENDED]
- 540:35-1-4 [AMENDED]
- 540:35-1-5 [AMENDED]
- 540:35-1-7 [AMENDED]

**SUMMARY:**

The Board of Commissioners of the Physician Manpower Training Commission, has adopted the proposed changes to the award amounts and percentages, provided by the Commission, for the Community Match Intern Resident Program.

The proposed changes would increase the initial funds for a physician recipient's minimum service time of two years from Twenty Thousand Dollars (\$20,000) to Thirty Thousand Dollars (\$30,000) or three years from Forty Thousand Dollars (\$40,000) to Fifty Thousand Dollars (\$50,000). In addition, the communities' total percentage share of the award will change from 50% to 40%. This change results in the same dollar amount of contribution by the community, but a decrease in percentage of the total award.

The proposed changes are in an effort to align with similar programs in neighboring states for the purpose of increasing access to medical care in rural Oklahoma.

## Notices of Rulemaking Intent

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### **AUTHORITY:**

Physician Manpower Training Commission; 70 O.S., § 625.13.

### **COMMENT PERIOD:**

Written comments will be accepted through March 7, 2019, at the Physician Manpower Training Commission, 5500 N. Western Avenue, Suite 201, Oklahoma City, OK, 73118-4022, Attn: Janie Thompson, or by email to Janie.Thompson@PMTC.ok.gov

### **PUBLIC HEARING:**

A Public hearing will be held to provide an opportunity for person to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. Public hearings will be held as follows:

Thursday, March 7<sup>th</sup>, 2019, at 2:00 p.m. in the office of the PMTC, 2<sup>nd</sup> floor, Suite 201, center conference room, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022. <http://pmtc.publishpath.com/default.aspx>

and copies of the proposed changes may be obtained from the Physician Manpower Training Commission office located at 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma 73118-4022 or email to Janie.Thompson@PMTC.ok.gov.

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

The PMTC requests that business entities affected by these proposed rules provide the PMTC, within the comment period a written statement in regard to health workforce, community impact and sponsor contributions, and indirect costs associated with potential recordkeeping and reporting. Business entities may submit this information in writing to Janie S. Thompson, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

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

Copies of the proposed rules may be obtained from the Physician Manpower Training Commission, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. 1991 Section 303(D), a rule impact statement has been prepared and may be obtained from the Physician Manpower Training Commission at the above address.

### **CONTACT PERSON:**

Janie Thompson, Deputy Director, (405) 843-5667, [janie.thompson@pmtc.ok.gov](mailto:janie.thompson@pmtc.ok.gov) or for legal questions: Jon Dutton, Assistant Attorney General, (405) 521-6011, [Jon.Dutton@oag.ok.gov](mailto:Jon.Dutton@oag.ok.gov).

*[OAR Docket #19-26; filed 1-8-19]*

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## **TITLE 540. PHYSICIAN MANPOWER TRAINING COMMISSION CHAPTER 45. PHYSICIAN ASSISTANT SCHOLARSHIP PROGRAM**

*[OAR Docket #19-27]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULE:**

540:45-1-4 [AMENDED]

### **SUMMARY:**

The revisions to Chapter 45 serve to comply with changes made to 70 O.S., § 697.21 regarding residency requirements for participating physician assistant students, which are to be effective November 1, 2018 (H.B. 2987). The program will now be available to out of state students in addition to in state students.

### **AUTHORITY:**

Physician Manpower Training Commission; 2018 Okla. Sess. Laws ch. 286, (H.B. 2987); 70 O.S., § 697.21.

### **COMMENT PERIOD:**

Written comments will be accepted through March 7, 2019, at the Physician Manpower Training Commission, 5500 N. Western Avenue, Suite 201, Oklahoma City, OK, 73118-4022, Attn: Janie Thompson, or by email to Janie.Thompson@PMTC.ok.gov

### **PUBLIC HEARING:**

A Public hearing will be held to provide an opportunity for person to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. Public hearings will be held as follows:

Thursday, March 7<sup>th</sup>, 2019, at 2:00 p.m. in the office of the PMTC, 2<sup>nd</sup> floor, Suite 201, center conference room, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022. <http://pmtc.publishpath.com/default.aspx>

and copies of the proposed changes may be obtained from the Physician Manpower Training Commission office located at 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma 73118-4022 or email to Janie.Thompson@PMTC.ok.gov.

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

The PMTC requests that business entities affected by these proposed rules provide the PMTC, within the comment period a written statement in regard to health workforce, community impact, and indirect costs associated with potential recordkeeping and reporting. Business entities may submit this information in writing to Janie S. Thompson, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

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

Copies of the proposed rules may be obtained from the Physician Manpower Training Commission, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. 1991 Section 303(D), a rule impact statement has been prepared and may be obtained from the Physician Manpower Training Commission at the above address.

**CONTACT PERSON:**

Janie Thompson, Deputy Director, (405) 843-5667, janie.thompson@pmtc.ok.gov or for legal questions: Jon Dutton, Assistant Attorney General, (405) 521-6011, Jon.Dutton@oag.ok.gov.

*[OAR Docket #19-27; filed 1-8-19]*

**TITLE 540. PHYSICIAN MANPOWER TRAINING COMMISSION  
CHAPTER 50. OKLAHOMA MEDICAL LOAN REPAYMENT PROGRAM**

*[OAR Docket #19-28]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 540:50-1-1 [AMENDED]
- 540:50-1-2 [AMENDED]
- 540:50-1-3 [AMENDED]
- 540:50-1-4 [AMENDED]
- 540:50-1-5 [AMENDED]
- 540:50-1-6 [AMENDED]
- 540:50-1-7 [AMENDED]
- 540:50-1-8 [AMENDED]

**SUMMARY:**

The revisions to Chapter 50 serve to comply with changes made to the Oklahoma Medical Loan Repayment Program (OMLRP) by the legislature. The OMLRP will now be available to physician assistants in addition to physicians, beginning November 1, 2018. The amendments to the rules ensure that physician assistants will be able to participate in the program beginning November 1, 2018, in accordance with the intent of the Legislature in making changes to the OMLRP (H.B. 2987) and ensure consistency with the authorizing statute. The amendments to the rules also correct statutory references.

**AUTHORITY:**

Physician Manpower Training Commission; 2018 Okla. Sess. Laws ch. 286, (H.B. 2987); 63 O.S., §§ 1-2721 - 1-2723.

**COMMENT PERIOD:**

Written comments will be accepted through March 7, 2019, at the Physician Manpower Training Commission, 5500 N. Western Avenue, Suite 201, Oklahoma City, OK 73118-4022, Attn: Janie Thompson, or by email to Janie.Thompson@PMTC.ok.gov

**PUBLIC HEARING:**

A Public hearing will be held to provide an opportunity for person to orally present their views. Each person will be

allowed a maximum of 5 minutes to speak and must sign in at the door. Public hearings will be held as follows:

Thursday, March 7<sup>th</sup>, 2019, at 2:00 p.m. in the office of the PMTC, 2<sup>nd</sup> floor, Suite 201, center conference room, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022. <http://pmtc.publishpath.com/default.aspx> and copies of the proposed changes may be obtained from the Physician Manpower Training Commission office located at 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma 73118-4022 or email to Janie.Thompson@PMTC.ok.gov.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

The PMTC requests that business entities affected by these proposed rules provide the PMTC, within the comment period a written statement in regard to health workforce, community impact and sponsor contributions, and indirect costs associated with potential recordkeeping and reporting. Business entities may submit this information in writing to Janie S. Thompson, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Physician Manpower Training Commission, 5500 North Western Avenue, Suite 201, Oklahoma City, Oklahoma, 73118-4022.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. 1991 Section 303(D), a rule impact statement has been prepared and may be obtained from the Physician Manpower Training Commission at the above address.

**CONTACT PERSON:**

Janie Thompson, Deputy Director, (405) 843-5667, janie.thompson@pmtc.ok.gov or for legal questions: Jon Dutton, Assistant Attorney General, (405) 521-6011, Jon.Dutton@oag.ok.gov.

*[OAR Docket #19-28; filed 1-8-19]*

**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION  
CHAPTER 10. REQUIREMENTS, STANDARDS AND PROCEDURES**

*[OAR Docket #19-18]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 3. Education and Examination Requirements  
605:10-3-5 [AMENDED]
- Subchapter 5. Instructor and Entity Requirements and Standards  
605:10-5-3 [AMENDED]
- Subchapter 7. Licensing Procedures and Options

## Notices of Rulemaking Intent

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605:10-7-2 [AMENDED]  
605:10-7-7 [AMENDED]  
605:10-7-8 [AMENDED]  
605:10-7-8.1 [AMENDED]  
605:10-7-8.2 [AMENDED]  
Subchapter 9. Broker's Operational Procedures  
605:10-9-4 [AMENDED]  
Subchapter 13. Trust Account Procedures  
605:10-13-1 [AMENDED]  
Subchapter 17. Causes for Investigation; Hearing Process;  
Prohibited Acts; Discipline  
605:10-17-4 [AMENDED]

### SUMMARY:

Permanent revisions to the Rules and Regulations are proposed as described herein. These proposed amendments affect real estate licensees and the general public, and if promulgated will have an effective date of November 1, 2019. Proposed revisions are summarized as follows:

**605:10-3-5. Examinations.** Changing the passing grade on the real estate salesperson exam from 75% to 70%.

**605:10-5-3. Standards for Commission approved real estate courses.** Modifying language that will change the provisional sales associate and post-license end of course examination from 200 questions to 150 questions, and will change the broker end-of-course examination from 250 questions to 200 questions.

**605:10-7-2. License terms and fees; renewals; reinstatements.** Adding language that addresses the waiver of specific license fees for low-income individuals.

**605:10-7-7. Branch offices.** Modifying language that will allow 30 days for the appointment of a new branch office broker after the retirement or cessation of employment for any reason by a designated branch office broker.

**605:10-7-8. Corporation licensing procedures and requirements of good standing.** Modifying language that will allow 30 days for the appointment of a new managing corporate broker after the retirement or cessation of employment for any reason by a managing corporate broker.

**605:10-7-8.1. Partnership licensing procedures and requirements of good standing.** Modifying language that will allow 30 days for the appointment of a new managing partner after the retirement or cessation of employment for any reason by a managing partner.

**605:10-7-8.2. Association licensing procedures and requirements of good standing.** Modifying language that will allow 30 days for the appointment of a new managing broker member or manager after the retirement or cessation of employment for any reason by a managing broker member or manager.

**605:10-9-4. Advertising.** Modifying language to clarify that for the purposes of this section, "prominent, conspicuous

and easily identifiable" shall mean that the broker's reference is 50% or larger than any other associate and/or team reference in the advertisement.

**605:10-13-1. Duty to account; broker.** Modifying language that clarifies broker responsibilities when funds are held outside of brokerage account.

**605:10-17-4. Prohibited dealings.** Adding language clarifying that dates of such signatures should accompany any signatures on real estate offers and contracts.

### AUTHORITY:

Oklahoma Real Estate Commission; 59 O.S., Section 858-208

### COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 9:30 a.m. on March 13, 2019 at the following address:

Oklahoma Real Estate Commission  
Denver N. Davison Building  
1915 North Stiles, Suite 200  
Oklahoma City, Oklahoma 73105-4919

### PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 10 minutes to speak and must sign in at the door. Date, time and place of public hearing:

March 13, 2019 - 10:00 a.m.  
Denver N. Davison Building  
1915 North Stiles, Suite 200  
Oklahoma City, Oklahoma 73105-4919

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

### COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by the public between 8:00 a.m. and 5:00 p.m., Monday through Friday, (with the exception of legal holidays) at the following location:

Oklahoma Real Estate Commission  
Denver N. Davison Building  
1915 North Stiles, Suite 200  
Oklahoma City, Oklahoma 73105-4919

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303 (D), a rule impact statement will be prepared and available on December 17, 2018 at the Oklahoma Real Estate Commission (address and phone number listed above).

### CONTACT PERSON:

Sherry Kueffler - (405) 521-3387

[OAR Docket #19-18; filed 1-7-19]

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

*[OAR Docket #19-30]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Statewide Virtual Charter School Sponsorship

777:10-3-3. [AMENDED]

777:10-3-4. [AMENDED]

777:10-3-5. [AMENDED]

Subchapter 5. Statewide Virtual Charter School Facilities

777:10-5-3. [AMENDED]

**SUMMARY:**

These proposed rule changes are to clean-up grammar errors in the current rules; to set forth the application timeline; to clarify application requirements; to update renewal application requirements; to implement the performance framework; to set forth the school data submission requirements; to update face-to-face instruction requirements; and to remove unnecessary language.

**AUTHORITY:**

Statewide Virtual Charter School Board; 70 O.S., §§ 3-145 et seq.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 4:00 p.m. on March 4, 2019, at the following address: 2500 N. Lincoln Boulevard, Suite 4-37, Oklahoma City, Oklahoma.

**PUBLIC HEARING**

A public hearing will be held at 2:00 p.m. on Tuesday, March 12, 2019 at the Hodge Building 2500 N. Lincoln Boulevard, Suite 4-37, Oklahoma City, Oklahoma, to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of five (5) minutes to speak.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, indirect cost, 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 on March 4, 2019, at the Statewide Virtual Charter School Board, 2500 North Lincoln Boulevard, Suite 4-37, Oklahoma City, Oklahoma 73105.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Statewide Virtual Charter School Board, 2500 N. Lincoln, Suite 4-37, Oklahoma City, Oklahoma 73105. The proposed rules are also available on the SVCSB website at <http://svcsb.ok.gov>.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and will be available for review after February 1, 2019.

**CONTACT PERSON:**

Lynn Stickney 405-522-8849

*[OAR Docket #19-30; filed 1-8-19]*

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION  
CHAPTER 1. OPERATIONS AND PROCEDURES**

*[OAR Docket #19-4]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 5. General Course and Method of Operation [AMENDED]

Subchapter 11. Publications [AMENDED]

**SUMMARY:**

These rule changes will allow the Wildlife Commission more flexibility on setting regular Commission meetings pursuant to HB 1501 passed during the 2017 Legislative Session. This rule change will also update the list of items and fees for sale by the Wildlife Department. Several items in this chapter are no longer available, and one item will be added. The new license database system provides us with the option to sell a collectible hard card version of hunting and fishing licenses. Card orders will be fulfilled by our vendor, Brandt, and will include license privileges for the given year. This rule proposal will add the hard card to the list of merchandise we offer, and establish the fee. This hard card is optional and not required to hunt or fish. All of the listed items are voluntary purchases.

**AUTHORITY:**

Title 29 O.S., Section 3-103, 5-401 and HB 1501; Article XXVI, Section 1 and 3 of the Constitution of Oklahoma; Department of Wildlife Conservation Commission.

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so on or before 4:30 p.m., March 8, 2019, at the following address: Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 (PO Box 53465, Oklahoma City, OK 73152) or online at [www.wildlifedepartment.com](http://www.wildlifedepartment.com).

**PUBLIC HEARINGS:**

Date: March 7, 2019

Time: 7:00 p.m.

Oklahoma City - OK Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, OK

Date: March 7, 2019

Time: 7:00 p.m.

## Notices of Rulemaking Intent

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McAlester - Kiamichi Vo Tech Center, 301 Kiamichi Drive,  
McAlester, OK

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

N/A

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

Copies of the proposed rules will be available to the public at 1801 N. Lincoln Blvd., Oklahoma City, OK 73105.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., 303(D), a rule impact statement is being prepared and will be available for review after February 6, 2019 at the above address for the Oklahoma Department of Wildlife Conservation.

### **CONTACT PERSON:**

Corey Jager, ODWC Legislative Liaison, 405/521-4651 or Rhonda Hurst, APA Liaison, 405/522-6279.

*[OAR Docket #19-4; filed 1-4-19]*

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

*[OAR Docket #19-5]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. Harvest and Possession Limits  
[AMENDED]

### **SUMMARY:**

These rules will remove harvest and possession limits on private ponds allowing landowners to manage fish populations and will simplify paddlefish angling by removing the requirement for anglers to complete the "Record of Game" section on their paddlefish permit.

### **AUTHORITY:**

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

### **COMMENT PERIOD:**

Persons wishing to present their views in writing may do so on or before 4:30 p.m., March 8, 2019, at the following address: Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 (PO Box 53465, Oklahoma City, OK 73152) or online at [www.wildlifedepartment.com](http://www.wildlifedepartment.com).

### **PUBLIC HEARINGS:**

Date: March 7, 2019

Time: 7:00 p.m.

Oklahoma City - OK Department of Wildlife Conservation,  
1801 N. Lincoln Blvd., Oklahoma City, OK

Date: March 7, 2019

Time: 7:00 p.m.

McAlester - Kiamichi Vo-Tech Center, 301 Kiamichi Drive,  
McAlester, OK

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

N/A

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

Copies of the proposed rules will be available to the public at 1801 N. Lincoln Blvd., Oklahoma City, OK 73105.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., 303(D), a rule impact statement is being prepared and will be available for review after February 6, 2019 at the above address for the Oklahoma Department of Wildlife Conservation.

### **CONTACT PERSON:**

Barry Bolton, Chief of Fisheries Division, 405/521-3721 or Rhonda Hurst, APA Liaison, 405/522-6279.

*[OAR Docket #19-5; filed 1-4-19]*

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

*[OAR Docket #19-6]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 5. Migratory Bird Hunting Season  
[AMENDED]

Subchapter 7. General Hunting Seasons [AMENDED]

Subchapter 13. Commercial Hunt Areas [AMENDED]

Subchapter 19. Oklahoma Endangered Species  
[AMENDED]

Subchapter 24. Import of Cervids [AMENDED]

Subchapter 30. Wildlife Depredation on Agricultural Crops  
[AMENDED]

Subchapter 42. Director Authority for CWD Response  
[NEW]

### **SUMMARY:**

Subchapter 5 - These rules changes will: Remove reference to the waterfowl hunting regulations booklet since they are now included in the general hunting booklet; eliminate the drawing process for permanent waterfowl hunting blinds on Corps of Engineers and Bureau of Reclamation reservoirs, and change all these reservoirs to temporary blinds only; require hunters to obtain a daily permit for blinds when hunting on Sooner Lake.

Subchapter 7 - Remove the requirement for hunters to complete the "Record of Game" section on their annual license for all big game species. Open several counties and WMA's to fall turkey hunting; make several WMA's shotgun only for safety reasons. Allow any centerfire rifle, pistol, or shotgun firing a single projectile to be used for hunting deer. Change raccoon season to open year-round. Open all areas east of Highway 69 and South of Interstate 40 to bear hunting; and

prohibit the harvest of collared bears. Open Deep Fork WMA deer gun season and close small game seasons during this time for safety reasons. Open waterfowl season on Sparrowhawk WMA. Establish hunting seasons and dates on two new Wildlife Management Areas: Neosho WMA and Thomas A. Bamberger Sr. WMA.

Subchapter 13 - Require commercial hunt areas to keep ID tags in all released animals until deceased.

Subchapter 19 - Update/correct names in the list of species of special concern.

Subchapter 24 - Restrict the import of live cervids and some cervid carcass parts to help protect Oklahoma's native deer and elk population from the threat of CWD.

Subchapter 30 - Remove rusty blackbird from the list of allowable species of take under the National Depredation Order due to population declines, but still allows for individual permits from USFWS.

Subchapter 42 - Add new subchapter that will allow the Director to implement or revoke CWD management actions as necessary.

**AUTHORITY:**

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

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so on or before 4:30 p.m., March 8, 2019, at the following address: Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 (PO Box 53465, Oklahoma City, OK 73152) or online at www.wildlifedepartment.com.

**PUBLIC HEARINGS:**

Date: March 7, 2019

Time: 7:00 p.m.

Oklahoma City - OK Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, OK

Date: March 7, 2019

Time: 7:00 p.m.

McAlester - Kiamichi Vo-Tech Center, 301 Kiamichi Drive, McAlester, OK

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules will be available to the public at 1801 N. Lincoln Blvd., Oklahoma City, OK 73105.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., 303(D), a rule impact statement is being prepared and will be available for review after February 6, 2019 at the above address for the Oklahoma Department of Wildlife Conservation.

**CONTACT PERSON:**

Alan Peoples, Chief of Wildlife Division, 405/521-2739 or Rhonda Hurst, APA Liaison, 405/522-6279.

[OAR Docket #19-6; filed 1-4-19]

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

[OAR Docket #19-7]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. Use of Department Managed Lands [AMENDED]

**SUMMARY:**

This rule will add the recently acquired Thomas A. Bamberger Sr. WMA to the list of areas that do not allow overnight camping.

**AUTHORITY:**

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

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so on or before 4:30 p.m., March 8, 2019, at the following address: Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105 (PO Box 53465, Oklahoma City, OK 73152) or online at www.wildlifedepartment.com.

**PUBLIC HEARINGS:**

Date: March 7, 2019

Time: 7:00 p.m.

Oklahoma City - OK Department of Wildlife Conservation, 1801 N. Lincoln Blvd., Oklahoma City, OK

Date: March 7, 2019

Time: 7:00 p.m.

McAlester - Kiamichi Vo-Tech Center, 301 Kiamichi Drive, McAlester, OK

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules will be available to the public at 1801 N. Lincoln Blvd., Oklahoma City, OK 73105.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., 303(D), a rule impact statement is being prepared and will be available for review after February 6, 2019 at the above address for the Oklahoma Department of Wildlife Conservation.

## Notices of Rulemaking Intent

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**CONTACT PERSON:**

Alan Peoples, Chief of Wildlife Division, 405/521-2739 or  
Rhonda Hurst, APA Liaison, 405/522-6279.

*[OAR Docket #19-7; filed 1-4-19]*

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# 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 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES CHAPTER 25. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

*[OAR Docket #19-29]*

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 15. Time and leave  
Part 5. Miscellaneous types of leave  
260:25-15-52. Leave sharing [AMENDED]

### AUTHORITY

The Office of Management and Enterprise Services; 74 O.S. Section 840-2.23; The Director of the Office of Management and Enterprise Services; 62 O.S. Section 34.6.

### ADOPTION:

November 16, 2018

### APPROVED BY GOVERNOR:

January 2, 2019

### EFFECTIVE:

Immediately upon Governor's approval.

### EXPIRATION:

Effective through September 14, 2019, unless superseded by another rule or disapproved by the Legislature.

### SUPERSEDED EMERGENCY ACTIONS:

N/A

### INCORPORATIONS BY REFERENCE:

N/A

### FINDING OF EMERGENCY:

These rules are necessary to comply with deadlines in amendments to the agency's governing law. The amendments to 74 O.S. Section 2.23 are effective November 1, 2018. The amendments to 74 O.S. Section 2.23 change the state leave sharing program requirements and participation process for state employees. The amendments also prescribe additional duties and obligations to the Human Capital Management Division of the Office of Management and Enterprise Services.

### GIST/ANALYSIS:

These rules provide the regulatory framework for the shared leave program available to state employees. The Shared Leave Program was amended by changes to 74 O.S. § 840-2.23 which became effective November 1, 2018. These rules prescribe the eligibility verification process and the shared leave liaison authority and obligations. The rules also provide the regulations regarding the administration of the Leave of Last Resort Bank.

### CONTACT PERSON:

Tracy Hird, Deputy General Counsel  
Office of Management and Enterprise Services  
Human Capital Management Division  
2401 N. Lincoln Blvd. Suite 106-8  
Oklahoma City, OK 73105

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 15. TIME AND LEAVE

### PART 5. MISCELLANEOUS TYPES OF LEAVE

#### 260:25-15-52. Leave Sharing

~~Section 840-2.23 of Title 75 of the Oklahoma Statutes establishes eligibility, standards and procedures for state employees to share annual and sick leave.~~

(a) **Purpose.** The purpose of this Section is to interpret Section 840-2.23 of Title 74 of the Oklahoma Statutes (Section 840-2.23). Section 840-2.23 establishes eligibility, standards and procedures for state employees to share annual and sick leave.

(b) **Eligibility to receive donated annual or sick leave from state entities outside the state entity of the employee.** Before an employee will be permitted to receive donated annual and/or sick leave from a state entity that is outside the state entity for which the employee is employed, such employee must have exhausted all leave options within the state entity of the employee. Such exhaustion efforts must be evidenced by documentation showing such employee requested to receive shared leave from employees within the employing agency and was unable to receive shared leave either because no leave was available to be donated or no other employee would donate to such employee. A human resources representative or agency designee within the employing agency shall certify that the request process occurred. The Appointing Authority shall approve all submitted documentation.

(c) **Shared leave liaison authority and obligations.** The shared leave liaison shall have the authority to conduct trainings and disseminate informational publications to all state entities regarding the requirements of Section 840-2.23 and state entities' obligation to comply with Section 840-2.23. The shared leave liaison shall also have the authority to disseminate

## Emergency Adoptions

informational publications to and advise all state employees of the rights afforded to state employees under Section 840-2.23. (d) **Shared leave liaison outreach efforts.** The shared leave liaison shall work with the requesting employee's employing agency and outside state entities, if necessary, in order to obtain shared leave hours.

(e) **Shared leave liaison intake process.** The shared leave liaison shall ensure that the requesting employee meets the eligibility criteria set forth in Section 840-2.23 in order to receive shared leave from outside state entities and the Leave of Last Resort Bank. The shared leave liaison shall verify that each requesting employee is eligible. The shared leave liaison shall review the documentation required by (b) of this Section and verify that the requesting employee has exhausted all sources of shared leave both within his or her employing entity and outside state entities. All verifications shall be maintained as a record of the Administrator.

(f) **Coordinating leave requested from the Leave of Last Resort Bank.** The shared leave liaison shall be responsible for maintaining records of the amount of leave in the Leave of Last Resort Bank. The shared leave liaison shall develop a procedure for crediting deposits and debiting withdrawals from the Bank. The shared leave liaison shall develop and perform all audit functions necessary to administer the Bank.

(g) **Election of annual or sick leave to be deposited into the Leave of Last Resort Bank.** An employee must acknowledge that his or her annual and/ or sick leave will be deposited into the Leave of Last Resort Bank. Such acknowledgment shall be in writing and in the form prescribed by the Administrator. The acknowledgement must state the employee understands that he or she will receive no monetary compensation for the donation of annual and/ or sick leave, the employee understands any sick leave available for donation could be applied as a credit for years of service under the applicable retirement system or reinstated in accordance with Section 840-2.20(A)(6) of Title 74, and the employee affirms that such donation is given voluntarily. The acknowledgement may include other such information as deemed necessary by the Administrator.

(h) **Development of forms.** The Administrator shall have the authority to develop forms to be used by all state entities to document the requirements of this Section.

(i) **Development of policies and procedures.** The Administrator shall have the authority to develop policies and procedures regarding the administration of the Leave of Last Resort Bank and the requirements of Section 840-2.23 of Title 74 and this Section. The Administrator shall publish all policies and procedures on the Office of Management and Enterprise Services website.

[OAR Docket #19-29; filed 1-8-19]

## TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 681. MEDICAL MARIJUANA CONTROL PROGRAM

[OAR Docket #19-25]

### RULEMAKING ACTION:

EMERGENCY adoption

### RULES:

Subchapter 1. General Provisions [NEW]

310:681-1-4 [NEW]

Subchapter 5. Commercial Establishments [NEW]

Part 1. Food Safety Standards for Processors [NEW]

310:681-5-8.1 [NEW]

### AUTHORITY:

Oklahoma State Board of Health; Title 63 O.S. Section 1-104, and Title 63 O.S. § 420A *et seq.*

### ADOPTION:

December 11, 2018

### APPROVED BY GOVERNOR:

December 20, 2018

### EFFECTIVE:

Immediately upon Governor's approval

### EXPIRATION:

Effective through September 14, 2019, unless superseded by another rule or disapproved by the legislature

### SUPERSEDED EMERGENCY ACTIONS:

#### Superseded rules:

Subchapter 1. General Provisions [NEW]

310:681-1-4 [NEW]

#### Gubernatorial approval:

August 6, 2018

#### Register publication:

35 Ok Reg 709

#### Docket number:

18-651

### INCORPORATIONS BY REFERENCE:

#### Incorporated Standards:

Title 21, Part 101 of the Code of Federal Regulations (CFR), as of August 22, 2018.

#### Incorporating Rules:

310:681-5-8.1

#### Availability:

8:00 a.m. to 5:00 p.m., Monday through Friday, Oklahoma State Department of Health, 1000 NE 10<sup>th</sup> St, Oklahoma City, OK 73117.

### FINDING OF EMERGENCY:

Pursuant to 75 O.S. § 253, the Department seeks Emergency adoption of the proposed rules. Emergency rulemaking is sought pursuant to the passage of State Question 788 and as codified at 63 O.S. § 420A *et seq.* Specifically, 63 O.S. § 423A(C) states:

The Oklahoma State Department of Health will be compelled to, within thirty (30) days of passage of this initiative, appoint a board of twelve (12) Oklahoma residents, who are marijuana industry experts, to create a list of food safety standards for processing and handling medical marijuana in Oklahoma. These standards will be adopted by the agency and the agency can enforce these standards for processors.

Title 63 O.S. § 423A requires processors to use these standards in the preparation of edible marijuana products. Pursuant to 63 O.S. § 420A *et seq.*, the Department began issuing licenses on August 25, 2018. Medical marijuana and medical marijuana products are now legally available for sale. Adoption of these rules is necessary to ensure not only that the processing and preparation of edible marijuana products is in compliance with 63 O.S. § 420A *et seq.* but also that such products are safe for public consumption, thereby satisfying a finding of an emergency pursuant to 75 O.S. § 253(A)(1)(a) and (c). Delay in adoption of these rules until forthcoming legislative session would result in the further sale of edible marijuana products that have not been processed in accordance with the standards recommended by the Food Safety Standards Board as required under 63 O.S. § 423A(C) and (D). This Emergency rulemaking action is necessary to promulgate rules to implement the provisions in the new law pertaining to regulations on medical marijuana products and commercial licenses.

**GIST/ANALYSIS:**

These proposed rules will implement the Department's requirements from the passage of State Question 788 and as codified at 63 O.S. § 420A *et seq.* The proposed regulations set forth the Department's definitions and requirements for food safety standards that processors must comply with in the preparation, production, manufacturing, processing, handling, packaging, and labeling of edible marijuana products.

**CONTACT PERSON:**

Spencer Kusi, Agency Rule Liaison, Oklahoma State Department of Health, 1000 N.E. 10<sup>th</sup> Street, Oklahoma City, OK 73117-1207; phone (405) 271-9444, ext. 52546 e-mail: SpencerK@health.ok.gov.

**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 1. GENERAL PROVISIONS**

**310:681-1-4. Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Applicant"** means the natural person or entity in whose name a license would be issued.

**"Batch"** means, with regard to usable marijuana, a homogenous, identified quantity of usable marijuana, no greater than ten (10) pounds, that is harvested during a specified time period from a specified cultivation area; and with regard to oils, vapors, and waxes derived from usable marijuana, means an identified quantity that is uniform, that is intended to meet specifications for identity, strength, and composition, and that is manufactured or processed, packaged, and labeled during a specified time period according to a single manufacturing, packaging, and labeling protocol.

**"Batch Number"** means a unique numeric or alphanumeric identifier assigned prior to testing to allow for inventory tracking and traceability.

**"Cannabinoid"** means any of the diverse chemical compounds that can act on cannabinoid receptors in cells and alter neurotransmitter release in the brain, including phytocannabinoids that are produced naturally by marijuana and some other plants.

**"Clone"** means a non-flowering plant cut from a mother plant that is no taller than eight inches and is capable of developing into a new plant.

**"Commercial Establishment" ("Establishment")** or **"Commercial Licensee"** means an entity licensed under this Chapter as a medical marijuana dispensary, grower, processor, or researcher.

**"Commercial License"** means a license issued to a medical marijuana dispensary, grower, processor, or researcher.

**"Commissioner"** means the Commissioner of Health of the Oklahoma State Department of Health.

**"Complete(d) Application"** means a document prepared in accordance with 63 O.S. § 420 *et seq.*, these rules, and the

forms and instructions provided by the Department, including any supporting documentation required by the Department and the license fee.

**"Control Number"** means the tracking number issued with a license to purchase medical marijuana.

**"Department"** means the Oklahoma State Department of Health or its agent or designee.

**"Dispense"** means the selling of medical marijuana or a medical marijuana product to a qualified patient or the patient's designated caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a qualifying patient.

**"Dispensary"** means an entity that has been licensed by the Department pursuant to Title 63 O.S. § 421 and this Chapter, which allows the entity to purchase medical marijuana from a processor licensee or grower licensee and sell medical marijuana only to qualified patients, or their parents or legal guardian(s) if applicable, and caregivers.

**"Disqualifying Criminal Conviction"** means:

(A) Any non-violent felony conviction within two (2) years of submitting an application to the Department;

(B) Any violent felony conviction for an offense listed in Title 57 O.S. § 571(2) within five (5) years of submitting an application to the Department.

**"Entity"** means an individual, a general partnership, a limited partnership, a limited liability company, a trust, an estate, an association, a corporation, or any other legal or commercial entity.

**"Food"** has the same meaning as set forth in 63 O.S. § 1-1101 and OAC 310:257-1-3 ("food" means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article") and as set forth in OAC 310:260-1-6 ("food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption).

**"Grower"** or **"Commercial Grower"** means an entity that has been licensed by the Department pursuant to Title 63 O.S. § 422, which allows the entity to grow, harvest, and package medical marijuana according to this Chapter for the purpose of selling medical marijuana to a dispensary, processor, or researcher.

**"Information Panel"** means, as set forth in 21 CFR § 101.2, "that part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel."

**"Label"** means, as set forth in 63 O.S. § 1-1101, a display of written, printed, or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this article that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if there be any, of the retail package of such article, or is easily legible through the outside container or wrapper.

## Emergency Adoptions

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**"Licensee"** means any natural born person or entity that holds a marijuana license provided for in this Chapter, excluding inmates of any local, county, state, or federal correctional facility or jail.

**"Lot"** means the food produced during a period of time indicated by a specific code.

**"Manufacture"** means the process of converting harvested plant material into medical marijuana concentrate by physical or chemical means for use as an ingredient in a medical marijuana product.

**"Marijuana"** means all parts of a plant of the genus *cannabis*, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination.

**"Mature Plant"** means harvestable female marijuana plant that is flowering.

**"Medicaid"** means the federal program that is also commonly known as "SoonerCare."

**"Medical Marijuana"** means marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose.

**"Medical Marijuana Concentrate" or "Concentrate"** means a substance obtained by separating cannabinoids from any part of the marijuana plant by physical or chemical means, so as to deliver a product with a cannabinoid concentration greater than the raw plant material from which it is derived, intended to be refined for use as an ingredient in a medical marijuana product and not for administration to a qualified patient.

**"Medical Marijuana Product"** means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient, including but not limited to oils, tinctures, edibles, pills, topical forms, gels, creams, forms medically appropriate for administration by vaporization or a nebulizer, patches, tinctures, and liquids excluding live plant forms.

**"Medical Marijuana Waste"** means unused, surplus, returned or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus *cannabis*, including dead plants and all unused plant parts and roots; and any wastewater generated during growing and processing.

**"Mother Plant"** means a marijuana plant that is grown or maintained for the purpose of generating clones, and that will not be used to produce plant material for sale to a processor or dispensary.

**"Oklahoma Resident" or "Resident"** means an individual who resides in the State of Oklahoma and can provide proof of residency as required by 63 O.S. § 420 et seq. and OAC 310:681-1-6.

**"Oklahoma Uniform Symbol"** means the image, established by the Department and made available to commercial licensees, indicating the package contains marijuana and must be printed at least one-half inch in size by one-half inch in size in color.

**"Out-of-State Medical Marijuana Patient License"** means an unexpired medical marijuana patient license issued by another U.S. state, which is the substantial equivalent of the Oklahoma medical marijuana patient license issued pursuant to OAC 310:681-2-1 and 310:681-2-2.

**"Package" or "Packaging"** means any container or wrapper that a grower or processor may use for enclosing or containing medical marijuana or medical marijuana products.

**"Packager"** means, as used in Title 63 O.S. § 422(C), a processor.

**"Patient" or "Qualified patient"** means a person that has been properly issued a medical marijuana license pursuant to Title 63 O.S. § 420 et seq. and these rules.

**"Physician"** means a doctor of medicine or a doctor of osteopathic medicine who holds a valid, unrestricted and existing license to practice in the State of Oklahoma and meets the definition of "board certified" under rules established by either the Oklahoma Board of Medical Licensure or the Oklahoma Board of Osteopathic Examiners.

**"Plant Material"** means the leaves, stems, buds, and flowers of the marijuana plant, and does not include seedlings, seeds, clones, stalks, or roots of the plant or the weight of any non-marijuana ingredients combined with marijuana.

**"Principal Display Panel"** means, as set forth in 21 CFR § 101.1 "the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale."

**"Private School"** means an elementary, middle, or high school maintained by private individuals, religious organizations, or corporations, funded, at least in part, by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other particular qualifications.

**"Processor"** means an entity that has been licensed by the Department pursuant to Title 63 O.S. § 423, which allows the entity to: purchase marijuana from a commercial grower; prepare, manufacture, process, package, sell to, and deliver medical marijuana products to a dispensary licensee or other processor licensee; and may manufacture marijuana received from a qualified patient into a medical marijuana concentrate, for a fee.

**"Public School"** means an elementary, middle, or high school established under state law, regulated by the local state authorities in the various political subdivisions, funded and maintained by public taxation, and open and free to all children of the particular district where the school is located.

**"Retailer"** means, as used in Title 63 O.S. § 420 et seq., a dispensary.

**"Revocation"** means the Department's final decision that any license issued pursuant to this Chapter is rescinded because the individual or entity does not comply with the applicable requirements in this Chapter.

**"Rules"** means, unless otherwise indicated, the rules as adopted and set forth in OAC 310:681.

**"Seedling"** means a marijuana plant that has no flowers.

**"State Question"** means Oklahoma State Question No. 788 and Initiative Petition Number 412.

**SUBCHAPTER 5. COMMERCIAL ESTABLISHMENTS**

**310:681-5-8.1. Food Safety Standards for processors**

(a) **Purpose.** This Section sets forth the food safety standards that processors must comply with in the preparation, production, manufacturing, processing, handling, packaging, and labeling of edible marijuana products.

(b) **Existing law.** This Section does not relieve licensed processors of any obligations under existing laws, rules, and regulations, including 63 O.S. § 1-1101 et seq., OAC 310:257, and OAC 310:260, to the extent they are applicable and do not conflict with 63 O.S. § 420A et seq.

(1) The sale, offer to sell, dispense or release into commerce of any food or confection under a name, label, or brand when the name, label, or brand either precisely or by slang term or popular usage, is the name, label, or brand of marijuana is not prohibited.

(2) Marijuana used in food shall be considered an additive, a component, and/or an edible substance.

(3) Marijuana shall not be considered a deleterious, poisonous, or nonnutritive substance, and the use of marijuana, alone, in food shall not make such food adulterated or misbranded.

(c) **Updated law.** In the event the Oklahoma Board of Health or the Commissioner of Health amends OAC 310:257 or OAC 310:260, adopts new food safety rules, or incorporates into Oklahoma law updated federal food safety standards, including Title 21 of the Code of Federal Regulations, licensed processors shall comply with such rules to the extent they are applicable and do not conflict with 63 O.S. § 420A et seq. or these rules.

(d) **Board meetings.** The Medical Marijuana Industry Expert Board/Food Safety Standards Board shall meet as regularly as its members deem necessary to review Oklahoma food safety laws and these rules and to take action, including amending and/or adding recommended standards to the Oklahoma Board of Health or the Commissioner of Health.

(e) **Labeling and packaging.** Labels and packages for food containing marijuana shall comply with all applicable requirements in existing Oklahoma law, rules, and regulations, and any laws incorporated therein by reference, to the extent they do not conflict with 63 O.S. § 420A.

(1) Title 21, part 101 of the Code of Federal Regulations ("CFR"), as of August 22, 2018, is hereby incorporated by reference into this Section to the extent it is applicable and does not conflict with 63 O.S. § 420A et seq.

(2) Existing requirements for principal display panels or information panels include:

- (A) Name and address of the business;
- (B) Name of the food;
- (C) Net quantity or weight of contents;
- (D) Ingredients list;

(E) Food allergen information;

(F) Nutrition labeling, if required under 21 CFR § 101.9;

(3) In addition, principal display panels or information panels must contain:

(A) List of cannabis ingredients;

(B) The batch of marijuana;

(C) The strain of marijuana (optional);

(D) THC dosage in milligrams per unit; and

(E) The lot code.

(4) Nutrient content, health, qualified health and structure/function claims must comply with the Food and Drug Administration ("FDA") Food Labeling Guide.

(5) Packaging must contain the statement, "For accidental ingestion call 1-800-222-1222."

(6) All packages and individually-packaged product units, including but not limited to those from bulk packaging, must contain the Oklahoma uniform symbol in clear and plain sight. The Oklahoma uniform symbol must be printed at least one-half inch by one-half inch in size in color.

(7) In order to comply with OAC 310:681-7-1(4) and this Section, a label must contain a warning that states, "Women should not use marijuana or medical marijuana products during pregnancy because of the risk of birth defects or while breastfeeding."

(f) **Recommended HACCP.** A Hazard Analysis and Critical Control Plan ("HACCP"), as set forth under Title 21, Part 120 of the Code of Federal Regulations, shall be recognized as a standardized best practice to ensure that food is suitable for human consumption and that food-packaging materials are safe and suitable. Processors are encouraged to adopt a HACCP to help ensure compliance with existing Oklahoma food safety laws, particularly OAC 310:260-3-6.

(g) **Required testing procedures.** In light of the medical nature of marijuana authorized under 63 O.S. § 420A et seq. and to ensure the suitability and safety for human consumption of food products containing medical marijuana, processors are required to test food products containing medical marijuana for microbials, solvent and chemical residue, metals, pesticide residue, potency, and contaminants and filth in accordance with the following standards and thresholds.

(1) **Frequency.** Processors shall on a quarterly basis test one lot of each type of edible medical marijuana product.

(2) **Allowable thresholds.** Products that fail to meet the thresholds as set forth below must be rejected and/or recalled immediately. In the event of recall, processors shall immediately notify the Department and all commercial establishments to which the recalled product was or may have been sold or transferred of the recall. Upon notification of the recall, the Department should work with dispensaries to notify patients who received the recalled product.

(3) **Retention of test results and records.** Processors shall retain all test results and related records for three (3) years.

## Emergency Adoptions

- (4) **Microbiological testing.**
- (A) All products shall be tested for aerobic plate count.
- (B) Product test results shall validate that less than one colony forming unit (CFU) per gram of tested material is present for E. coli or Salmonella species or the product shall be rejected and/or recalled.
- (C) Products shall be tested for the presence of yeast and molds. Product test results shall validate less than 104 CFU or the product shall be rejected and/or recalled.
- (D) Test reports shall include method reference.
- (5) **Solvent and chemical residue.**
- (A) Food products containing medical marijuana shall be tested for the following solvents to the maximum extent practical:
- (i) Acetone < 1,000 ppm
  - (ii) Benzene < 2 ppm
  - (iii) Butanes/ Heptanes < 1,000 ppm
  - (iv) Hexane < 60 ppm
  - (v) Isopropyl Alcohol < 1,000 ppm
  - (vi) Pentane < 1,000 ppm
  - (vii) Propane < 1,000 ppm
  - (viii) Toluene < 180 ppm
  - (ix) Total Xylenes (m, p, o-xylenes) < 430 ppm
- (B) Test reports shall provide specific data for all listed and detected solvents.
- (C) The test report shall list any solvents listed above that could not be tested for.
- (D) If the test equipment's Limit of Detection (lowest possible detection limit) is above the specified limit for a solvent, the equipment's Limit of Detection amount will be considered sufficient to exceed safe contamination limits.
- (E) If the cannabis concentrate used to make an infused product was tested for solvents and chemical residue and test results indicate the lot was within established limits, then the infused product does not require additional testing for solvents and chemical residue.
- (6) **Metals.**
- (A) Testing for heavy metals shall include but is not limited to lead, arsenic, cadmium, and mercury.
- (B) Test results shall meet the following thresholds:
- (i) Lead - max limit < 1ppm
  - (ii) Arsenic - max limit < 0.4 ppm
  - (iii) Cadmium - max limit < 0.44 ppm
  - (iv) Mercury - max limit < 0.2 ppm
- (C) If the cannabis concentrate used to make an infused product was tested for metals and test results indicate the lot was within established limits, then the infused product does not require additional testing for metals.
- (7) **Pesticide residue.**
- (A) Processors shall test all product batches for pesticides; 0.1 ppm or a positive result at the Limit of Detection (equipment's lowest possible detection

amount) will be considered to exceed safe residue limits.

(B) Pesticide residue testing shall analyze samples for the presence of chlorinated hydrocarbons, organophosphates, carbamates, pyrethroids, neonicotinoids, acaricides, fungicides, and bactericides to the maximum extent practical.

(C) If the cannabis concentrate used to make an infused product was tested for pesticides and test results indicate the lot was within established limits, then the infused product does not require additional testing for pesticides.

(8) **Potency.** Processors shall test products for and provide results for levels of total THC.

(9) **Contaminants and filth.** Processors shall inspect all products for contaminants and filth.

(A) Contaminants include any biological or chemical agent, foreign matter, or other substances not intentionally added to products that may compromise food safety or suitability.

(B) Processors shall document allowable thresholds for physical contaminants as part of the product test plan. Inspection requirements should be included in the operation's product test plan for third party testing, if applicable.

(C) Inspection records shall indicate a continual process of physical inspection has taken place for all batches.

(h) **Private homes; Living or sleeping quarters.**

(1) A private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters may not be used for conducting processing operations.

(2) Living or sleeping quarters located on the premises of a processor such as those provided for lodging registration clerks or resident managers shall be separated from rooms and areas used for food establishment operations by complete partitioning and solid self-closing doors.

[OAR Docket #19-25; filed 1-8-19]

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

[OAR Docket #18-844]

**RULEMAKING ACTION:**  
EMERGENCY adoption

**RULES:**

Subchapter 1. Harvest and Possession Limits  
800:10-1-5. Bag limits on fish [AMENDED]

**AUTHORITY:**

Title 29 O.S., Sections 3-103, 5-401 and 6-302; Article XXVI, Section 1 and 3 of the Constitution of Oklahoma; Department of Wildlife Conservation Commission.

**ADOPTION:**

November 5, 2018

**APPROVED BY GOVERNOR:**

December 19, 2018

**EFFECTIVE:**

January 1, 2019

**EXPIRATION:**

Effective through September 14, 2019, unless superseded by another rule or disapproved by the legislature.

**SUPERSEDED EMERGENCY ACTIONS:**

n/a

**INCORPORATIONS BY REFERENCE:**

n/a

**FINDING OF EMERGENCY:**

Oklahoma Department of Wildlife Conservation has developed a new digital license and permit system, which will allow for anglers and hunters to utilize a digital license or permit in the field. As currently written, the rule requires a paddlefish angler to physically record his/her harvest on a paper permit. This will not be possible for a digital permit; therefore the rule must be amended as the new licensing system will be available in January 2019.

**GIST/ANALYSIS:**

This proposal calls for the removal of the requirement for a paddlefish angler to record their harvest on their permit immediately after taking a paddlefish into possession.

**CONTACT PERSON:**

Barry Bolton, Chief of Fisheries Division, Oklahoma Department of Wildlife Conservation, PO Box 53465, Oklahoma City, Ok 73152. Phone: 405/521-3721 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), WITH A LATER EFFECTIVE DATE OF JANUARY 1, 2019:**

**SUBCHAPTER 1. HARVEST AND POSSESSION LIMITS**

**800:10-1-5. Bag limits on fish**

No person shall, during any one day, take, attempt to take, kill, or harvest more than:

- (1) Six (6) largemouth or smallmouth bass or six in aggregate, except in "Close To Home" fishing water and Doc Hollis Lake where all largemouth bass caught must be returned to the water unharmed immediately after being taken (no harvest allowed), at Texoma Reservoir where the limit is five (5), largemouth, smallmouth or spotted bass or five in aggregate, at Lake Konawa, McGee Creek Lake, Dripping Springs Lake and Crowder Lake (Washita County) where the limit is six (6) of which only one (1) may be twenty-two (22) inches or longer and rivers and streams including the Illinois River upstream from the Horseshoe Bend boat ramp, and from Glover River from the confluence with the Little River upstream to the "Forks of the Glover River" where the limit is six (6) black bass aggregate of which only one may be a smallmouth bass, which must be fourteen (14) inches or longer.
- (2) Fifteen (15) channel and/or blue catfish, or fifteen (15) in aggregate, of which only one (1) blue catfish may be 30 inches in length or larger; except at all U.S. Forest Service and State Park lakes (not including Lake Murray) and Department of Wildlife Management Area ponds and all Department of Wildlife Conservation fishing areas, in "Close To Home" fishing waters and all waters within the

Wichita Mountains National Wildlife Refuge, where the limit is six (6). Five (5) flathead catfish.

(3) Thirty-seven (37) crappie (*Pomoxis* sp.) except at Blue River Public Fishing and Hunting Area where the limit is six (6) and at lakes Arbuckle, Tenkiller, Hudson, Ft. Gibson including all tributaries and upstream to Markham Ferry Dam and Grand Lake including all tributaries to state line where the limit is fifteen (15).

(4) Six (6) rainbow trout - possession limit of twelve (12) after first day, except in the lower Mountain Fork River trout stream below Broken Bow dam from the first Highway Bridge below the Spillway downstream to the second Highway Bridge below the Spillway, including the Evening Hole stream channel, and from the State Park Dam downstream to the mouth of Rough Branch Creek, and in the lower Illinois River trout stream from the USGS stream gauge downstream to the gravel pit county road where the limit is one (1) rainbow trout per day twenty (20) inches or longer in total length (no culling); and in the Blue River from its entry onto the Plaster Wildlife Management Unit/Landrum Wilderness downstream approximately  $\frac{1}{2}$  mile to a marker cable where all trout caught must be released immediately from November 1 to March 1 (thereafter, statewide trout bag limit applies).

(5) Six (6) brown trout, except in the lower Mountain Fork River trout stream below Broken Bow dam downstream to the U. S. Highway 70 bridge, and in the lower Illinois River trout stream from Tenkiller Dam downstream to US Highway 64 bridge where the limit is one (1) fish per day twenty (20) inches or longer in total length.

(6) Six (6) walleye, sauger and/or saugeye, or six (6) in aggregate.

(7) Five (5) striped bass except as designated in 800:10-1-5(8).

(8) Ten (10) striped bass and/or striped bass hybrids or ten (10) in aggregate of which only two (2) may be twenty (20) inches or longer in Texoma Reservoir.

(9) Twenty (20) striped bass hybrids of which only five (5) may be twenty (20) inches or longer, except as designated in 800:10-1-5(8) and (10).

(10) Five (5) striped bass and/or striped bass hybrids, in aggregate, of which only two (2) may be 20 inches or longer in Arcadia Lake and Skiatook Lake.

(11) Twenty-five (25) white bass in Lake Texoma.

(12) One (1) paddlefish (*Polyodon spathula*) per day on Sunday, Tuesday, Wednesday, Thursday, and Saturday, statewide. Catch and release of paddlefish only (no harvest) is permitted on Monday and Friday, statewide. Possession of paddlefish in the field is prohibited on Monday and Friday, statewide. The catch and release of paddlefish is permitted by use of rod and reel, trotline and throwlines. Paddlefish must be released immediately unless kept for the daily limit. Paddlefish taken by bow and arrow, gigs, spears or spearguns shall not be released.

(A) Individual annual harvest limit- An individual harvest limit for paddlefish may be set or amended annually by the Wildlife Conservation Commission and will be listed in the Oklahoma Department of

## Emergency Adoptions

Wildlife Conservation Fishing Guide. Special area (or management unit) paddlefish harvest caps, a general statewide paddlefish harvest cap, and the total number of paddlefish permits issued may be set or amended annually by the Wildlife Conservation Commission for use in determining the individual annual harvest limit. Once an individual angler has reached their annual harvest limit, continued catch and release is permitted.

(B) Paddlefish permit- It shall be unlawful for any person, regardless of residency, age or disability, to fish for paddlefish or be in possession of paddlefish parts without having first secured from the Department of Wildlife Conservation, an annual paddlefish permit. ~~Immediately upon taking possession of a paddlefish with the intent of harvesting said fish, the angler must record the date and time of harvest on the paddlefish permit in the harvest record area provided.~~ This permit must be carried on their person while fishing and/or in possession of paddlefish or parts and be produced for inspection upon the demand of any Oklahoma citizen or game warden. This permit shall be valid for paddlefish catch and release fishing in all waters of the state and at any time unless otherwise prohibited.

(C) Harvest Tagging- Paddlefish caught and placed on a stringer or otherwise held in possession must be plainly labeled (tagged) immediately with the angler's paddlefish permit number. Paddlefish taken into possession cannot be released (no culling). Each person must keep their own paddlefish distinctly separate from paddlefish taken by other anglers. Each cleaned paddlefish, or its meat, eggs, or carcass, must be kept separate from all other cleaned paddlefish or its parts. Paddlefish or their parts must remain tagged until the person in possession of the paddlefish or paddlefish parts has reached their residence. All paddlefish must have all viscera (internal organs) removed from the paddlefish before leaving the state. Persons fishing trotlines or throwlines must release all paddlefish on their lines, except the one (1) paddlefish held in possession for their daily limit, before leaving the trotline or throwline. Anglers must cease snagging for the day when they have taken their daily limit of paddlefish into possession.

(D) Reporting- Harvest of paddlefish must be reported by the harvesting angler to Oklahoma Department of Wildlife within 24 hours of harvest. Instructions for reporting harvest will be provided in the Oklahoma Department of Wildlife Fishing Guide and on the Oklahoma Department of Wildlife website.

(13) Release of striped bass and/or striped bass hybrids caught and placed on a stringer, in a live well or otherwise held in possession is prohibited statewide (no culling).

(14) One (1) alligator gar (*Atractosteus spatula*) per day, statewide, except during the period of May 1 through May 31 when angling for alligator gar by all angling methods

is prohibited on Lake Texoma between the Highway 99 bridge upstream to the I-35 bridge. The catch and release of alligator gar is permitted year round, except during the closure referenced above, by use of rod and reel, trotline and throwlines. Alligator gar must be released immediately unless kept for the daily limit. Persons fishing trotlines or throwlines must release all alligator gar on their lines except the one alligator gar held in possession for their daily limit, before leaving the trotline or throwline. Alligator gar taken by bow and arrow, gigs, spears or spearguns shall not be released. Alligator gar caught and placed on a stringer or otherwise held in possession cannot be released (no culling). Anglers must cease snagging when they have taken their daily limit of alligator gar into possession.

(15) One (1) of any fish species classified as those of Special Concern Category I or Category II (as identified in 800:25-19-6). Such harvest must be reported to ODWC.

(16) All tiger muskie (*Esox masquinongy* x *Esox lucius*) caught must be returned to the water unharmed immediately after being taken (no harvest allow)

(17) Other fish do not have bag or possession limits. Notwithstanding the foregoing fish bag limits, any bag limits for fish can be superseded and set by Commission resolution as authorized by Section 6-302(B) of Title 29 of the Oklahoma Statutes.

*[OAR Docket #18-844; filed 12-26-18]*

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

*[OAR Docket #18-845]*

#### **RULEMAKING ACTION:**

EMERGENCY adoption

#### **RULES:**

Subchapter 7. General Hunting Seasons

Part 5. Upland Game

800:25-7-19. Wild turkey - general provisions [AMENDED]

Part 12. Antelope

800:25-7-48. Dates, open areas, bag limits and hunting hours and regulations [AMENDED]

Part 13. Deer

800:25-7-50. General provisions for deer [AMENDED]

Part 14. Elk

800:25-7-57. Dates, open areas, bag limit and hunting hours [AMENDED]

Part 16. Black Bears

800:25-7-67. Dates, open areas, bag limits, hunting hours, legal means of take, quotas, prohibited activities [AMENDED]

#### **AUTHORITY:**

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

#### **ADOPTION:**

November 5, 2018

#### **APPROVED BY GOVERNOR:**

December 19, 2018

#### **EFFECTIVE:**

January 1, 2019

#### **EXPIRATION:**

Effective through September 14, 2019, unless superseded by another rule or disapproved by the legislature.

**SUPERSEDED EMERGENCY ACTIONS:**

n/a

**INCORPORATIONS BY REFERENCE:**

n/a

**FINDING OF EMERGENCY:**

Oklahoma Department of Wildlife Conservation has developed a new digital license and permit system, which will allow for anglers and hunters to utilize a digital license or permit in the field. As currently written, the rule requires turkey, antelope, deer, elk and bear hunters to physically record his/her harvest on a paper permit. This will not be possible for a digital permit; therefore the rule must be amended as the new licensing system will available in January 2019.

**GIST/ANALYSIS:**

This proposal calls for the removal of the requirement for a hunter to record their harvest on their permit immediately after taking a paddlefish into possession.

**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), WITH AN EFFECTIVE DATE OF JANUARY 1, 2019:**

**SUBCHAPTER 7. GENERAL HUNTING SEASONS**

**PART 5. UPLAND GAME**

**800:25-7-19. Wild turkey - general provisions**

The following general provisions apply to the taking of turkey:

- (1) **Tom turkey description.** A tom turkey is any bearded turkey, regardless of sex.
- (2) **Hunting hours.** The hunting hours shall be one-half hour before sunrise to sunset.
- (3) **Baiting.** Turkeys may not be taken within 100 yards of any bait. "Bait" shall mean the placing, exposing, depositing, distributing or scattering of shelled, shucked or unshucked corn, wheat or other grain or other feed so as to constitute for such birds a lure, attraction or enticement to, on or over any area where hunters are attempting to take them. Nothing in this section shall prohibit the taking of wild turkey over standing crops, grain crops, properly shucked on the field where grown or grain found scattered solely as the result of normal agricultural operations.
- (4) **Roost shooting.** Roost shooting is prohibited.
- (5) **Decoys and recorded calls.** Hunting turkey with artificial decoys is permitted. Live decoys and recorded calls are prohibited.
- (6) **Tagging.** The following provisions apply to the tagging and checking of turkey:
  - (A) Persons taking a turkey shall securely attach their name, license number, the current date and time of harvest immediately to the carcass.

(B) Evidence of sex (one leg with foot) or beard must remain on the bird until it has been checked. Beards on hens must remain intact until the bird has reached final destination.

(C) A separate tag is required for each bird that is hunted. Hunters who possess Oklahoma Department of Wildlife Conservation lifetime hunting or lifetime combination licenses are exempt from the date and time tagging requirements outlined in 6 (A).

~~(D) Upon harvesting a turkey all annual license/permit holders will be required to complete the 'Record of Game' Section on the back of the license form.~~

(7) **Reporting.** All turkeys harvested must be checked in at a hunter check station, or with an authorized Department employee, or must be checked online at www.wildlifedepartment.com no later than 24 hours upon leaving the hunt area. Once checked, the turkey will be issued a carcass tag or an online confirmation number. This tag or confirmation number must remain with the carcass to its final destination or through processing and/or storage at commercial processing or storage facilities.

(8) **Fee.** All persons hunting wild turkeys, unless otherwise exempt, must possess a turkey tag. Fee for turkey tags will be \$9.00 plus \$1.00 vendor fee.

**PART 12. ANTELOPE**

**800:25-7-48. Dates, open areas, bag limits and hunting hours and regulations**

The following dates, open areas, bag limits, hunting hours and regulations apply to archery antelope season:

- (1) **Dates.** Hunting dates will be established annually and published in the current Oklahoma Hunting Guide.
- (2) **Open Areas.** The archery antelope season is open in Cimarron County and that portion of Texas County west of Highway 136.
- (3) **Bag limit.** The archery bag limit is two antelope, which may include no more than one buck. The archery antelope is not bonus and counts against the statewide bag limit for antelope.
- (4) **Hunting hours.** The hunting hours are the same as those established for deer archery season.
- (5) **Tagging and Checking.** The following applies to the tagging and checking of antelope:
  - (A) Persons taking an antelope shall securely attach their name and license number immediately to the carcass.
  - (B) All antelope must be checked as described in the Oklahoma Hunting Guide.
  - (C) Evidence of sex (head) must not be removed from the carcass until the carcass has been checked. Antelope tags must remain with the carcass through processing and/or storage at commercial processing or storage facilities.
  - (D) Any antelope or any portion of any antelope transferred to another person must have the hunter's

## Emergency Adoptions

name, address, hunting license number and date harvested attached to the animal. The person's name and address receiving said wildlife must also appear on the written information.

~~(E) Upon harvesting an antelope all annual license/permit holders will be required to complete the 'Record of Game' Section on the back of the license form.~~

- (6) **Legal Means of Take:** Same as for deer archery season. Hunter fluorescent clothing requirements are the same as those required for the deer archery season.

### PART 13. DEER

#### 800:25-7-50. General provisions for deer

The following general hunting provisions apply to the taking of deer:

- (1) **Bonus deer.** The bonus deer designation includes all controlled deer hunts on public and private lands. A permit awarded by drawing is required for all bonus deer hunts in addition to a bonus deer tag. Hunters may hunt only in that area specified on their bonus deer permit. The bonus deer tag is valid for only the designated controlled hunt. Deer taken during a bonus hunt do not count against the statewide deer limit.

- (2) **Hunting hours.** The hunting hours shall be one-half hour before sunrise to one-half hour after sunset.

- (3) **Antlered deer.** An antlered deer is any deer, regardless of sex, with at least three inch antler length above the natural hairline on either side.

- (4) **Tagging and checking.** The following provisions apply to the tagging and checking of deer:

(A) Persons taking a deer shall securely attach their name, license number, current date and time of harvest immediately to the carcass.

(B) All deer must be checked in at a hunter check station, or with an authorized Department employee, or online at [www.wildlifedepartment.com](http://www.wildlifedepartment.com) no later than 24 hours upon leaving the hunt area. Once checked, the deer will be issued a carcass tag or an online confirmation number. This tag or confirmation number must remain with the carcass to its final destination or through processing and/or storage at commercial processing or storage facilities. Carcass may be checked in quartered with the sex organs still naturally attached and head accompanying the carcass.

~~(C) Upon harvesting a deer all annual license/permit holders will be required to complete the "Record of Game" Section on the back of the license form.~~

- (5) No more than six (6) deer per individual may be taken statewide by anyone regardless of seasons hunted. This limit may include no more than two (2) antlered deer regardless of seasons hunted.

- (6) **Legal Means of Taking:** Telemetric radio tracking devices for archery are legal, however, thermal tracking devices or detecting units are prohibited.

- (7) **Shed Antlers.** It shall be lawful for persons to gather, possess, and sell shed antlers of deer.

(A) Shed antlers will be defined as: An antler which has been dropped naturally from a deer as part of the annual life cycle and the antler has a rounded base commonly know as the antler button or burr attached which signifies a natural process.

(B) No person may take shed antlers from private property without the permission of the landowner.

(C) The Buyer must possess a Bill of Sale showing:

- (1) The Seller/Taker's full name and address.
- (2) The number of individual antlers purchased.
- (D) The Seller/Taker must keep or provide:
  - (1) Total number of individual antlers sold.
  - (2) Buyers name and address.

### PART 14. ELK

#### 800:25-7-57. Dates, open areas, bag limit and hunting hours

The following dates, open areas, bag limit and hunting hours apply to elk hunting:

- (1) **Dates.** Hunting dates will be established by the Oklahoma Wildlife Conservation Commission and will be published in the Oklahoma Hunting Guide.

- (2) **Open areas.** The season is open on private lands statewide. Separate elk management zones may be established and will be published in the Oklahoma Hunting Guide.

- (3) **Bag limit.** The bag limit, antler restriction and sex restrictions will be established by the Oklahoma Wildlife Conservation Commission. All such restrictions and bag limits will be published in the Oklahoma Hunting Guide.

- (4) **Hunting hours.** The hunting hours are the same as those established for the deer gun season.

- (5) **Tagging and checking.** The following provisions apply to the tagging and checking of elk:

(A) Persons taking an elk shall securely attach their name, license number, current date and time of harvest immediately to the carcass.

(B) All elk must be checked in at a hunter check station, or with an authorized Department employee, or online at [www.wildlifedepartment.com](http://www.wildlifedepartment.com) no later than 24 hours upon leaving the hunt area. Once checked, the elk will be issued a carcass tag or an online confirmation number. This tag or confirmation number must remain with the carcass to its final destination or through processing and/or storage at commercial processing or storage facilities. Carcass may be checked in quartered with sex organs still naturally attached and head accompanying the carcass.

(C) Evidence of sex (head) must not be removed from the carcass until the carcass has been checked. However, carcasses may be checked in quartered with the sex organs naturally attached and head accompanying the carcass. Elk tags must remain with the

carcass through processing and/or storage at commercial processing or storage facilities.

~~(D) Upon harvesting an elk all annual license/permit holders will be required to complete the 'Record of Game' Section on the back of the license form.~~

**PART 16. BLACK BEARS**

**800:25-7-67. Dates, open areas, bag limits, hunting hours, legal means of take, quotas, prohibited activities**

The following dates, open areas, bag limits, hunting hours, legal means of take, quotas, and prohibited activities apply to bear seasons:

- (1) **Dates.** The dates for bear archery season shall be October 1 through the third Sunday in October. The dates for bear muzzleloader season shall run concurrently with deer muzzleloader season.
- (2) **Open areas.** The counties open to bear hunting are Latimer, LeFlore, McCurtain, and Pushmataha.
- (3) **Bag limit.** The bag limit is one bear, regardless of seasons hunted.
- (4) **Hunting hours.** The hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (5) **Legal means of taking.** Bear may be taken with archery equipment or muzzleloading firearms described as legal for deer for the respective season.
- (6) **Tagging and checking.** The following provisions apply to the tagging and checking of bears:

(A) Persons taking a bear shall securely attach their name and license number immediately to the carcass, ~~and fill out the record of harvest.~~

(B) All bears must be checked as described in the Oklahoma Hunting Guide.

(C) Evidence of sex must not be removed from the carcass until the bear has been checked by ODWC personnel. However, carcass may be checked in quartered with sex organs naturally attached and head accompanying the carcass. Bear carcass tags must remain with the carcass through the processing and storage process.

(7) **Quotas.** Quotas will be set by the Wildlife Conservation Commission as needed and listed in the Oklahoma Hunting Guide. When the quota is met, the hunt for that year is closed. Harvest totals must be checked each day either on-line or by phone to make sure the quota has not been met before hunting bear.

(8) **Prohibited activities.**

- (A) No baiting allowed on Wildlife Management Areas.
- (B) Shooting females with cubs is prohibited.
- (C) No den shooting of bears.
- (D) Shooting cubs is prohibited.

*[OAR Docket #18-845; filed 12-26-18]*



**STATE BOND ADVISOR'S OFFICE  
NOTICE OF STATE CEILING AMOUNT FOR THE  
CALENDAR YEAR 2019**

In accordance with Title 62 O.S, Section 695.25, the maximum total volume (also referred to as "Volume Cap" or "State Ceiling Amount") of Private Activity Bonds that may be issued pursuant to federal law by the State of Oklahoma during calendar year 2019 is \$414,023,295. From the first business day of 2019 through September 1, 2019, the Volume Cap is subdivided into the following categories ("Pools") and amounts: (1) Qualified Small Issue Pool, \$49,682,795; (2) Exempt Facility Pool, \$10,350,582; (3) Beginning Agricultural Producer Pool, \$4,140,233; (4) Student Loan Pool, \$64,173,611; (5) Economic Development Pool, \$49,682,795; (6) Oklahoma Housing Finance Agency Pool, \$62,103,494; (7) State Issuer Pool, \$16,560,932; (8) Metropolitan Area Housing Pool, \$51,752,912; (9) Rural Area Housing Pool, \$33,121,864; and (10) Local Issuer Single Family Pool, \$72,454,077. From September 2, 2019, to 9:00 a.m., December 20, 2019, any amount remaining to be allocated from these pools is combined and managed from the Consolidated Pool. On or after 9:00 a.m. on December 20, 2019, certain Private Activity Bond issuing authorities may apply to the State Bond Advisor to carry forward a portion of any remaining State Ceiling Amount.

[OAR Docket #19-24; filed 1-8-19]

