

# Senate Journal

## First Regular Session of the Fifty-first Legislature of the State of Oklahoma

**Twenty-second Legislative Day, Monday, March 12, 2007**

The Senate was called to order by Senator Paddack.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—47.

Excused: Mazzei.—1.

Senator Paddack declared a quorum present.

The prayer was offered by Reverend Greg Pittman, Cedar Ridge Christian Church, Broken Arrow, the guest of Senator Mazzei.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 424, 434, 481, 485, 488, 502, 504, 526, 553, 554, 558, 565, 674, 751, 796, 909, 921, 925, 979 and 1032** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 538** by Anderson of the Senate and Carey of the House was called up for consideration.

Senator Branan asked to coauthor **SB 538**, which was the order.

Senator Anderson moved that **SB 538** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 538** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Mazzei, Morgan and Rabon.--4.

The bill passed.

**SB 538** was referred for engrossment.

### **GENERAL ORDER**

**SB 119** by Bingman of the Senate and Adkins of the House was called up for consideration.

Senator Bingman moved that **SB 119** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 119** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Mazzei, Morgan and Rabon.--4.

The bill and emergency passed.

**SB 119** was referred for engrossment.

### **GENERAL ORDER**

**SB 1043** by Crain of the Senate and Terrill of the House was called up for consideration.

Senator Crain moved that **SB 1043** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1043** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill passed.

**SB 1043** was referred for engrossment.

### **GENERAL ORDER**

**SB 117** by Wilson of the Senate and Brown of the House was called up for consideration.

Senator Wilson moved that **SB 117** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 117** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Brogdon and Sykes.--2.

Excused: Coffee, Mazzei and Morgan.--3.

The bill passed.

**SB 117** was referred for engrossment.

### **GENERAL ORDER**

**SB 943** by Williamson of the Senate and Duncan of the House was called up for consideration.

Senator Williamson moved that **SB 943** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 943** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill passed.

**SB 943** was referred for engrossment.

**GENERAL ORDER**

**SB 594** by Anderson of the Senate and Enns of the House was called up for consideration.

Senator Anderson moved that **SB 594** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 594** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill and emergency passed.

**SB 594** was referred for engrossment.

**GENERAL ORDER**

**SB 447** by Bingman of the Senate and McNiel of the House was called up for consideration.

Senator Sweeden asked to coauthor **SB 447**, which was the order.

Senator Bingman moved that **SB 447** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 447** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill and emergency passed.

**SB 447** was referred for engrossment.

### **GENERAL ORDER**

**SB 483** by Wilcoxson of the Senate and Coody of the House was called up for consideration.

Senator Wilcoxson moved that **SB 483** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 483** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Myers, Nichols, Paddack, Reynolds, Schulz, Sykes, Wilcoxson, Williamson and Wilson.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Rabon, Rice, Riley, Sparks, Sweeden and Wyrick.--21.

Excused: Coffee, Mazzei and Morgan.--3.

The bill failed.

Pursuant to Rule 13-22, Senator Wilcoxson served notice that the vote be reconsidered whereby **SB 483** failed.

**GENERAL ORDER**

**SB 736** by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 736** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 736** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill and emergency passed.

**SB 736** was referred for engrossment.

**GENERAL ORDER**

**SB 470** by Wilson of the Senate and Piatt of the House was called up for consideration.

Senator Wilson moved that **SB 470** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 470** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Rabon.--1.

Excused: Coffee, Mazzei and Morgan.--3.

The bill and emergency passed.

**SB 470** was referred for engrossment.

### **GENERAL ORDER**

**SB 922** by Leftwich of the Senate and Terrill et al of the House was called up for consideration.

Senator Leftwich moved that **SB 922** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 922** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Mazzei, Morgan and Rabon.--4.

The bill and emergency passed.

**SB 922** was referred for engrossment.

### **GENERAL ORDER**

**SB 622** by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 622** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 622** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Morgan.--3.

The bill and emergency passed.

**SB 622** was referred for engrossment.

**GENERAL ORDER**

**SB 746** by Bingman of the Senate and Adkins of the House was called up for consideration.

Senator Bingman moved that **SB 746** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 746** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ford, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--40.

Nay: Corn, Eason McIntyre, Garrison, Rabon and Wyrick.--5.

Excused: Coffee, Mazzei and Morgan.--3.

The bill passed.

**SB 746** was referred for engrossment.

## GENERAL ORDER

**SB 757** by Laster of the Senate and Sherrer of the House was called up for consideration.

Senator Corn moved to amend **SB 757**, Page 1, Line 9 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 22 O.S. 2001, Section 471.1, is amended to read as follows:

Section 471.1 A. For purposes of this act, "drug court", "drug court program" or "program" means an immediate and highly structured judicial intervention process for substance abuse treatment of eligible offenders which expedites the criminal case, and requires successful completion of the plea agreement in lieu of incarceration.

B. Each district court of this state is authorized to establish a drug court program pursuant to the provisions of this act, subject to availability of funds. Juvenile drug courts may be established based upon the provisions of this act; provided, however, juveniles shall not be held, processed, or treated in any manner which violates any provision of Title 10 of the Oklahoma Statutes.

C. Drug court programs shall not apply to any violent criminal offense. Eligible offenses may further be restricted by the rules of the specific drug court program. Nothing in this act shall be construed to require a drug court to consider every offender with a treatable condition or addiction, regardless of the fact that the controlling offense is eligible for consideration in the program. Traditional prosecution shall be required where an offender is determined not appropriate for the drug court program.

D. Drug court programs shall require a separate judicial processing system differing in practice and design from the traditional adversarial criminal prosecution and trial systems. Whenever possible, a drug court team shall be designated consisting of a judge to administer the program, a district attorney, a defense attorney, and other persons designated by the drug court team who shall have appropriate understanding of the goals of the program and of the appropriate treatment methods for the various conditions. The assignment of any person to the drug court team shall not preclude the assigned person from performing other duties required in the course of their office or employment. The chief judge of the judicial district, or if the district has more than one chief judge than the presiding judge of the Administrative Judicial District, shall designate one or more judges to administer the drug court program. The assignment of any judge to a drug court program or the designation of a drug court docket shall not mandate the assignment of all substance abuse related cases to the drug court docket or the program; however, nothing in this act shall be construed to preclude the assignment of all criminal cases relating to substance abuse or drug possession as provided by the rules established for the specific drug court program.

E. When a drug court program is established, the arresting officer shall file the criminal case record for potentially eligible offenders with the district attorney within four

(4) days of the arrest. The district attorney shall file an information in the case within twenty-four (24) hours of receipt of the criminal case record when the offender appears eligible for consideration for the program. The information may be amended as necessary when an offender is denied admittance into the drug court program or for other purposes as provided in Section 304 of Title 22 of the Oklahoma Statutes of this title. Any person arrested upon a warrant for his or her arrest shall not be eligible for the drug court program without the approval of the district attorney. Any criminal case which has been filed and processed in the traditional manner shall be cross-referenced to a drug court case file by the court clerk, if the case is subsequently assigned to the drug court program. The originating criminal case file shall remain open to public inspection. The judge shall determine what information or pleadings are to be retained in the drug court case file, which shall be closed to public inspection.

F. The court may request assistance from the Department of Mental Health and Substance Abuse Services which shall be the primary agency to assist in developing and implementing a drug court program or from any state or local agency in obtaining the necessary treatment services which will assure maximum opportunity for successful treatment, education, and rehabilitation for offenders admitted to the program. All participating state and local agencies are directed to coordinate with each other and cooperate in assisting the district court in establishing a drug court program.

G. Each drug court program shall ensure, but not be limited to:

1. Strong linkage between participating agencies;
2. Access by all participating parties of a case to information on the offender's progress;
3. Vigilant supervision and monitoring procedures;
4. Random substance abuse testing;
5. Provisions for noncompliance, modification of the treatment plan, and revocation proceedings;
6. Availability of residential treatment facilities and outpatient services;
7. Payment of court costs, treatment costs, supervision fees, and program user fees by the offender;
8. Methods for measuring application of disciplinary sanctions, including provisions for:
  - a. increased supervision,
  - b. urinalysis testing,
  - c. intensive treatment,
  - d. short-term confinement not to exceed ~~five (5) days~~ seven (7) days for each violation,
  - e. recycling the offender into the program after a disciplinary action for a minimum violation of the treatment plan,
  - f. reinstating the offender into the program after a disciplinary action for a major violation of the treatment plan, and
  - g. revocation from the program; and
9. Methods for measuring performance-based effectiveness of each individual treatment provider's services.

H. All drug court programs shall be required to keep reliable data on recidivism, relapse, restarts, sanctions imposed, and incentives given.”, and by renumbering subsequent sections.

Senator Laster asked that **SB 757** be laid over temporarily, which was the order.

**SB 757** remains on General Order pending consideration of the Corn amendment.

### **GENERAL ORDER**

**SB 113** by Leftwich of the Senate and Inman of the House was called up for consideration.

Senator Leftwich moved that **SB 113** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 113** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Mazzei.--2.

The bill passed.

**SB 113** was referred for engrossment.

### **GENERAL ORDER**

**SB 501** by Myers of the Senate and Luttrell of the House was called up for consideration.

Senator Myers moved that **SB 501** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 501** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Mazzei.--2.

The bill passed.

**SB 501** was referred for engrossment.

**GENERAL ORDER**

**SB 527** by Wilson of the Senate and Armes of the House was called up for consideration.

Senator Wilson moved that **SB 527** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 527** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Nay: Brogdon, Brown, Jolley and Sykes.--4.

Excused: Mazzei and Rabon.--2.

The bill passed.

**SB 527** was referred for engrossment.

**MOTION TO RECONSIDER VOTE**

Senator Easley moved to reconsider the vote whereby **SB 23** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Ballenger, Bass, Branan, Coates, Corn, Crain, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Paddack, Rabon, Reynolds, Rice, Riley, Sparks, Sweeden, Williamson, Wilson and Wyrick.--28.

Nay: Aldridge, Barrington, Bingman, Brogdon, Brown, Burrage, Coffee, Crutchfield, Ford, Johnson (M), Jolley, Lamb, Laughlin, Myers, Nichols, Schulz, Sykes and Wilcoxson.--18.

Excused: Mazzei and Morgan.--2.

**THIRD READING**

Senator Easley moved to reconsider the vote whereby **SB 23** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**SB 23** by Easley and Corn of the Senate and McDaniel (Jeannie) of the House was called up for further consideration.

Senator Easley asked that **SB 23** be laid over temporarily, which was the order.

**SB 23** remains on General Order.

**GENERAL ORDER**

**SB 757** by Laster of the Senate and Sherrer of the House was called up for further consideration.

Senator Corn pressed adoption of his prior amendment, which amendment was declared adopted.

Senator Laster moved that **SB 757** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 757** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Mazzei and Morgan.--2.

The bill passed.

**SB 757** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1038, 1055, 1282, 1300, 1375, 1412, 1431, 1446, 1482, 1561, 1580, 1607, 1668, 1675, 1736, 1737, 1754, 1763, 2050** and **2078**.

**HB 1038** – By Sherrer of the House and Burrage of the Senate.

An Act relating to officers; amending 51 O.S. 2001, Section 24A.10, as last amended by Section 1, Chapter 18, O.S.L. 2006 (51 O.S. Supp. 2006, Section 24A.10), which relates to the Oklahoma Open Records Act; modifying information that public bodies that provide utility services may keep confidential; and providing an effective date.

**HB 1055** – By Gilbert of the House and Eason McIntyre of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 2-104, as last amended by Section 1, Chapter 301, O.S.L. 2006 (11 O.S. Supp. 2006, Section 2-104), which relates to municipal incorporation; modifying requirements for a new territory to incorporate; and providing an effective date.

**HB 1282** – By Duncan, Johnson (Dennis), Brannon and Smithson of the House and Lerblance of the Senate.

An Act relating to fees; amending 28 O.S. 2001, Sections 152, as last amended by Section 4, Chapter 192, O.S.L. 2005 and 153, as last amended by Section 18 of Enrolled House Bill No. 2195 of the 1st Session of the 51st Oklahoma Legislature (28 O.S. Supp. 2006, Section 152), which relate to court costs and fees; increasing amount of sum assessed and credited to the Oklahoma Court Information System Revolving Fund; and providing an effective date.

**HB 1300** – By Ellis of the House and Corn of the Senate.

( environment and natural resources - prohibiting the Secretary of Environment from engaging in litigation until certain events occur – effective date )

**HB 1375** – By Schwartz, Adkins and Shannon of the House and Adelson of the Senate.

An Act relating to public health and safety; requiring certain agreement with hospital for ambulatory surgical centers; providing for codification; and providing an effective date.

**HB 1412** – By Joyner of the House and Aldridge of the Senate.

( revenue and taxation - county board of equalization - board of tax roll corrections – county excise boards - delinquent taxes - notice of sale - assignment fee – effective date )

**HB 1431** – By Hilliard, Sherrer and Walker of the House and Crutchfield of the Senate.

( revenue and taxation - sales tax exemptions – museums - effective date - emergency )

**HB 1446** – By Jordan, Reynolds, Dank, Derby, Faught, Inman, Proctor, Sears, Terrill, Wesselhoft and Worthen of the House and Bass of the Senate.

( revenue and taxation - adjustments to taxable income - United States Armed Forces - effective date )

**HB 1482** – By Hickman, Duncan, Billy, Denney, Faught, Kern, Key, McDaniel (Randy), McMullen and Terrill of the House and Schulz of the Senate.

An Act relating to eminent domain; amending 11 O.S. 2001, Section 38-101, which relates to definitions for the Urban Renewal article; modifying definition; amending 11 O.S. 2001, Section 40-113, which relates to definitions for the Neighborhood Redevelopment Act; modifying definition; amending 62 O.S. 2001, Section 854, as last amended by Section 2, Chapter 210, O.S.L. 2005 (62 O.S. Supp. 2006, Section 854), which relates to Local Development Act; expressing that act does not grant certain power; amending 63 O.S. 2001, Section 1094, which relates to relocation assistance; requiring certain assistance for any project that involves certain acquisition of property; and declaring an emergency.

**HB 1561** – By Denney, Kern, Shumate and Sears of the House and Wilcoxson of the Senate.

( schools - professional development institutes - effective date – emergency )

**HB 1580** – By Peters and Coody of the House and Ford of the Senate.

( public health and safety – requiring certain service providers to register with the State Department of Health – penalty – codification – effective date )

**HB 1607** – By Terrill of the House and Wilson of the Senate.

( revenue and taxation - confidential Oklahoma Tax Commission information - adding exceptions for certain information – effective date )

**HB 1668** – By Dorman of the House and Rabon of the Senate.

( revenue and taxation - Oklahoma Tax Commission – codification - effective date )

**HB 1675** – By Thomsen, Dorman, Harrison, Hilliard, Hoskin, Luttrell, McNeil, Renegar, Roan and Walker of the House and Lamb of the Senate.

An Act relating to cities and towns; creating the Volunteer Firefighter Education Revolving Fund; stating purpose; requiring the promulgation of certain rules; providing for codification; providing an effective date; and declaring an emergency.

**HB 1736** – By Tibbs of the House and Crain of the Senate.

An act relating to county jails; amending 57 O.S. 2001, Section 21 and Section 1, Chapter 231, O.S.L. 2002 (57 O.S. Supp. 2006, Section 22), which relate to prohibited items brought into jails or penal institutions and receiving compensation for certain goods or services; expanding scope of certain prohibited acts; amending 63 O.S. 2001, Section 1-523, which relates to the Oklahoma Public Health Code; requiring testing of county jail inmates under certain circumstances; requiring written notification of test results under certain circumstances; requiring referral to certain services; and providing an effective date.

**HB 1737** – By Tibbs of the House and Crain of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 956, which relates to the establishment of certain retirement plans; modifying provisions related to continued employment; providing an effective date; and declaring an emergency.

**HB 1754** – By Worthen of the House and Myers of the Senate.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 1403, as amended by Section 3, Chapter 137, O.S.L. 2004 (69 O.S. Supp. 2006, Section 1403), which relates to public utilities on state highways; adding certain notification requirement; and providing an effective date.

**HB 1763** – By Blackwell and Roan of the House and Nichols of the Senate.

( state government - salary schedule of the Oklahoma State Bureau of Investigation – effective date )

**HB 2050** – By Sherrer and McDaniel (Jeannie) of the House and Burrage of the Senate.

An Act relating to court procedure; creating the Oklahoma District Court Improvement Act; providing short title; amending 28 O.S. 2001, Section 86, as amended by Section 2, Chapter 525, O.S.L. 2004 (28 O.S. Supp. 2006, Section 86), which relates to fees paid to jurors; modifying persons required to pay fee to the Lengthy Trial Fund; modifying purposes for the Lengthy Trial Fund; modifying exemptions from payment of fee to the Lengthy Trial Fund; amending 28 O.S. 2001, Sections 151, as amended by Section 3, Chapter 192, O.S.L. 2005 and 153, as last amended by Section 18 of Enrolled House Bill No. 2195 of the 1st Session of the 51st Oklahoma Legislature (28 O.S. Supp. 2006, Section 151), which relate to collection of certain fees; modifying procedures for use of credit or debit cards; prohibiting collection of certain fees; authorizing the Administrative Office of the Courts to negotiate certain contracts; amending 38 O.S. 2001, Sections 18, as last

amended by Section 1, Chapter 234, O.S.L. 2003, 20.1 and 28, as last amended by Section 42, Chapter 1, O.S.L. 2005 (38 O.S. Supp. 2006, Sections 18 and 28), which relate to jury service; expanding sources for ascertaining names of persons qualified for jury service; modifying oath; modifying mandatory exemption from jury service; modifying discretionary exceptions from jury service; eliminating permanent exclusion from jury service; modifying list of persons who are not qualified to serve as jurors; amending 68 O.S. 2001, Section 205, as last amended by Section 1, Chapter 281, O.S.L. 2006 (68 O.S. Supp. 2006, Section 205), which relates to confidential records and files of the Oklahoma Tax Commission; expanding exceptions; providing for noncodification; providing an effective date; and declaring an emergency.

**HB 2078** – By Jackson of the House and Anderson of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 1414.1, which relates to the Greer Center Facility; modifying representatives on the Greer Center Admissions Committee; deleting certain persons from notification regarding admission; modifying discharge procedures; establishing the Greer Center Discharge Committee; and providing an effective date.

The above-numbered measures were read the first time.

Senator Laughlin moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

\*

The Senate reconvened with Senator Paddack presiding.

Senator Paddack questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

## **GENERAL ORDER**

**SB 664** by Leftwich of the Senate and Peters of the House was called up for consideration.

Senator Leftwich moved that **SB 664** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 664** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (M) and Mazzei.--3.

The bill passed.

**SB 664** was referred for engrossment.

**Senator Leftwich presiding.**

### **GENERAL ORDER**

**SB 763** by Anderson of the Senate and Duncan of the House was called up for consideration.

Senator Anderson moved that **SB 763** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 763** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laughlin, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--38.

Nay: Easley, Eason McIntyre, Laster, Leftwich, Lerblance, Rice and Wilson.--7.

Excused: Coffee, Johnson (M) and Mazzei.--3.

The bill passed.

**SB 763** was referred for engrossment.

**GENERAL ORDER**

**SB 893** by Paddack of the Senate and Turner of the House was called up for consideration.

Senator Paddack moved that **SB 893** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 893** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (M) and Mazzei.--3.

The bill and emergency passed.

**SB 893** was referred for engrossment.

**GENERAL ORDER**

**SB 139** by Gumm of the Senate and Hamilton of the House was called up for consideration.

Senator Branan asked to coauthor **SB 139**, which was the order.

Senator Gumm moved that **SB 139** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 139** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich,

Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Corn, Johnson (M) and Mazzei.--4.

The bill passed.

**SB 139** was referred for engrossment.

### **GENERAL ORDER**

**SB 710** by Justice of the Senate and Hickman of the House was called up for consideration.

Senator Justice moved that **SB 710** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 710** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (M) and Mazzei.--3.

The bill passed.

**SB 710** was referred for engrossment.

### **GENERAL ORDER**

**SB 993** by Morgan and Coffee of the Senate and Cargill of the House was called up for consideration.

Senator Easley moved that **SB 993** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 993** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (M) and Mazzei.--3.

The bill and emergency passed.

**SB 993** was referred for engrossment.

**GENERAL ORDER**

**SB 1049** by Anderson of the Senate and Denney of the House was called up for consideration.

Senator Anderson moved that **SB 1049** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1049** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill passed.

**SB 1049** was referred for engrossment.

**GENERAL ORDER**

**SB 510** by Gumm of the Senate and Adkins of the House was called up for consideration.

Representative Morgan asked to coauthor **SB 510**, which was the order.

Senator Gumm moved that **SB 510** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 510** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Brogdon and Reynolds.--2.

Excused: Mazzei.--1.

The bill and emergency passed.

**SB 510** was referred for engrossment.

**GENERAL ORDER**

**SB 839** by Justice of the Senate and DeWitt of the House was called up for consideration.

Senator Justice moved to amend **SB 839**, Page 1, by striking the title, which amendment was declared adopted.

Senator Justice moved that **SB 839** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 839** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill passed.

**SB 839** was referred for engrossment.

### **GENERAL ORDER**

**SB 593** by Lamb of the Senate and Sullivan of the House was called up for consideration.

Senator Lerblance moved to amend **SB 593**, Page 5, Line 9 through Page 6, Line 20, by deleting Section 4 and by renumbering subsequent sections, which amendment was declared adopted.

Senator Lamb moved that **SB 593** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 593** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

**SB 593** was referred for engrossment.

**GENERAL ORDER**

**SB 811** by Laster of the Senate and Sullivan of the House was called up for consideration.

Senator Laster moved that **SB 811** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 811** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

**SB 811** was referred for engrossment.

**GENERAL ORDER**

**SB 23** by Easley and Corn of the Senate and McDaniel (Jeannie) of the House was called up for further consideration.

Senator Easley moved that **SB 23** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 23** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Anderson, Ballenger, Corn, Crain, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Leftwich, Morgan, Paddack, Rabon, Rice, Riley, Sweeden, Williamson, Wilson and Wyrick.--23.

Nay: Aldridge, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Crutchfield, Ford, Johnson (M), Jolley, Lamb, Laughlin, Lerblance, Myers, Nichols, Reynolds, Schulz, Sparks, Sykes and Wilcoxson.--24.

Excused: Mazzei.--1.

The bill failed.

### **MOTION TO RECONSIDER VOTE**

Senator Jolley moved to reconsider the vote whereby **SB 583** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--43.

Nay: Garrison, Gumm, Riley and Wyrick.--4.

Excused: Mazzei.--1.

### **THIRD READING**

Senator Jolley moved to reconsider the vote whereby **SB 583** was advanced, which motion was declared adopted.

**SB 583** was placed on General Order.

### **GENERAL ORDER**

**SB 780** by Wilson of the Senate and Liebmann of the House was called up for consideration.

Senator Wilson moved that **SB 780** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 780** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Brogdon.--1.

Excused: Mazzei.--1.

The bill and emergency passed.

**SB 780** was referred for engrossment.

## **GENERAL ORDER**

**SB 905** by Nichols of the Senate and Duncan of the House was called up for consideration.

Senator Corn moved to amend **SB 905**, Page 3, Line 9 ½, by inserting new Sections 3 and 4 to read as follows:

“SECTION 3 AMENDATORY Section 1, Chapter 209, O.S.L. 2003, as amended by Section 3, Chapter 284, O.S.L. 2006 (21 O.S. Supp. 2006, Section 1125), is amended to read as follows:

Section 1125. A. A zone of safety is hereby created around elementary, junior high, and high schools, licensed child care facilities, playgrounds, and parks. A person is prohibited from being within three hundred (300) feet of any elementary, junior high, or high school, licensed child care facility, ~~or~~ playground, or park if the person has been convicted of a crime that requires the person to register pursuant to the Sex Offenders Registration Act or the person has been convicted of an offense in another jurisdiction, which offense if committed or attempted in this state, would have been punishable as one or more of the offenses listed in Section 582 of Title 57 of the Oklahoma Statutes and the victim was a child under the age of thirteen (13) years.

B. A person convicted of a violation of subsection A of this section shall be guilty of a felony punishable by a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the county jail for a term of not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of subsection A of this section shall be punished by a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years, or by both such fine and imprisonment. This proscription of conduct shall not modify or remove any restrictions currently applicable to the person by court order, conditions of probation or as provided by other provision of law.

C. 1. A person shall be exempt from the prohibition of this section regarding a school or a licensed child care facility only under the following circumstances:

- a. the person is the custodial parent or legal guardian of a child who is an enrolled student at the school or child care facility, and
- b. the person is enrolling, delivering or retrieving such child at the school or child care facility during regular school or facility hours or for school-sanctioned or child-care-facility-sanctioned extracurricular activities, ~~or~~
- c. ~~the person is the custodial parent or legal guardian of a child that is participating in a school sanctioned or child care facility sanctioned activity and is accompanied by a person who is twenty one (21) years of age or older that has no previous felony conviction for a crime that would require the person to register pursuant to the Sex Offenders Registration Act.~~

2. This exception shall not be construed to modify or remove any restrictions applicable to the person by court order, conditions of probation, or as provided by other provision of law.

D. For purpose of prosecution of any violation of this section, the provisions of Section 51.1 of this title shall not apply.

E. For purposes of this section, “licensed child care facility” or “licensed child care facilities” means a children’s day care center, an early childhood development center, or any preschool facility.

SECTION 4. AMENDATORY Section 1, Chapter 223, O.S.L. 2003, as amended by Section 13, Chapter 294, O.S.L. 2006 (57 O.S. Supp. 2006, Section 590), is amended to read as follows:

Section 590. It is unlawful for any person registered pursuant to the Sex Offenders Registration Act to reside, either temporarily or permanently, within a two-thousand-foot radius of any public or private school site, educational institution, playground, park, or licensed child care facility. On the effective date of this act, the distance indicated in this section shall be measured from the nearest property line of the residence of the person to the nearest property line of the public or private school site, educational institution, playground, park, or licensed child care facility; provided, any nonprofit organization established and housing sex offenders prior to the effective date of this provision shall be allowed to continue its operation.

Nothing in this provision shall require any person to sell or otherwise dispose of any real estate or home acquired or owned prior to the conviction of the person as a sex offender. Any person willfully violating the provisions of this section by intentionally moving into any neighborhood or to any real estate or home within the prohibited distance shall, upon conviction, be guilty of a felony punishable by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than three (3) years, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of this section shall be punished by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years, or by both such fine and imprisonment.

For purposes of this section, “licensed child care facility” or “licensed child care facilities” means a children’s day care center, an early childhood development center, or any preschool facility.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Nichols moved that **SB 905** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 905** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Eason McIntyre, Lerblance and Rabon.--3.

Excused: Mazzei.--1.

The bill and emergency passed.

**SB 905** was referred for engrossment.

### **GENERAL ORDER**

**SB 605** by Bingman of the Senate and Peters and Armes of the House was called up for consideration.

Senator Bingman moved to amend **SB 605**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Bingman moved that **SB 605** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 605** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Adelson, Brogdon and Sykes.--3.

Excused: Mazzei.--1.

The bill passed.

**SB 605** was referred for engrossment.

**BILL RELEASED  
TIME EXPIRED TO RECONSIDER**

**SB 709** was referred for engrossment.

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 13, 2007, at 9:30 a.m., which motion prevailed.

**SECOND READING**

The following were read for the second time:

**HBs 1016, 1074, 1087, 1090, 1384, 1401, 1419, 1451, 1494, 1520, 1544, 1589, 1645, 1695, 1707, 1717, 1734, 1771, 1797, 1804, 1907, 1915, 1916, 1959, 2081 and 2095.**

**FIRST READING**

The following were introduced and read the first time:

**SCR 16** – By Coates of the Senate and Renegar of the House.

A Concurrent Resolution urging opposition to federal legislation banning horse slaughter; affirming support for public health; and directing distribution.

**SCR 17** – By Leftwich of the Senate and Terrill of the House.

A Concurrent Resolution authorizing the Board of Regents of Oklahoma City Community College, acting on behalf of Oklahoma City Community College, to issue certain revenue bonds pursuant to Sections 4001 through 4017 of Title 70 of the Oklahoma Statutes; and directing distribution.

Pursuant to the Laughlin motion, the Senate adjourned at 3:10 p.m. to meet Tuesday, March 13, 2007, at 9:30 a.m.