Senate Journal

First Regular Session of the Fifty-fourth Legislature
of the State of Oklahoma
Twenty-first Legislative Day, Thursday, March 7, 2013

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—46.

Excused: Branan and Garrison.—2.

Senator Marlatt declared a quorum present.

The prayer was offered by Reverend Max W. Dahm, New Creation Church, Bucharest, Romania, the guest of Senator Dahm.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 170, 171, 181, 182, 226, 249, 250, 254, 272, 285, 301, 345, 394, 426, 432, 550, 551, 559, 598, 652, 683, 691, 700, 725, 789, 792, 802, 820, 878, 884, 886, 917, 926, 929, 959, 975, 1001, 1012, 1034, 1056, 1101 and **1118** and **SCR 4** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

INTRODUCTION

Senator Griffin introduced her mother, Sharron Gay, to the Senate.

GENERAL ORDER

SB 580 by Brinkley of the Senate and Derby of the House was called up for consideration.

Senator Brinkley moved that **SB 580** be advanced, which motion was declared adopted.

THIRD READING

SB 580 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shortey, Shumate and Wyrick.--8.

The bill passed.

SB 580 was referred for engrossment.

GENERAL ORDER

SB 613 by Brinkley and Mazzei of the Senate and McNiel of the House was called up for consideration.

Senator Brinkley moved that **SB 613** be advanced, which motion was declared adopted.

THIRD READING

SB 613 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt,

Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Bingman, Branan, Garrison, Shortey, Shumate and Wyrick.--6.

The bill passed.

SB 613 was referred for engrossment.

GENERAL ORDER

SB 697 by Brinkley of the Senate and Mulready of the House was called up for consideration.

Senator Brinkley moved that **SB 697** be advanced, which motion was declared adopted.

THIRD READING

SB 697 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill and emergency passed.

SB 697 was referred for engrossment.

GENERAL ORDER

SB 734 by Brinkley of the Senate and Shannon of the House was called up for consideration.

Senator Brinkley moved that **SB 734** be advanced, which motion was declared adopted.

THIRD READING

SB 734 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Shumate and Wyrick.--6.

Not Voting: Sharp.--1.

The bill passed.

*Senator Sharp asked to be shown not voting on **SB 734** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

SB 734 was referred for engrossment.

GENERAL ORDER

SB 928 by Brinkley of the Senate and Derby of the House was called up for consideration.

Senator Shaw moved that **SB 928** be advanced, which motion was declared adopted.

THIRD READING

SB 928 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Bingman, Branan, Garrison, Mazzei, Shumate and Wyrick.--6.

The bill passed.

SB 928 was referred for engrossment.

GENERAL ORDER

SB 688 by Griffin and David of the Senate and Nelson of the House was called up for consideration.

Senator Griffin moved that **SB 688** be advanced, which motion was declared adopted.

THIRD READING

SB 688 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill passed.

SB 688 was referred for engrossment.

GENERAL ORDER

SB 27 by Brecheen of the Senate and Hulbert of the House was called up for consideration.

Senator Brecheen moved that **SB 27** be advanced, which motion was declared adopted.

THIRD READING

SB 27 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey,

Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill passed.

SB 27 was referred for engrossment.

GENERAL ORDER

SB 97 by Brecheen and Johnson (Constance) of the Senate and Nelson of the House was called up for consideration.

Senator Brecheen moved that **SB 97** be advanced, which motion was declared adopted.

THIRD READING

SB 97 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill passed.

SB 97 was referred for engrossment.

GENERAL ORDER

SB 456 by Brecheen of the Senate and Hulbert of the House was called up for consideration.

Senator Brecheen moved that **SB 456** be advanced, which motion was declared adopted.

THIRD READING

SB 456 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill passed.

SB 456 was referred for engrossment.

GENERAL ORDER

SB 621 by Justice and Ivester of the Senate and Watson of the House was called up for consideration.

Senator Justice moved to amend **SB 621**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Justice moved that **SB 621** be advanced, which motion was declared adopted.

THIRD READING

SB 621 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Nay: McAffrey.--1.

Excused: Bingman, Branan, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--7.

The bill and emergency passed.

SB 621 was referred for engrossment.

GENERAL ORDER

SB 954 by Justice of the Senate and Jackson of the House was called up for consideration.

Senator Justice moved that **SB 954** be advanced, which motion was declared adopted.

THIRD READING

SB 954 was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brooks, Burrage, Coates, Crain, Ellis, Fields, Ford, Griffin, Halligan, Ivester, Johnson (C), Justice, McAffrey, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks and Standridge.--26.

Nay: Aldridge, Allen, Brinkley, Brown, Dahm, David, Holt, Jolley, Loveless, Marlatt, Mazzei, Newberry, Shortey, Stanislawski, Sykes and Treat.--16.

Excused: Bingman, Branan, Garrison, Johnson (R), Shumate and Wyrick.--6.

The bill passed and the emergency failed.

SB 954 was referred for engrossment.

GENERAL ORDER

SB 765 by Treat of the Senate and Derby of the House was called up for consideration.

Senator Ivester moved to amend **SB 765**, Page 3, Line 3 1/2, by inserting a new SECTION 2 to read as follows:

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6060.4b of Title 36, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as “Nick’s Law”.

B. Any individual or group health benefit plan, including the State and Education Employees Group Health Insurance Plan, that is offered, issued, or renewed in this state on or after January 1, 2014, shall provide coverage for the treatment of an autistic disorder.

Coverage provided under this section is limited to treatment that is prescribed by the insured individual's treating physician in accordance with a treatment plan.

C. The coverage required under this section shall not be subject to dollar limits, deductibles or coinsurance provisions that are less favorable to an insured individual than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally under the health benefit plan. Coverage of services may be subject to other general exclusions and limitations of the health benefit plan, including, but not limited to:

1. The coordination of benefits;
2. Participating provider requirements;
3. Services provided by family or household member restrictions;
4. Eligibility; and
5. Appeals processes.

D. The treatment plan required under subsection A shall include all elements necessary for the insurer to appropriately pay claims. These elements shall include, but not be limited to:

1. A diagnosis;
2. Proposed treatment or treatments by type, frequency and duration;
3. The anticipated outcomes stated as goals;
4. The frequency by which the treatment plan will be updated; and
5. The treating physician's signature.

The insurer shall have the right to request an updated treatment plan not more than once every six (6) months from the treating physician to review medical necessity, unless the insurer and the provider agree that a more frequent review is necessary due to emerging clinical circumstances.

E. A diagnosis of an autistic disorder by a licensed physician or licensed behavioral practitioner shall be required to be eligible for benefits and coverage under this section. The benefits and coverage provided under this section shall be provided to any eligible person less than twenty-one (21) years of age.

F. The insurer shall provide coverage for all therapies, treatments, diagnoses and testing, medicines and supplements prescribed by a licensed physician, including, but not limited to, coverage for behavioral therapy.

G. Coverage for behavioral therapy shall be subject to a maximum benefit of Seventy-five Thousand Dollars ($75,000.00) per year. The maximum period of coverage for behavior therapy shall be three (3) years, unless clinical progress reports demonstrate that the child is in a period of steady skill acquisition. For behavioral therapy to continue beyond three (3) years, the child's physician and/or licensed behavioral practitioner shall submit progress reports not less than once every six (6) months demonstrating continuing clinically significant progress.

H. An insurer shall not deny or refuse to issue coverage on, refuse to contract with, refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage on an individual under an insurance policy solely because the individual is diagnosed with an autistic disorder.

I. This act shall not apply to limited benefits policies, including, but not limited to:

1. Accident-only policies;
2. Specified disease policies;
3. Hospital indemnity policies;

4. Medicare supplement policies; or
5. Long-term care policies.

I. For purposes of this section:

1. "Autistic disorder" means a neurological disorder that is marked by severe impairment in social interaction, communication, and imaginative play, with onset during the first three (3) years of life and is included in a group of disorders known as autism spectrum disorders;

2. "Autism spectrum disorder" means a neurobiological disorder that includes autistic disorder, Asperger's syndrome, regressive autism, and pervasive developmental disorder; and

3. "Neurobiological disorder" means an illness of the nervous system caused by genetic, metabolic, or other biological factors, and by renumbering subsequent section, and by amending the title to conform, which amendment was withdrawn upon motion of Senator Ivester.

Senator Treat moved to amend **SB 765**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Treat moved that **SB 765** be advanced, which motion was declared adopted.

THIRD READING

SB 765 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Ivester, Johnson (C), Jolley, Justice, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski and Treat.--37.

Nay: Aldridge, Brecheen, Holt, Loveless and Sykes.--5.

Excused: Bingman, Branan, Garrison, Johnson (R), Shumate and Wyrick.--6.

The bill passed.

SB 765 was referred for engrossment.

GENERAL ORDER

SB 374 by Brown of the Senate and Brumbaugh of the House, as previously considered on Page 494, was called up for further consideration.

Senator Brown moved that **SB 374** be advanced, which motion was declared adopted.

THIRD READING

SB 374 was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--8.

The bill passed.

SB 374 was referred for engrossment.

GENERAL ORDER

SB 696 by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown moved that **SB 696** be advanced, which motion was declared adopted.

THIRD READING

SB 696 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, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Allen, Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--9.

The bill passed.

SB 696 was referred for engrossment.

GENERAL ORDER

SB 698 by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown moved that **SB 698** be advanced, which motion was declared adopted.

THIRD READING

SB 698 was read for the third time at length.

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

Aye: Aldridge, Ballenger, Bass, Boggs, Brown, Burrage, Ellis, Ford, Ivester, Johnson (C), Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Sparks and Stanislawski.--19.

Nay: Allen, Anderson, Barrington, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Griffin, Halligan, Holt, Jolley, Marlatt, Newberry, Shortey, Simpson, Standridge, Sykes and Treat.--21.

Excused: Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--8.

The bill failed.

Pursuant to Rule 12-21, Senator Brown served notice that the vote be reconsidered whereby **SB 698** failed.

GENERAL ORDER

SB 911 by Brown of the Senate and Mulready of the House, as previously considered on Page 368, was called up for further consideration.

Senator Brown moved to reconsider the vote whereby the floor substitute on **SB 911**, previously adopted on Page 368, was adopted, which was the order.

Senator Brown moved to withdraw the first floor substitute on **SB 911**, which motion was declared adopted.

Senator Brown moved to amend **SB 911**, by striking the title, the enacting clause and the entire body of the bill and substituting the second floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Brown moved that **SB 911** be advanced, which motion was declared adopted.

THIRD READING

SB 911 was read for the third time at length.

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

Aye: Barrington, Brooks, Brown, Justice, Loveless, Schulz, Sharp, Shaw and Sparks.--9.

Nay: Allen, Anderson, Ballenger, Bass, Boggs, Brecheen, Brinkley, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Marlatt, McAffrey, Newberry, Paddack, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--30.

Excused: Aldridge, Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--9.

The bill failed.

Pursuant to Rule 12-21, Senator Brown served notice that the vote be reconsidered whereby **SB 911** failed.

GENERAL ORDER

SB 1096 by Brown of the Senate and Moore of the House was called up for consideration.

Senator Brown moved to amend **SB 1096**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brown moved that **SB 1096** be advanced, which motion was declared adopted.

THIRD READING

SB 1096 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Aldridge, Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--9.

The bill passed.

SB 1096 was referred for engrossment.

GENERAL ORDER

SB 1115 by Brown of the Senate and Moore of the House was called up for consideration.

Senator Brown moved to amend **SB 1115**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brown moved that **SB 1115** be advanced, which motion was declared adopted.

THIRD READING

SB 1115 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Aldridge, Bingman, Branan, Coates, Garrison, Johnson (R), Mazzei, Shumate and Wyrick.--9.

The bill passed.

SB 1115 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1060, 1109, 1113, 1229, 1292, 1304, 1350, 1357, 1397, 1451, 1553, 1721, 1781, 1782, 1828, 1829, 1908, 1917, 1922, 1933, 1987, 2066, 2072, 2160, 2164, 2165, 2167, 2191, 2198, 2227** and **2241**.

HB 1060 – By Kern, Fisher, Hulbert, Blackwell, Ritze, Moore and Walker of the House and Stanislawski of the Senate.

An Act relating to civil procedure; defining terms; declaring certain rulings and decisions to be in violation of public policy and making such rulings and decisions void and unenforceable; declaring certain contracts and contractual provisions to be in violation of public policy and making such contracts and contractual provisions void and unenforceable; requiring denial of certain motions relating to venue; excluding certain legal entities from scope of law; providing for interpretation of law; providing for codification; and providing an effective date.

HB 1109 – By Coody of the House and David of the Senate.

An Act relating to mental health; authorizing Commissioner of Department of Mental Health and Substance Abuse Services to commission certified employees as peace officers; granting specific authority to peace officers for specific actions; amending 43A O.S. 2011, Section 3-326, which relates to peer recovery support specialists; providing that individuals employed by a behavioral service provider certified by the Department be subject to certain rules; permitting peer recovery support specialist to use certain title if certified by the state; providing for codification; and providing an effective date.

HB 1113 – By Rousselot of the House and Garrison of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 339, as amended by Section 1, Chapter 144, O.S.L. 2012 (19 O.S. Supp. 2012, Section 339), which relates to the general powers of county commissioners; granting power to county commissioners to provide certain incentive awards to certain employees; allowing counties to develop Wellness Council and to establish certain fund; establishing duties of Wellness Council; providing for codification; and providing an effective date.

HB 1229 – By Quinn, Murphey, Sherrer, Hoskin, Bennett, Ownbey and Kern of the House and Stanislawski of the Senate.

An Act relating to driver licenses; creating the Oklahoma Driver Examination Modernization Act of 2013; amending 47 O.S. 2011, Section 6-110, as amended by Section 3, Chapter 280, O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-110), which relates to examination of driver license applicants; directing the Department of Public Safety to allow examination participants to reserve time for examination; providing for noncodification; and providing an effective date.

HB 1292 – By Sherrer and Hoskin of the House and Burrage of the Senate.

An Act relating to cemeteries; amending 8 O.S. 2011, Section 6, which relates to interment; providing for distribution of unused lot after certain time lapses; clarifying line

of succession if more than one heir; permitting nontestamentary transfer of lots upon execution and filing of certain instrument; and providing an effective date.

HB 1304 – By Hoskin and Sherrer of the House and Burrage of the Senate.
An Act relating to criminal procedure; amending 22 O.S. 2011, Section 1161, which relates to acts of insane persons; defining term; and providing an effective date.

HB 1350 – By Cox, Hoskin and Sherrer of the House and Fields of the Senate.
An Act relating to the Grand River Dam Authority; amending 82 O.S. 2011, Section 874, which relates to the mortgage, sale, lease or other disposition of property; allowing the Grand River Dam Authority to sell electrical system equipment to customers; requiring approval of the Board of Directors; and making sales exempt from certain provision and the Oklahoma Surplus Property Act.

HB 1357 – By Cooksey of the House and Brooks of the Senate.
An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 2358, which relates to adjustments to taxable income and adjusted gross income; providing exemption for Olympic prizes and awards; and providing an effective date.

HB 1397 – By Johnson of the House and Stanislawski of the Senate.
An Act relating to schools; amending 70 O.S. 2011, Section 1-109, which relates to the school year; providing maximum number of hours that may be used for professional meetings each school year; prohibiting requiring attendance for more than maximum hours without compensation; and providing an effective date.

HB 1451 – By Walker and Turner of the House and Griffin of the Senate.
An Act relating to statutes and reports; amending 75 O.S. 2011, Section 14, which relates to the distribution of statutes and session laws; modifying procedure and responsibility for purchase of statutes, cumulative supplements to the statutes, and session laws; allowing purchase in printed or digital form; providing that certain libraries and the Oklahoma Department of Libraries shall receive copies at no cost; providing for purchase by the Chief Clerk of the House of Representatives; providing for procedure for placement of orders; requiring submission of copy of order to the Chief Clerk of the House of Representatives within a certain time; repealing 75 O.S. 2011, Sections 13 and 17, which relate to distribution and requisition of statutes; and providing an effective date.

HB 1553 – By McCullough of the House and Anderson of the Senate.
An Act relating to property; creating the Statutory Rule Against Perpetuities Act; providing short title; providing a statutory rule against perpetuities; providing time of creation of nonvested property interest or power of appointment; providing for reformation of certain dispositions; providing exclusions from the statutory rule against perpetuities; providing for prospective application; exempting certain trusts; amending 60 O.S. 2011, Sections 31 and 32, which relate to suspension of alienation; providing that power of alienation is not suspended if trustee has power to sell; providing that ownership is not suspended under certain circumstances; amending 60 O.S. 2011, Section 172, which relates to duration of express trusts; modifying duration; repealing 60 O.S. 2011, Section 175.47,

which relates to suspension of power of alienation; providing for codification; and providing an effective date.

HB 1721 – By Osborn and Billy of the House and Griffin of the Senate.
[higher education - qualifications for the Oklahoma Higher Learning Access Program - income requirement for determining financial need - effective date]

HB 1781 – By Russ and Hoskin of the House and Griffin of the Senate.
An Act relating to public health and safety; amending 63 O.S. 2011, Section 2-309D, as amended by Section 1, Chapter 51, O.S.L. 2012 (63 O.S. Supp. 2012, Section 2-309D), which relates to central repository information; adding certain state departments that may access certain information; requiring certain state departments to use information for certain purposes; and providing an effective date.

HB 1782 – By Russ of the House and Griffin of the Senate.
An Act relating to public health and safety; allowing first responders to administer certain medicine without prescription; providing applicability of certain act; allowing providers to prescribe certain medicine to family members of individuals who exhibit signs of certain overdose; requiring provider to provide certain information; providing applicability of certain act; providing for codification; and providing an effective date.

HB 1828 – By Armes of the House and Newberry of the Senate.
An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 2095.2, 2095.4, 2095.5, 2095.6, 2095.7, 2095.13, 2095.14, 2095.17, 2095.19, 2095.21 and 2095.23, which relate to the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act; modifying definition; modifying identifier of certain licensee; modifying license requirement; modifying duration of certain license; modifying certain findings for issuance of license; providing for additional findings for issuance of license; providing for minimum standards for license renewal; authorizing Administrator of Consumer Credit to adopt certain procedures; modifying penalties; providing for venue of certain action; modifying continuing education requirements; modifying authority to conduct investigations; requiring travel costs; authorizing participation in certain examinations; providing for codification; and providing an effective date.

HB 1829 – By Armes of the House and Newberry of the Senate.
An Act relating to consumer credit; amending 14A O.S. 2011, Sections 1-302, 3-104, as amended by Section 4, Chapter 172, O.S.L. 2012, 3-309, 3-309.1 and 5-203, as amended by Section 6, Chapter 172, O.S.L. 2012 (14A O.S. Supp. 2012, Sections 3-104 and 5-203), which relate to the Uniform Consumer Credit Code; modifying definition; updating citation; requiring creditor give additional information to the consumer if certain conditions exist; describing method for creditor to apply certain interest rates; providing for manner and placement of certain disclosures; prescribing a table format for certain disclosures; requiring certain information be given in the billing statement; directing Administrator to employ terminology that is easier to understand; requiring billing statement of certain accounts to include a due date and late fee; prescribing notice if late payments cause the interest rate to increase; specifying that date payment is made in person is date to be

considered in applying late fees; updating citations; directing creditor provide written notice of increase in annual percentage rate within certain time period; providing exception; requiring creditor provide written notice of significant change in cardholder agreement; describing manner and form of notice; stating that account closure or cancellation shall not be default or trigger immediate repayment; prohibiting certain finance charges; providing exceptions; disallowing over-the-limit fee unless extension of credit is elected by the consumer; requiring notice of over-the-limit fee; providing notice of consumer's right to revoke election; permitting consumer to revoke election orally, electronically, or in writing; directing Administrator to prescribe regulations for making and revoking election; providing timing for consumer election; directing Administrator to prescribe regulations for disclosure of election and prevent deceptive practices; construing provision; permitting over-the-limit fee to be charged at certain times; prohibiting separate fee to repay extension unless it involves an expedited service; prescribing when the term "fixed" can be used; requiring payment due date to be the same day each month; prohibiting credit cards issued to consumers less than twenty-one years old; providing exception; disallowing extension of credit for certain consumer accounts unless prior written approval given; updating citations; limiting actions for private education loans to date on which the first principal payment is due; exempting private educational lender from certain liability; enacting the Oklahoma Private Student Loan Transparency and Improvement Act; defining terms; prohibiting private education lender from providing gift or engaging in revenue sharing with an educational institution; disallowing private educational lender from using certain images or logos of an educational institution in marketing; proscribing gifts to certain persons employed by an educational institution; providing exception for reimbursement of reasonable expenses; prohibiting penalizing a borrower for early repayment or prepayment of a private education loan; requiring higher education institution to disclose agreements made with card issuer or creditor; prohibiting card issuer from offering student a tangible item to induce participation in a consumer credit plan; providing parameters for prohibition; requiring disclosure of certain information to borrower on application for a private education loan; providing for additional disclosures upon approval of a private education loan application; requiring private education lender to obtain certain federal form signed by the borrower; directing Administrator to publish model forms; describing contents of model forms; setting forth time period for borrower to accept a private education loan; prohibiting private educational lender from changing the rates and terms during certain time period; limiting time when lender can change rates and terms of a private education loan; permitting borrower to cancel the loan without penalty during certain time period; requiring lender to disclose the right to cancel; prohibiting disbursement of funds within certain time period; directing Administrator to prevent duplicative disclosures; requiring private educational lender to annually provide certain information to the educational institution; providing for codification; providing an effective date; and declaring an emergency.

HB 1908 – By Shannon, Nelson, Kern, McCullough, Coody and Nollan of the House and Holt of the Senate.

An Act relating to social services; creating a public service announcement campaign to promote marriage as a tool against poverty; describing funding for campaign; providing for codification; and providing an effective date.

HB 1917 – By Shannon, Murphey, Moore, Lockhart, Kern and Newell of the House and Bingman of the Senate.

An Act relating to public finance; imposing duty on certain state government entities with respect to reduction of federal appropriations or federal block grant or other funds; requiring information to be provided to the Director of the Office of Management and Enterprise Services, the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Oklahoma State Senate; imposing requirements for disclosure of federal funds and analysis regarding reliance and costs for compliance; providing for codification; and declaring an emergency.

HB 1922 – By DeWitt and Vaughan of the House and Fields of the Senate.

An Act relating to waters and water rights; stating additional powers and responsibilities of the Board of Commissioners of the Scenic Rivers Commission; making it a violation to make certain false statements; authorizing the Board to assess an administrative penalty after certain hearing process; establishing amount of penalty; authorizing the Board to appoint administrative law judges or hearing officers; requiring hearings to be held in certain regions; making certain violations a misdemeanor; allowing the Board to seek penalties in district court; providing for the payment of certain costs and fees; providing for payment of penalties, fees and fines to the Commission; authorizing the Administrator to take emergency action under certain circumstances; requiring compliance; authorizing the Board to issue certain notices; amending 82 O.S. 2011, Section 1462C, as amended by Section 1070, Chapter 304, O.S.L. 2012 (82 O.S. Supp. 2012, Section 1462C), which relates to the Scenic Rivers Commission Revolving Fund; modifying use of certain fees; clarifying statutory language; and providing for codification.

HB 1933 – By Jackson of the House and Marlatt of the Senate.

An Act relating to cities and towns; authorizing municipality to collect unpaid solid waste service accounts; requiring certain notice be given to account holder and property owner; prescribing where to send notice; mandating receipt of mailing notice; providing for posting and publication of notice if unable to locate the account holder and property owner; providing for hearing to determine account delinquency; requiring filing notice of lien on property if certain delinquency found; directing county treasurer to levy and collect certain monies if account remains unpaid; stating certain superiority of lien; directing county treasurer to collect certain fee; providing for deposit and credit of fee into general county fund; authorizing municipality to pursue civil remedy in certain cases; prohibiting severed mineral interest from being subject to any liens; requiring notice of payment and discharge of lien; authorizing municipality to collect unpaid storm water drainage service accounts; providing account holder and property owner with appeal process; defining terms; providing for codification; and providing an effective date.

HB 1987 – By Brumbaugh, Murphey and Ritze of the House and Brown of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 1505, as last amended by Section 74, Chapter 304, O.S.L. 2012 (19 O.S. Supp. 2012, Section 1505), which relates to purchasing; authorizing county purchasing officers to make acquisitions through the state purchase card program; requiring purchase cardholders to

sign agreement and attend training; providing for publishing of purchases through the state transparency portal; and providing an effective date.

HB 2066 – By Jackson of the House and Marlatt of the Senate.
[agriculture - legislative intent - effective date]

HB 2072 – By Fisher, Ritze, Kern and Bennett of the House and Dahm of the Senate.
An Act relating to civil procedure; enacting Rachel's Law; defining term; prohibiting recognition or enforcement of foreign defamation judgments under certain circumstances; requiring determination of protection under foreign law; providing standard of proof; providing for personal jurisdiction; providing for codification; providing for noncodification; and providing an effective date.

HB 2160 – By Nelson of the House and Jolley of the Senate.
An Act relating to schools; requiring the award of court costs and attorney fees to prevailing students or parents in an action filed by a school district; allowing the inclusion of expert witness fees; and providing for codification.

HB 2164 – By Echols of the House and Sparks of the Senate.
[trust accounts - Multistate Trust Institutions Act - exception - effective date]

HB 2165 – By Echols, Hulbert, Ritze, McDaniel (Jeannie) and Turner of the House and Standridge of the Senate.
An Act relating to telecommunications; amending 17 O.S. 2011, Section 139.105, which relates to the Oklahoma Lifeline Fund; prohibiting reimbursements from the Oklahoma Lifeline Fund for certain carriers until certain conditions are met; specifying conditions required for reimbursement; authorizing the Corporation Commission to adopt certain rules; allowing fines and penalties for certain actions; and declaring an emergency.

HB 2167 – By Echols of the House and Marlatt of the Senate.
An Act relating to bail bondsmen; amending 59 O.S. 2011, Sections 1304, 1306, 1309, as amended by Section 2, Chapter 82, O.S.L. 2012, 1310, 1315, as amended by Section 3, Chapter 82, O.S.L. 2012, 1316, 1317, 1320 and 1332 (59 O.S. Supp. 2012, Sections 1309 and 1315), which relate to licensure of bail bondsmen; modifying in what circumstances a license can expire; modifying qualifications for licensure; deleting that certain notification be made by mail; modifying dates; clarifying license reinstatement requirement; modifying grounds for denying, suspending, revoking or refusing to renew a license; prohibiting certain persons from being bail bondsmen; clarifying surety bondsmen appointment and when bail bondsmen should provide receipts for payments; modifying affidavit requirements; authorizing the Insurance Commissioner to deny new surety appointment or apply sanctions; providing content requirements for list of surety bondsmen permitted to write bail in a county; modifying forfeiture procedure; and providing an effective date.

HB 2191 – By Schwartz of the House and Stanislawski of the Senate.
An Act relating to insurance; amending 36 O.S. 2011, Section 6515, which relates to the Small Employer Health Insurance Reform Act; allowing a small employer carrier to

include an employer's bona fide wellness program in premium rate development; amending 40 O.S. 2011, Section 500, which relates to conditions of employment; allowing an employer to offer incentives to employees to participate in certain wellness programs in conjunction with employer-provided health insurance; and providing an effective date.

HB 2198 – By Hardin, Hoskin, Sherrer and Hickman of the House and Brecheen of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 6-101, as amended by Section 5, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-101), which relates to driver licenses; referencing exemption; exempting certain individuals from commercial driver license requirements; specifically excluding certain activities from inclusion; providing for codification; and providing an effective date.

HB 2227 – By Dorman, Sherrer, Nollan, Kern and Wright of the House and Schulz of the Senate.

An Act relating to children; creating the JaRay Wilson Runaway Child Alert System Act; defining terms; directing the Department of Public Safety to implement a statewide Runaway Child Alert System; directing cooperation with certain state and local agencies; naming Commissioner of the Department as the statewide coordinator of the System; assigning Commissioner certain duties to implement the System; prohibiting liability of Department under the act; describing how an alert is activated; directing local law enforcement agency to complete certain steps to implement the alert; providing information to be included in the alert; providing for termination of an alert; directing law enforcement agency to immediately notify Department when child is located; amending 10A O.S. 2011, Section 1-4-201, which relates to taking a child into custody; modifying when a child may be taken into custody prior to the filing of a petition; providing for codification; and providing an effective date.

HB 2241 – By Nelson and Nollan of the House and Griffin of the Senate.

An Act relating to children and juvenile code; amending 10A O.S. 2011, Section 2-1-103, which relates to definitions of the Oklahoma Juvenile Code; modifying certain definition; and providing an effective date.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 11, 2013, at 1:30 p.m., which motion prevailed.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 613 - Coauthored by Mazzei
SB 645 - Coauthored by Mazzei

SB 734 - Coauthored by Fields
SB 765 - Coauthored by Johnson (Constance)
SB 912 - Remove as author Senator Johnson (Rob); authored by Senator Allen; Coauthored by Johnson (Rob)
SB 1008 - Coauthored by Mazzei
SJR 33 - Remove as author Senator Sykes; authored by Senator Fields; Coauthored by Sykes
HB 1060 - Coauthored by Walker
HB 1229 - Coauthored by Kern
HB 2165 - Coauthored by Turner

Pursuant to the Schulz motion, the Senate adjourned at 12:00 noon to meet Monday, March 11, 2013, at 1:30 p.m.