

# Senate Journal

## Second Regular Session of the Fifty-second Legislature of the State of Oklahoma

**Twenty-fourth Legislative Day, Thursday, March 11, 2010**

The Senate was called to order by Senator Sykes.

Roll Call:

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

Excused: Mazzei.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Shawn Wiebers, Crosspointe Church, Ada, the guest of Senator Paddack.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 1251, 1350, 1379, 1385, 1392, 1393, 1395, 1594, 1603, 1610, 1615, 1631, 1656, 1787, 1793, 1794, 1845, 1849, 1850, 1887, 1890, 1891, 1902, 1908, 1915, 1955, 1965, 1985, 1999, 2034, 2052, 2064, 2133, 2145, 2150, 2180, 2196, 2200, 2229, 2259, 2263, 2290 and 2292** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 1650** by Brogdon of the Senate and Watson of the House was called up for consideration.

Senator Branan asked to coauthor **SB 1650**, which was the order.

Senator Brogdon moved to amend **SB 1650**, Page 2, Lines 22 and 23, by deleting after the word “exceeds” on Line 22 and before the comma on Line 23, all language and inserting the language “Thirty Dollars and thirty-nine cents (\$30.39)”; Page 3, Line 4, by deleting after the word “than” all language and by inserting the language “Thirty Dollars and thirty-nine cents (\$30.39)”; Page 3, Lines 5 and 6, by deleting after the word “exceeds” on Line 5 and before the word “per” on Line 6, all language and inserting the language “Twenty-five Dollars and four cents (\$25.04)”; Page 3, Lines 9 and 10, by deleting after the word “than” on Line 9 and before the word “per” on Line 10, all language and inserting the language “Twenty-five Dollars and four cents (\$25.04)”; Page 5, Lines 22 and 23, by deleting after the word “exceeds” on Line 22 and before the word “per” on Line 23, all language and inserting the language “Three Dollars and forty-seven cents (\$3.47)”; Page 6, Line 4, by deleting after the word “than” and before the word “per” all language and by inserting the language “Three Dollars and forty-seven cents (\$3.47)”; Page 6, Line 6, by deleting before the word “per” all language and by inserting the language “Two Dollars and eighty-nine cents (\$2.89)”; and Page 6, Lines 10 and 11, by deleting after the word “than” on Line 10 and before the word “per” on Line 11, all language and inserting the language “Two Dollars and eighty-nine cents (\$2.89)”, which amendment was declared adopted.

Senator Brogdon moved that **SB 1650** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1650** 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--43.

Nay: Eason McIntyre and Wilson.--2.

Excused: Barrington, Corn and Mazzei.--3.

The bill passed.

Senator Barrington desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44; Nay: 2; Excused: 2.

The emergency passed.

**SB 1650** was referred for engrossment.

## **GENERAL ORDER**

**SJR 66** by Coffee of the Senate and Sullivan of the House was called up for consideration.

Senator Laster moved to amend **SJR 66**, Page 3, Line 6 ½, by inserting a new paragraph 3 to read as follows:

“3. An attorney who represents a respondent or insurance company in a claim for temporary or permanent disability of a worker shall not charge or receive a fee for such services unless the attorney is successful in preventing the injured worker from receiving the compensation to which the worker is entitled pursuant to the schedule of compensation set forth in the Workers’ Compensation Act.”, which amendment failed of adoption upon roll call as follows:

Aye: Adelson, Anderson, Ballenger, Bass, Burrage, Corn, Crutchfield, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Nay: Aldridge, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--24.

Excused: Easley and Mazzei.--2.

Senator Coates moved that **SJR 66** be advanced, which motion was declared adopted.

## **THIRD READING**

**SJR 66** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Mazzei.--1.

The resolution passed.

**SJR 66** was referred for engrossment.

### **GENERAL ORDER**

**SJR 57** by Reynolds of the Senate and Dank of the House was called up for consideration.

Senators Branan and Brogdon asked to coauthor **SJR 57**, which was the order.

Senator Reynolds moved that **SJR 57** be advanced, which motion was declared adopted.

### **THIRD READING**

**SJR 57** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Ford, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Newberry, Nichols, Reynolds, Russell, Stanislawski and Sykes.--22.

Nay: Adelson, Anderson, Ballenger, Bass, Burrage, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Halligan, Ivester, Johnson (C), Lerblance, Marlatt, Myers, Paddack, Rice, Schulz, Sparks, Sweeden, Wilson and Wyrick.--25.

Excused: Mazzei.--1.

The resolution failed.

Pursuant to Rule 12-21, Senator Reynolds served notice that the vote be reconsidered whereby **SJR 57** failed.

### **GENERAL ORDER**

**SB 1996** by Coffee of the Senate and Benge of the House was called up for consideration.

Senator Aldridge moved that **SB 1996** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1996** 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, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

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

Excused: Ellis and Mazzei.--2.

The bill passed.

**SB 1996** was referred for engrossment.

**GENERAL ORDER**

**SJR 61** by Coffee of the Senate and Benge of the House was called up for consideration.

Senator Coffee moved that **SJR 61** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 61** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski and Sykes.--38.

Nay: Ballenger, Eason McIntyre, Laster, Lerblance, Sweeden, Wilson and Wyrick.--7.

Excused: Brogdon, Crutchfield and Mazzei.--3.

The resolution passed.

**SJR 61** was referred for engrossment.

### **GENERAL ORDER**

**SB 1192** by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Barrington moved that **SB 1192** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1192** 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, Bass, Bingman, Branan, Brown, Coffee, Crain, Ford, Halligan, Ivester, Johnson (M), Justice, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz and Stanislawski.--22.

Nay: Adelson, Ballenger, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Johnson (C), Jolley, Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Sykes, Wilson and Wyrick.--22.

Excused: Brogdon, Coates, Lamb and Mazzei.--4.

The bill failed.

The Chair advised that Senator Lamb, having been present in the Chamber during the vote on **SB 1192** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 22; Nay: 23; Excused: 3.

### **MOTION TO RECONSIDER VOTE**

Senator Reynolds moved to reconsider the vote whereby **SJR 57** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brown, Coates, Coffee, Corn, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

Nay: Adelson, Ballenger, Bass, Burrage, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Lerblance, Marlatt, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--20.

Excused: Brogdon and Mazzei.--2.

### **THIRD READING**

**SJR 57** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bass, Bingman, Branan, Brown, Coates, Coffee, Ford, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Stanislawski and Sykes.--24.

Nay: Adelson, Anderson, Ballenger, Burrage, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Halligan, Ivester, Johnson (C), Lerblance, Myers, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Brogdon and Mazzei.--2.

The resolution failed.

### **GENERAL ORDER**

**SB 2099** by Brogdon of the Senate and Jordan of the House was called up for consideration.

Senator Coates moved that **SB 2099** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 2099** 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Mazzei, Myers, Reynolds and Russell.--5.

The bill and emergency passed.

**SB 2099** was referred for engrossment.

### **GENERAL ORDER**

**SB 1328** by Gumm of the Senate and Terrill of the House was called up for consideration.

Senator Gumm moved that **SB 1328** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1328** 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, Bass, Bingman, Branan, Brown, Burrage, Coffee, Corn, Crain, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden and Sykes.--33.

Nay: Adelson, Ballenger, Coates, Crutchfield, Easley, Garrison, Johnson (M), Lerblance, Marlatt, Wilson and Wyrick.--11.

Excused: Brogdon, Mazzei, Myers and Reynolds.--4.

The bill passed.

**SB 1328** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising conference granted and naming House conferees on Engrossed:

**SB 479** - Trebilcock, Cox, Sullivan, Inman

**Senator Jolley presiding.**

**GENERAL ORDER**

**SB 1741** by Coffee of the Senate and Benge of the House was called up for consideration.

Senator Coffee moved that **SB 1741** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brown, Coates, Coffee, Crain, Easley, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Newberry, Nichols, Russell, Schulz, Stanislawski and Sykes.--23.

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

Excused: Brogdon, Mazzei, Myers and Reynolds.--4.

**THIRD READING**

**SB 1741** 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, Brown, Coates, Coffee, Crain, Easley, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Russell, Schulz, Stanislawski and Sykes.--24.

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

Excused: Brogdon, Mazzei and Reynolds.--3.

The bill failed.

**Senator Sykes presiding.**

**GENERAL ORDER**

**SB 1340** by Ellis of the Senate and Pruett of the House was called up for consideration.

Senator Ellis moved that **SB 1340** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1340** 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, Coffee, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Nay: Eason McIntyre.--1.

Excused: Brogdon, Mazzei and Reynolds.--3.

The bill passed.

**SB 1340** was referred for engrossment.

**GENERAL ORDER**

**SB 2148** by Wilson of the Senate and Brown of the House was called up for consideration.

Senator Wilson moved that **SB 2148** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 2148** 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Nay: Brown and Russell.--2.

Excused: Brogdon, Coffee, Garrison, Mazzei and Reynolds.--5.

The bill passed.

**SB 2148** was referred for engrossment.

### **GENERAL ORDER**

**SB 1796** by Lerblance of the Senate and Renegar of the House was called up for consideration.

Senator Johnson (Constance) asked to coauthor **SB 1796**, which was the order.

Senator Lerblance moved to amend **SB 1796**, Page 1, by striking the title, which amendment was declared adopted.

Senator Lerblance moved that **SB 1796** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1796** 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, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Marlatt, Myers, Paddack, Rice, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--36.

Nay: Coffee, Jolley, Lamb, Newberry, Nichols, Russell and Stanislawski.--7.

Excused: Brogdon, Brown, Easley, Mazzei and Reynolds.--5.

The bill passed.

**SB 1796** was referred for engrossment.

### **GENERAL ORDER**

**SB 1936** by Corn of the Senate and Pruett of the House was called up for consideration.

Representative Peters asked to coauthor **SB 1936**, which was the order.

Senator Corn moved that **SB 1936** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1936** 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Brogdon, Mazzei and Reynolds.--3.

The bill and emergency passed.

**SB 1936** was referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2005, 2328, 2545, 2574, 2634, 2653, 2706, 2746, 2811, 2829, 2835, 2886, 2895, 2910, 2918, 2922, 2927, 2928, 2941, 3035, 3102, 3230, 3236, 3238, 3250, 3259, 3264, 3288, 3290, 3291, 3341, 3343, 3383 and 3384** and **HJRs 1056, 1061, 1069 and 1084**.

**HB 2005** – By Wright (Harold), Enns and Sanders of the House and Ellis of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-902, as last amended by Section 3, Chapter 310, O.S.L. 2009 (47 O.S. Supp. 2009, Section 11-902), which relates to penalties for driving under the influence of alcohol; clarifying scope of certain prohibited acts; modifying and adding statutory references; modifying penalties; clarifying evaluation and assessment program requirements; and providing an effective date.

**HB 2328** – By Murphey of the House and Russell of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 1364, which relates to the creation of the Oklahoma State Employees Benefits Council; requiring certain annual meeting; and providing an effective date.

**HB 2545** – By Wright (John), Tibbs, Reynolds, Cooksey and Kern of the House and Stanislawski of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 205, as last amended by Section 2, Chapter 426, O.S.L. 2009 (68 O.S. Supp. 2009, Section 205), which relates to tax record confidentiality; exempting certain information from general prohibition; requiring disclosure of certain tax credit information; authorizing the posting of

list on Internet; providing specific disclosure requirements; requiring quarterly updates; defining term; limiting liability of Tax Commission regarding disclosure of certain information; requiring the Tax Commission to make certain information available; defining term; requiring the Tax Commission to maintain certain list; requiring certain disclosures; providing for codification; and declaring an emergency.

**HB 2574** – By Trebilcock of the House and Brown of the Senate.

( counties and county officers - amending 19 O.S., Section 339 - county commissioners - effective date )

**HB 2634** – By McCullough, Ritze, Kern, Wright (John) and Russ of the House and Brown of the Senate.

An Act relating to marriage and family; amending 28 O.S. 2001, Section 31, as last amended by Section 1, Chapter 288, O.S.L. 2004 (28 O.S. Supp. 2009, Section 31), which relates to court clerk fees; modifying requirements for certain marriage applications and licenses; amending 43 O.S. 2001, Sections 1, 5, as last amended by Section 1, Chapter 313, O.S.L. 2008, 5.1, as amended by Section 1, Chapter 206, O.S.L. 2006, 6, as amended by Section 3, Chapter 311, O.S.L. 2006 and 101 (43 O.S. Supp. 2009, Sections 5, 5.1 and 6), which relate to marriage; providing for covenant marriages; defining term; specifying conditions and process; requiring premarital counseling prior to covenant marriage; providing for designation of covenant marriages on marriage applications; providing for covenant marriage designation of existing marriages; specifying that common law marriages shall no longer be recognized; providing that certain existing common law marriages shall continue to be recognized; providing certain exception; requiring two hours of premarital counseling prior to any marriage; providing for declarations of intent to contract a covenant marriage; requiring certificate of premarital counseling completion; specifying counseling shall be completed prior to application for covenant marriage; providing for fee reduction for completion of eight hours of premarital counseling; requiring certain counseling; providing contents and attachments of marriage licenses; providing content of covenant marriage declaration; requiring certain affidavits; providing content of affidavits; authorizing certain exemption; providing for compliance with other marriage laws not in conflict; providing for execution of a declaration of intent to designate an existing marriage as a covenant marriage; providing certain procedure; providing for declaration and contents; specifying certain attachments; specifying requirements for divorce in covenant marriages; allowing certain hearings to be heard in judge's chambers; amending 43 O.S. 2001, Section 107.2, which relates to court authority to require certain educational programs; making certain educational programs mandatory; providing for codification; and providing effective dates.

**HB 2653** – By Sullivan and Tibbs of the House and Crain of the Senate.

An Act relating to municipal finance; creating the Task Force on Municipal Finance; providing for membership; requiring organizational meeting; providing for selection of chair and cochair; prescribing quorum requirement; providing for inapplicability of Oklahoma Open Meeting Act; prescribing requirement for meeting notices; providing for travel reimbursement; specifying reimbursement method for legislator members; providing for staff assistance; prescribing scope of inquiry by Task Force; requiring final report;

specifying date of report; providing for termination of Task Force; providing for codification; and declaring an emergency.

**HB 2706** – By Collins of the House and Wilson of the Senate.

An Act relating to motor vehicles; creating the Casey Lewis Act; amending 47 O.S. 2001, Section 11-402, which relates to vehicle turning at intersections; modifying certain vehicle right-of-way yield requirement; providing for noncodification; and providing an effective date.

**HB 2746** – By Denney, Roan, Kiesel, Shelton and Tibbs of the House and Halligan of the Senate.

An Act relating to public safety; amending 47 O.S. 2001, Section 6-205, as last amended by Section 17, Chapter 311, O.S.L. 2006 (47 O.S. Supp. 2009, Section 6-205), which relates to the mandatory revocation of driving privilege due to conviction of certain offenses; modifying certain offense from mandatory revocation of driving privileges; and providing an effective date.

**HB 2811** – By Key of the House and Brogdon of the Senate.

An Act relating to driver licenses; creating the Driver License Security Act; amending 47 O.S. 2001, Section 6-201, as last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp. 2009, Section 6-201), which relates to the cancellation or denial of driving privileges; modifying revocation periods; providing for noncodification; and declaring an emergency.

**HB 2829** – By Peters and Jackson of the House and Marlatt of the Senate.

( telecommunications - regulations and requirements – codification - effective date - emergency )

**HB 2835** – By Ownbey, Dorman and Buck of the House and Crutchfield of the Senate.

An Act relating to landlord and tenant; requiring certain owners to provide tenants with a plan of shelter or evacuation plan; providing for certain assistance; requiring plan to be given at lease signing; providing time limit for plan approval; providing for reevaluation of plan; providing immunity for certain persons; defining terms; providing for codification; and providing an effective date.

**HB 2886** – By Moore and Sullivan of the House and Brown of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 85.58A, as last amended by Section 2, Chapter 352, O.S.L. 2008 (74 O.S. Supp. 2009, Section 85.58A), which relates to Department of Central Services risk management programs; authorizing Department to assist state agencies in obtaining workers' compensation quotes; and providing an effective date.

**HB 2895** – By Walker of the House and Bingman of the Senate.

An Act relating to circuit engineering districts; amending 51 O.S. 2001, Section 152, as last amended by Section 21 of Enrolled Senate Bill No. 2113 of the 2nd Session of the 52nd

Oklahoma Legislature, which relates to The Governmental Tort Claims Act; modifying definition; amending 69 O.S. 2001, Section 687.1, as amended by Section 1, Chapter 113, O.S.L. 2007 (69 O.S. Supp. 2009, Section 687.1), which relates to circuit engineering districts; declaring circuit engineering districts to be political subdivisions of the state; and providing an effective date.

**HB 2910** – By Morgan, Smithson, Hoskin, Tibbs, Hamilton, Scott, Kouplén, Proctor and Dorman of the House and Bingman of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 85.17A, which relates to the Department of Central Services; modifying bidding preference; providing an effective date; and declaring an emergency.

**HB 2918** – By Shannon, Dorman, Shumate, Shelton, McDaniel (Randy) and Armes of the House and Eason McIntyre of the Senate.

An Act relating to motor vehicles; amending Section 11, Chapter 504, O.S.L. 2004, as last amended by Section 1, Chapter 311, O.S.L. 2009 (47 O.S. Supp. 2009, Section 1135.2), which relates to specialty license plates; creating the United States Air Force Academy Alumni license plate; creating the Operation Enduring Freedom Veteran License Plate; amending Section 12, Chapter 504, O.S.L. 2004, as last amended by Section 2, Chapter 311, O.S.L. 2009 (47 O.S. Supp. 2009, Section 1135.3), which relates to special license plates; providing special license plate in honor of Buffalo Soldiers; providing special license plate in support of Oklahoma Blood Institute; providing special license plate in support of Zeta Phi Beta Sorority and Phi Beta Sigma Fraternity; providing special license plate in support of Star Spencer High School; providing special license plate in support of Northeast High School; providing special license plate in support of Central High School; providing special license plate in support of the Historic Greenwood District; and providing an effective date.

**HB 2922** – By Trebilcock of the House and Jolley of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 37, as last amended by Section 7, Chapter 366, O.S.L. 2008 (57 O.S. Supp. 2009, Section 37), which relates to capacity of correctional facilities; clarifying inmate capacity notification process; and providing an effective date.

**HB 2927** – By Coody, Fields, Blackwell, Peterson, Kern and Cannaday of the House and Ford of the Senate.

( schools - emergency exemptions - criteria for a financial crisis – codification – emergency )

**HB 2928** – By Coody, McDaniel (Jeannie) and Tibbs of the House and Ford of the Senate.

( schools - written policy of evaluation - teacher competencies - requirements of an evaluation policy – emergency )

**HB 2941** – By Nelson and Roan of the House and Jolley of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 150.27a, as last amended by Section 3, Chapter 218, O.S.L. 2009 (74 O.S. Supp. 2009, Section 150.27a), which relates to the Combined DNA Index System Database; adding definitions; modifying purpose of the Combined DNA Index System; clarifying collection requirements; making software and database structures confidential and exempt from disclosure; clarifying requirements for the disclosure, dissemination or use of DNA information; modifying and adding penalties; providing instances in which disclosure of DNA information shall be permissible; prohibiting electronic connection of CODIS to certain system; prohibiting the invalidation of arrests, pleas or convictions for noncompliance; and providing an effective date.

**HB 3035** – By Benge, Buck and Tibbs of the House and Coffee of the Senate.

( executive branch agencies - Oklahoma Executive Branch Agency Consolidation Act of 2010 – noncodification - effective date – emergency )

**HB 3102** – By Trebilcock of the House and Anderson of the Senate.

An Act relating to civil procedure; creating the Uniform Collaborative Law Act; providing short title; defining terms; providing that the Uniform Collaborative Law Act applies to certain agreements; providing requirements for collaborative law participation agreements; providing for beginning and concluding a collaborative law process; providing for collaborative law participation agreements for proceedings pending before a tribunal; providing for issuance of certain protective orders; disqualifying certain attorneys from representing parties in proceedings related to collaborative matter; authorizing certain attorneys to represent parties without fee; providing for representation when a government entity is a party; requiring certain disclosure of information; providing for standards of professional responsibility and certain mandatory reporting requirements; providing process for determining appropriateness of collaborative law process; providing for situations involving coercive or violent relationships; providing that collaborative law communications are confidential, privileged, not subject to discovery, and not admissible in evidence; authorizing waiver or privilege; providing that certain persons may not assert privilege; limiting privilege; providing the authority of a tribunal in case of noncompliance; providing for uniformity of application and construction; providing for relation to certain federal act; providing for codification; and providing an effective date.

**HB 3230** – By Jackson of the House and Marlatt of the Senate.

An Act relating to statutory references; making statements regarding legislative intent; providing for construction of statutes containing references to the census; providing exceptions for statutes relying for operative effect on certain population count; providing certain statutory provisions not to be considered modified; providing for codification; providing an effective date; and declaring an emergency.

**HB 3236** – By Jackson, Luttrell and McDaniel (Jeannie) of the House and Newberry of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 39-103.1, as amended by Section 6, Chapter 362, O.S.L. 2007 (11 O.S. Supp. 2009, Section 39-103.1),

which relates to the Improvement District Act; allowing districts to be used to fund certain capital improvements; providing for petition; modifying the filing of resolution; and providing an effective date.

**HB 3238** – By Derby and McAffrey of the House and Jolley of the Senate.

An Act relating to insurance; defining term; providing that Health Savings Account funds may be used for certain medical procedures; specifying that certain expenditures shall be considered qualified expenses for certain purposes; providing for codification; and providing an effective date.

**HB 3250** – By Tibbs, Morgan, Pittman, Nations, Collins and Brown of the House and Sykes of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-105, as last amended by Section 1, Chapter 99, O.S.L. 2009 (47 O.S. Supp. 2009, Section 6-105), which relates to graduated Class D licenses; adding certain driving restriction to permittees and licensees; defining terms; prohibiting use of certain devices by operators of motor vehicles; prescribing penalties; authorizing municipalities to enact certain ordinances; providing definitions; providing for codification; and providing an effective date.

**HB 3259** – By Blackwell of the House and Marlatt of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-122.3, as amended by Section 1, Chapter 82, O.S.L. 2009 (70 O.S. Supp. 2009, Section 6-122.3), which relates to the alternative placement teaching certificate; clarifying statutory language; modifying certain alternative placement program requirements; providing an effective date; and declaring an emergency.

**HB 3264** – By Tibbs of the House and Ford of the Senate.

An Act relating to the Board of Tests for Alcohol and Drug Influence; amending 22 O.S. 2001, Section 991a, as last amended by Section 10 of Enrolled Senate Bill No. 2113 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to sentencing powers of the court; deleting certain definition; amending 47 O.S. 2001, Section 759, as last amended by Section 8, Chapter 173, O.S.L. 2006 (47 O.S. Supp. 2009, Section 759), which relates to powers and duties of the Board of Tests for Alcohol and Drug Influence; authorizing Board to approve and establish standards for ignition interlock devices; directing Board to promulgate rules; amending 57 O.S. 2001, Section 612, which relates to assignment and processing of persons convicted of driving under the influence; modifying definition of ignition interlock device; and providing an effective date.

**HB 3288** – By McNiel and Fields of the House and Newberry of the Senate.

An Act relating to economic development; creating the Task Force on the Oklahoma Quality Investment Act; providing for membership; requiring organizational meeting; providing for selection of chair and cochair; prescribing quorum requirement; providing for inapplicability of Oklahoma Open Meeting Act; prescribing requirement for meeting notices; providing for travel reimbursement; specifying reimbursement method for legislator members; providing for staff assistance; prescribing scope of inquiry by Task

Force; requiring final report; specifying date of report; providing for termination of Task Force; providing for codification; and declaring an emergency.

**HB 3290** – By McNiel, Reynolds, Kern, Ownbey and Faught of the House and Sykes of the Senate.

An Act relating to public health and safety; defining certain terms; prohibiting the provision of RU-486 under certain circumstances; requiring certain physicians to perform certain actions in specified circumstances; requiring the administration of a certain drug to be performed under specified conditions; requiring certain follow-up; requiring certain information to be contained in a patient's medical records; requiring certain written report under specified circumstances; requiring copy of certain report to be sent to specified entities; mandating certain reports be compiled and maintained; making certain information public record; prohibiting the release of certain information in specified circumstances; providing for certain penalties; permitting certain persons to maintain an action; authorizing the provision of attorney fees in certain circumstances; prohibiting certain persons to be the subject of specified actions; repealing Section 7, Chapter 36, O.S.L. 2008 (63 O.S. Supp. 2009, Section 1-729), which relates to regulation of RU-486; providing for codification; and declaring an emergency.

**HB 3291** – By McNiel and Fields of the House and Justice of the Senate.

( public finance - Local Economic Action and Development Act - amending sections in Title 62 - Rural Economic Action Plan - amending 25 O.S. 2001, Section 304 - Oklahoma Open Meeting Act – noncodification - effective date - emergency )

**HB 3341** – By Christian, Cox, Duncan, Proctor, Terrill, Moore, Kern, Enns, Faught, Liebmann, Dorman, Tibbs, Thompson, Johnson, Nelson, Sanders, Ortega and Wright (Harold) of the House and Sykes of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1283, as last amended by Section 1, Chapter 13, O.S.L. 2009 (21 O.S. Supp. 2009, Section 1283), which relates to the unlawful possession of firearms; prohibiting certain persons from possessing firearms; and providing an effective date.

**HB 3343** – By Christian of the House and Barrington of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1750.6, as last amended by Section 4, Chapter 360, O.S.L. 2007 (59 O.S. Supp. 2009, Section 1750.6), which relates to the Oklahoma Security Guard and Private Investigator Act; increasing fee amount for original, renewal and duplicate licenses; increasing time period for which licenses are valid; and providing an effective date.

**HB 3383** – By Terrill of the House and Barrington of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 537, as last amended by Section 1, Chapter 141, O.S.L. 2007 (37 O.S. Supp. 2009, Section 537), which relates to prohibited acts; allowing certain military personnel exception to prohibition on transporting alcohol into state; and declaring an emergency.

**HB 3384** – By Terrill, Christian, Duncan and Tibbs of the House and Sykes of the Senate.

( schools - creating the Quality of Education Assessment for Oklahoma Citizens Act of 2010 - requiring elementary and secondary schools to determine citizenship status of enrolled students - requiring parents notify school of citizen or immigration status of child under certain circumstances - providing for waiver of confidentiality under certain circumstances – codification – noncodification - effective date )

**HJR 1056** – By Duncan, Reynolds, Coody, Tibbs, Derby, Kern, Terrill, Enns, Christian, Faught and Moore of the House and Sykes of the Senate.

( proposed amendment to Section 1 of Article VII – Constitution – Save Our State Amendment – uphold and adhere to the law – ballot title – filing )

**HJR 1061** – By Bengé, Sullivan and Tibbs of the House and Coffee of the Senate.

( Joint Resolution - Secretary of State - amendment to Section 6A of Article X of the Constitution of the State of Oklahoma - internal reference - ballot title – filing )

**HJR 1069** – By Shannon of the House and Ballenger of the Senate.

( proposed amendment to Section 20 of Article X - Constitution - state tax revenues - ballot title – filing )

**HJR 1084** – By Miller of the House and Jolley of the Senate.

( proposed amendment to Section 21 of Article X - Constitution - State Board of Equalization - ballot title - filing )

The above-numbered measures were read the first time.

#### **CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**HB 2624** – Withdrawn from Business and Labor committee and referred to Judiciary

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 15, 2010, at 1:30 p.m., which motion prevailed.

#### **BILL RELEASED**

#### **TIME EXPIRED TO RECONSIDER**

**SB 1389** was referred for engrossment.

**CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 479 (2nd CCR)**, remove Crain and substitute Jolley as principal Senate author  
**SB 738 (2nd CCR)**

**FIRST READING**

The following was introduced and read the first time:

**SCR 47** – By Ivester of the Senate and Richardson of the House.

A Concurrent Resolution congratulating the Fort Cobb-Broxtton Lady Mustangs for winning the 2009 Class A fast-pitch softball state championship; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 12:15 p.m. to meet Monday, March 15, 2010, at 1:30 p.m.