

# **OKLAHOMA STATE SENATE**



## **2008 LEGISLATIVE SUMMARY AND FY'09 BUDGET REVIEW**

# Oklahoma State Senate



## 2008 LEGISLATIVE SUMMARY AND FY 2009 BUDGET REVIEW

June 2008

We are pleased to present the 2008 Legislative Summary and FY 2009 Budget Review. Included within this document are summaries of all substantive bills and resolutions enacted in the 2008 Session and information on appropriation measures and the state budget adopted by the Legislature for FY 2009.

The summaries contained herein have been prepared by the following Senate Committee Staff personnel:

- Lori Block, Staff Attorney, Senate Appropriations, Education and Health & Human Resources Committees
- Tom Clapper, Legislative Analyst, Senate Resolutions
- Caroline Dennis, Director of Committee Staff, Senate Rules Committee
- Matt Duehning, Staff Attorney, Senate General Government, Public Safety and Homeland Security and Transportation Committees
- Alicia Emerson, Legislative Analyst, Senate Retirement & Insurance Committee
- Scott Emerson, Attorney, Senate Agriculture & Rural Development and Tourism & Wildlife Committees
- Selden Jones, Staff Attorney, Senate Business & Labor, Retirement & Insurance, and Veterans & Military Affairs Committees
- Judy King, Staff Attorney, Senate Energy & Environment and Finance Committees
- Tracy Kersey, Legislative Analyst/Attorney, Senate Judiciary Committee
- Lewis LeNaire, Legislative Analyst, Public Safety & Homeland Security Committee
- Mary Jo Mitts, Legislative Analyst, Senate Energy & Environment and Transportation Committees
- Kim Montgomery, Legislative Analyst, Senate Education Committee
- Jennifer Mullens, Legislative Analyst, Senate Health & Human Resources Committee
- Nancy Pellow, Legislative Analyst, Senate Criminal Jurisprudence Committee
- Cheryl Purvis, Staff Attorney, Senate Criminal Jurisprudence, Judiciary and Rules Committees
- Joanie Raff, Legislative Analyst, Senate Finance Committee
- Lexa Shafer, Legislative Analyst, Senate Business & Labor Committee
- Jeri Trope, Legislative Analyst, Senate Agriculture & Rural Development, General Government, Tourism & Wildlife and Veterans & Military Affairs Committees

Information on appropriation measures and the state budget has been prepared by the following Senate Fiscal Staff personnel:

- Jason Deal, Fiscal Analyst, Subcommittee on General Government and Transportation
- Randy Dowell, Director of Fiscal Staff, Appropriations Committee
- Amy Dunaway, Fiscal Analyst, Subcommittee on Natural Resources and Regulatory Services
- Amanda Ewing, Fiscal Analyst, Subcommittee on Human Services
- Anthony Sammons, Fiscal Analyst, Subcommittee on Health and Social Services
- Sean Wallace, Subcommittee on Public Safety and Judiciary

We also appreciate the assistance of Liz Park-Capron and Laurie Houser, Administrative Assistants, and Malia Bennett, Director of Communications in preparing this document.

Caroline Dennis  
Director of Senate Committee Staff

Randy Dowell  
Director of Senate Fiscal Staff

**Table of Contents**

Session Overview ..... 1

Appropriation Overview ..... 1

FY'08 Supplemental Appropriations..... 2

Agriculture & Rural Development Measures ..... 2

Banking, Finance & Securities Measures ..... 3

Business & Labor Measures ..... 3

Criminal Law & Procedures Measures..... 4

Corrections Funding..... 8

Office of Juvenile Affairs Funding ..... 8

Law Enforcement Funding..... 8

Economic Development & Commerce Measures ..... 8

Commerce Funding ..... 9

Historical Society Funding..... 9

Career & Technology Education Funding..... 9

Common Education Measures ..... 10

Common Education (K-12) Funding..... 11

Higher Education Measures..... 12

Higher Education Funding..... 13

Educational Television Authority Funding ..... 13

School of Science & Mathematics Funding..... 13

Energy, Environment & Utilities Measures..... 13

Conservation Commission Funding ..... 17

Corporation Commission Funding ..... 17

Gaming, Sports & Amusements Measures ..... 17

Government Measures (County, Municipal & Local)..... 18

Government Measures (State) ..... 19

Central Services Funding..... 20

Emergency Management Funding..... 20

Ethics Commission Funding..... 20

Health Measures..... 20

Health Care Authority Funding..... 25

Public Health Funding..... 25

Mental Health & Substance Abuse Funding..... 25

Human Services Measures..... 25

Human Services Funding..... 27

Rehabilitation Services Funding ..... 27

Commission on Children & Youth Funding..... 27

Insurance Measures ..... 27

Intoxicating Liquor, Smoking & Tobacco Laws Measures ..... 29

Judiciary/Courts Measures ..... 30

Motor Vehicles, Water Vessels & Licensing Measures..... 31

Professions & Occupations Measures ..... 33

Public Finance Measures ..... 36

Public Safety & Homeland Security Measures ..... 37

Public Employees-Retirement/Insurance/Pay/Benefits Measures ..... 40

Revenue & Taxation Measures ..... 41

Tax Commission Funding ..... 44

Telecommunications & Technology Measures ..... 44

Tourism & Wildlife Measures ..... 44

Tourism Funding..... 45

J. M. Davis Commission Funding ..... 45

Will Rogers Commission Funding ..... 45

Transportation Measures..... 45

Transportation Funding..... 46

Veterans & Military Affairs Measures ..... 46

Senate and House Concurrent Resolutions ..... 47

Senate and House Resolutions..... 49

Vetoed Bills ..... 51

Appropriations Comparison ..... 54

Index ..... 57

**SESSION OVERVIEW**

In the second session of the 51<sup>st</sup> Legislature, the Oklahoma State Senate considered 1,069 new Senate Bills and 769 carryover Senate Bills, 472 House bills, 31 Senate Joint Resolutions, 31 carryover Senate Joint Resolutions, 18 House Joint Resolutions, 61 Senate Concurrent Resolutions, 34 House Concurrent Resolutions and 54 Simple Resolutions. Of those measures, 248 Senate Bills and 191 House Bills were signed into law; while eight Senate Bills and four House Bills were vetoed (the veto of SB 1878 was overridden). Three constitutional amendments (HB 3354 and SJRs 29 and 38) and 91 Senate Concurrent or Simple Resolutions were filed with the Secretary of State.

The first piece of legislation considered during the 2008 session was Senate Concurrent Resolution 49. The resolution denounced Oklahoma's Jim Crow laws which began with the passage of Senate Bill 1 in 1908, the first measure passed after statehood. The law required separate facilities for blacks in public transportation, education and other public facilities. SJR 49 denounced the state's racial segregationist past and called for the Senate to begin the Oklahoma's second century free from all racial bias or prejudice.

The 2008 session was the last for five members of the State Senate due to term limits, including Senate President Pro Tempore Mike Morgan, Senate Republican Leader Emeritus James A. Williamson, Senate Republican Floor Leader Owen Laughlin, Senator Jeff Rabon, and Senator Kathleen Wilcoxson.

The following overview details the legislation approved during the 2008 legislative session.

**APPROPRIATION OVERVIEW**

The General Appropriation (GA) Bill for the 2008 legislative session was HB 2276. That bill, in conjunction with several single agency appropriation bills passed in the final week of the session, appropriated a total amount of \$7,089,139,923. There are several ways to calculate the difference in this appropriation from the amount appropriated for FY'08. For the purposes of this document, the FY'08 figure used will be \$6,949,972,276. This is the amount appropriated in FY'08 including \$30.6 million in supplemental appropriations. Another \$73 million in supplemental appropriations were provided to Common Education. Those funds are not included in this total because they did not increase the total budget of the agency. They simply made up for revenue failures in the 1017 Fund. Approximately \$152.5 million of items considered to be "one-times" have also been removed from this FY'08 total. The resulting comparison reflects the actual differences in the operating budgets of the agencies for FY'08 versus FY'09. As the chart below indicates, agencies will have \$139,167,647 more state dollars to spend for general operations in FY'09 than in FY'08. This is a 2.0 percent increase.

**Comparison of Funding, FY'08-FY'09**  
(in millions)

	<b>FY'08</b>	<b>FY'09</b>	<b>Change</b>	
	<b>Approp.</b>	<b>Approp.</b>	<b>\$</b>	<b>%</b>
Education	3,756.0	3,793.6	37.6	1.0
Gen. Gov/Trans.	377.4	396.9	19.5	4.8
Health/Soc. Serv.	1,139.5	1,214.7	75.2	6.6
Human Services	702.4	705.4	3.0	0.4
Natural Res.	157.0	160.0	3.0	1.6
Public Safety	802.1	803.0	0.9	0.1
REAP	15.5	15.5	0.0	0.0
Gov. Emergency	10.0	15.0	5.0	50.0
<b>Total</b>	<b>6,950.0</b>	<b>7,089.1</b>	<b>139.1</b>	<b>2.0</b>

To arrive at the appropriated levels, one-time expenditures were removed from agency allocations and the following revenues were applied:

- revenue growth from certified funds, including an increase to General Revenue from a voluntary compliance tax initiative;
- cash-flow reserve from revenue collections in the current fiscal year; and
- carryover at the Health Care Authority, Department of Health, Department of Mental Health and Substance Abuse Services, and other state agencies.

### **FY'08 SUPPLEMENTAL APPROPRIATIONS**

#### **Corporation Commission**

- \$3,100,000 was provided to help offset a delay in the collection of fees imposed by the Federal Government.

#### **Department of Corrections**

- \$24,000,000 was provided to the agency to cover increases in operating costs, employee benefits, offender growth and other cost increases.

#### **Department of Education**

- \$16,100,000 was provided for the Ad Valorem Reimbursement Fund shortfall.
- \$56,923,566 was provided to the agency to make up for a shortfall in the 1017 Fund. This shortfall was primarily driven by a decrease in corporate income tax collections.
- \$1,500,000 was provided to cover unanticipated growth in the Academic Achievement Awards program.

#### **Office of Juvenile Affairs**

- \$2,000,000 was provided for upgrades to the Rader Detention Center.

### **AGRICULTURE & RURAL DEVELOPMENT MEASURES**

SB 1735 (Sparks/Richardson): Makes any person convicted of damages upon land of another, without the consent of the owner, lessee or occupant of such land, be responsible for any actual damages incurred and if there is a second or subsequent violation be guilty of a misdemeanor and be responsible for damages incurred and fined or confined in the county jail or both. Effective 11-1-08.

SB 1816 (Barrington/Armes): Amends existing language to allow a board of county commissioners, with the concurrence of the majority of fire chiefs in their jurisdiction, to declare a county burn ban in circumstances of extreme fire danger. States certain proclamations by the Governor during periods of drought emergencies to supersede any resolution passed by a board of county commissioners. Modifies fine for persons setting fire to any forest, grass, range, crop or other woodlands, or to build a campfire or burn trash. Defines "extreme fire danger" and provides for the ban not to exceed seven days from the date of passage by the commissioners. Effective 6-2-08.

SB 1859 (Wyrick/DeWitt): Creates the Oklahoma Dairy Promotion Act and the Dairy Promotion Commission. Effective 11-1-08.

SB 2111 (Sparks/Shannon): Relates to willful trespass onto private land devoted to farming, ranching, or forestry. Requires, in addition to the fine, restitution for actual damages incurred. Also creates second and subsequent offense and adds, in addition to the fine, restitution for willfully and maliciously trespassing and committing waste, theft or damage. Effective 11-1-08.

HB 2492 (Hilliard/Justice): Under the Conservancy Act of Oklahoma, amends from \$7,500, contracts that exceed \$25,000 to be advertised. Effective 11-1-08.

HB 2585 (Hyman/Justice): Decreases from 6 to 4 the number of Oklahoma Peanut Commission nominees eligible for appointment to the Commission. Effective 4-23-08.

HB 2778 (DeWitt/Justice): Amends the assessments for sorghum to be collected while a national checkoff program for sorghum remains in effect. Reinstatement of the collection assessments will become effective when the national program is suspended or terminated. Effective 7-1-08.

HB 3187 (DeWitt/Justice): Creates the Oklahoma Oilseed Resources Act and the Oklahoma Oilseed Commission. Outlines the powers and duties of the Oklahoma Oilseed Commission, which include formulating the basic objectives with respect to discovery, promotion, and development of markets and industries for the utilization of oilseed. Also creates the Oklahoma Oilseed Resources Fund which, upon the approval of the State Treasurer, invests the monies in the Oklahoma Oilseed Fund in secu-

rities of state and federal government, Certificates of Deposit, trust companies or savings and loan associations. Effective 11-1-08.

### ***BANKING, FINANCE & SECURITIES MEASURES***

HB 2245 (Ingmire/Bass): Creates the Security Breach Notification Act to require notification to an individual whose personal information was accessed by an unauthorized person which has or will cause identity theft or other fraud. Effective 11-1-08.

HB 2725 (Winchester/Jolley): Relates to banks and trusts, the Perpetual Care Fund Act and the Cemetery Merchandise Trust Act. It: requires seniority status to be addressed in certain employee manual, provides the Banking Board authority to refund portion of certain assessments, modifies certain subscriber requirements, prohibits payments from organizational expense fund for certain purpose, requires organizational expense fund to be fully funded before the Commissioner accepts applications for filing, excludes temporary branches from certain rules, modifies definition of temporary branch, modify definitions relating to the Perpetual Care Fund Act, requires certain contributions to the Fund or establishment of a nonrevocable trust account in a financial institution, and specifies fee payment requirements for expired permits under the Cemetery Merchandise Trust Act. Effective 7-1-08.

HB 3278 (Duncan/Burrage): Defines and limits scope of "debt cancellation agreement". Effective 11-1-08.

### ***BUSINESS & LABOR MEASURES***

SB 1043 (Crain/Terrill): Modifies the Oklahoma General Corporation Act, the Oklahoma Limited Liability Company Act, the Oklahoma Revised Uniform Limited Partnership Act, and the Oklahoma Revised Uniform Partnership Act to reflect amendments to the Delaware General Corporation Law adopted since 2004, and includes amendments to broaden the types of lawful consideration for stock, to authorize conversions involving foreign and domestic entities, and to address the suspension of entities for failure to file annual certificates or pay fees and the procedures for reinstatement after suspension. Effective 1-1-10.

SB 1531 (Leftwich/McDaniel (Randy)): Relates to the Employment Security Act and the Standards for Workplace Drug and Alcohol Testing Act. Modifies various provisions in the Employment Security Act relating to certain deadline for Indian tribes to make a certain election, the definition of an employer, what the definition of employment does not mean relating to certain in-home services, the definition of the term file, files or filed relating to hand-delivery, telefaxing, mailing and electronically transmitting certain documents, new definitions for reopened claim and continued claim series, modification of certain benefit provision relating to employees of an educational institution, modification and addition of certain provisions relating to leaving work voluntarily, requirements for written notification of certain claims to certain employers, modification of a provision relating to the Board of Review and the certification and filing of a certain record, modification of a provision relating to claims for exemptions to a certain levy, deleting unemployment compensation from a provision relating to post-accident testing for drugs or alcohol, provisions for methods of delivery of a copy of certain drug or alcohol testing policies and new requirements for the Commission relating to providing a method for employers to file certain reports and payments using the Internet. Effective 11-1-08.

SB 1608 (Gumm/Sullivan): Relates to contracts and manufacturers, wholesalers and distributors—repurchase of inventory and modifies the definition of "inventory" to include all-terrain vehicles. Effective date: 11-1-08.

SB 1873 (Leftwich/Wesselhoft): Makes an appropriation out of federal funds to the Employment Security Administration Fund. Requires the Oklahoma Employment Security Commission to implement an agency-wide performance improvement program to determine the efficiency of operations. Effective 11-1-08

HB 2501 (Adkins/Lamb): Relates to aircraft and airports. Updates and clarifies statutory language throughout the act. Amends the definition of a dealer to include entities doing business in this state prior to July 1, 2007. Adds exceptions to the definition of a dealer relating to being a manufacturer and to certain piston-powered aircraft. Clarifies licensed agreement as that defined in statute and adds to the definition of good cause. Modifies language relating to what relief maybe recovered by a dealer harmed by a manufacturer and adds language limiting the dealer to recover

reasonable attorney fees if the dealer prevails in the action. Provides for a certain right of action for a dealer for certain acts of a manufacturer for any remaining contracts between them if a contract changes and would provide that any entity meeting the definition of a dealer shall continue to be considered a dealer for certain purposes with regard to certain agreements, notwithstanding any changes to such agreements. Effective 6-2-08.

HB 2564 (Martin (Steve)/Branan): Relates to real estate and adds a power and duty of the Real Estate Commission relating to reciprocal agreements and modifies requirements for certain persons licensed in multiple jurisdictions, certain academic hour requirement and examination requirements for certain persons, deletes obsolete language and adds a cause for suspension or revocation of license. Effective 11-1-08.

HB 2662 (McDaniel (Randy)/Leftwich): Requires the Oklahoma Employment Security Commission to provide a method for employers to file a certain report and certain taxes through the internet. Effective 4-22-08.

HB 2891 (Benge/Bingman): Relates to unfair business practices. Adds certain activities as unfair business practices relating to the collection of donations via a public receptacle of unwanted clothing and household items by a for-profit entity or natural person. Requires certain signage to be prominently displayed disclosing the for-profit nature of the donations. Paper, glass, plastic, or aluminum products that are donated for recycling would be exempt. Effective 11-1-08.

HJR 1107 (Tibbs/Johnson (Mike)): Disapproves in part rules of the Oklahoma Motor Vehicle and Parts Commission concerning temporary license plates.

### **CRIMINAL LAW & PROCEDURE MEASURES**

SB 612 (Williamson/Blackwell): Requires every offender sentenced to a deferred or suspended sentence which is not supervised by the Department of Corrections to pay the District Attorney \$40.00 per month during such period of deferred or suspended sentence. Limits this payment provision until July 1, 2009, at which time the fee will be \$20.00 per month. Effective 7-1-08.

SB 811 (Laster/Sullivan): Defines preexisting condition for purposes of determining medical liability for jails. Continues to provide the opportunity for pretrial detainees and persons in actual custody to receive medical treatment for preexisting conditions and other medical conditions, but requires the inmate to be liable for medical expenses for his or her preexisting conditions. Medical providers and hospitals are directed to seek reimbursement directly from the person who was treated and who has the preexisting condition. If a sheriff pays medical expense for any inmate's preexisting condition, the court shall order the inmate to reimburse the sheriff for such expense. Modifies how funds are paid from the Medical Expense Liability Revolving Fund by requiring payment based on a pro rate share of available funds to be applied to all valid claims. Does not require all claims to be paid in full. Effective 7-1-08.

SB 1403 (Anderson/Duncan): Modifies sentencing and placement procedures for youthful offenders. Effective 6-2-08.

SB 1440 (Corn/Derby): This bill allows a person not previously convicted of a violation of the Uniform Controlled Dangerous Substances act to be given a deferred sentence whether the person pleads guilty or nolo contendere or is found guilty of an offense, except any violation of the Trafficking In Illegal Drug Act will not apply. Effective 6-2-08.

SB 1468 (Schulz/Billy): Lowers the age of a correctional officer from 21 to 20 years of age. Effective 7-1-08.

SB 1600 (Justice/Coody): Requires persons convicted of caretaker abuse to be subject to the provisions of enhanced punishment under the Elderly and Incapacitated Victims Protection Act and provisions for mandatory minimum sentencing. Increases the penalty for abuse or exploitation of a vulnerable adult, and adds the crime of caretaker abuse to the Elderly and Incapacitated Victims' Protection Act. Effective 7-1-08.

SB 1601 (Aldridge/Peters): Designates the crime of child abuse as a violent offense for the purposes of the Marry Rippy Violent Crime Offenders Registration Act, and establishes procedures for searching and identifying persons at risk of harming children based on prior criminal conduct. Requires businesses which provide services to children to conduct name searches of employees in the sex offender and violent crime offender registries at least annu-

ally. Requires all persons working with children to sign a statement declaring that they are not required to register in either registry. Makes compliance with this statement mandatory, and prevents employers from having any liability to determine the truthfulness of the affidavit. Requires any business having a contract with a school to ensure compliance with these requirements. Any person or business which fails to perform the required name searches may be convicted of a misdemeanor punishable by a fine of up to \$1,000. Refusal by an employee who works with children to sign the required affidavit constitutes a misdemeanor punishable by a fine of up to \$1,000, and the employee must be immediately terminated. Requires any person who discovers an employment or registration violation under this act to report such findings to the district attorney. Requires a sentencing judge to determine whether an offender must register as a violent crime offender for a crime of abuse. The judge must determine if the crime resulted in pain, injury, sexual abuse or exploitation, unreasonable restraint, mental anguish, or deprivation of care which caused physical or mental injury. Provides that every offense enumerated as potential abuse does not require automatic registration as a violent offender, and does not require offenders who have already registered as a sex offender to also register as a violent offender for the same act. Requires offenders to immediately register once they have been determined by a judge to be guilty of a crime warranting registration as a violent offender. Requires businesses that perform contracted services on school property to sign a statement declaring that no employee is currently registered or required to register in either the sex offender or violent offender registries. Declares that all persons and businesses of this state shall have access to search the sex offender and violent offender registries by submitting a form and paying a fee to the Oklahoma State Bureau of Investigation, by conducting a free, self-initiated search on the Internet, or by submitting a form and paying a fee to a local law enforcement agency or the Department of Corrections. Requires the Department of Corrections to develop procedures necessary to effectuate these provisions statewide, and to publish information regarding use of the sex offender and violent offender registries by the public. Requires the results of a name search in either registry to include a full name, any aliases, the crime which resulted in registration, and whether the person is a habitual or aggravated offender. Allows for search results to also provide the date and place of the of-

fense, the sentence disposition, a photo of the person, and any other pertinent information. Prevents any state agency from having liability for information maintained in the sex offender or violent offender registries. Effective 7-1-08.

SB 1663 (Sykes/Reynolds): States malicious injury to property in an aggregate value of \$1,000.00 or less is a misdemeanor and injury to property above an aggregate value of \$1,000.00 is a felony. In addition, if the defendant has two or more prior convictions for malicious injury to property it is a felony. Effective 11-1-08.

SB 1672 (Corn/Duncan): Prohibits knowingly discharging stun guns, tear gas, mace, or similar agents against peace officers, corrections officers, probation or parole officers, firefighters, or emergency medical technicians who are acting the course of duty. Creates a felony for this offense punishable by up to 10 years imprisonment with the Department of Corrections or up to one year in county jail. It allows real property or structures which have been repeatedly used to commit felonies under the Oklahoma Uniform Controlled Dangerous Substances Act to constitute a public nuisance. Effective 7-1-08.

SB 1725 (Johnson (Constance)/Tibbs): Creates a task force to study the roles of the Department of Mental Health and Substance Abuse Services, the State Department of Rehabilitation Services, and the Department of Corrections in the incarceration of mentally ill women, continuing until November 30, 2009. Directs the task force to study treatment, rehabilitation services, reentry support services, employment, education, and social reintegration services for incarcerated, mentally ill women. Directs the task force to study the pre- and post-incarceration quality of life for such women, and to review agency policies as they pertain to personal interaction, causes of incarceration, support systems, assessments, discharge procedures, and education. Directs the task force to focus on increasing efficiency, producing measurable results, reducing costs, conducting effective evaluations, and improving use of state resources. Directs the participating agencies to provide staff assistance for the task force, and requires staff assistance from Senate and House staffs. Appoints task force membership from various leadership positions of the participating agencies, and requires certain appointments to be made by the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor.

Provides for appointment of ex officio members by the task force chair. Specifies methods of travel reimbursement for legislative and nonlegislative task force members. Directs the President Pro Tempore of the Senate to appoint the task force's chair, and the Speaker of the House of Representatives to appoint the vice-chair. Requires the first meeting of the task force to occur on or before August 1, 2008. Provides for appointment of task force officers, formation of task force committees and subcommittees, and terms of task force appointments. Requires the preparation of a final report and directs the report's distribution. Effective 7-1-08.

SB 1950 (Crain/Winchester): Increases the statute of limitation for prosecution for child trafficking to 12 years after the discovery of the crime. Effective 11-1-08.

SB 1961 (Sykes/Terrill): This measure creates the "Drug Money Laundering and Wire Transmitter Act". It requires the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to conduct criminal financial checks on all applications for a money services business license. It gives the Bureau authority to investigate suspicious or illegal money services activities, to track drug-related monies, and to seize and forfeit money and equipment in violation of this act. It creates a new crime for conducting financial transactions with intent to promote unlawful activities and prohibits selling money transmitter equipment to a non-licensed person or allowing access to equipment in violation of money laundering or controlled substances laws. It prohibits using electronic funds transfer networks to transmit money in violation of federal or state laws, and criminalizes failure to report money transfers as required by state or federal banking regulations. The bill prohibits structured transactions where one or more person conducts money transactions to import, export, or evade reporting requirements for money transfer transactions. The penalties for violations of this act are felonies with up to 10 years imprisonment and \$50,000.00 fine or twice the amount involved, whichever is greater. In addition, the bill authorizes the Director of the Bureau to sell real property upon approval of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission and to make available, sell, transfer or donate used vehicles, equipment and forfeited property to various agencies, public trusts and public school districts. The Bureau is authorized to establish employee performance recognitions programs and to expend funds for certain

recognition awards, awards ceremonies, and educational and commemorative materials. Effective 7-1-08.

SB 1964 (Corn/Cooksey): The petty cash system of the Department of Corrections is modified by this bill. It changes how a discharged prisoner receives funds and transportation expenses upon release. The measure deletes all individual institutional petty cash maximum amounts and creates a uniform petty cash system in which the Director of State Finance and the Director of the Department of Corrections set the maximum amount of the fund. The Department is directed to develop written policies to control disbursements from the petty cash fund. The bill further modifies the Canteen System of the Department of Corrections to include all canteen operations, inmate telephone systems and inmate electronic mail systems. The Chief Financial Officer of the Department of Corrections will control deposits, canteen system accounts, records, and disbursements from the account. A new revolving fund entitled the "Department of Corrections Inmate and Employee Welfare and Canteen System Support Revolving Fund" is created for canteen profits and special purchases. Mandatory inmate savings accounts are modified to consist of a certain percent of wages only. The bill gives authority to the Department to invest inmate funds in a commingled offender interest-bearing account and to invest restitution funds in an interest-bearing account. Effective 11-1-08.

SB 1992 (Nichols/Terrill): The crime of child stealing is modified to include intent to detain or conceal a child. The bill criminalizes knowingly possessing 100 or more separate materials depicting child pornography. The penalty is a felony up to 20 years imprisonment and a fine not exceeding \$10,000.00. Rape in the first degree is modified to include rape where the victim is intoxicated or unconscious and that fact is known to the accused or the accused administered the intoxicating agent. This measure authorizes the seizure and forfeiture of any property used in violation of child pornography laws and any aircraft, vessels and monies used to facilitate sexual abuse of a child. This bill creates "Jenny's Law" where it is unlawful to desecrate a human corpse. The penalty is a felony with imprisonment up to 7 years or a fine not exceeding \$8,000.00. Effective 7-1-08.

SB 2028 (Sykes/Johnson, D): Creates a crime of stealing a ward without the guardians consent. The penalty is a felony up to 10 years in prison. It includes incapacitated or partially incapacitated persons and any person 16 years of age or less for whom a guardian has been appointed. Effective 11-1-08.

SB 2066 (Justice/Richardson): This measure changes how criminal history records checks are conducted for private prison contractors. The Department of Corrections will obtain and maintain the criminal history records checks for every employee and prospective employee of a private prison contractor. Effective 5-9-08.

SB 2104 (Leftwich/Piatt): Allows the court on a domestic abuse charge to suspend sentencing for 120 days so the defendant can attend domestic abuse counseling or treatment. The court is authorized to start the sentence from the date of enrollment in the counseling or treatment course upon the defendant offering the court proof of completion of the course of treatment. The course of counseling or treatment must be weekly sessions provided by a licensed counselor in a program certified by the Attorney General. The course of counseling or treatment must be completed within the specified time period. Effective 11-1-08.

HB 1021 (Cooksey/Crain): Creates and defines the offense of human trafficking, establishes punishment, establishes guidelines for treatment of victims, and subjects to forfeiture certain property used in committing the offense of human trafficking. Effective 8-22-08.

HB 1622 (Derby/Jolley): Prohibits attempting to obtain credit through the Internet with a credit card that has not been issued to the person. The penalty is a misdemeanor. Includes, for purposes of the crime of identity theft, the use of another person's social security number. Effective 11-1-08.

HB 1897 (Hamilton/Leftwich): Creates a misdemeanor punishable by up to one year in county jail for committing domestic abuse against a pregnant woman with knowledge of the pregnancy. Creates a felony punishable by imprisonment for at least 10 years for a second or subsequent offense, and a felony punishable by imprisonment for at least 20 years if a miscarriage or injury to the unborn child results from the domestic abuse. Defines the term "medical treatment" for the purpose of limiting the exception by which a sex offender may breach a 300 foot zone of safety surrounding a

school or daycare facility to obtain services from a hospital. Effective 11-1-08.

HB 2241 (Ingmire/Lamb): Authorizes the Crime Victims Compensation Board to award up to \$3,000 to caregivers who have suffered out-of-pocket wage loss as a result of caring for a victim of criminally injurious conduct. Authorizes the Board to approve an additional sum of up to \$20,000 after an initial award of \$20,000, specifically for loss of wages for the victim or loss of support for dependents of a deceased victim. Limits total payable compensation to \$40,000 in the aggregate. It increases compensation for inpatient mental health care to \$20,000, reasonable funeral expenses to \$2,000, and loss of caregiver income to \$3,000. Removes a statutory limit of \$275,000 on the amount of money that may be transferred by the District Attorneys Council from the Crime Victims Compensation Fund to the Sexual Assault Examination Fund. Provides for the transferable amount to be specified in the annual appropriations bill. Effective 11-1-08.

HB 2606 (Peterson (Pam)/Brogdon): Criminalizes the use of photographic, electronic or video equipment to view the private areas of another person without their knowledge or consent. Sets the penalty as a misdemeanor with up to 1 year in jail, or a fine up to \$5,000.00, or both. Effective 11-1-08.

HB 2638 (Peters/Leftwich): Transfers the Address Confidentiality Program from the Office of the Secretary of State to the Office of the Attorney General and modifies procedures for the implementation of the Program. Effective 7-1-08.

HB 2783 (Smithson/Corn): Requires the sex offender risk assessment review committee to review any person entering this state after notification by local law enforcement and to determine the risk level of such person for purposes of sex offender registration and supervision. The sex offender and the local law enforcement agency are required to receive written notification of the risk level determination. Local law enforcement agencies are required to notify the sex offender risk level review committee for each out-of-state sex offender entering the jurisdiction. Effective 4-29-08.

HB 2821 (Sullivan/Corn): Modifies various provisions relating to the State Bureau of Narcotics and Dangerous Drugs Control, including the following:

- Includes a legal secretary position among those appointed by the Director and in the unclassified service;
- Authorizes the Bureau to sell used vehicles and equipment and forfeited property to governmental entities and school districts, sell such property at public auction or donate such property to law enforcement agencies;
- Allows attorneys for the Bureau who have been certified or licensed to carry a concealed weapon to carry weapons under certain provisions;
- Allows the Bureau to establish an employee performance recognition program and expend funds up to \$10,000 for drug reduction programs;
- Updates references to the Commissioner to refer to the Director.

Allows civil actions against corporations and other entities, as well as persons, violating the laws relating to sales of ephedrine, pseudoephedrine or phenylpropanolamine or related products and allows funds recovered to be used for costs of civil actions or drug education programs. The Director of the Bureau is also added as a member of the Emergency Management Advisory Council. Effective 6-3-08.

HB 3031 (McMullen/Ivester): Allows a person who has received a full pardon based on a written finding of actual innocence to file a motion for expungement for the crime for which the person was sentenced. Effective 11-1-08.

### **CORRECTIONS FUNDING**

For FY'09, the Department of Corrections (DOC) received \$503,000,000 in state appropriations. The appropriation included annualization of the FY'08 supplemental, as well as funding for bed expansion at several facilities.

### **OFFICE OF JUVENILE AFFAIRS FUNDING**

The Office of Juvenile Affairs (OJA) was appropriated \$112,254,258 for FY'09, a 0.2 percent increase from the FY'08 appropriation. The agency received an additional \$2,068,446 for the L.E. Rader Center, as well as operational expenses.

### **LAW ENFORCEMENT FUNDING**

The Legislature appropriated to the District Attorneys' Council an additional \$2.9 million, for operations.

The Attorney General received additional funding for the expiring federal VINE (Victim Information Notification Everyday Grant, in the amount of \$550,000. This Grant funded the establishment of a computer system which tracks criminal offenders state-wide in compliance with the Oklahoma Victims Bill of Rights and the funding represents the annual cost to maintain the system. The Office also received \$100,000 additional for the Domestic Violence Unit.

The Oklahoma Indigent Defense System received an additional \$330,000 in state appropriations to cover the cost to increase private attorney contracts in FY'08 and FY'09 and \$100,000 to open a new office in Guymon.

The Council on Law Enforcement Education and Training was appropriated an additional \$204,000, which represents the 2<sup>nd</sup> year costs to implement SB 920. This bill, among other things, increased the number of hours required to complete the basic academy training for police officers.

### **ECONOMIC DEVELOPMENT & COMMERCE MEASURES**

SB 1891 (Bass/Shannon): Authorizes a second issuance of bonds under the Quality Jobs Incentive Leverage Act for entities which filed an irrevocable election relating the use of incentive payments under the act as originally passed. Effective 11-1-08.

SB 1943 (Mazzei/Miller): Amends the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act which provides, among other things, that local governments constructing public improvements in an enterprise zone and in accordance with a project plan are eligible to receive matching payments from the State. The amendments provide for state matching payments to local governments for a portion of the cost of public improvements that are constructed to support large-scale "tourism destination" projects. Defines a tourism destination project as either:

- (1) a "tourism attraction" as defined in the Oklahoma Tourism Development Act;
- (2) a project projected to generate specified levels of capital investment, sales revenue, and numbers of visitors within 3 years of completion; or
- (3) a lake resort project with specified features and location.

Eligible projects may now include retail establishments. Amends the Military Base Protection and Expansion Incentive Act, which establishes a program for the State to issue bonds for loans to communities impacted by military base growth. The amendment allows bonds issued by counties and county authorities prior to the program's 2007 enactment to be refunded under the terms of the program. Effective 5-20-08.

SB 2153 (Mazzei/Peterson (Ron)): Modifies various provisions relating to the Quality Jobs Act and other economic incentive programs, including:

- Updating the NAICS code for a "web search portal" under the Quality Jobs Act, a sales tax exemption provision and the 5-year ad valorem exemption for manufacturers;
- Adding air transportation support activities, certain real estate or brokerage activities and professional organization activities to the list of NAICS codes under the Quality Jobs Act;
- Modifying various provisions relating to the "start date" for purposes of the Quality Jobs Program; and
- Updating references.

Effective 11-1-08.

### **COMMERCE FUNDING**

HB 2276 appropriates \$28,328,894 to the Department of Commerce and SB 1292 appropriates \$1,500,000. This amounts to a \$3,079,878 increase over the agency's FY'08 appropriation. Changes of appropriation are due to cutting one-time funds associated with the 2<sup>nd</sup> Century Entrepreneurship bill and transferring the Capitol Dome Debt service of \$474,000 from the Centennial Commission to Commerce. The \$1,500,000 appropriation is to go toward the Bio-Diesel Fuel Center. Also, SB 1289 appropriates \$1,105,872 to the agency to be used as debt service payment for the \$25,000,000 bond issued for the Native American Cultural Center. Finally, SB 1288 transferred \$10,000,000 to the agency from Unclaimed Property Fund. This money will be used for various needs across the state such as

the GM plant and purchasing a hanger to be used as classroom for a technology center. Funds from SB 1288 are not included in the total appropriation figures.

### **HISTORICAL SOCIETY FUNDING**

HB 2276 appropriates \$14,587,451 to the Oklahoma Historical Society. SB 1298 appropriates an additional \$380,000 to be used for agency operations and at the Cherokee Strip Center.

One-time expenditures of \$100,000 were removed from the agency's appropriation. This one-time funding was used for the Choctaw Capitol Building.

### **CAREER AND TECHNOLOGY EDUCATION FUNDING**

CareerTech was appropriated a total of \$158,269,736. This is an increase of \$2,720,294 (1.7 percent) over the FY'08 appropriation of \$155,549,442. Funding changes are as follows:

- \$1,200,000 in one-time funding for Metro Tech was removed from the agency's budget;
- \$692,543 was removed from the agency's budget in order to adjust for the lottery revenue certification amount for FY'09;
- The agency received an additional amount of \$1,350,294 in order to fund employer contribution rate increases for Teachers' Retirement;
- \$250,000 in additional funding was provided for the ProStart and Lodging Management Programs;
- \$70,000 in additional funding was provided for the Oklahoma Horizon Program;
- The agency received an additional amount of \$300,000 for Oilfield Training Programs;
- \$150,000 in additional funding was provided for the Great Plains Regional Public Safety Facility;
- The agency received an additional amount of \$500,000 for operational expenditures at the Inmate Skill Centers; and
- \$100,000 in additional funding was provided for the Pontotoc County Career Tech.

<b>COMMON EDUCATION MEASURES (K-12)</b>
---

SB 519 (Crain/Coody): Directs the State Department of Education and Department of Health to develop a physical fitness assessment software program to be piloted in at least 15 public elementary school sites. Effective 7-1-08.

SB 923 (Paddack/Cox): Creates the Zachary Eckles and Luke Davis Automated External Defibrillators in Schools Act. Requires each school district to provide Automated External Defibrillators (AEDs) to every school site, contingent on the availability of funding. Effective 7-1-08.

SB 924 (Wilcoxson and Thomsen): Removes procedures for filling a vacancy in districts having an elected chair of the board position. Provides for such vacancies to be filled by appointment by the district board. Effective 8-22-08.

SB 1186 (Easley/Coody): Requires public elementary schools (K-5) to provide an additional 60 minutes per week of physical activity, which may include physical education, exercise programs, fitness breaks, recess, classroom activities, and wellness and nutrition education. Effective 8-22-08.

SB 1769 (Paddack/Coody): Provides for minimum allocation of \$1,500 to districts for summer reading remediation programs and authorizes English language learner students to participate in such programs. Sets out method for allocation of funding to districts for remediation of students beginning in the seventh grade who do not score at least at the satisfactory level on the specified state tests. Directs the State Department of Education to survey districts to determine their ability to administer the state tests online during the testing window date timeframe and provide a report with recommended solutions. Establishes the Oklahoma Health Care Workers and Educators Assistance Program, contingent on availability of funds, to encourage persons to enter nursing and allied health careers in the state. Effective 7-1-08.

SB 1881 (Jolley/Jones): Extends the School Funding Formula Task Force until November 30, 2008. Effective 5-12-08.

SB 1951 (Wilcoxson/Jones): Creates the School Investigative Audit Revolving Fund and requires districts to deposit to the fund 10% of any bond forfeited due to illegal activity of a district officer or employee when an audit by the Office of the State Auditor and Inspector reports the illegal activity. Monies in the fund may be expended by the State Board of Education to reimburse the Office of the State Auditor and Inspector for costs incurred in the performance of certain special audits. Enacts the Interstate Compact on Educational Opportunity for Military Children for the purpose of removing barriers to educational success imposed on children of military families due to frequent moves and deployment of their parents. Establishes the Oklahoma State Council for Educational Opportunity for Military Children. Provides for appointment of a state compact commissioner and designation of a military family education liaison. Effective 07-1-08.

SB 2037 (Nichols/Peterson (Ron)): Requires schools to place multiple-birth siblings in the same classroom or in separate classrooms upon request of the parents. Authorizes the school principal to request the district board to determine the children's classroom placement. Effective 8-22-08.

SB 2100 (Ford/Jones): Modifies several provisions in the education code:

- Authorizes charter schools to offer prekindergarten programs and to retain personal property until operations cease.
- Modifies the Academic Achievement Award (AAA) program by clarifying the definition of a "qualified employee". Authorizes awards for certain employees of early elementary schools which do not contain a grade level tested under the Oklahoma School Testing Program Act. Limits eligible recipients to only one award, which shall be the highest award for which the employee qualifies.
- Authorizes the Oklahoma Department of Career and Technology Education to provide new, incumbent, and continuing education workshops and training required for technology center school district board members and State Board of Career and Technology Education members.
- Removes the requirement for school districts that furnish transportation to have all transportation equipment inspected by an official inspector within 30 days prior to the start of the school year. Such equipment will continue to be subject to inspection once each year.

- Excludes non-certified employees with responsibility for making employment recommendations from bargaining units.
- Authorizes State Board of Education to determine that an elementary school district has failed to meet financial or accreditation standards and place the district under full state intervention. Intervention may include developing a corrective action plan, appointing a superintendent, and selection of a federally recognized Indian tribe to provide direct oversight or assume complete control of the district.
- Directs the State Board of Education to distribute certain unexpended funds to robotics projects that meet certain criteria.

Effective 7-1-08.

HB 2229 (Cannady/Garrison): Provides for content and rigor of subject matter required to be covered during Celebrate Freedom Week to be appropriate for the different grade levels. Adds the civil rights movement and passage of civil rights legislation to the material to be studied. Effective 7-1-08.

HB 2239 (Schwartz/Crain): Authorizes the self-administration of anaphylaxis medication by a student for treatment of anaphylaxis. Effective 5-27-08.

HB 2518 (Sherrer/Burrage): Provides for automatic renewal of student transfers granted for children with disabilities after such transfers have been granted for three consecutive years by the same school district. Requires continuation of tuition payments by district of residence. Effective 7-1-08.

HB 2699 (McDaniel (Randy)/Jolley): Authorizes organizations to be eligible for Oklahoma Arts Council incentive grants, in addition to school districts, for establishment of visual arts programs in schools. Expands the sources of funds with which the Council may match state appropriations for the program to include funding raised by the Council, school districts, for-profit or nonprofit organizations, foundations, corporations, or individuals. Effective 7-1-08.

HB 2731 (Jordan/Anderson): Creates the School District Employee Direct Deposit Act which authorizes districts to implement direct deposit systems for employees. Prohibits districts from charging employees any fee for administration of the system. Authorizes prorated bonus payments based on proportionate equivalency to full-time employment for nation-

ally certified school psychologists, speech-language pathologists and audiologists who qualify for payment of the bonus. Effective 7-1-08.

HB 2935 (Nations/Sparks): Allows school districts to provide office or business space on school property to school foundations upon approval of the district board of education. Effective 6-3-08

HB 3124 (Jones/Eason McIntyre): Directs the State Board of Education to issue a two-year nonrenewable license to teach to any person who has been accepted into the Teach for America Program. The Board shall issue a teaching certificate after completion of the coursework requirements established for participants of the Teach for America Program. Authorizes the Oklahoma Commission for Teacher Preparation to expand professional development institutes in reading to include middle level teachers. Effective 11-1-08.

HB 3395 (Cargill/Johnson (Mike)): Establishes a School Health Coordinators Pilot Program to assist elementary schools and the Healthy and Fit School Advisory Committees in implementing health and wellness programs. Effective 7-1-08.

HJR 1108 (Ingmire/Garrison): Approves permanent rules adopted March 27, 2008 by the Oklahoma State Board of Career and Technology Education. Effective 6-2-08.

### **COMMON EDUCATION FUNDING (K-12)**

Common Education was appropriated a total of \$2,531,702,553. This is an increase of \$21,289,991 (0.8 percent) over the FY'08 appropriation of \$2,510,412,567. Funding changes are as follows:

- \$130,590 in obsolete funding for the Small School Incentive Grant Program was removed from the agency's budget;
- \$1,073,604 in one-time funding for the Science and Mathematics Advanced Recruiting Technique Program was removed from the agency's budget;
- \$968,328 was removed from the agency's budget in order to account for the certified adjustment of the lottery revenue allocation for the School Consolidation Assistance Fund;

- \$968,328 was removed from the agency's budget in order to account for the certified adjustment of the lottery revenue allocation for the Teachers' Retirement System Dedicated Revenue Revolving Fund;
- \$16,811,125 in additional funding was appropriated to the agency in order to fund employer contribution rate increases for Teachers' Retirement;
- \$1,850,000 in additional funding was provided for National Certification Bonuses for school psychologists, speech-language pathologists, and audiologists;
- \$128,866 was provided for the Federal School Lunch Program Match;
- \$3,000,000 in additional funding was provided for required remediation for students who do not score at least at the satisfactory level on the eighth-grade criterion-referenced tests in reading and mathematics beginning with the 2007-08 school year;
- \$450,000 in additional funding was provided for the Rural Infant Stimulation Environment (RISE) Program; and
- \$200,000 in additional funding was provided for legal services for a district that meets certain requirements.

### **HIGHER EDUCATION MEASURES**

SB 1038 (Nichols/Terrill): Creates the Task Force on Oklahoma's Promise - the Oklahoma Higher Learning Access Program (OHLAP), to study the family income limitations for participation in and requirements for maintaining eligibility in the program. Modifies grade point average requirements for continuance of the scholarship and delays the GPA requirement until the 2010-2011 school year. Extends the time period during which high school graduates must enroll in postsecondary studies to receive the OHLAP benefit for students who are members of the Armed Forces and ordered to active duty. Delays the limitation for family income to be below \$100,000 to students enrolling in postsecondary studies beginning in the 2010-2011 school year. Expands the criteria for approval of eligible institutions under the Oklahoma Tuition Equalization Grant Act. Effective 6-2-08.

SB 1442 (Ballenger/Shoemake): Changes the name of Oklahoma State University Technical Branch at Okmulgee to the Oklahoma State University Institute of Technology-Okmulgee. Effective 7-1-08.

SB 1585 (Jolley/Ingmire): Modifies the deadline for institutions of higher education that receive proceeds from the sale of obligations issued pursuant to the Oklahoma Higher Education Promise of Excellence Act of 2005 to issue audited financial statements within 120 days after the close of the fiscal year. Effective 8-22-08.

SB 2071 (Jolley/Miller): Requests the Regional University System of Oklahoma to establish a comprehensive autism training program at the University of Central Oklahoma to provide statewide leadership in the training of post-graduate and post-baccalaureate behavior therapists to deliver research-based intervention services to children with autistic spectrum disorders. Requires school districts to offer training at least one time per year in the area of autism and requires teachers and education support professionals of students in early childhood programs through grade three to complete the autism training once every three years. Effective 11-1-08.

HB 2242 (Ingmire/Crutchfield): Authorizes the State Regents to enter into contracts for payment of food, lodging, and other authorized expenses to conduct or participate in conferences, meetings, or training sessions. Effective 7-1-08.

HB 2297 (Benge/Morgan): Authorizes institutions of higher education to employ a former member of the governing board of regents, provided a period of at least six months has passed since the member's term on the board ended or the member resigned from the board. Effective 2-28-08.

HB 2446 (Braddock/Paddack): Modifies the financial need eligibility requirements to qualify for OHLAP for any student who was adopted while in permanent custody of DHS, in court-ordered custody of a licensed private nonprofit child-placing agency, or federally recognized Indian tribe. Effective 6-3-08.

HB 2462 (Ingmire/Schulz): Provides for termination of all current members of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park. Beginning July 1, 2008, the Board of Trustees shall be comprised of the presidents of Western Oklahoma State College, Cameron University, and Southwestern Oklahoma State University, the president and representatives of a nonprofit arts organization which operates a fine arts institute and continuing education programs,

along with residents of southwest Oklahoma. Effective 7-1-08.

HB 2882 (Shelton/Morgan): Creates the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa to advise the president of Langston University and the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges on the supervision and management of the two campuses. Effective 11-1-08.

HB 3397 (Cargill/Coffee): Deletes the guaranteed tuition rate from the regional average limitation. Removes requirement for two-year institutions to offer a guaranteed tuition rate. Clarifies types of military service that are eligible for extension of resident tuition guarantees in the event of military or other national defense emergencies. Effective 4-18-08.

### **HIGHER EDUCATION FUNDING**

Higher Education was appropriated a total of \$1,039,886,280. This is an increase of \$13,420,611 (1.3 percent) from the FY'08 appropriation of \$1,026,465,669. Funding Changes are as follows:

- \$48,105,000 in OHLAP (Oklahoma's Promise) funding was removed from the agency's budget, as OHLAP will now be funded through dedicated revenue from the General Revenue Fund pursuant to SB 820 from the 2007 Legislative Session;
- \$1,000,000 in one-time funding for capital improvements at the University of Oklahoma was removed from the agency's budget;
- \$1,200,000 in one-time funding for capital improvements at Oklahoma State University in Tulsa was removed from the agency's budget;
- \$16,500,000 in one-time funding for capital improvements at higher education institutions throughout the state was removed from the agency's budget;
- \$4,000,000 in one-time funding for a Forensics Center at the University of Central Oklahoma was removed from the agency's budget;
- \$300,000 in one-time funding for Langston University was removed from the agency's budget;
- The agency received an additional amount of \$5,796,146 in order to fund employer contribution rate increases for Teachers' Retirement;

- \$4,899,465 in additional funding was provided to the agency for debt service on the bond authorized in Enrolled Senate Bill No. 1373 for the Endowed Chairs Program; and
- The agency also received \$725,000 in additional funding for the NWSU Woodward Campus as well as \$500,000 for the Redlands Community College.

### **EDUCATIONAL TELEVISION AUTHORITY FUNDING**

\$3.2 million in one-time funding for the digital conversion was removed from the agency's budget but was then re-appropriated in order to allow them to complete the nationally required conversion to digital television before the deadline of February 18, 2009.

### **SCHOOL OF SCIENCE AND MATHEMATICS FUNDING**

OSSM was appropriated a total of \$7,985,737. This is an increase of \$388,225 (5.1 percent) over the FY'08 appropriation of \$7,597,512. Funding changes are as follows:

- The agency received an additional amount of \$28,225 in order to fund employer contribution rate increases for Teachers' Retirement; and
- \$360,000 in additional funding was provided for new Regional Outreach Programs in Alva and Burns Flat.

### **ENERGY, ENVIRONMENT & UTILITIES MEASURES**

SB 498 (Paddack/Hilliard): Encourages a goal of recycling 10% of the entire solid waste stream produced in this state by 2011, requires the Department of Environmental Quality to coordinate efforts with groups supporting recycling and issue a report to the Legislature by December 31, 2011. Effective 5-6-08.

SB 706 (Bingman/Adkins): Current statutes require mining operations located within municipal boundaries to first obtain municipal approval before being permitted by the Department of Mines. SB 706 allows municipalities to limit the number of times an applicant may seek such municipal approval unless there is a material change in the application. The bill further adds bonding and insurance to the list

of conditions a municipality may require of mining permit applicants and allows municipalities to require applicants to make a deposit to cover application and permit expenses. Effective 4-4-08.

SB 746 (Bingman/McNiel): Authorizes the Grand River Dam Authority to hire a director of investments. The bill outlines requirements of the position which will include the evaluation of investment strategies designed to reduce price fluctuations in fuels used by GRDA to generate electricity and monitoring all of the agency's bond issues and other financial obligations to protect bondholders' investments. Also relating to GRDA, SB 746 authorizes the agency to sell certain electric substation equipment to an electric cooperative. The electric cooperative is a partner with GRDA in one of its electric generation facilities and legislative authorization was required to complete the transaction. Finally, this bill authorizes a "drainage district" to impose an assessment on real or personal property located within a district, based on the value of the current assessment roll of the county assessor where the property is located. This statute was a result of a recent Attorney General opinion and affects only one remaining "drainage district" located in northeast Oklahoma. Effective 6-2-08.

SB 1190 (Wyrick/Glenn): Modifies the Lead-Impacted Communities Relocation Assistance Act which was enacted in 2004 to provide relocation assistance to families living in the former mining communities in far Northeast Oklahoma, now a federal Superfund site and most recently devastated by major tornado damage resulting in the death of several residents. Residents affected by the storm damage may not receive any federal assistance to rebuild their homes in the affected area. SB 1190 would allow residents to receive any funds they were eligible for based on the value of their property prior to the tornado. The bill also authorizes the Trust governing the purchases of residences in the affected area to purchase homes of trustees or members of trustee's immediate families provided the trustee's interests are fully disclosed and the transaction meets all other requirements. Effective 6-2-08.

SB 1381 (Wilson/Auffet): Modifies the amount of funds the Grand River Dam Authority may spend in the local communities making up the GRDA district, from a maximum of \$15,000 per year to now \$25,000 per year. Such GRDA funds must be used to benefit or impact the quality of life for cities or communities within

the district and public and private entities are eligible for such funds which must be approved by the GRDA Board of Directors. This section of the bill became effective upon the Governor's signature on June 2, 2008. Also modifies the Scenic Rivers Commission fees for commercial flotation devices to \$35.00 per year. Previously, fees were \$5.00 per year with \$1.00 per person additional fees. Effective 1-1-09.

SB 1410 (Paddock/Hilliard): Directs the Oklahoma Water Resources Board to establish a technical working group within the larger group drafting the Oklahoma Comprehensive Water Plan for the purpose of recommending demonstration projects designed to recharge water aquifers of various types located throughout the state. The bill does not appropriate any funds for recharge projects but allows state agencies whose powers and duties are compatible with such demonstration projects and private donors to fund projects recommended by the technical working group. Effective 4-21-08.

SB 1423 (Lerblance/Adkins): Modifies the definition of terms used in the Oklahoma Storage Tank Regulation Act, to conform to federal regulations. Additionally, this bill authorizes the Corporation Commission to arrange for and fund, using monies from the Petroleum Storage Tank Indemnity Fund, an alternative water supply system if they deem it necessary in the course of a remediation project. Most significantly this measure authorizes the use of \$51 Million Dollars from the \$0.01 motor fuel assessment which funds the Petroleum Storage Tank Indemnity Fund for the purpose of constructing trucking weigh stations. Lastly, the bill authorizes the Corporation Commission to contract with or develop a training program for underground storage tank operators. It is the intention of the Commission to contract for such training which is required by federal law for certain employees of gas stations and other facilities using underground storage tanks. The Commission may use up to \$250,000.00 from the Storage Tank Regulation Revolving Fund or the Indemnity Fund to pay for such training and the Commission is authorized to enact a fee for such training if necessary. Effective 7-1-08.

SB 1451 (Ballenger/Richardson): Enacts a variety of statutes relating to energy. Section 1 creates the Oklahoma Energy Efficiency and Emission Reduction Program within the Department of Environmental Quality in an effort to reduce regional air pollution and comply with the federal government's air quality regu-

lations. Authorizes DEQ to make grants to public and private entities to implement air pollution reduction measures including retrofitting truck and bus fleets to use cleaner burning fuels. Enacts a motor fuel labeling law which requires operators to display labels on their pumps informing customers that the fuel may contain ethanol or methanol. Effective 7-1-08.

SB 1475 (Bingman/Johnson (Rob)): Authorizes the Oklahoma Energy Resources Board to create an advisory committee, to be named The Advisory Committee for Sustaining Oklahoma's Energy Resources, for the purpose of administering funds for research and development of new technologies in the oil and gas industry. No funds were appropriated specifically for this purpose, but the Oklahoma Energy Resources Board is authorized to accept any public or private funds for such purpose and the bill further amends current law to authorize the OERB to utilize any of their funds to assist in securing state or federal funds for any activities of the advisory committee. Effective 6-2-08.

SB 1554 (Bingman/Adkins): Amends the Emergency Price Stabilization Act by exempting price increases which are applicable to regional, national or international petroleum commodity markets. The act is only effective during an emergency declared by the Governor and otherwise restricts persons from raising rent or prices for goods sold within the emergency area to no more than ten percent higher than the price immediately prior to the emergency. Effective 4-22-08.

SB 1587 (Johnson (Mike)/Adkins): Modifies current law to allow the Corporation Commission to transfer monies leftover from conferences which they sponsor, after costs are paid and 10% is retained to cover start up costs for the next conference, into the agency's revolving fund to be used for general operating expenses of the agency. Effective 5-15-08.

SB 1627 (Paddack/Billy): Directs the Oklahoma Water Resources Board to establish a marginal-quality water technical working group as part of the Oklahoma Comprehensive Water Plan. The purpose is to study uses to increase the beneficial uses of marginal quality, including brackish or saline-contaminated waters resulting from natural or man-made contamination, for industrial purposes. The working group will include representatives from many stakeholder groups, each of whom will have experience or interest in issues affecting water management, supply, delivery, treatment or

water rights. Outlines the issues the working group will study and a report of their findings will be included in the final water plan. Effective 5-12-08.

SB 1631 (Paddack/Peterson (Ron)): Creates the Oklahoma Computer Equipment Recovery Act to implement environmentally sound and consumer friendly disposal and recycling programs for certain types of computers and monitors which are no longer useful. Manufacturers are required to provide recycling information to consumers and develop recycling/disposal programs which will be approved by the Department of Environmental Quality. Prohibits state agencies from purchasing computer equipment from a manufacturer not in compliance with this act. Effective 1-1-09.

SB 1662 (Barrington/Jett): Requires cities or towns to allow landowners of agricultural land located within municipal boundaries to burn debris following a flood or other natural disaster. The city may enact procedures to determine the type of materials and locations appropriate for burning and landowners are required to comply with all other burning regulations. Effective 1-1-09.

SB 1696 (Bass/DeWitt): Authorizes the Oklahoma Conservation Commission to establish and administer the Oklahoma Conservation Commission Municipal Infrastructure Cost-Share Program. No funds were appropriated in this bill, but the bill creates a revolving fund for the purpose of matching municipal or rural water district funds for the rehabilitation of watershed dams and other conservation programs. Effective 7-1-08.

SB 1697 (Lerblance/Terrill): The purpose of this bill was to tighten up state regulation of certain mining permits, called Limited Use Permits, which are issued by the Department of Mines. Limited Use Permits are required for any person seeking to engage in any limited mining activity not eligible for a surface mining permit. This would include small mining operations designed for testing purposes and the permits are limited to two acre sites, expire within one year and cost \$100.00. Requires permit applicants to provide a reclamation bond and sites are required to be reclaimed within six months following the expiration of the permit. Effective 5-16-08.

SB 1757 (Bingman/Adkins): Amends current statutes governing electric public utilities by allowing the utilities to seek Corporation Commission approval of capital expenditures necessary to comply with a list of federal environmental acts. Modifies the time frame for utilities to seek Commission review of its rates following the rate adjustment for such purpose. Authorizes a utility to seek Commission approval to enter into long-term contracts for purchased power and capacity and/or energy in addition to the approval necessary to build or purchase a new power generation facility. Effective 4-24-08.

SB 1765 (Myers/Adkins): Creates the Oklahoma Geologic Storage of Carbon Dioxide Task Force. The task force is made up of 15 members, who will be appointed to represent various stakeholders involved in this issue and begin their activities this July. The task force will terminate December 1, 2008 with a report of their findings. Effective 6-3-08.

SB 1766 (Wyrick/Dewitt): This was a request bill from the Oklahoma Conservation Commission to make minor amendments to a number of their statutes. Most were relating to the elections of conservation commission district directors and the bill further authorized the Commission to establish an Equipment Revolving Fund to loan conservation districts funds to purchase equipment to be used for the installation of conservation practices and a Conservation District Consolidation Fund to provide financial assistance to conservation districts who choose to consolidate with another district. Another section of this act attempts to define the term "operation and maintenance" as it relates to the legal authority of conservation districts and their projects. Effective 5-2-08.

SB 1856 (Branan/Liebmann): Continuing the ongoing debate between scrap metal dealers and law enforcement officials, SB 1856 repeals all the outdated statutes which were enacted in the 1930's to regulate "junk dealers" and attempts to update the statutes governing the scrap metal recycling and processing industry. Local law enforcement agencies are responsible for regulation of local scrap metal dealers; there is no state agency regulation except the necessity of sales tax permits. States requirements and records scrap metal dealers are required to maintain and local law enforcement agencies are able to access those records. Prohibits scrap metal dealers from purchasing certain listed items unless the seller can prove he or she is the lawful owner of the material. As a

compromise between dealers and law enforcement agencies, dealers are required to hold certain purchases of scrap metal separately for ten days, or in the alternative, record a photo of the seller with the material for a period of ninety days. Purchases of scrap metal from exempted sellers are exempt from the holding or photo requirements of this act. Provides penalties for violations of the act which can range from a fine of \$2,500 to imprisonment for up to two years. Acting as a scrap metal dealer without a permit or providing false information relating to sales of scrap metal may result in a \$500 fine and any sales tax permit holder convicted of three violations shall have his or her permit revoked for one year. Effective 11-1-08.

HB 1739 (Johnson (Rob)/Bingman): This was a major electric issue affecting all types of retail electric service providers – Investor-owned Utilities, Electric Cooperatives and Municipal Electric providers. The issue the bill seeks to resolve relates to multiple service providers located within municipal boundaries. Over time, determining the relevant rights of electric service providers to serve customers in territories where more than one provider is authorized to serve has become more and more complicated as municipalities have annexed their boundaries, and service territories of electric providers have expanded. Authorizes electric service providers to enter into contracts dividing territories which shall be approved by the Corporation Commission or in the case of municipalities, district courts. Municipalities may enact certain fees for electric service providers previously not paying franchise fees and sales taxes. Contains a non-severability clause to nullify the entirety of the bill if any section of the bill is declared unconstitutional. Effective 1-1-09.

HB 2250 (Cooksey/Nichols): Requires public bodies that provide utility services to provide public access to certain records. Effective 11-1-08.

HB 2813 (Watson/Laughlin): Authorizes electric utilities to recover costs, using rate adjustments approved by the Corporation Commission, for transmission upgrades necessary to develop wind power generation provided such upgrades are approved by the Southwest Power Pool and are placed into service before the end of 2013. The Southwest Power Pool, headquartered in Little Rock Arkansas, is the Regional Transmission Organization governing the electric power transmission grid over this state. All the power providers in our state are members of the SPP organization and their op-

erations are regulated by the Federal Energy Regulatory Commission (FERC). For the past year, a task force made up of legislators, Corporation Commissioners and staff and electric industry representatives have been meeting with engineers and staff of the SPP to study various transmission proposals necessary to transmit power from the westernmost area of the SPP power region, including western Oklahoma and the panhandle area into the rest of the power grid. Several electric generation providers are interested in developing wind power facilities in that area but without very expensive transmission upgrades, few companies are willing to invest in wind power. Effective 5-12-08.

HB 3135 (Piatt/Schulz): Modifies the Well Drillers and Pump Installers Remedial Action Indemnity Fund by increasing the expenditure limit from \$5,000 to a new limit of \$15,000 per well, borehole or pump for any action indemnified by the fund. Creates an Oklahoma Water Conservation Grant Program act to increase public awareness of the value of our water resources and assist communities with water conservation plans and other water related activities. Such grants may not exceed \$25,000. Effective 7-1-08.

HB 3303 (Adkins/Justice): Requires the Corporation Commission to promulgate rules allowing petroleum storage tanks designed and built for use underground to be used as above-ground storage tanks if such tanks were installed for that use prior to July 1, 2007. Effective 4-18-08.

HJR 1105 (Piatt/Justice): In response to rules promulgated by the Oklahoma Water Resources Board raising rates for certain water permits, HJR 1105 was enacted to limit the OWRB from charging any fee in excess of \$3000.00 per application for stream water or groundwater permits. The measure sets out several other fees based on the amount of water requested in the permit. This measure is in effect until such time as the OWRB promulgates new rules establishing a fee schedule. Effective 5-8-08.

### **CONSERVATION COMMISSION FUNDING**

HB 2276 appropriates \$9,187,084 to the Conservation Commission. Also, SB 1290 appropriates \$1,105,872 for debt service payments on a \$25,000,000 bond to be used for repairing and maintaining flood control structures.

### **CORPORATION COMMISSION FUNDING**

HB 2276 appropriates \$12,210,417 to the Corporation Commission. Also, HB 2410 appropriates \$205,000 for technology upgrades and data storage.

Last session, the agency's budget was reduced by \$1.9 million in recognition of a federal repayment due. Since the repayment has been slow coming in, the agency was again awarded a supplemental and the budget reduction was left in place. The budget will need to be adjusted back up by \$1.9 million in FY'10.

### **GAMING, SPORTS & AMUSEMENTS MEASURES**

SB 1435 (Sparks/Peters): Modifies the distribution of certain monies paid by tribes that operate gaming facilities within twenty miles of the Fair Meadows race track in Tulsa pursuant to the State-Tribal Gaming Act. Specifies that such monies shall be used for purses, distributed to the Oklahoma Breeding Development Fund Special Account and distributed to horsemen's representatives and breeding organizations. Effective 7-1-08.

SB 1795 (Johnson (Mike)/Jones): Provides that appropriations from the Oklahoma Education Lottery Trust Fund made to common education and to the Oklahoma State System of Higher Education shall be made on a monthly basis instead of quarterly. Effective 7-1-08.

HB 3070 (Shannon/Barrington): Relates to the Oklahoma Professional Boxing Licensing Act. Renames the Oklahoma Professional Boxing Licensing Act the Oklahoma State Athletic Commission Act and renames the Oklahoma Professional Boxing Commission the Oklahoma State Athletic Commission. Modifies the mission of the Commission to expand and promote existing combative sporting events in Oklahoma and to actively work to bring new combative sporting events into Oklahoma. Effective 7-1-08.

<b>GOVERNMENT MEASURES</b> <b>(COUNTY, MUNICIPAL, LOCAL)</b>
---

SB 1168 (Laughlin/Hickman): Beginning in January of 2009 Health Benefit Plans will be able to exclude otherwise allowable claims which occur in conjunction with the arrest or pretrial detention of the policy holder prior to the adjudication of guilt and sentencing to incarceration of such policyholder. Also states the reimbursement rate for out-of-network claims for such services shall be set at the current Medicaid rate. Effective 11-1-08.

SB 1399 (Sweeden/Joyner): Changes place of training for county purchasing agents to the Oklahoma Cooperative Extension Service. Effective 11-1-08.

SB 1406 (Bingman/McNiel): Authorizes certain municipalities with a population of less than 5,000 to employ a part time city manager. Authorizes the governing body to determine duties and authorizes financial assistance to be obtained, upon availability, through a financial assistance program to be developed by the Oklahoma Department of Commerce. Effective 11-1-08.

SB 1546 (Ballenger/McPeak): Modifies authority and liabilities of Muscogee (Creek) Nation Housing Authority. Effective 4-21-08.

SB 1575 (Jolley/Worthen): Modifies the definition of "abstract plant" for purposes of the Oklahoma Abstractors Act. Effective 11-1-08.

SB 1754 (Sykes/Liebmann): New law providing for dog kennel restrictions. Prohibits any dog kennel to be located within 2500 feet of a public or private school or licensed day care facility in a municipality having a population of more than 300,000. Provides exemptions in any dog kennel lawfully in operation and in full compliance with all licensing, permitting and zoning requirements prior to the effective date of act. Authorizing municipalities to enact ordinances consistent with the act and to provide enforcement of violations. Effective 6-4-08.

SB 1763 (Ballenger/Peters): Designates, for legal representation only, the juvenile bureau and all facilities operated by the juvenile bureau as departments of the county. Authorizes the District Attorney of the county in which the juvenile bureau is located to represent the juvenile bureau and any employee who was act-

ing in his or her official capacity in certain lawsuits. Effective 11-1-08.

SB 1975 (Corn/Brannon): Prohibits sale of certain instruments of record under the Oklahoma Abstractors Law. Effective 11-1-08.

SB 2046 (Nichols/Terrill): Amends the state Whistleblower Act by providing that any appeal must identify the person on whose behalf it is made. Requires the Oklahoma Merit Protection Commission to verify the authorization of such appeal by the person whose behalf the appeal is made. Authorizes an appeal to be made on behalf of any person claiming to be aggrieved by any authorized third-party state employee who has actual knowledge of the issue. Effective 11-1-08.

HB 1453 (Johnson (Rob)/Garrison): Creates the Task Force on Digitizing the Court Records of Oklahoma. Effective 6-2-08.

HB 1820 (McPeak/Ballenger): Modifies authority and liabilities of Muscogee (Creek) Nation Housing Authority. Effective 4-21-08.

HB 2557 (Liebmann/Aldridge): Requires municipal officers to attend Institute for Municipal Officials. Provides that persons appointed for the first time as a municipal officer attend the institute within one year of taking the oath of office. Effective 4-14-08.

HB 2566 (Cooksey/Jolley): Provides that boards of county commissioners shall have the authority to sell real property belonging to the county, provided that such property is appraised by a certified appraiser and the sale is advertised in local publications and provides guidelines and a process for the acceptance of bids to purchase such property. Also, for each petition for appeal to the board adjustment, allows the county planning commission to collect a fee to cover the cost of mailing notices and conduct investigations into all petitions. Effective 11-1-08.

HB 2587 (Braddock/Lerblance): Creates the Uniform Real Property Electronic Recording Act and requires the Archives and Records Commission to adopt standards for the implementation of the Act. Effective 11-1-08.

HB 2674 (Morgan/Ivester): Requires certification training for certain municipal employees assigned to enforce Sections 22-111 and 22-112.1 of Title 11, which relates to the cleaning and mowing of properties located within a mu-

municipality and condemnation and removal of dilapidated buildings located within a municipality, to complete certification training within one year of assignment to such enforcement. Effective 11-1-08.

HB 2675 (Morgan/Ballenger): Raises the amount of revenues received by the board of directors of a fire protection district causing an audit from \$50,000 to \$250,000. Effective 11-1-08.

HB 3050 (Jackson/Burrage): Provides for inalienability of individual burial lot when person is interred in lot and modifies provisions related to sale of certain lots. Effective 11-1-08.

HB 3336 (Thompson/Lamb):

- Requires all deputy sheriffs and detentions officers in counties with a population of 500,000 or more persons to serve a 5 year probationary period and during that period of time the deputy sheriff or detention officer shall be considered an at-will employee and after such 5 year probationary period those persons shall not be discharged except for just cause.
- States the court shall not waive costs of incarceration in their entirety and that any reduction in cost shall be applied equally to the fine, costs and costs of incarceration.
- Deletes language related to the reimbursement of emergency medical care by local community sentencing systems and by the Department of Corrections.
- Makes it illegal for any person to bring into a jail or penal institution tobacco products, cellular phones or other electronic devices.
- Makes it illegal for any jail employee to provide tobacco to inmates.
- Requires the Department of Corrections to be responsible for the cost of housing inmates in the county jail from the date the sentence was ordered by the court.
- New laws relating to the reimbursement of health care by the Department of Corrections.
- Allows the sheriff to require an inmate to be tested for HIV or AIDS if an employee of the jail comes into contact with the bodily fluids of the inmate.

Effective 6-3-08. Section 7 effective 7-1-09.

### **GOVERNMENT MEASURES (STATE)**

SB 81 (Corn/Joyner): Authorizes the Information Services Division of the Office of State Finance to develop a policy for the destruction of all electronic storage media, and to assist the Department of Central Services in implementing the policy. Directs the Office of State Finance to notify all agencies, board, commissions, and authorities of the policy. Requires the Department of Central Services to remove all electronic storage media from surplus information technology before it is sold, donated, stored, or destroyed. Allows a state agency to remove electronic storage media from information technology before sending it to the Department of Central Services if they have the expertise to remove and destroy or dispose of the storage media. Directs the Department of Central Services to use existing and future funds from the sale of surplus equipment and appropriations to pay for the destruction of electronic storage media. Effective 6-2-08.

SB 1452 (Lamb/Blackwell): Provides travel reimbursement for members of the Reentry Policy Council. Legislative members are to be reimbursed by the legislative body in which they serve. State agency employees are to be reimbursed by their respective agencies. All other Council members are to be reimbursed by the Department of Central Services. Effective 5-20-08.

SB 1505 (Rabon/Thompson): States that pre-qualification of a general contractor, subcontractor, or material supplier by the state to bid or perform work on public construction contracts does not constitute a license. Effective 5-19-08.

SB 1507 (Gumm/Dorman): Requires documents filed with the Governor, President Pro Tempore of the Senate or Speaker of the House to be filed electronically and requires a mechanism for such filings to be created. A printed copy may be filed if the filer determines that the document cannot be filed electronically. Effective 11-1-08.

HB 2196 (Dank/Coffee): Creates the Oklahoma Clean Campaigns Act of 2008. No lobbyist or lobbyist principal may make or promise to make a campaign contribution to or solicit or promise to solicit a campaign contribution to a member of the Legislature or candidate for legislative office from the first Monday in February through five days following sine die adjourn-

ment of the regular legislative session. A violation is a misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment in the county jail for up to one year. Effective 11-1-08.

HB 2202 through HB 2206, HB 2208 and HB 2209 (Wright/Aldridge): Recreates the following agencies under the Oklahoma Sunset Law:

- State Board of Examiners of Perfusionists
  - Emergency Response Systems Development Advisory Council
  - State Committee of Plumbing Examiners
  - Educational Television Authority
  - Water Works and Wastewater Works Advisory Council
  - Board of Examiners of Certified Shorthand Reporters
  - Public Employees Relation Board
- Effective 4-8-08.

HB 2969 (Hoskin/Ballenger): Requires state agencies and political subdivisions purchase United States flags and Oklahoma state flags which have been manufactured in the United States. Effective 11-1-08.

HB 3325 (Murphey/Aldridge): Relates to the Oklahoma Central Purchasing Act.

- Adds definitions of “contractor”, “electronic payment mechanism”, “environmentally preferable products and services”, and “solicitation” as used within the Oklahoma Central Purchasing Act.
- Allows the Department of central Services to develop in cooperation with the Office of State Finance an electronic payment mechanism for use in the settlement of accounts payable invoices, with no limit, to make payment for products and services and limits the use of state purchase cards.
- Increases the emergency acquisition amount for state agencies from \$35,000 to \$50,000.
- Modifies the competitive bid contract. Effective 11-1-08.

HB 3394 (Cargill/Adelson): Requires the Department of Central Services to adopt a “High-performance certification program” for public building design, construction and renovations standards which meet the standards of the United States Green Building Council’s Leadership in Energy Design Rating System (LEED). Also states a public building may be exempted from complying with the LEED standards upon a determination by the Department of Central

Services that extenuating circumstances exist that would preclude compliance. Effective 7-1-08.

### **DEPARTMENT OF CENTRAL SERVICES FUNDING**

The Department of Central Services received an FY'09 appropriation in the amount of \$18,713,175. This includes \$1,000,000 for debt service on a bond construction of Zink Dam improvements on the Arkansas River in Tulsa.

### **OKLAHOMA EMERGENCY MANAGEMENT FUNDING**

The Civil Emergency Management Administration received an FY'09 appropriation in the amount of \$1,156,604. This includes \$350,000 for an Emergency Shelter Ventilation System.

### **ETHICS COMMISSION FUNDING**

The Ethics Commission received an FY'09 appropriation in the amount of \$227,960, a 29 percent increase over FY'08. This includes \$150,000 in new appropriations for the agency.

### **HEALTH MEASURES**

SB 47 (Crain/Tibbs): Prohibits persons and entities from requiring an individual to undergo the implanting of a microchip or permanent mark upon the individual and permits the State Department of Health to impose a fine on any person who violates the act. Effective 11-1-08.

SB 1404 (Brown/Wright): Expands the state premium assistance program to include non-profit organizations with up to five hundred employees. Effective 11-1-08.

SB 1420 (Sparks/Cox): Creates the Oklahoma Health Exchange Act to set forth a standard process for authorizing the exchange of health information in compliance with federal and state law. Directs the State Department of Health to adopt and distribute a standard authorization form for use in obtaining authorization for the exchange of health information. Grants immunity from liability arising from privacy or privilege law to persons exchanging health information using the authorization

form. Directs the State Department of Health to establish a statewide coordinated system of care for stroke. Authorizes the owner of any nursing home, assisted living center or other facility offering similar services to use the proceeds from any fees paid to the facility for business expenses. Effective 6-2-08.

SB 1422 (Paddock/Steele): Directs the Department of Mental Health and Substance Abuse Services to develop and implement a mental health first aid pilot program to train non-mental health professionals in how to support an individual in a mental health crisis situation until professional health can be obtained. Directs the Department to issue a certificate in mental health first aid to individuals who complete the course of training. Requires the Department to submit an annual report to the Legislature on the program. Effective 11-1-08.

SB 1577 (Rice/Derby): Creates the Oklahoma Anesthesiologist Assistant Act. Provides for the licensure of anesthesiologist assistants by the State Board of Medical Licensure and Supervision. Directs anesthesiologists to file a written protocol with the State Board of Medical Licensure and Supervision upon entering into a supervisory relationship with an anesthesiologist assistant. Sets the duties which may be performed by an anesthesiologist assistant under the direct supervision of an anesthesiologist. Requires anesthesiologist assistants to carry malpractice insurance or demonstrate proof of financial responsibility. Effective 11-1-08.

SB 1595 (Nichols/Terrill): Directs staff and independent contractors for the Office of Accountability Systems within the State Department of Health to be directly supervised by the Director of the Office of Accountability Systems and not any other State Department of Health employee. Effective 5-5-08.

SB 1612 (Justice/Winchester): Creates the Quality Afterschool Opportunities Initiative to Reduce Childhood Obesity and Improve Academic Performance. Directs the initiative to award grants to comprehensive, community-based afterschool programs that include evidence-based obesity reduction components. Effective 11-1-08.

SB 1656 (Johnson (Constance)/Cox): Creates the Patient-Centered Medical Home Task Force within the Insurance Department until November 30, 2009. Directs the task force to study the quality, safety, value and effectiveness of

the patient-centered medical home concept. Requires the task force to publish a report of its findings and recommendations by December 1, 2009. Effective 7-1-08.

SB 1708 (Coffee/Duncan): Modifies various provisions related to trade. Creates the Uniform Limited Cooperative Association Act. Creates the Uniform Limited Partnership Act of 2008. Regulates various provisions related to trusts. Updates the Uniform Anatomical Gift Act. Effective 6-3-08, 11-1-08, 1-1-10 and 11-1-09.

SB 1719 (Crain/McCullough): Creates the Oklahoma Health Information and Privacy Collaboration Advisory Board to advise and oversee the Oklahoma Health Information and Privacy Collaboration. States that the use of telemedicine shall be considered physical contact between the health care provider and the patient for the purposes of informed consent. Effective 11-1-08.

SB 1759 (Adelson/Cox): Authorizes the Department of Mental Health and Substance Abuse Services to enter into a contract for professional services with a physician who has separated and/or retired from state service. Effective 11-1-08.

SB 1853 (Nichols/Joyner): Modifies the definition for ambulatory surgical centers to provide for centers that are equipped and operated primarily for the purpose of performing dental surgical procedures. Effective 11-1-08.

SB 1878 (Lamb/Peterson (Pam)): Creates the Freedom of Conscience Act. Prohibits employers from discriminating against an employee or prospective employee by refusing to accommodate the religious observance of the employee or prospective employee in certain circumstances involving abortions, experiments or procedures involving human embryos, artificial wombs or fetal tissue, and acts that intentionally cause the death of an individual. Authorizes a health care facility to refuse to admit a patient or refuse to use of the facility for such acts. Permits health care facility employees to refuse to participate in such activities on moral or religious grounds and makes the employees immune from liability for damage caused by the refusal. Allows persons who are adversely affected by conduct that is in violation of the Freedom of Conscience Act to bring civil action for equitable relief. Prohibits persons from providing RU-486 for the purpose of inducing an abortion unless such person is a physician who

has satisfied all federal regulations regarding its administration. Requires a physician to provide a written report if an adverse reaction related to RU-486 occurs. Requires such reports to be open to inspection as public records without personal identifying information. Permits affected persons to maintain an action against a person who performed an abortion in violation of the provisions related to the regulation of RU-486 and makes any person who violates the provisions guilty of a felony. Directs clinics in which abortions are performed to post a notice informing women that it is against the law for another person to force a woman to have an abortion. Provides penalties for failure to post the notice and permits an action to be brought by an individual injured by the failure to post the notice. Requires physicians to inform minors that no one can force them to have an abortion. Directs physicians to perform an ultrasound prior to a woman having an abortion. Makes an abortion provider who violates such provisions liable for damages, subjects the provider to fines and permits affected persons to commence a civil action against the provider. States that the birth of a child does not constitute a legally recognizable injury for the purpose of a wrongful live action or wrongful birth action.

Vetoed 4-16-08: Veto message states that the legislation "does not provide an essential exemption for victims of rape and incest" and that "by forcing the victims of such horrific acts to undergo and view ultrasounds after they have made such a difficult and heart-breaking decision, the state victimizes the victim for the second time."

Veto overridden by the Legislature 4-17-08. Effective 11-1-08.

SB 1918 (Adelson/Denney): Modifies procedures related to the public containment of tuberculosis. Permits certain authorized information related to public health investigations to be disclosed to the Social Security Administration without written consent. Authorizes public health officers who suspect that a person has a communicable disease of public health concern to impose isolation upon such person. Permits district courts to grant injunctive relief to compel compliance with a quarantine or isolation order issued by a local health officer. Creates the Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund to be used by the State Department of Health. Directs portions of the cigarette and tobacco taxes to be deposited into the Trauma Care As-

sistance Revolving Fund and the Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund. Effective 11-1-08.

SB 1960 (Sykes/Worthen): Creates the Bureau of Narcotics Drug Education Revolving Fund to be used by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for purposes related to drug education and information. Creates a fee for persons entering a plea of guilty or nolo contendere to misdemeanor possession of marijuana and directs the fee be remitted to the revolving fund. Effective 7-1-08.

SB 2000 (Brogdon/McDaniel (Randy)): Changes the name of the "Youth Suicide Prevention Act" to the "Suicide Prevention Act". Expands the scope of the Act to address suicides by both youth and adults. Changes the name of the "Youth Suicide Prevention Council" to the "Oklahoma Suicide Prevention Council" and modifies membership of the Council. Expands responsibilities of the Council to include both youth and adult suicide prevention. Effective 11-1-08.

SB 2001 (Laughlin/Johnson (Dennis)): Amends enrolled Senate Bill 1708 to exempt the requirement for a woman to undergo an obstetric ultrasound before an abortion may be performed in instances of a medical emergency. Effective 11-1-08.

SB 2047 (Nichols/Blackwell): Adds assisted living facilities, dormitories, factories, stadiums and warehouses to the list of facilities which cannot be constructed or altered without a permit. Requires all assisted living facilities constructed or altered after November 1, 2008 to be constructed under the guidelines of the I-II building code if the facility houses residents who are not capable of responding to emergency situations without physical assistance. Permits existing assisted living facilities to be exempt from the building code requirement if the facility discloses if any such residents reside in the facility. Effective 7-1-08.

SB 2076 (Sparks/Schwartz): Modifies exceptions related to the authorized disclosure of mental health and alcohol or substance abuse treatment information. Permits members of the Board of Mental Health and Substance Abuse Services to serve on the State Board of Medical Licensure and Supervision. Provides for new and modified powers and duties of the Commissioner of Mental Health and Substance

Abuse Services. Modifies requirements for certification by the Department of Mental Health and Substance Abuse Services as an alcohol and drug substance abuse course facilitator. Modifies the fees required for individuals undergoing an alcohol and drug assessment and evaluation for programs related to drive license revocation. Permits a mental health evaluation, initial assessment or an emergency examination to be conducted either in person or via telemedicine. Deletes forms related to admission to state and private institutions. Adds a new fee required for certain individuals whose license to operate a motor vehicle has been suspended or revoked and prohibits its reinstatement until such fee is paid to the Department of Public Safety. Repeals the section of law which currently specifies the powers and duties of the Commissioner of Mental Health. Repeals the section of law which makes it a felony for officers or employees of the Department to sell anything to an institution of the Department, make a contract with such an institution or accept certain gifts from persons connected to the Department or its institutions. Effective 11-1-08.

SB 2186 (Ivester/Wesselhoft): Creates the Task Force on the Effect of Alzheimer's Disease in Oklahoma to assess the current and future impact of Alzheimer's disease and other types of dementia on the residents of this state; to examine the existing industries, services and resources addressing the needs of persons living with Alzheimer's disease, their families and caregivers; and to develop a strategy to mobilize a state response to this public health crisis. Effective 8-1-08.

SJR 41 (Crain/Cox): Directs the State Board of Health to prepare a health improvement plan for the general improvement of the physical, social and mental well-being of Oklahomans through a high functioning public health system. Effective 8-22-08.

HB 1647 (Peterson (Pam)/Williamson): Creates the Radiologist Assistant Licensure Act. Permits a radiologist to use the services of a licensed radiologist assistant. Creates the Radiologist Assistant Advisory Committee within the State Board of Medical Licensure and Supervision to assist in administering the provisions of the Act and advise the Board in developing policies pertaining to the Act. Provides for the licensure of radiologist assistants by the State Board of Medical Licensure and Supervision. Effective 4-11-08.

HB 1903 (Hamilton/Leftwich): Requires nursing home personnel to notify clergy of the faith of a patient upon the impending death of the patient. Prohibits the State Department of Health from using this act for any purpose related to inspections or investigations. Effective 11-1-08.

HB 2460 (Schwartz/Lamb): Directs the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to consider whether a person has been found guilty of or has entered a plea of guilty or nolo contendere to a charge related to a controlled dangerous substance or to any felony when considering registering an applicant to distribute, prescribe or administer a controlled dangerous substance. Permits an electronic transmission of a prescription for a controlled dangerous substance by a practitioner with an electronic signature. Provides a definition for "registrant" for purposes of the Anti-Drug Diversion Act. Effective 11-1-08.

HB 2641 (Ford/Peters): Requires the State Board of Health to seek the advice and consent of the Home Health Advisory Board when promulgating rules concerning companion and sitter services. Requires an individual to be designated by a legal entity to provide supervision of companion or sitter services. Authorizes an entity that holds a license as a home care agency to provide companion or sitter services in addition to home care services. Effective 4-18-08.

HB 2703 (Steele/Johnson (Constance)): Creates the Consumer Protection for Wheeled Mobility Act. Requires patients with Medicaid claims on purchased wheeled mobility to have obtained a specialty evaluation that documents the medical necessity for the wheelchair, a wheelchair provided by a supplier that employs a RESNA-certified assistive technology supplier or practitioner, or approval by the Oklahoma Health Care Authority for medical necessity. Effective 7-1-08.

HB 2704 (Steele/Adelson): Directs the State Department of Health to initiate a request for proposal for the operation of a long-term care facility for level II or III sex offenders. Modifies the duties of the Oklahoma State Board of Examiners for Long-Term Care Administrators. Modifies complaint and investigation procedures under the Board. Effective 11-1-08.

HB 2705 (Steele/Laster): Requires all prenatal classes to include information in their curriculum pertaining to the use of drugs and alcohol during pregnancy, the risks of underage drinking and information on substance dependency. Directs health care professionals who provide maternal or infant care to provide access to screening and referrals for treatment of substance dependency. Directs health care professionals to provide education and prevention materials regarding the risks of alcohol or drug use to patients who report that they are pregnant or planning to become pregnant. Effective 7-1-08.

HB 2713 (Billy/Crain): Exempts foster parents from the qualifying employer requirement necessary to be eligible for the state premium assistance program. Extends the implementation date of the pilot program established by the Medicaid Reform Act of 2006 to 2010. Authorizes the Oklahoma Health Care Authority to contract with a pay-for-performance provider and allow individuals more choices in their health care coverage under the pilot program. Effective 11-1-08.

HB 2758 (Cox/Paddack): Adds an oral and maxillofacial surgeon to the Oklahoma Trauma Systems Improvement and Development Advisory Council. Effective 11-1-08.

HB 2760 (Cox/Crutchfield): Permits physician assistants to make referrals for physical therapy. Effective 4-11-08.

HB 2763 (Cox/Ford): Permits the Board of Podiatric Medical Examiners to issue a temporary license. Subjects persons with a "special license" to the same requirements as persons with a "special training license" under the Oklahoma Allopathic Medical and Surgical License and Supervision Act. Provides for employees of city-county health departments to purchase certain supplies and services with department-issued credit cards. Requires persons applying to practice pedorthics to have passed examinations required for certification by an entity approved by the State Board of Medical Licensure and Supervision as a certification organization. Effective 5-12-08.

HB 2765 (Cox/Crain): Modifies procedures related to the custody, treatment and discharge of insane persons, creates the Forensic Review Board and establishes duties of the Board. Effective 11-1-08.

HB 2941 (Nations/Sparks): Directs the Oklahoma Cerebral Palsy Commission to select a vice-chair from among its membership. Permits the director of the Commission to employ and hire people as necessary. Authorizes the hiring of a Director of Nursing in an unclassified position. Permits other positions under the Commission to be unclassified. Effective 11-1-08.

HB 2995 (Johnson (Dennis)/Sykes): Creates the MISSING Angels Act - Christopher and Kendall's Law. Directs the State Registrar of Vital Statistics to establish a certificate of birth resulting in stillbirth to be offered to the parents of a stillborn child. Directs the medical staff treating the stillbirth to notify the parents of the ability to request the certificate. Effective 11-1-08.

HB 3060 (Hamilton/Gumm): Directs the State Department of Health to establish and maintain a public umbilical cord blood bank or cord blood collection operation to collect and store umbilical cord blood and placental tissue donated by maternity patients. Directs the Department to establish a program to educate maternity patients on cord blood banking. Requires physicians and hospitals to inform pregnant women of the opportunity to donate to the public umbilical cord blood bank at no cost. Directs the State Commissioner of Health to request information from existing umbilical cord blood banks concerning the establishment of a public cord blood collection operation within the state and requires the Commissioner to submit a summary of the responses to the Governor and the Legislature. Effective 7-1-08.

HB 3126 (Enns/Crain): Creates the Advancement in Stem Cell Cures and Therapies Act. Provides guidelines under which research on human tissue regeneration and human diseases using stem cells may be performed. Directs the State Department of Health to establish a reporting system that collects information on such research and requires the Department to annually submit a report with the information. Effective 11-1-08.

HB 3143 (Cargill/Adelson): Creates the Compassionate Care Task Force until July 1, 2010. Directs the task force to study the role of charitable, voluntary and faith-based organizations in health care in Oklahoma. Requires the task force to submit an annual progress report. Effective 7-1-08.

HB 3148 (Derby/Nichols): Adds to the list of substances which are listed as Schedule I and Schedule II controlled substances. Effective 11-1-08.

### **HEALTH CARE AUTHORITY FUNDING**

The Oklahoma Health Care Authority (OHCA), charged with administering the state's Medicaid program, received \$842,122,261. This is a 9.1 percent increase over the agency's FY'08 appropriation. This budget assumes the Health Care Authority using \$20 million in carryover for FY'09.

Major funding items include:

- \$31 million for FMAP decrease. These funds will be used to replace lost Medicaid revenue due to the downward shift in the federal match Oklahoma will receive in FY'09;
- \$35 million to replace FY'07 carryover that was used for operations during FY'08;
- \$13.9 million for growth in enrollment/utilization. The agency historically trends a 9 percent to 10 percent annual growth/utilization rate. This budget includes money for a growth/utilization rate of 1.5 percent;
- \$6.9 million for Medicare Part D;
- \$2.1 million for Federal FY'09 Medicare A & B premiums; and
- \$1.3 million for an annualization of last years' anesthesiologist rate increase.

### **PUBLIC HEALTH FUNDING**

The appropriation for the Department of Health will be \$75,028,113. This is 1.7 percent more than the agency received in FY'08. The Department's budget includes \$806,970 to be used for matching funds (5 percent) for a federal Pandemic Preparedness Grant. The Department also received \$125,000 to increase the number of dentists in the Dental Loan Repayment Program. These new funds will allow another five dentists to join the program. Finally, the Department received \$310,000 for newborn hearing screening machines.

### **MENTAL HEALTH & SUBSTANCE ABUSE FUNDING**

The appropriation for the Department of Mental Health and Substance Abuse Services will be \$209,579,129 for FY'09. The Department received \$2 million for the Tulsa Homeless Shelter. \$125,000 was appropriated for the Thunderbird Clubhouse in Norman. Finally, \$25,000 was appropriated for services at Eagle Ridge in Oklahoma City.

### **HUMAN SERVICES MEASURES**

SB 502 (Anderson/Winchester): Authorizes the Executive Director of the Office of Juvenile Affairs to commission certain employees as peace officers. Grants such peace officers the authority to investigate crimes committed against the Office or crimes committed in the course of a program administered by the Office. Permits the peace officers to serve and execute court orders in any judicial or administrative proceeding involving the Office and permits use and possession of firearms for this purpose. Requires employees to be CLEET-certified in order to qualify as peace officers. Effective 11-1-08.

SB 1192 (Adelson/Sullivan): Expands definition of "community services worker". Modifies screening procedures for community services workers. Requires that temporary employment of a community services worker not extend longer than the time necessary to review the results of the criminal history records search and community services worker registry. Effective 11-1-08.

SB 1390 (Adelson/Shumate): Exempts Oklahoma College Savings Plan accounts for purposes of determining eligibility for public assistance when not prohibited by federal law or regulations. Effective 11-1-08.

SB 1405 (Brown/Wright): Adds one member from the House of Representatives and one member of the Senate to the Advantage Waiver and Developmental Disability Services Rate Review Committee. Effective 11-1-08.

SB 1421 (Sparks/Peters): Exempts adults residing in a foster home from the fingerprinting requirement in instances of a severe physical condition which preclude fingerprinting. Requires child-placing agencies to visit each foster

child monthly with no less than two visits per quarter in the foster placement. Modifies language related to the Department of Human Services (DHS) performance-based incentive compensation program for child welfare specialists. Limits the number of children under the responsibility of DHS in substitute care for more than 24 months. Permits legal custodians of minors to authorize the finger imaging of such minors for the purposes of driver licenses or identification cards. Effective 5-12-08.

SB 1525 (Anderson/Peters): Grants the judge presiding over a deprived action to have jurisdiction to make a final determination in the matter and preside over any separate action necessary to finalize a child's court-approved permanency plan. Effective 8-22-08.

HB 1546 (Winchester/Justice): Directs funds remaining from FY 2009 with the State Department of Rehabilitative Services to be used to fund the operations for the Oklahoma School for the Deaf regional service center located on the main campus of the University of Science and Arts of Oklahoma. Effective 7-1-08.

HB 2568 (Peterson (Pam)/Anderson): Permits the Child Death Review Board to enter into public and private agreements to carry out the duties of the Board, including conducting joint reviews with the Domestic Violence Fatality Review Board on domestic violence cases involving child death or child near-death incidents. Authorizes the Child Death Review Board to obtain records in possession of the Domestic Violence Fatality Review Board. Permits school districts to inspect certain confidential juvenile records upon request for children who have presented for enrollment. Directs the agency in possession of the records to provide the information to the school district within five business days. Permits the Domestic Violence Fatality Review Board to conduct joint reviews with the Child Death Review Board. Authorizes the Domestic Violence Fatality Review Board to obtain records in the possession of the Child Death Review Board. Effective 7-1-08.

HB 2643 (Peters/Anderson): Sets term limits for child care facility advisory committees. Prohibits child care facilities from allowing children to be left alone in the care of any person under eighteen. Strengthens background checks for individuals making application to establish or operate a child care facility, individuals seeking employment at a child care facility and individuals eighteen years or older who will reside in a child care facility or home.

Prohibits the Department of Human Services (DHS) from granting approval for a permit or license for a new child care facility until all requirements for searches of criminal history records and the child care worker registry are met and all required training is completed. Modifies the state plan for child care. Directs DHS to provide a summary of the facts used to evaluate a complaint upon request by a child care facility. Authorizes DHS to issue an emergency order or deny application for license if a facility refuses to correct a violation of the Oklahoma Child Care Facilities Licensing Act. Directs DHS to notify the child care resource and referral organization if the Department revokes or denies a facility's license. Directs DHS to establish a process to review the determination to close a facility due to an emergency. Directs DHS to continue to monitor a facility whose license has been revoked, denied, or who has had an emergency order issued against it. Authorizes a CLEET-certified officer to issue a citation for a violation of a provision of this act or the rules of the Commission for Human Services. Directs a portion of the funds collected from the citations to be deposited in the Quality of Care Development Fund. Establishes an online database accessible to the public that contains information on child care centers and any substantiated complaint records. Establishes a child care worker registry to be accessible to the public online. Creates the Quality of Care Development Fund to be used by DHS to support the improvement of child care facilities. Effective 11-1-08.

HB 2833 (Steele/Rice): Creates the Oklahoma Food Security Act. Creates the Oklahoma Food Security Committee to identify, implement and monitor ways to reduce hunger in Oklahoma. Directs the Oklahoma Department of Commerce, in conjunction with the Committee, to secure funding to increase the capacity of Oklahoma's food security initiatives. Effective 7-1-08.

HB 2863 (Shelton/Leftwich): Creates Demarion's Law. Requires child care facilities to maintain liability insurance coverage of at least \$200,000 for each occurrence of negligence. Directs the Department of Human Services (DHS) to provide a standard form to be signed annually by an insurance agent stating that the facility has a policy that meets the requirements of this act. Requires facilities that are unable to secure the required insurance policy for authorized reasons to provide written notice to each parent that the liability coverage is not provided and that it is not a ground for sus-

pension or revocation of the facility's license. Authorizes DHS to suspend or revoke a facility's license for failure to maintain the required insurance policy for reasons that are not authorized by this act. Exempts the requirements of this act from foster family homes and group homes. Effective 11-1-08.

HB 3132 (Enns/Barrington): Extends the Electronic and Information Technology Accessibility Advisory Council until July 1, 2010. Effective 6-2-08.

HJR 1058 (Peters/Anderson): Authorizes the Department of Human Services to sell the plot of land where the Laura Dester Shelter is currently located to facilitate the construction of a new shelter. Effective 11-1-08.

### **HUMAN SERVICES FUNDING**

The Department of Human Services (DHS) was appropriated \$559,107,190 for FY'09. This amount represents a \$2 million increase from the FY'08 appropriation. These funds were added for DDS and AdVantage Waiver Services.

### **REHABILITATION SERVICES FUNDING**

The Department of Rehabilitation Services (DRS) was appropriated \$30,053,770 for FY'09, representing a 1.7 percent increase from the FY'08 appropriation. This budget removes \$2 million in one-time funding for capital improvements to the Oklahoma School for the Blind (OSB) and Oklahoma School for the Deaf (OSD). The agency receives an additional \$514,396 for the following functions:

- \$351,000 for the Vocational Rehabilitation and Visual Services program to receive matching funds from the federal government;
- \$136,000 for operations at OSB and OSD; and
- \$27,396 to fund employer contribution rate increases for teachers' retirement at OSB and OSD.

### **COMMISSION ON CHILDREN AND YOUTH FUNDING**

The Oklahoma Commission on Children and Youth (OCCY) was appropriated \$2,608,473 for FY'09. This amount represents an 11.7 percent increase from the FY'08 appropriation. The agency received \$274,000 to meet the requirements of 2007 SB 79, which placed stricter reporting requirements on the Child Death Review Board.

### **INSURANCE MEASURES**

SB 565 (Sparks/Peterson (Ron)): Amends various provisions relating to insurance, including:

- Requires, beginning July 1, 2010, the amount of insurance premium tax revenue apportioned to the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System and the Oklahoma Law Enforcement Retirement System to be applied prior to the calculation of the Home Office Credit.
- Amends several provisions of the newly enacted Viatical Settlements Act of 2008 including adding the definition of "financing transaction", modifying the time period for the retention of records relating to certain policies, prohibiting the preemption of any state securities law, and modifying the date after which a person may engage in viatical settlement business unless in compliance with the Viatical Settlements Act of 2008.
- Allows a dependent under the age of twenty-five to be covered for purposes of the State and Education Employees Group Insurance Act.

Effective 11-1-08.

SB 1189 (Aldridge/Blackwell): Clarifies that no provision of the Insurance Code shall apply to certain religious organizations under certain circumstances. Effective 11-1-08.

SB 1428 (Sparks/Peterson (Ron)): Amends various provisions relating to insurance, including:

- Requires certain consent when there is a transfer of rights to payment pursuant to the Uniform Insurers Liquidation Act. Provides that if the receiver believes the consent was unreasonably withheld, the receiver may petition the receivership court to order binding arbitration.

- Creates the Vehicle Protection Product Act. Prohibits a person from selling a vehicle protection product in Oklahoma unless the seller, warrantor, and any administrator comply with the provisions of this Act. Requires a person to register with the Insurance Department in order to operate as a warrantor. Specifies requirements for a warranty reimbursement policy.
- Specifies that certain debt cancellation agreements shall not be considered a contract for insurance.
- Modifies various provisions in the Service Warranty Insurance Act including modifying the definition of "service warranty", increasing the annual license fee from \$200 to \$400, requiring a business entity that offers to sell service warranty contracts to meet specified criteria and to be registered by the Insurance Department and imposing an administrative penalty.

Effective 11-1-08 for Sections 1, 14 and 16. Effective 1-1-09 for Sections 2 through 13. Effective 7-1-09 for Sections 15 and Sections 17 through 29.

SB 1640 (Ivester/Blackwell): Provides for reimbursement on an equitable basis for any mental or behavioral health or alcohol and drug treatment service. Effective 11-1-08.

SB 1863 (Paddack/Peterson (Ron)): States legislative intent regarding several recommendations from the Core Health Benefits Task Force including that the Oklahoma Choosing Health plans All Together (CHAT) initiative expands its CHAT session to reach a broader demographic, the comprehensive study conducted by the State Health Access Data Assistance Center be updated to clearly identify Oklahoma's uninsured population and a comprehensive study be conducted regarding the concept of primary care "medical home". Effective 7-1-08.

SB 1980 (Burrage/Peterson (Ron)): Repeals the existing Viatical Settlement Act and the Life Settlement Act. Enacts the Viatical Settlements Act of 2008 which provides procedures related to the sale of life insurance policies to unrelated third parties. Amends the law relating to insurable interests by specifying when a trustee has an insurable interest. Effective 11-1-08.

SB 2119 (Sparks/Peterson (Ron)): Increases the lifetime cap for the Health Insurance High Risk Pool from \$500,000 to \$1 million effective July 1, 2009. Allows the administering insurer

and the case manager of the Health Insurance High Risk Pool to serve for up to five years. Provides that all information relating to the Pool which is collected or received by the case manager during the course of the contract with the Pool shall be the property of the Pool. Requires a grievance to be filed before civil action may be commenced against the Pool. Specifies that individual members of the Board shall not be personally liable for actions taken by the Board. Directs the Board to conduct a comprehensive study on the effectiveness of the Health Insurance High Risk Pool Act and to issue a report by March 1, 2009. Effective for Sections 1, 3 through 5 and 7 through 8. Effective 7-1-09 for Sections 2 and 6.

SB 2122 (Sparks/Peterson (Ron)): Provides for the annual omnibus bill for the Oklahoma Insurance Department:

- Creates the Crimes By or Affecting Persons Engaged in the Business of Insurance Act.
- Allows filings made by advisory organizations to be made public upon receipt of the rate, loss cost, or manual rule change.
- Exempts Medicare Part D volunteer counselors from temporary licensing if they provide documentation of completed training requirements and do not receive compensation.
- Reduces the insurance producer's provisional license from \$40 to \$20.
- Modifies the definition of long-term care insurance to include long-term care partnership program contracts.
- Deletes "routine low dose" as it relates to coverage for mammograms.
- Requires that, in the event a bondsman surrenders license, the Insurance Department cancels all appointments of that bondsman and notifies any bail agent affected as well as the court clerk of the agent's resident county.
- Extends the deadline for the implementation of the Department of Public Safety's (DPS) online insurance verification system from July 1, 2008 to December 31, 2008. Specifies that all information exchanged between DPS and insurance companies and all other information generated for the purposes of the verification system shall not be subject to the Oklahoma Open Records Act.

Effective 7-1-08.

HB 1959 (Peterson (Ron)/Jolley): Allows CompSource Oklahoma to enter into contracts of insurance or reinsurance for the purpose of insuring employers operating in this state and

their employees who may work outside this state. Specifies that the purchase of reinsurance by CompSource may be made through intermediaries, exclusive of the provisions of the Oklahoma Central Purchasing Act. Effective 11-1-08.

HB 2490 (Hilliard/Sparks): Creates the Pharmacy Audit Integrity Act. Requires the establishment of minimum and uniform standards and criteria for the audit of pharmacy records. Specifies that this Act shall apply to any audit of the records of a pharmacy conducted by a managed care company, nonprofit hospital, medical service organization, insurance company, third-party payor, pharmacy benefits manager, a health program administered by a department of this state or any entity that represents these companies, groups, or departments. Effective 11-1-08.

### **INTOXICATING LIQUOR, SMOKING & TOBACCO LAWS MEASURES**

SB 41 (Corn/Martin (Steve)): Creates a charitable beer event license that may be issued to certain charitable organizations. The license will authorize the holder to conduct a beer event which may consist of one or more of a beer tasting event, a beer dinner event or a beer auction, either silent or live. A charitable beer event shall be conducted solely to raise funds for charitable purposes. Beer used in, served or consumed at a charitable beer event may be purchased by the charitable organization or donated by any person or entity. The charitable beer event license shall be issued for a period not exceeding 4 days, and only one such license may be issued to an organization in any 12 month period. The charitable organization holding a charitable beer event license shall not be required to obtain a special event license. Emergency 5-10-08.

SB 539 (Bass/Dorman): Modifies a provision relating to the Alcohol Beverage Laws Enforcement Commission refusing to issue or renew package store licenses because a spouse is a holder of any other class of certain licenses. Provides that a spouse of any package store license holder or partner shall not be deemed to be a partner or have a beneficial interest in a package store unless his or her name is on the license. Effective 8-22-08.

SB 995 (Coates/Morgan): This is the trailer bill to SJR 29 which proposes a state question to allow certain direct delivery of wine to retail package stores or restaurants by winemakers within or without the state. Provides that if any part of the provisions of the state question is found to be unconstitutional, then winemakers would not be allowed to directly sell their wine. The provisions of SB 995 would place in the Oklahoma Statutes provisions relating to such direct distribution of wine, but these provisions would not take effect unless the state question passes. SB 995 would add a winemaker self-distribution license under the Alcohol Beverage Laws Enforcement Act at a fee of \$750.00. Winemakers within or without the state who produce no more than 10,000 gallons of wine annually would be allowed to elect to sell and self-distribute wine directly to retail package stores and restaurants. The winemakers would not be allowed to use a wholesale distributor as a means of distributing the wine and would be required to sell the wine to every package store and restaurant licensee who wants to buy the wine on the same price basis and without discrimination. Such winemakers would have to transport the wine in vehicles owned or leased by the winemaker and not by common or private contract carriers. Winemakers would be prohibited from forming or participating in any kind of a cooperative or pooled transportation or distribution arrangement. Provision is made for certain posting of prices, required reporting, payment of taxes, sale of wine if a winemaker exceeds the 10,000 gallon limit, violations and penalties. Effective on the passage of the state question posed in SJR 29.

SJR 29 (Ivester/Morgan): Provides for a constitutional question to be put to a vote of the people to amend the constitution to allow winemakers within or without this state that produce no more than 10,000 gallons of wine annually to directly ship such wine to retail package stores or restaurants. It would prohibit winemakers that elect to sell directly to retail package stores and restaurants from using a licensed wholesale distributor as a means of distribution. It would require winemakers to sell wine to every retail package store or restaurant who wants to buy the wine on the same price basis and without discrimination. It would prohibit winemakers that sell wine directly from using common or private carriers to distribute the wine. If any part of the amendment is found unconstitutional, then no winemaker shall be permitted to directly sell its wine to retail package stores or restaurants in

this state. Effective upon the passage of the state question.

### **JUDICIARY/COURTS MEASURES**

SB 74 (Crain/McDaniel (Jeannie)): Allows jailers or law enforcement officers to serve on juries in noncriminal actions. Effective 11-1-08.

SB 512 (Myers/Johnson(Rob)): Extends hospital lien right to medical diagnostic imaging facilities and extends physician lien right to all professional persons licensed in the practice of healing arts. Effective 11-1-08.

SB 763 (Anderson/Duncan): Modifies evidentiary requirements for defendants accused of certain offenses of child molestation, modifies residency requirements for registered sex offenders and modifies statement required of businesses contracting with schools. Effective 11-1-08.

SB 824 (Laster/Cox): Applies the Governmental Tort Claims Act to any person who is licensed to practice medicine who is performing certain administrative duties under an administrative professional services contract with the Oklahoma Health Care Authority, while acting within the scope of such contract. Effective 11-1-08.

SB 906 (Williamson/Winchester): Creates a new Interstate Compact for the Placement of Children to provide a process through which children subject to this compact are placed in safe and suitable homes in a timely manner and to facilitate ongoing supervision of a placement, the delivery of services, and communication between the states. Effective upon enactment by 35 states.

SB 1547 (Lerblance/Harrison): Allows court clerk to issue marriage licenses. Effective 11-1-08.

SB 1648 (Lerblance/Harrison): Clarifies that a person who has been released from prison at the time innocence is established by DNA evidence is eligible to file a motion for expungement. Effective 11-1-08.

SB 1760 (Williamson/Peters): Authorizes appointment and establishes duties of juvenile case managers. Effective 11-1-08.

SB 1797 (Crain/Terrill): Requires a bond to be exonerated by operation of law when a defendant has been arrested outside this state and the prosecuting attorney has declined to extradite. Effective 11-1-08.

SB 1839 (Corn/Sullivan): Applies the Uniform Arbitration Act to contracts between insurance companies and disqualifies a court-appointed special advocate from monitoring a child witness in a criminal proceeding. Effective 11-1-08.

SB 1921 (Laster/Peterson (Pam)): Allows a petition for a protective order to be heard by the same court hearing a divorce or separate maintenance action but requires the petition for a protective order to remain a separate action. Effective 11-1-08.

SB 1922 (Laster/Sullivan): Limits requests for production or inspection of documents to 30 and establishes procedures for additional requests. Effective 11-1-08.

SB 1923 (Lamb/Sullivan): Modifies provisions of the Uniform Parentage Act related to paternity proceedings and genetic testing. Effective 11-1-08.

SB 2003 (Nichols/Peters): Allows DAs to seek acceleration or revocation of probation if an offender fails to attend domestic abuse treatment program. Effective 11-1-08.

SB 2004 (Nichols/Terrill): Allows inclusion of religious invocations or references in victim impact statements. Effective 11-1-08.

SB 2007 (Nichols/Terrill): Authorizes additional witness fees for person providing factual and expert testimony. Effective 11-1-08.

SB 2069 (Coffee/Steele): Creates the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act to establish procedures for registration and enforcement of protective orders from other states. Effective 11-1-08.

SB 2163 (Leftwich/Peters): Authorizes court to order defendant to use a GPS monitoring device as a condition of a sentence, in conjunction with a protective or restraining order, or as a condition of pretrial release, and authorizes the court to order the defendant to pay costs and expenses related to GPS monitoring. Effective 11-1-08.

SB 2194 (Williamson/Duncan): Modifies child support guidelines, establishes guidelines for awarding of retirement or retainer pay of a military member as alimony or support payments, provides guidelines for indirect contempt of child support orders, and modifies provisions related to the collection of child support. Effective 7-1-09 and 11-1-08.

HB 1460 (Kern/Coffee): Establishes confidentiality of communications in peer support counseling sessions for public safety and emergency services personnel. Effective 11-1-08.

HB 2469 (Rousselot/Garrison): Allows a grandparent to have visitation with a grandchild if the child's parent is in prison and the grandparent had a relationship with the child before the parent's incarceration, and allows a grandparent to have visitation with a grandchild if the child's mother died in childbirth. Effective 6-2-08.

HB 2522 (Sherrer/Burrage): Authorizes counties to establish misdemeanor drug courts and requires the Department of Mental Health and Substance Abuse Services to provide technical assistance to the counties that establish misdemeanor drug courts. Effective 11-1-08.

HB 2530 (Steele/Coates): Modifies various provisions related to children, including requiring the filing of a specific form if an emergency custody hearing is not ordered and extending time limitations for disclosure of information related to the death or near death of a child; and extends the duration of the Oklahoma Children and Juvenile Law Reform Committee. Effective 6-2-08.

HB 2533 (McCullough/Williamson): Modifies the membership of the Oklahoma State Council for Interstate Adult Offender Supervision to include the executive directors of the District Attorneys Council and the Oklahoma Indigent Defense System, and the Administrative Director of the Courts. Effective 11-1-08.

HB 2631 (Jordan/Crain): Authorizes the Chief Justice of the Supreme Court to appoint a new district court judge for certain cases on remand upon application to the Supreme Court. Effective 11-1-08.

HB 2639 (Peters/Crain): Creates the Nontestamentary Transfer of Property Act to establish procedures for transfer-on-death deeds. Effective 11-1-08.

HB 2715 (Auffet/Wilson): Increases the per diem rate for labor performed in satisfaction of certain fees, fines or court costs from \$25 to \$50. Effective 11-1-08.

HB 2726 (Winchester/Burrage): Modifies the time limitation to bring an action upon rejection of a claim on an estate if the personal representative of the estate fails to provide notice of the rejection within a certain time period. Effective 11-1-08.

HB 2749 (Winchester/Mazzei): Creates the Adoption Review Task Force to study and make recommendations concerning the laws and practices relating to adoption. Effective 7-1-08.

HB 2819 (Sullivan/Williamson): Modifies the definition of "signature" to include a digital or electronic signature. Effective 11-1-08.

HB 2958 (Tibbs/Williamson): Prohibits denial of placement or custody of a child with an otherwise eligible individual due to the age of that individual if the minimum required age for placement is met. Effective 11-1-08.

HB 2974 (Hoskin/Burrage): Requires a court order for custody or visitation to specify that notice of the relocation of a child shall be in writing. Effective 11-1-08.

HB 3275 (Joyner/Nichols): Removes the District Attorneys Council from the Attorney General's Office. Effective 11-1-08.

### **MOTOR VEHICLES, WATER VESSELS & LICENSING MEASURES**

SB 1178 (Brown/Peterson (Ron)): Requires the Oklahoma Tax Commission and authorizes Indian tribes to develop a permanent number system for vessels which is consistent with United States Coast Guard regulations. Requires the Tax Commission to record and maintain vessel numbers issued by Indian tribes in the same manner as the Tax Commission records and maintains vessel numbers issued by the Commission itself. Provides specifications on the placement and design of outboard motor registration decals and permanent vessel numbers. Effective 11-1-08.

SB 1384 (Barrington/Billy): Requires buses to comply with railroad crossing provisions. Allows medium-speed electrical vehicles which are compliant with federal motor vehicle

equipment standards to likewise be compliant with statutory equipment requirements. Excludes medium-speed electrical vehicles from the definition of "passenger car". Strikes the \$1 fee charged by the Department of Public Safety for the issuance of handicapped parking placards. Clarifies language regarding usage or resale of collision report data for commercial solicitation. Declares the operation of vehicles and motorized machinery by the Department of Central Services, the State Department of Health, the Department of Public Safety, the Department of Mental Health and Substance Abuse Services, the Department of Corrections, and all other departments not otherwise specifically authorized by law to be a public governmental function. Adds creates a definition for "medium-speed electrical vehicle" in the Oklahoma Vehicle License and Registration Act. It limits the applicability of definitions for "refueling service," "mobility-impaired driver," and "motor vehicle service station." Deletes and updates obsolete references to state entities. Exempts the sale of medium-speed electric vehicles from sales tax, and provides for the assessment of excise tax. Directs the Oklahoma Tax Commission to title and register medium-speed electric vehicles, and provides for their operation on roads with posted speed limits of 45 miles per hour or less. Repeals a section of law that prohibited the Department of Public Safety from assessing points to the driving record of persons convicted of violating seat belt laws. Effective 6-2-08.

SB 1389 (Aldridge/Peterson(Ron)): Modifies the Oklahoma Vehicle License and Registration Act to establish unrecovered-theft titles for vehicles that have been stolen and not recovered for purposes of transfer of ownership to an insurer. Effective 11-1-08.

SB 1654 (Johnson (Mike)/Thompson): Relates to motor vehicles and adds to the requirements for refrigerants for air-conditioning equipment and modifies and deletes definitions relating to remanufactured vehicles and vehicle remanufacturer. Removes a licensing requirement for certain off-premise displays and sales and modifies conditions for holding certain off-premise events. Modifies the provision relating to the denial, revocation or suspension or licenses and a certain bona fide relationship between a factory and a dealer development candidate by deleting the provision relating to the dealer development candidates' percentage share of any potential dealership losses and the provisions relating to what shall be presumed unreasonable. Makes an exception as to where

new cab and chassis trucks may place a temporary license plate. Effective 6-2-08

SB 1714 (Mazzei/Terrill): Authorizes the Tax Commission to approve of a tag agency location within a 3-mile radius of another tag agency under certain geographical conditions. Effective 11-1-08.

SB 1793 (Brown/Adkins): Provides for inclusion of utility vehicles in the types of vehicles with certificates of title that are to be considered as personal property to which a lien may be attached, known as "Section 91 Personal Property". Provides for inclusion of utility vehicles in the types of vehicles which may be excluded from coverage as "Section 91 Personal Property" due to lack of title, lack of active lien on the title, or lack of a title issued within Oklahoma. Applies laws that regulate road operation of all-terrain vehicles to utility vehicles. Modifies the statutory definition of "all-terrain vehicle" by removing width and weight specifications and requiring four or more wheels. Defines "utility vehicle" within the Oklahoma Vehicle License and Registration Act. Requires registration and titling of utility vehicles purchased after July 1, 2008. Adds utility vehicles to the list of vehicles for which odometer disclosures are not required upon transfer. Provides for issuance of registration decals for utility vehicles by the Tax Commission. Provides for optional titling and registration of utility vehicles purchased prior to July 1, 2008. Provides for optional titling and registration of utility vehicles owned by persons with agricultural exemptions. Establishes a registration fee for utility vehicles. Provides for levying of excise tax upon sales of utility vehicles occurring after July 1, 2008, except for persons with agricultural exemptions. Effective 7-1-08.

SB 1945 (Sweeden/Blackwell): Allows persons with intermediate Class D driver licenses to operate a vehicle at any time without the accompaniment of a person 21 or older if the licensee is a farm or ranch resident, and is operating the vehicle for farm or ranch operations outside the limits of a municipality, or is driving to or from work, school, or church. Effective 11-1-08.

SB 1998 (Schulz/Armes): Creates a definition for mini-trucks for the Oklahoma Vehicle License and Registration Act. For titling purposes, exempts mini-trucks from certain requirements for documentation from agencies of the United States and evidence of ownership. Requires the Oklahoma Tax Commission to

promulgate rules for the titling and registration of mini-trucks. Authorizes the operation of titled mini-trucks on state roadways, but prohibits their operation on interstate highways. Effective 11-1-08.

SB 2086 (Laughlin/Hickman): Allows for the operation of all-terrain vehicles or utility vehicles on streets and highways within a municipality if the municipality has adopted an ordinance governing the operation of such vehicles. Removes a limitation that previously only allowed for the operation of such vehicles on municipal streets during daylight hours. Provides for the use of auxiliary driving lamps with the low beams of vehicle headlamps, and allows auxiliary lamps to be used at the discretion of the driver with either low or high beams. Effective 11-1-08.

HB 1711 (Billy/Wilson): Requires driver licenses issued by the Department of Public Safety to display residential addresses instead of mailing addresses. Allows unemancipated persons under 18 who are in the permanent custody of the Department of Human Services to apply for a restricted driver license without the signature or verification of another person upon their application, provided such person can show proof of financial responsibility in respect to the operation of a motor vehicle. Effective 8-22-08.

HB 2862 (Shelton/Lerblance): Requires all multiple-passenger vans owned by nonprofit charitable organizations which transport children to be equipped with flashing lights visible from at least 500 feet. Provides for activation of the lights while the vehicle is being operated. Requires the lights to be the same color as those on school buses. Effective 11-1-08.

HB 3076 (Dorman/Aldridge): Defines "passenger" within the Oklahoma Boating Safety Regulation Act to mean any person riding in or upon any vessel, or being towed for recreation on water skis or other recreational devices. Prohibits the operation of vessels upon the waters of this state in excess of the manufacturer's maximum passenger capacity or the United States Coast Guard standards for maximum passenger capacity. Prohibits the operation of vessels upon the waters of this state in excess of the manufacturer's maximum horsepower capacity or the United States Coast Guard standards for maximum horsepower capacity. Provides exceptions for the operation of vessels in sanctioned events. Requires an accident report for

vessel accidents resulting in property damage in excess of \$2,000. Effective 11-1-08.

HB 3162 (Blackwell/Aldridge): Relates to the Automotive Dismantlers and Parts Recycler Act and salvage pool or salvage disposal sales. Modifies a provision relating to exemptions for regularly scheduled vehicle consignment auctions conducted by a used motor vehicle dealer which sells salvage vehicles to include damage vehicles, wrecked vehicles or repairable vehicles for someone other than a public insurance company. Provides that an auction may sell these vehicles as an incident to the sale of operable vehicles, but shall not constitute a primary part of the business. Effective 11-1-08.

HB 3193 (Denny/Justice): Requires motor vehicle operators to proceed with due caution and to change lanes, if possible, when approaching a stationary wrecker or tow vehicle displaying flashing lights. Provides an exception to vehicle weight restrictions for wreckers or tow vehicles towing another vehicle or vehicle combination if the service being provided by the tow vehicle is needed to remove disabled, abandoned, or damaged vehicles, or if the tow vehicle is towing directly to the nearest repair or storage facility. Prohibits wreckers or tow vehicles operating in excess of vehicle weight restrictions from operating on the National System of Interstate and Defense Highways. Effective 11-1-08.

### **PROFESSIONS & OCCUPATIONS MEASURES**

SB 45 (Coates/Sears): Relates to the Construction Industries Board, the Plumbing License Law of 1955, the Electrical License Act, the Mechanical Licensing Act, the Alarm and Locksmith Industry Act and the Elevator Safety Act. Makes provisions for the Board and dishonored checks. Modifies and adds provisions for minimum standards of plumbing installation, a certain bonding requirement for plumbing contractors, license expiration dates and renewal and making certain registrations subject to the Plumbing Hearing Board. Modifies the membership of the Committee of Electrical Examiners, adds a requirement for licensure, adds a requirement for registration of certain apprentices and modifies provisions relating to certain administrative hearings, examiners' decisions and appeals. Adds certain exceptions to the Alarm and Locksmith Industry Act, modifies provisions relating to enjoining certain acts or practices, injunctions and certain other

court orders. Modifies provisions relating to requirements for renewal of licenses in the Mechanical Licensing Act, authorizes Board to establish a certain fee by rule and provides for certain administrative hearings. Makes provision for an exemption to the Elevator Safety Act. Effective 11-1-08.

SB 70 (Ballenger/Shoemake): Relates to professions and occupations and creates the Large Animal Veterinarian Incentive Act. Establishes a veterinary training program for rural Oklahoma to be administered by the Oklahoma State University Center for Veterinary Health Sciences. Provision is made for program agreements for financial assistance between the Center and 3 first year veterinary students or currently practice in large animal veterinarians with qualifying school loans who agree to serve in certain rural communities. Upon satisfaction of all commitments of the agreement, the financial obligations pursuant to the agreements shall be deemed satisfied and forgiven. Requirements are set for each person receiving the assistance. Provision is made for failure of a person to satisfy the obligation, for postponing the obligation and for what will satisfy an obligation. The Center is authorized to adopt certain additional provisions as are practicable and appropriate. No agreements shall be made after July 1, 2018. Effective 11-1-08.

SB 1453 (Ballenger/Adkins): Relates to junk dealers. Requires licensed junk or salvage dealers to require certain proof of ownership of metal beer kegs that are clearly marked as being the property of the beer manufacturer before purchasing such kegs. Effective 5-2-08.

SB 1529 (Coates/Peterson (Ron)): Relates to engineering and land surveying, the Oklahoma Welding Act and the Elevator Safety Act. Modifies and adds various provisions relating to engineering and land surveying including provisions for definitions; employment of a Board Investigator; making certain records confidential; qualifications for licensure or certification for professional engineer, engineer intern, land surveyor and land surveyor intern; authorizing certain rules relating to fees; a certain passing grade; examinations; failing certain examinations; requirements for a certain certificate of licensure; applying a certain seal or signature; certain documents to be sealed and signed; digital or electronic signature; deletion of certain requirements for seals; grounds for disciplinary actions; an administrative penalty; action of a firm subject to disciplinary action and amounts of administrative penalties. Adds a

definition for structural steel or steel deck welding in the Oklahoma Welding Act, adds codes for structural steel welding, requires welders to be certified for certain weldments and exempts certain welders from certain testing. Makes provisions for emergency elevator mechanic licenses and temporary elevator mechanic licenses in the Elevator Safety Act. Modifies provisions relating to who may perform certain inspections, adds a requirement that certain elevator inspectors have certain insurance and proof of worker' compensation, modifies inspection requirements for temporary elevators and adds a duty to the Commissioner of Labor relating to a variances from the literal requirement code. Effective 11-1-08.

SB 1578 (Leftwich/Jordan): Modifies fines for certain violations in the Plumbing License Law of 1955, the Electrical License Act and the Mechanical Licensing Act. Effective 11-1-08.

SB 1761 (Williamson/Peters): Allows occupational therapists to combine services with other professionals for professional entity purposes. Effective 11-1-08.

SB 1789 (Easley/Adkins): Relates to the Oklahoma Chiropractic Practice Act. Adds a requirement to the powers of the Board of Chiropractic Examiners to promulgate certain rules by January 1, 2009, relating to continuing education seminars or courses or license renewal seminars or courses. Effective 6-3-08.

SB 1926 (Crain/Winchester): Relates to the Mortgage Broker Licensure Act. Changes the name of the Oklahoma Association of Mortgage Brokers to the Oklahoma Association of Mortgage Professionals. Effective 11-1-08.

SB 1927 (Crain/Winchester): Relates to the Mortgage Broker Licensure Act. Clarifies that certain education requirements are also for 20 hours of applicable educational requirements to the satisfaction of the standards as established by the National Association of Mortgage Brokers. Effective 11-1-08.

SB 1928 (Crain/Winchester): Relates to the Mortgage Broker Licensure Act. Clarifies that certain continuing education courses are those which examine the individual to the satisfaction of the standards as established by the National Association of Mortgage Brokers in relation to the course material presented during the offering. Effective 11-1-08.

SB 2074 (Laster/Steele): Relates to the Licensed Alcohol and Drug Counselors Act. Modifies and adds definitions to the Act. Adds to the duties of the Oklahoma Board of Licensed Alcohol and Drug Counselors relating to certification for co-occurring disorders, requirements for approval as a supervisor and continuing education for supervisors and maintenance of records by certified and licensed drug and alcohol counselors. Clarifies certain examination standards and minimum standards of certain master's degrees. Provides minimum requirements for specific training for licensed alcohol and drug counselors. Makes provisions for certification for co-occurring disorders for certified alcohol and drug counselors including application and requirements for applicants. Modifies provisions for the Board to deny, revoke, suspend place on probation or sanction the holder of or candidate for certification or withdraw its acceptance of a licensed or certified alcohol and drug counselor candidate for certain purposes and for the Board to set fees for certain certification, approval as a supervisor or other certain actions. Effective 11-1-08.

SB 2131 (Coates/Peterson (Ron)): Relates to the Home Inspection Licensure Act and the Construction Industries Board. Transfers the Home Inspection Licensure Act from the State Department of Health to the Construction Industries Board. Modifies the membership of the Construction Industries Board. Authorizes the Board to provide by rule examinations for a petroleum refinery mechanical journeyman license. Effective 6-3-08.

HB 2732 (Renegar/Gumm): Specifies that it is unlawful for any person other than a licensed dentist to practice dentistry or present oneself as a dentist. Specifies that it is unlawful for any person other than a registered dental hygienist to practice dental hygiene or present oneself as a dental hygienist. It declares that any violation of these provisions is a criminal offense, and authorizes district attorneys to file separate charges of medical battery for each person injured as a result of treatment which violated these provisions. Requires the Board of Dentistry to bring criminal action against violators of these provisions. Strikes language that provided a graduated penalty schedule for practicing dentistry without a license or for providing false information to obtain a license. Establishes a new felony for this violation, increasing the penalty to a fine of \$1,000 to \$10,000 or one to four years imprisonment. Provides a new penalty schedule for persons

who practice dental hygiene without a license. A first conviction is a misdemeanor punishable by a fine of \$500 to \$2,500 or up to 90 days in county jail. A second conviction is a felony punishable by a fine of \$1,500 to \$5,000, up to one year in county jail, or up to two years imprisonment with the Department of Corrections. Entitles the prevailing party in a civil action filed against violators of these provisions to recover costs and reasonable attorney fees. Increases the fine for persons found in contempt of court for violating an injunction prohibiting the unlicensed practice of dentistry to up to \$1,000. Strikes language that provided a graduated penalty schedule for practicing medicine and surgery without a license. It establishes a new felony punishable by a fine from \$1,000 to \$10,000 or one to four years imprisonment with the Department of Corrections. Declares that such a violation is a criminal offense, and authorizes district attorneys to file separate charges of medical battery for each person injured as a result of treatment by a person without a license to practice medicine or surgery. Increases the penalty for practicing osteopathic medicine without a license, obtaining a license for osteopathic medicine with false information, advertising as an osteopathic doctor under a false name, or allowing any person in the employ of an osteopathic licensee to practice osteopathic medicine without a license. The new penalty for these violations is a felony punishable by a fine of \$1,000 to \$10,000, up to one year in county jail, or up to four years imprisonment with the Department of Corrections. Declares that such violations are criminal offenses, and authorizes district attorneys to file separate charges of medical battery for each person injured as a result of treatment which violated these provisions. Prohibits the practice of veterinary medicine without a license issued under the Oklahoma Veterinary Practice Act, or to abet another person in unlicensed practice. It establishes a new penalty for violating this provision. The penalty is a felony punishable by a fine of \$1,000 to \$10,000, up to one year in county jail, or up to four years imprisonment with the Department of Corrections. States that a registered veterinary technician who acts as a licensed veterinarian is subject to this penalty. Prohibits performing or presenting oneself as a registered veterinary technician without certification, and establishes a penalty for any person who violates this provision or abets another person in practicing as a veterinary technician, technologist, assistant, or nurse without license or certification. The penalty is a misdemeanor punishable by a fine of \$500 to \$2,500

or 30 days to six months in county jail. States that any licensed veterinarian who directs a veterinary technician, technologist, nurse, or assistant to act in violation of any of these provisions is guilty of abetting unlicensed practice, and provides for license revocation in addition to criminal penalties. Defines "medical battery" as a felony punishable by up to one year in county jail or up to four years imprisonment with the Department of Corrections and a fine of up to \$5,000. Requires defendants convicted of medical battery to pay restitution to the victim as ordered by the court. Effective 11-1-08.

### **PUBLIC FINANCE MEASURES**

SB 1373 (Johnson (Mike)/Miller): Increases the Oklahoma Capitol Improvement Authority's authority to issue bonds for the State's matching contribution for the Oklahoma State Regents Endowment Trust Fund, which funds endowments for chairs, professorships, lectureships, and artists in residence for the benefit of institutions of higher education. The new total bonding authority is \$150 million, of which \$50 million was issued prior to this session. Amends Trust Fund provisions to provide that after July 1, 2008, state matching monies must be used to match the current backlog of endowment contributions before they may be used to match endowment accounts created after that date. After the backlog of state matching requirements are completed, expenditure of state matching monies is limited to a total of \$5 million per year; \$4 million for the comprehensive universities and \$1 million for other eligible institutions. Trust Fund endowment accounts of \$250,000 or less will be matched dollar for dollar with state matching monies and those exceeding \$250,000 will be matched with \$1 of state match for every \$4 received in contributions. Effective 6-2-08.

SB 1374 (Johnson (Mike)/Miller): Authorizes the Oklahoma Capitol Improvement Authority to issue bonds for the following purposes:

- \$25 million for the Native American Cultural and Educational Authority, for construction and improvements to a Native American cultural center and museum;
- \$25 million for the Conservation Commission for construction, repair, and rehabilitation of flood control dams and related equipment; and
- \$25 million for the River Parks Authority for construction of Zink Dam improvements, stream bank stabilization and construction

of low water dams on the Arkansas River in Tulsa County.  
Effective 6-5-08.

SB 1398 (Anderson/Murphey): Amends both the personal property and real property portions of the master lease program for the State Regents for Higher Education. For personal property, limits the use of the master lease program to finance the acquisition of personal property to a total of \$50 million in a calendar year. For real property, requires the Regents to submit an itemized list of proposed projects to the Legislature at the beginning of each legislative session, and provides that the Legislature has 45 days to disapprove all or part of the proposal by concurrent resolution. If the Legislature takes no action to disapprove, the proposal is deemed to be approved. Limits real property transactions financed through the master lease program to those submitted to the Legislature either as part of the list or as an addition to the last, and those approved by the Legislature in a previous year but not financed in that previous year. Effective 6-2-08.

SB 1618 (Aldridge/Blackwell): Allows state agencies which receive monies for projects that will be funded by bond issuance, to pay those monies to the Oklahoma Capitol Improvement Authority in advance of the bond issuance. The OCIA will use the funds and the interest on them for bond expenses and expenses related to the bond issuance, to reduce the total bond debt service, or to reduce the size of the required issuance. The bill also requires state agencies whose facilities will be financed by the OCIA to obtain predesign services from the Department of Central Services. State agencies may be reimbursed for the cost of predesign services after the bond issuance. Effective 6-3-08.

SB 1866 (Laughlin/Hickman): Modifies the provision relating to payroll deductions for Oklahoma Public Employees Association dues to require that they be utilized for benefits, goods or services provided to the membership and to change the minimum membership for other state employee associations to use payroll deductions from 1,000 to 2,000. Associations granted a payroll deduction prior to 1-1-08 (previously 3-23-84) is exempt from the minimum membership requirement. Payroll deductions are also authorized for the Correctional Peace Officer Association. Changes administration of the Rural Economic Action Plan Fund from the State Auditor and Inspector to the Department of Commerce, although monies

cannot be used for administrative expenses, salaries or other continuing obligations and the fund must be audited by the State Auditor and Inspector. Effective 6-3-08.

HB 2272 (Miller/Johnson (Mike)): Authorizes the Oklahoma Capitol Improvement Authority to issue bonds for construction, improvement, and maintenance of roads and bridges identified in the 8-Year Transportation Commission Construction Work Plan. Bonds will be issued in two phases of \$150 million each. Phase I bonds may be issued no earlier than August 1, 2009 and Phase II bonds may be issued no earlier than August 1, 2010. To pay debt service, the bill provides that the first \$30 million apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund for each fiscal year is allocated to ODOT for making debt service payments. The bill increases the total amount of revenue apportioned to the ROADS Fund per year to \$370 million, and deletes the statutory \$17.5 million apportionment to the ROADS Fund that was triggered under current law whenever estimated annual growth in General Revenue is below 3 percent. Effective 6-2-08.

**PUBLIC SAFETY &  
HOMELAND SECURITY MEASURES**

SB 551 (Paddack/Hyman): Creates the "Forget-Me-Not Vehicle Safety Act". Prohibits leaving children six or younger or vulnerable adults unattended in a motor vehicle under conditions that could pose a safety risk. A child or vulnerable adult will not be considered unattended if accompanied by a mentally competent person who is at least 12 years old. Creates a fine of at least \$50 for a first conviction under this act, at least \$100 and 50 hours of community service for a second conviction, and at least \$200 and transfer of the violators full record of convictions to the Department of Human Services for a third conviction. Any person convicted of violating this act on the premises of an establishment licensed to sell alcohol for immediate consumption can be fined at least \$500. Effective 8-22-08.

SB 1625 (Paddack/Roan): Authorizes CLEET to enter into fee agreements with individuals, educational institutions, and tribal entities for professional services, use of supplies, and staff overtime costs incurred as a result of the user's request to schedule functions anytime such request extends staff beyond their normal capacity. Prevents persons who have been con-

victed of, or who are participating in a deferred sentence for, a crime of domestic violence from being certified as peace officers by CLEET, unless a full pardon has been issued to such person by the proper agency. Requires every state law enforcement agency to report all terminations or resignations while under investigation to the CLEET Director within 30 days of such termination or resignation. Affords these reports confidential protection under statute. Requires the Director to provide the report to all CLEET members, and requires the members to make recommendations concerning the report. Authorizes the council to suspend or terminate the CLEET certification of the peace officer in question, and requires such a decision to be reported the district attorney where the officer served, the liability insurance company of the agency where the officer served, the chief elected official of the governing body of the agency, and the chief officer of the agency. Allows any law enforcement agency that has disciplinary procedures on file with CLEET to be exempt from CLEET disciplinary proceedings, provided the officer in question has not been convicted of a felony, a crime of moral turpitude, or a crime of domestic violence. Effective 11-1-08.

SB 1673 (Barrington/Ingmire): Requires all state agencies, boards, departments, or commissions authorized to request criminal history records to conduct national criminal history records checks on all employees authorized to access or review criminal history records. This requirement must be fulfilled within 60 days of July 1, 2009. Requires all entities authorized to request criminal history records to be subject to Oklahoma State Bureau of Investigation fees for such records. Effective 6-1-08.

SB 1675 (Barrington/Denney): Authorizes the Oklahoma State Bureau of Investigations to disclose investigation records to employees of the Department of Human Services in furtherance of child abuse investigations. Creates a felony for any person in the custody of the Department of Human Services who commits aggravated assault and battery upon a person contracting with the Department while such person in the performance of his or her duties for the Department. Effective 11-1-08.

SB 1941 (Lamb/Blackwell): Creates the Oklahoma School Security Act. Removes a requirement for the board of education to furnish school buildings as polling places, and allows the board to furnish them at its discretion. Requires schools, administration buildings, and

institutions of higher learning to annually review and update their emergency procedures. Requires schools to conduct a minimum of two lockdown drills each school year, and requires that they be conducted at different times of day. Expands the definition of "harassment, intimidation, and bullying" in the School Bullying Prevention Act to include electronic communications, and creates a definition for "threatening behavior". Requires district boards of education to adopt a policy that includes investigation of reported incidents of harassment, intimidation, bullying, and threatening behavior, and to specifically prohibit performing these actions by electronic communication at school or with school equipment. Requires the policy to include a procedure for investigating incidents for the purpose of determining their severity and potential to result in future violence. Requires the policy to include procedures for recommending any available community mental health for students, and procedures for requesting the disclosure of any information concerning students who have received mental health care that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of such information does not violate state or federal laws. Requires the State Board of Education to monitor school districts for compliance with these procedures and to implement sanctions for noncompliance. Requires Safe School Committees to be comprised of seven members instead of six, the seventh being a school official who participates in the investigation of reported incidents of harassment, intimidation, bullying, and threatening behavior. Directs the Oklahoma Office of Homeland Security to make grant monies available to schools, institutions of higher learning, and emergency management entities to encourage efforts to improve emergency preparedness. Requires regional planning and coordination advisory councils for homeland security to include representatives from a public school district and an institution of higher learning from the region. Effective 11-1-08.

HB 2215 (Murphey/Johnson (Constance)): Authorizes the Commissioner of Public Safety to enter into agreements with other government agencies for the use of space by the Department of Public Safety to perform any function required of the Department by law. Exempts these agreements from the Central Purchasing Act. Gives the Commissioner exclusive rights to enter into any contracts incident to real estate gifted to the state for use by the Department in rural Pottawattamie County adjacent

to the Wes Watkins Reservoir, including all contracts related to construction of a gun range. Gives the Department exclusive control over management and operation of the gun range. Exempts the Department from any real estate construction requirements or provisions in the Oklahoma Statutes. Applies to turnpikes the same general statutory provisions that regulate traffic on public highways. Authorizes the Turnpike Authority to prescribe maximum and minimum speeds for all vehicle types that utilize turnpikes, subject to the approval of the Commissioner of Public Safety, and after signs have been posted on the turnpike giving appropriate notice. Allows these regulations to apply to an entire turnpike or sections thereof. States that it is a violation of law to drive a vehicle faster or slower than the established maximum and minimum speeds on turnpikes. Copies of these speed regulations, certified by the Secretary of the Turnpike Authority, may be presented as evidence in any state court. Prohibits the operation of bicycles on turnpikes and authorizes the Turnpike Authority to prohibit the operation of any vehicle it determines would damage the turnpike surface or cause a traffic hazard. Deletes statutory language that previously allowed drivers to personally determine a reasonable and proper rate of speed for turnpikes. Modifies the penalty for noncompliance with turnpike regulations to a fine of \$5 to \$500 or up to 10 days imprisonment for a first conviction, up to 20 days imprisonment for a second conviction within a year of the first, and up to six months imprisonment for a third conviction within a year of the first. Exempts the Department of Public Safety gun range from a provision which prohibits state agencies from employing architects or engineers for planning or performing construction on state-owned lands. Exempts the Department of Public Safety gun range from a provision which requires the Department of Central Services to manage of all construction and maintenance contracts, and to purchase all materials for state buildings. Repeals an outdated section of statute that applied general public highways laws to turnpikes. Effective 11-1-08.

HB 2474 (Walker/Ivester): Creates the offense of endangerment of a highway worker for certain prohibited actions performed within a maintenance or construction zone. These actions include exceeding posted speed limits by 15 miles per hour or more, failure to merge, failure to stop for a work-zone flagman, failure to obey traffic control devices, driving around a construction zone outside of a clearly marked lane, and intentionally moving or altering bar-

rels, barriers, or signs erected to control traffic flow around a construction zone. Creates a fine of up to \$1,000 for endangerment of a highway worker in addition to any other penalties that may be applicable. Creates the offense of aggravated endangerment of a highway worker for any of the above offenses which result in the injury or death of a highway worker. Injury results in a fine of up to \$5,000, and death a fine of up to \$10,000. Provides that the above prohibited actions, except for movement or alteration of traffic control barriers or signs, will not be considered endangerment of a highway worker if no highway workers were present in the area at the time of the offense. Provides an additional exception for prohibited actions which occur as a result of mechanical failure of a vehicle. States that increased fines or penalties otherwise imposed by law will not apply upon the expiration of a road construction contract. Requires any mile of roadway where a highway worker was killed to be named in honor of that worker. Effective 11-1-08.

HB 2539 (Joyner/Barrington): Amends the Home Care Act as it relates to assisted living centers that offer plans of accommodation for residents, requiring that such plans comply with current building codes, rules of the State Fire Marshal, and the requirements of the local fire jurisdiction. Effective 11-1-08.

HB 2695 (Roan/Garrison): Authorizes the Department of Public Safety to own, train, and use canines to assist in explosive detection, drug location and interdiction, article searches, officer protection, and tracking. Authorizes the department to house canines with their trainers, and to pay from monies available to the Department for construction and maintenance of kennels on the trainer's private property. Specifies authorized construction and maintenance expenses for kennels, and limits such kennels to use by state-owned canines only. Requires that all expenditures be overseen and approved by the Commissioner of the Department, and directs the Commissioner to establish procedures for expenditures. The bill creates a definition for "medium-speed electric vehicles" in the Oklahoma Vehicle License and Registration Act, and exempts such vehicles from requirements for certain bond release letters and documentation from the United States Environmental Protection Agency, the United States Department of Transportation, and the Internal Revenue Service. Directs the Oklahoma Tax Commission to title and register medium-speed electric vehicles, and provides for their operation on state roadways with speed

limits of forty-five miles per hour or less. Department of Public Safety canine kennel provisions effective 6-2-08. Medium-speed electric vehicle provisions effective 11-1-08.

HB 2822 (Sullivan/Jolley): Removes city population limit for the use of nine-one-one emergency telephone service information by public law enforcement or public health agencies. Requires nine-one-one emergency telephone service information to be confidential. Protects public law enforcement and public health agencies from any liability for using nine-one-one emergency telephone service information for the purpose of providing emergency information to the public. Protects public agencies from any liability for failure to provide nine-one-one communication service. States that public agencies and their employees have no special duties to users of any telecommunication or communication system supplying nine-one-one service. Exempts communication service providers involved in providing nine-one-one service from liability for any claim arising from provision of that service, except in cases of negligence, recklessness, or intentional misconduct. Creates a definition for the term "communication." Effective 5-9-08.

HB 3341 (Thompson/Barrington): Creates the Fire Safety Standard and Firefighter Protection Act. Prohibits the sale of cigarettes in this state that have not been tested and certified in writing to perform at a specific ignition standard. The cigarettes must also be marked to indicate that they are "fire-safe". Provides specifications for the testing standards, written certification, and the package marking. Requires certain quality control programs for labs that perform the cigarette testing. Provides specifications for the placement of "lowered permeability bands" in the cigarette rolling paper, and provides for adoption of an alternative testing method by the State Fire Marshal if proposed by cigarette manufacturers or adopted by other states. Requires cigarette manufacturers to maintain copies of test reports for three years, and to provide such reports within 60 days of a request by the state. Creates a civil penalty of \$10,000 for each day beyond the 60 days that a manufacturer fails to provide a report. Requires the State Fire Marshal to review the effectiveness of this act every three years and report its findings to the Legislature. Allows wholesale and retail dealers to sell existing inventories of cigarettes after the effective date of this act if the dealers can show that tax stamps were affixed to the cigarettes before the effective date, and that the inventory

was purchased prior to the effective date in a quantity comparable to the inventory purchased during the same period of the prior year. Allows the sale of uncertified cigarettes solely for the purpose of consumer testing. Requires the Office of the State Fire Marshal to develop a web-based directory by January 31, 2009 for the public inspection of all cigarette certification submitted to the state, and to provide this directory to the Attorney General by the same date. Requires the State Fire Marshal to keep the directory updated and to provide such updates to the Attorney General. Requires that the directory include a list of any cigarettes exempted from the certification requirements. Any cigarette listed in the directory may be sold in this state by a wholesale or retail dealer, unless such dealer has actual knowledge that a particular cigarette does not comply. Requires recertification of cigarettes every three years, and requires manufacturers to pay to the State Fire Marshal a fee of \$1,000 for each brand of cigarette listed in a certification. Creates the "Fire Safety Standard and Firefighter Protection Act Enforcement Fund" for deposit of the certification fees, and makes that money available to the State Fire Marshal for processing, testing, enforcement, and oversight activities related to this act. Prohibits the sale of certified cigarettes which have been altered by a manufacturer from their previously certified state, until such cigarettes are retested and recertified. Creates a penalty of \$500 per pack for manufacturers or wholesalers who knowingly sell noncompliant cigarettes, but the penalty may not exceed \$100,000 during any 30-day period. Creates a penalty of \$500 per pack for retailers who knowingly sell noncompliant cigarettes, but the penalty may not exceed \$25,000 during any 30-day period. Creates a civil penalty of \$75,000 to \$250,000 for corporations or manufacturers that knowingly submit false certifications. Individual persons who violate provisions of this act may be subject to a civil penalty of \$1,000 to \$5,000. Provides for the seizure and destruction of non-compliant cigarettes, and allows the State Fire Marshal or Attorney General to file court actions for violations of this act, including petitions for injunctive relief to recover costs and damages suffered by the state, including enforcement costs and attorney fees. Authorizes law enforcement personnel to seize cigarettes which have not been marked in accordance with this act and provides for the destruction of seized cigarettes. Authorizes the State Fire Marshal to promulgate rules to effectuate this act and authorizes the Tax Commission to conduct inspections of cigarette inventories to en-

sure proper markings. Authorizes the Attorney General, the Tax Commission, the State Fire Marshal, their authorized representatives, and law enforcement personnel to review the books, papers, and invoices of any premises where cigarettes are sold. Establishes the "Cigarette Fire Safety Standard and Firefighter Protection Act Fund" for the deposit of penalties provided in this act and makes the money available to the State Fire Marshal to support fire safety and prevention programs. Provides for the manufacture and sale of noncompliant cigarettes outside this state or internationally. As of September 1, 2008, the act will cease to have effect if preempted by federal law, and local governments of the state may not enact any local regulations which conflict with the act. Effective 1-1-09.

**PUBLIC EMPLOYEES – RETIREMENT/  
INSURANCE/PAY/BENEFITS MEASURES**

SB 1369 (Johnson (Mike)/Miller): Modifies the unclassified register by adding unclassified positions for the Corporation Commission, Oklahoma Commission on Children and Youth, Department of Central Services, Oklahoma Water Resources Board, Oklahoma Historical Society, Department of Agriculture, Food and Forestry, State Board of Registration for Professional Engineers and Land Surveyors, Department of Rehabilitation Services, Office of Juvenile Affairs and Oklahoma Public Employees Retirement System. Increases the number of full-time-equivalent employees for the State Board of Registration for Professional Engineers and Land Surveyors and the Oklahoma State Board of Pharmacy. Effective 7-1-08.

SB 1641 (Mazzei/Sullivan): Provides that elected officials who become members of the Oklahoma Public Employees Retirement System (OPERS) on or after the effective date of this act will receive retirement benefits from OPERS in accordance with the contribution rate and computation factor only for those years of credited services. Specifies that any service as a nonelected member shall be computed separately. Provides that elected officials first elected or appointed to an elective office on or after the effective date of this act may not receive a maximum benefit greater than their single highest annual compensation. Effective 8-22-08.

SB 2143 (Corn/Hickman): Brings the Oklahoma Firefighters Pension and Retirement System, Oklahoma Police Pension and Retirement System and Oklahoma Law Enforcement Retirement System into compliance with Internal Revenue Service requirements. Specifies that effective July 1, 2008, any person employed for the first time as an employee of the Department of Public Safety in the Communications Division as an information systems telecommunication technician shall not be eligible to be a member of the Oklahoma Law Enforcement Retirement System. Provides that the total service credit of a member of the Oklahoma Law Enforcement Retirement System who retires, elects a Deferred Option Plan or terminates employment and elects a vested benefit shall include up to two hundred forty days of unused sick leave accumulated while a member of the System. Effective 7-1-08.

HB 2074 (Sears/Brown): Removes the annual cap of \$30,000 for a retired member of the Teachers' Retirement System (TRS) who returns to work after thirty-six months with no reduction in retirement benefits. Allows employees of certain alternative schools to participate in TRS. Effective 7-1-08.

HB 2693 (Roan/Paddack): Requires the State Department of Health to pay a death benefit in the event of the death of an emergency medical technician resulting from the official duties of such emergency medical technician performed while in the line of duty. Imposes a fee of \$10 for each original or renewal application for an emergency technician with the revenue from the fee apportioned to the Emergency Medical Technician Death Benefit Revolving Fund. Exempts such death benefit from income tax. Effective 7-1-08.

HB 2793 (Benge/Johnson (Mike)): Requires the amounts contributed by a school district or a higher education institution for tax-sheltered annuity accounts to be made to vendors approved by such school district or higher education institution. Allows a school district or institution to revoke a previously approved vendors' eligibility to receive such deferrals. Effective 7-1-08.

HB 3112 (Peterson (Ron)/Mazzei):

- Provides a 4% cost-of-living adjustment for retired members of the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System, the Uniform Retirement System for Justices and Judges, the Oklahoma Law

Enforcement Retirement System and the Oklahoma Public Employees Retirement System. Provides a 2% cost-of-living adjustment for retired members of the Teachers' Retirement System of Oklahoma.

- Requires Tulsa County to not adopt any plan amendment to their county retirement system defined benefit plan provisions in a manner that would result in an increase in the unfunded actuarial accrued liability of the retirement plan unless the county provides concurrent funding for such plan amendment or plan modification.
- Prohibits retirees of the Oklahoma Public Employees Retirement System from returning to work for their former employer for a period of one year unless the retired member waives their retirement benefit and returns as a bona fide employee.
- Modifies nomination and election requirements for district judges in Dewey, Blaine, Kingfisher, Garfield, Major Woodward, Woods, Alfalfa and Grant counties.
- Allows a dependent under the age of twenty-five to be covered for purposes of the State and Education Employees Group Insurance Act.

Effective 7-1-08.

### **REVENUE & TAXATION MEASURES**

SB 958 (Jolley/Terrill): Modifies language relating to the way real property owned by developers is valued for property tax purposes. Deletes references to valuation based on purchase price and substitutes valuation of land based on fair cash value. Effective 5-12-08.

SB 1148 (Anderson/Jackson): Modifies law relating to estate tax by increasing the amount of a decedent's deposits which a financial institution may release to heirs without notice to the Tax Commission and by authorizing the use of a simplified return or affidavit in lieu of an estate tax return when the estate is less than the exempt amount. Effective 7-1-08.

SB 1511 (Wilson/Terrill): Modifies provisions relating to motor vehicles including: limiting purchaser's responsibility for dishonored checks written by a seller and providing for optional registration of certain trailers. Authorizing the Tax Commission to provide certain kinds of otherwise confidential information to certain specified parties under certain circumstances. Modifying specified procedures relating to the tax on cigarettes and tobacco products.

Modifying and creating certain sales tax exemptions. Clarifying language relating to income tax rate cut "trigger". Effective 7-1-09 (Section 1)/ 7-1-08 (Sections 2, 3 and 5)/ 6-4-08 (All other sections).

SB 1558 (Gumm/Adkins): Extends to January 1, 2010 the expiration date for an income tax credit provision for investments in certain qualified clean-burning motor vehicle fuel property. Effective 1-1-09.

SB 1658 (Coffee/Miller): Extends a gross production tax exemption for wells drilled to 15,000 feet or more by making wells spudded before July 1, 2011 eligible. Existing law would have included only wells spudded before July 1, 2008. Effective 6-3-08.

SB 1685 (Wilson/Jones): Modifies procedures relating to unclaimed property handled by the State Treasurer's Office. Authorizes money damages awarded to a state agency to be deposited into a special agency account. Authorizes State Treasurer to deposit bank service charges into an agency revolving fund. Effective 5-2-08.

SB 1699 (Bingman/Adkins): Relates to One Stop Shop Trucking and other interstate commercial motor vehicle registration regulation. Provides for adjustments to state regulatory procedures and conformity to federal regulations. Clarifies statutory provisions transferring administrative duties from the Tax Commission to the Corporation Commission. Effective 5-12-08.

SB 1770 (Lerblance/Banz): Repeals and modifies various ad valorem provisions to discontinue the practice of purchasing real property through the payment of delinquent taxes. Effective 4-24-08.

SB 1799 (Gumm/Terrill): Modifies existing income tax credit for railroad reconstruction expenditures by allowing a claim to be made for three times the existing credit maximum amount, if expenditures are made in one year but credit is claimed over a 3-year period. Effective 11-1-08.

SB 1819 (Coffee/Benge): Modifies the Quality Jobs Program Act to include the NAICS code for professional or semiprofessional sports teams. Excludes certain compensation for such teams from calculations to determine incentive payments. Authorizes payments for a 15-year period. Limits the net benefit rate for such teams

and all new basic industries, upon which payments are calculated, to the highest rate of income tax in effect during the year payments are made. Effective 4-21-08.

SB 1956 (Mazzei/Terrill): Provides that if new insurance premium tax incentives are enacted, certain pension systems will be held harmless with respect to revenue distribution. Provides sales tax exemptions for certain school foundations and certain railroad freight cars. Modifies certain procedures relating to income tax credits for rehabilitation of historic structures, the production of biodiesel and tourism and film incentives. Creates new, additional penalties for delinquent ad valorem taxes under a specified situation. Effective 1-1-09 (Sections 4 and 6)/ 7-1-09 (Sections 1, 2, 3, 5 and 8 through 16).

SB 2034 (Mazzei/Terrill): Establishes a Voluntary Compliance Initiative (tax amnesty program) whereby certain penalty, interest and fees associated with delinquent taxes may be waived by the OTC if the taxpayer voluntarily files delinquent returns and pays the taxes due or enters into a written agreement to pay the taxes during the 2-month time period of the initiative. Modifies language relating to federal taxable income and corresponding bonus depreciation received under the federal Economic Stimulus Act of 2008 to prevent a negative revenue certification resulting from the federal act. Requires corporate taxpayers to add back rents and interest expenses paid to a captive real estate investment trust ("REIT"). Effective 6-3-08 - Sections 1 and 2, January 1, 2008 - Section 3.

SB 2061 (Bass/Peters): Modifies the rate of tax on wine by deleting the separate tax rate on wine with more than 14% alcohol content and applying a \$.19 per liter tax rate to all wine other than sparkling wine. Effective 7-1-09.

SB 2129 (Mazzei/Peterson(Ron)): Modifies three separate income tax credit provisions relating to investment in venture capital companies and businesses, as follows:

- Modifies criteria for a "business venture", "small business venture" and "rural business venture" to include authority for claiming a tax credit for investment expended to provide "working capital" for one of the three types of "ventures". Specifies that working capital does not include consulting, brokerage or transaction fees;

- Authorizing credit to be claimed for funds borrowed by a pass-through entity, under each type of venture capital credit provisions, only if the obligation to repay the funds is "unlimited and continuing";
  - Modifies investments under the three tax credit provisions which are subject to recapture by the Oklahoma Tax Commission by: (1) including language to conform to the "working capital" change in other sections; and (2) creating an additional exception to the recapture provision for repayment of indebtedness under certain circumstances;
  - Extends sunset date for income tax credit provision for certain "qualified business enterprises; and
  - Provides for an extended start date for a 5-year ad valorem manufacturing exemption if an establishment is the beneficiary of a tax preference from a tax incentive district.
- Effective 8-22-08.

HB 1387 (Terrill/Wilson): Various provisions relating to tax, including:

- Modifies the method of calculation of the average annual price of Oklahoma oil and gas for purposes of determining whether or not the gross production tax exemption is applied;
- Provides or modifies sales tax exemptions relating to: contractors to a Department of Veterans Affairs construction project, organizations which provide funding for the preservations of wild duck habitats and wild turkeys, sales of food items by organization whose purpose is to fund scholarships in the medical field, construction projects for certain organization which provides hospice and other care to certain low income individuals, tickets to fund-raising events for the support of general hospitals licensed by the state and sales to the NRA and sales to and by the NRA grassroots fundraising programs;
- Modifies the application of the motor vehicle rental tax to permit a deduction from gross receipts for bad debt;
- Extends the existing income tax credit for purchase of poultry litter by one year and establishes new credit for double the amount through tax year 2013; and
- Authorizes the Tax Commission to enter into an agreement for an Integrated Tax System which will begin generating revenue in FY-09. A newly-created "Oklahoma Tax Commission and Office of State Finance Joint Computer Enhancement Fund" will accrue funds from sales and income tax col-

lections in an amount equal to that raised from the project and such funds will be used for expenditures related to the project. Effective July 1, 2008 - Sections 5 through 10; January 1, 2009 - Sections 1 and 4; July 1, 2009 - Sections 2 and 3.

HB 3229 (Key/Brogdon): Modifies procedures related to the investment of ad valorem taxes which are paid under protest. Requires such taxes to be invested in an interest-bearing medium and allows the taxpayer to choose investment type and depository, subject to certain limits. Applies only if protested amount is more than \$15,000. Effective 7-1-08.

HB 3239 (McNiel/Corn): Provides three income tax credit provisions relating to the aerospace industry. Employers may claim a credit for up to 50% of tuition reimbursement to a qualified employee, subject to certain limits. Employers may also claim a credit for 10% of compensation paid to an employee graduating from a state institution or 5% for employees graduating from an out-of-state institution, subject to certain limits. A qualified employee may claim a credit for up to \$5,000 per year for five years, also subject to certain limits. Also authorizes the Oklahoma Aeronautics Commission to employ certain processes and contract with specified entities. Effective 1-1-09 for Sections 1 to 4/ 11-1-08 for Section 5.

HB 3326 (Miller/Jolley): Provides for a general reissue of all official state license plates beginning January 1, 2009. Authorizes additional funding for the Tax Commission for the purpose of implementing the reissue. Provides for procedures related to the reissue, including authorization for the Tax Commission to accept \$15 reservations for a specific license number. Authorizes the Department of Public Safety to request subsequent general reissues every 5 years. Requires DPS to establish the online verification system for motor vehicle insurance on the internet as a web-based portal system. Requires the Tourism Department to design new license plates with the approval of the Department of Public Safety. Effective 7-1-08.

HB 3352 (Terrill/Mazzei): Requires specified information about tax increment and tax incentive districts to be reported to the Tax Commission. Modifies various provisions relating to procedures under the Local Development Act. Effective 11-1-08.

HB 3354 (Terrill/Wilson): Provides for a vote of the people to amend the Constitution to include a new provision prohibiting filing for an ad valorem exemption retroactively for any year before an original application for exemption was filed. Authorizes the Legislature to enact laws to implement ad valorem tax exemptions.

### **TAX COMMISSION FUNDING**

The Oklahoma Tax Commission received an FY'09 appropriation in the amount of \$50,201,340, a 4 percent increase over FY'08. This includes \$500,000 for an emergency generator to insure constant power at the data processing center.

### **TELECOMMUNICATIONS & TECHNOLOGY MEASURES**

HB 3098 (Banz/Aldridge): Creates the "Aerospace Development Act of 2008" to combine the functions of the Center for Aerospace Supplier Quality (CASQ) and the Oklahoma Aerospace Institute into the Oklahoma Aeronautics Commission for the purpose of creating a partnership of service providers to more effectively respond to the needs of the aerospace industry in the areas of education and training, research and economic development. Outlines the activities and missions of each of the entities and recodifies current statutes to reflect the combining of these entities. Effective 11-1-08.

### **TOURISM & WILDLIFE MEASURES**

SB 1463 (Williamson/Richardson): Prohibits persons from hunting wildlife by computer assisted remote control hunting or engaging in any activity that provides, sells, offers for sale, assists in, or provides facilities for computer-assisted remote control hunting of wildlife. Effective 5-5-08.

SB 1734 (Sparks/Armes): Removes the requirement that applicants for a commercial hunting area license submit proof of being an Oklahoma resident. Sets penalties for a person who enters a commercial hunting area without permission as trespassing and fined no more than \$250.00 and for a person who trespasses and attempts to take or takes a cervidae or wildlife as a misdemeanor and fined no less than \$1000.00 and no more than \$5000.00. Also authorizes an owner or operator of a com-

mercially licensed hunting facility to transport cervidae from one in-state hunt facility to another in-state hunt facility without a permit. Effective 7-1-08.

SB 1855 (Garrison/McDaniel (Randy)): Modifying requirements for deposit of monies collected by the Oklahoma Tourism and Recreation Department and placed into certain agency clearing accounts. Effective 7-1-08.

SB 1872 (Garrison/Hyman): Adding exemption to restriction that any member of the Commission may seek election to a federal, state or county office while serving on the Commission; creates the Oklahoma Today Magazine Division; and modifies descriptions. Effective 7-1-08.

SJR 38 (Coffee/Terrill): Will place a state question on the ballot in the November ballot allowing voters to determine whether the right to hunt and fish and take game and fish should be protected by the state constitution.

HB 2226 (Smithson/Corn): Permits legal residents 60 years and older to hunt with a cross-bow. Effective 5-9-08.

HB 2544 (Richardson/Rabon): Deletes the limits for the fee amount for the annual special use permit required for all persons who hunt or fish or otherwise use private lands leased and administered by the Dept. of Wildlife Conservation. Add a provision that allows fees collected from the issuance of permits to be expended for lease payments. Also deletes all exemptions from permit requirements. Effective 4-28-08.

HB 2667 (McDaniel (Randy)/Ford): Establishes a fee for a combination five year hunting and fishing license for residents who have resided in the state for at least six months. Establishes the fees for a five year hunting license at \$75.00 and a five year fishing license at \$75.00 and a combination license at \$135.00. Effective 1-1-09.

HB 2735 (Renegar/Lerblance): Modifies fees for fur dealers licenses for residents and non-residents and reduces the age limit for apprentice hunting permit from sixteen to ten years of age. Effective 5-8-08.

HB 3164 (Blackwell/Myers): Changes the five day nonresident hunting license to include pheasant and changes fee for the five day non-resident hunting license to \$69.00. Effective 11-1-08.

HB 3198 (Denney/Jolley): Creates the Task Force on Creative Artist Guilds to study approaches to organizing, establishing, and supporting creative artist guilds in Oklahoma in order to provide a cooperative structure for artists to advance visual and performing arts through education, exhibitions, and workshops. Effective 4-21-08.

HB 3268 (Harrison/Rabon): Extends the jurisdiction of game wardens to enforce all state laws on all Oklahoma Turnpikes operated by the Oklahoma Turnpike Authority. Effective 11-1-08.

HB 3365 (McNiel/Ford): Modifies the amount of paddlefish eggs that one may possess by decreasing the amount from five pounds to three pounds. Also prohibits the transportation of paddlefish eggs with viscera out of state and increases the fine to not less than \$1000.00 and not more than \$10,000.00 for the first offense. For the second offense, the fine is increased to not less than \$2000.00 and not more than \$25,000 with imprisonment time not to exceed one year. In addition, all fishing licenses and privileges within the state held by a person convicted of violating the provisions of this law shall be revoked for a period of not less than one year from the date of conviction. Effective 4-21-08.

### ***TOURISM FUNDING***

HB 2276 appropriates \$27,821,991 to the Department of Tourism and Recreation. This is a \$5,000 decrease from the agency's FY'08 appropriation, because fewer funds were needed for the Capitol Visitor's Center. However, SB 1312 appropriates an additional \$220,000 for various tourist events and destinations across the state.

### ***J.M. DAVIS COMMISSION FUNDING***

HB 2276 appropriates \$385,403 to the J.M. Davis Memorial Commission.

One-time expenditures of \$150,000 were removed from the agency's appropriation. This one-time funding was used to replace the air/heat units.

### ***WILL ROGERS COMMISSION FUNDING***

HB 2276 appropriates \$933,702 to the Will Rogers Memorial Commission.

One-time expenditures of \$150,000 were removed from the agency's appropriation. This one-time funding was used for maintenance and repair of the various structures association with the agency.

### ***TRANSPORTATION MEASURES***

SB 1155 (Bass/Armes): Names roads or bridges in honor of the following: Duty Rowe, John Adams, Arlie Harrill, P.F.C. Cody Montana Carver, Representative Jim L. Barker, US Army Staff Sergeant Ruben Rivers, SPC Ross Hunter Duncan, OHP Lt. J.C. Burris, and Zach D. Taylor. Effective 5-12-08.

SB 1181 (Rabon/Thompson): Authorizes the Department of Transportation and the Turnpike Authority to enter into demand services contracts for consultant services to provide a specific work type or activity for unspecified projects or facilities on an as-needed basis. This measure further removes a \$250,000 cap on such contracts. Effective 8-22-08.

SB 1392 (Crutchfield/Adkins): Modifies the expenditures from the Trucking One-Stop Shop Fund by allowing the Corporation Commission to expend funds in accordance with the Oklahoma Central Purchasing Act when responding to emergency situations with potentially critical environmental or public safety impact. Effective 5-2-08.

SB 1479 (Ballenger/Wright): This measure relates to the sale of unneeded property owned by the Department of Transportation. The Transportation Commission shall be required to offer to sell back any unneeded property to the original seller for an amount not greater than the amount which the property was bought for a period of five years. After five years, the sale of any such property may be offered at fair market value. Additionally, the bill designates a bridge honoring Richard L. Huddleston, a highway honoring Army Staff Sergeant Billie Hall and a bridge honoring Representative Ron Langmacher. Effective 5-2-08.

SB 1506 (Burrage/Jones): Prevents a county or ODOT from opening a certain road as a public highway. States three specific circumstances which must exist in order to meet the requirements of this statute and provides that a fee owner shall not be denied the right of ingress or egress to their land. Effective 4-22-08.

SB 1900 (Branan/Thompson): Authorizes the Turnpike Authority to advertise for bids for surface-treatment-only road projects in 20 mile increments as well as on the project as a whole. Increases to \$200 the amount the Turnpike Authority and the Department of Transportation can spend on their employees when recognizing them for safety achievements. Effective 5-9-08.

HB 2231 (Murphey/Branan): Removes outdated requirements for the Department of Transportation and counties to mark certain highway corners with bronze surface markers. Effective 11-1-08.

HB 2240 (Schwartz/Branan): Modifies current statutes governing certain highway logo signage by requiring that the Department of Transportation shall receive not less than 10% of the contract price between the contractor and the advertiser. Effective 11-1-08.

HB 2691 (Roan/Gumm): Creates 14 new sections of law designating various highways and bridges honoring Vietnam veterans throughout the state. This measure was enacted in conjunction with a visit from a traveling memorial honoring veterans from that war. Effective 4-11-08.

HB 3003 (Johnson (Rob)/Bingman): In an effort to curb rising thefts of oil field equipment, this bill requires law enforcement officers undergoing CLEET training to take an additional four hours of training specifically on that subject. Additionally, the bill authorizes peace officers and OSBI agents to stop and inspect vehicles transporting oil field equipment for their bills of lading to ensure such vehicles are not transporting stolen equipment and enact new recordkeeping requirements for oil field equipment dealers to allow for easier inspection by law enforcement officers. Effective 1-1-09.

HB 3335 (Thompson/Branan): Requires the Department of Transportation to initiate a review of their rules pertaining to acquisition and disposal of real property needed for the construction and maintenance of highways and facilities and highway advertising. The purpose of the review is to ensure ODOT exercises due

diligence and reasonable efforts are made to negotiate in good faith with property owners to avoid litigation. Allows logo sign placement in counties with more than 500,000 populations. Effective 7-1-08.

### **TRANSPORTATION FUNDING**

The Department of Transportation received an FY'09 appropriation in the amount of \$207,691,488. In addition to its appropriation, ODOT was authorized to sell \$300 million in bonds. The legislature removed the three percent trigger that currently governs deposits to the ROADS fund and set the yearly apportionment increase at \$30 million. The cap on the ROADS fund was increased from \$270 million to \$370 million. By FY'16 ODOT will have received a total of \$2.3 billion in appropriations to the fund.

### **VETERANS & MILITARY AFFAIRS MEASURES**

SB 1970 (Bass/Duncan): Creates the Oklahoma Medal of Freedom, which may be awarded to any person deemed eligible by the Adjutant General. Allows the Adjutant General, with the approval of the Governor, to accept or purchase title to parcels of real estate, whether or not an armory has or will be constructed on such real estate. Authorizes the Adjutant General to enter into agreements for the expenditure of Military Department funds on advertising. Requires the Military Department to assure that all contracts for the construction of armory buildings are awarded in the same federal fiscal year of appropriation by Congress, and that all contracts comply with federal military construction codes and state building codes. Allows all monies in the Oklahoma Military Department Revolving Fund to be invested by the State Treasurer at the direction of the Adjutant General, and provides for accrual of all earnings on such investments to the credit of the fund. Effective 11-1-08.

HB 2970 (Hoskin/Burrage): Provides free admission to all state-owned or state-operated parks and museums for honorably discharged veterans who are Oklahoma residents. Requires veterans to present photo identification and proof of honorable discharge to gain free admission. Effective 11-1-08.

HB 3100 (Banz/Reynolds): Provides an Oklahoma Legislative Medal of Honor to be awarded to a member of the state or federal military forces, designated by concurrent resolution of the Legislature, who voluntarily performs a deed of personal bravery or self-sacrifice involving risk of life. Establishes methods, qualifications, and restrictions for awarding the Oklahoma Legislative Medal of Honor. Effective 11-1-08.

HJR 1093 (McAffrey/Rice): Memorializes the United States Department of Defense and the United States Department of Labor to include Oklahoma in the Military Spouse Career Advancement Initiative. Effective 4-22-08.

<p><b>SENATE AND HOUSE CONCURRENT RESOLUTIONS</b></p>
---

SCR 42 (Corn/Brannon): Memorialize Congress to intervene on regulations relating to ATV access on Forest System trails. Adopted 5-15-08.

SCR 44 (Sykes/Johnson (Dennis)): Designate Duncan the Crape myrtle Capital of the State. Adopted 2-27-08.

SCR 45 (Barrington/Johnson (Dennis)): Honoring Fall Classic in Duncan. Adopted 4-8-08.

SCR 48 (Coffee/McDaniel (Randy)): Declare February 6, 2008 Ronald Reagan Day in the State of Oklahoma. Adopted 2-7-08.

SCR 49 (Coffee/McDaniel (Randy)): Repudiate the concept of Jim Crow Laws in Oklahoma. Adopted 2-13-08.

SCR 50 (Crutchfield/Cox): Designate June 2008 Deep Vein Thrombosis Awareness Month and June 4 as DVT Day. Adopted 2-12-08.

SCR 53 (Ford/Cox): Commending J.D. McCarty Center for Children with Developmental Disabilities. Adopted 3-5-08.

SCR 54 (Eason McIntyre/Shelton): Praising the life, achievements and basketball ability of Marques Haynes. Adopted 2-28-08.

SCR 55 (Corn/Brannon): Commending the life of the late Deputy Sheriff Dustin Duncan. Adopted 4-8-08.

SCR 56 (Morgan/Benge): Commending the public career of the late Richard Huddleston. Adopted 3-6-08.

SCR 57 (Brogdon/Derby): Requesting the federal government to fully fund and maintain the McLellan-Kerr Arkansas River Navigation System. Adopted 3-17-08.

SCR 58 (Adelson/Lamons): Declaring March Multiple Sclerosis Awareness Month. Adopted 4-29-08.

SCR 59 (Burrage/Hoskin): Commending the public career of Senator Gideon "Gid" Graham. Adopted 4-29-08.

SCR 60 (Burrage/Hoskin): Commending the 2007 Chelsea Lady Dragons Fast Pitch Softball Team for winning the State Championship. Adopted 3-18-08.

SCR 61 (Coates/Morgan): Designating March 18, 2008 as Law Enforcement Appreciation Day in the State of Oklahoma. Adopted 4-22-08.

SCR 62 (Barrington/Coody): Honoring the service of nine narcotics agents and officers for bravery in the line of duty. Adopted 3-24-08.

SCR 63 (Rice/McAffrey): Praising the public career of the late Charles Nesbitt. Adopted 5-15-08.

SCR 65 (Ivester/Walker): Commending Justin McBride for his rodeo performances. Adopted 5-13-08.

SCR 66 (Corn/Brannon): Congratulating the Howe Lady Lions for winning the Class A State Basketball Championship. Adopted 4-10-08.

SCR 67 (Corn/Brannon): Congratulating the Pocola Lady Indians for winning the Class 2A State Basketball Championship. Adopted 4-10-08.

SCR 68 (Eason McIntyre/Shumate): Commending R.W. McQuarters for his role in the 2008 Super Bowl. Adopted 4-22-08.

SCR 69 (Mazzei/Peterson (Pam)): Congratulating the Williams Company upon their 100<sup>th</sup> anniversary. Adopted 5-7-08.

SCR 71 (Morgan/Benge): Modifying the date on which the Legislature will adjourn sine die. Adopted 4-22-08.

SCR 73 (Paddack/Thomsen): Authorizing the Regional University System of Oklahoma to issue revenue bonds on behalf of East Central University. Adopted 5-13-08.

SCR 76 (Mazzei/Peterson (Ron)): Recognizing Robert "Bob" Mulkey as the 2007 Oklahoma and National Quality Dealer. Adopted 5-6-08.

SCR 77 (Brown/Wright): Honoring the accomplishments of the Broken Arrow Police Department. Adopted 5-14-08.

SCR 78 (Adelson/Murphey): Congratulating the Guthrie High School Bluejays basketball team for winning the Class 5A State Championship. Adopted 5-15-08.

SCR 79 (Anderson/Murphey): Congratulating the Guthrie High School Bluejays football team for winning the Class 5A State Championship. Adopted 5-15-08.

SCR 80 (Branan/Thompson): Creating the Road Construction and Utility Relocation Task Force. Adopted 5-23-08.

SCR 81 (Sykes/Johnson (Dennis)): Commending Stephens County Sheriff Jimmie Bruner. Adopted 5-15-08.

SCR 84 (Anderson/Peters): Proclaiming April 26 - May 4, 2008 National Safe Kids Week in Oklahoma. Adopted 5-6-08.

SCR 85 (Justice/Winchester): Declaring April 30, 2008 Braum's Day at the Oklahoma State Capitol. Adopted 5-7-08.

SCR 86 (Rabon/Smithson): Honoring Retired Trooper Ed Vandergriff. Adopted 5-15-08.

SCR 87 (Paddack/Thomsen): Commending the public career of Dr. Jeanie Nelson. Adopted 5-19-08.

SCR 89 (Gumm/Dorman): Recalling Senate Bill 1507 from the Governor. Adopted 5-1-08.

SCR 90 (Eason McIntyre/Lamons): Proclaiming May 7, 2008 Koman Advocacy Day at the State Capitol. Adopted 5-7-08.

SCR 91 (Coffee/Murphey): Urging Oklahoma State Regents for Higher Education and others to practice cost-effective purchasing procedures. Adopted 5-22-08.

SCR 92 (Paddack/Thomsen): Congratulating

the Ada Metal Mayhem Team for winning the Rookie All-Star Award. Adopted 5-22-08.

SCR 93 (Johnson (Constance)/Shumate): Recognizing May 30 and 31 as Power to End Stroke Gospel Fest Days. Adopted 5-19-08.

SCR 96 (Justice/Winchester): Celebrating 100<sup>th</sup> anniversary of the University of Science and Arts. Adopted 5-20-08.

SCR 97 (Morgan/Benge): Establishing legislative procedure schedule for 52<sup>nd</sup> Oklahoma Legislature. Adopted 5-21-08.

SCR 100 (Sparks/Wright): Waiving 30-legislative-day review period for permanent rules of the Teachers' Retirement System. Adopted 5-23-08.

SCR 102 (Brown/Steele): Waiving 30-legislative-day review period on rule changes of the Employee Benefits Council. Adopted 5-23-08.

HCR 1047 (Dorman/Ford): Describing the Oklahoma History Center official Rock and Roll Song competition. Adopted 4-23-08.

HCR 1055 (Shelton/Johnson (Constance)): Celebrating the life of Opio Toure and expressing condolences to his family. Adopted 2-7-08.

HCR 1057 (Jones/Jolley): Establishing the Task Force on Student Remediation. Adopted 5-23-08.

HCR 1058 (Cox/Paddack): Encouraging the study and use of patient centered medical homes. Adopted 3-31-08.

HCR 1060 (Wesselhoft/Ivester): Congratulating Israel on its sixtieth anniversary. Adopted 4-17-08.

HCR 1065 (BigHorse/Sweeden): Designating May 2, 2008 as Osage tribal Museum Day. Adopted 4-16-08.

HCR 1067 (Dank/Lamb): Declaring April 2008 as Autism Awareness Month. Adopted 5-5-08.

HCR 1072 (Dorman/Jolley): Congratulating the Oklahoma Intercollegiate Legislature. Adopted 4-7-08.

HCR 1075 (Derby/Brogdon): Designating Carroll Shelby Day. Adopted 5-23-08.

HCR 1083 (DeWitt/Bass): Authorizing the use of earnings from the Oklahoma Capitol Improvement Authority Series 1995 Bonds. Adopted 5-15-08.

HCR 1084 (DeWitt/Myers): Renaming the Oklahoma State Art Collection Gallery the Betty Price Gallery. Adopted 5-7-08.

HCR 1089 (Sullivan/Williamson): Commending the University of Tulsa's Golden Hurricane Men's Basketball Team. Adopted 5-23-08.

HCR 1096 (Benge/Morgan): Extending time for sine die adjournment. Adopted 5-23-08.

### **SENATE AND HOUSE RESOLUTIONS**

SR 52 (Adelson): Local and state elected offices and government agencies to promote healthier state. Adopted 3-31-08.

SR 53 (Leftwich): Recognizing and commending Antoine Cason, the 2007 Jim Thorpe Award winner. Adopted 2-12-08.

SR 54 (Mazzei): Urging Government of Turkey to uphold and safeguard religious and human rights. Adopted 3-25-08.

SR 55 (Barrington): Congratulating Brooke Good 2007 Mrs. Oklahoma International. Adopted 5-6-08.

SR 56 (Branan): Praising the life of Jeannine T. Rainbolt. Adopted 3-4-08.

SR 57 (Coffee): Memorializing the federal government to fully fund vital public safety programs. Adopted 3-24-08.

SR 58 (Coffee): Congratulating Makenna Smith upon her selection as Miss Oklahoma 2007. Adopted 3-25-08.

SR 59 (Rice): Praising the public career of the late Zack Taylor. Adopted 4-10-08.

SR 60 (Corn): Praising the life and career of the late Regina Lee Wood. Adopted 4-2-08.

SR 61 (Morgan): Commending Oklahoma Boys and Girls Clubs. Adopted 3-27-08.

SR 62 (Lerblance): Congratulating the Lady Eagles Fast Pitch Softball Team. Adopted 3-26-08.

SR 63 (Bass): Celebrating April 7, 2008 as CompSource Oklahoma Day. Adopted 4-8-08.

SR 65 (Crain): Congratulating the Tulsa Union Girls Basketball Team for winning the Class 6A State Championship. Adopted 4-1-08.

SR 66 (Anderson): Congratulating Barbara and Bill Walter for their induction into the Oklahoma Journalism Hall of Fame. Adopted 3-31-08.

SR 67 (Wilson): Urging support of the Credit Cardholders' Bill of Rights Act of 2008. Adopted 5-21-08.

SR 68 (Anderson): Mourning the loss of Army Staff Sergeant Chris Hake. Adopted 4-1-08.

SR 69 (Morgan): Commending the Baptist Village Retirement Communities on their 50<sup>th</sup> anniversary. Adopted 5-7-08.

SR 71 (Ballenger): Designating April 7-11, 2008 County Government Week in the State of Oklahoma. Adopted 4-10-08.

SR 73 (Crain): Congratulating the Tulsa Memorial Boys Basketball Team for winning the 2008 State Class 6A Championship. Adopted 4-30-08.

SR 76 (Burrage): Praising the many accomplishments of Dr. Larry G. Burdick. Adopted 5-15-08.

SR 77 (Johnson (Constance)): Encouraging democracy and human rights in Ethiopia. Adopted 5-23-08.

SR 78 (Coffee): Expressing gratitude to Senator Owen Laughlin. Adopted 4-30-08.

SR 79 (Coffee): Expressing gratitude to Senator Kathleen Wilcoxson. Adopted 5-5-08.

SR 80 (Morgan): Expressing gratitude to Senator Jeff Rabon. Adopted 5-6-08.

SR 81 (Corn): Congratulating Randy Tonche for winning the 2007 Oklahoma Class 3A State Wrestling Championship. Adopted 5-19-08.

SR 82 (Gumm): Commending Roma's Italian Restaurant in Durant, Oklahoma. Adopted 5-12-08.

SR 83 (Ivester): Commending Cordell High School for their academic achievements. Adopted 5-14-08.

SR 84 (Corn): Congratulating Grant Daffin on winning two consecutive Oklahoma Class 3A Wrestling Championships. Adopted 5-19-08.

SR 85 (Ivester): Congratulating the Fort Cobb-Broxtton Mustangs for winning the Spring 2008 Class A Basketball State Championship. Adopted 5-13-08.

SR 86 (Ivester): Commending the Hobart Boys Bearcat Track Team for winning the Class 2A State Championship. Adopted 5-13-08.

SR 87 (Schulz): Commending the Leedey's Lady's Softball Team upon winning the Class A State Championship. Adopted 5-13-08.

SR 88 (Lerblance): Congratulating the 2008 Vian Girls Track Team for winning the State Championship. Adopted 5-14-08.

SR 89 (Lerblance): Congratulating the Red Oak Eagles for winning the Spring 2008 Class B State Baseball Championship. Adopted 5-19-08.

SR 90 (Laughlin): Protection of property and supplies of Senate and duties of President Pro Tempore in interim. Adopted 5-15-08.

SR 92 (Easley): Commending Schultz Family, 2008 Special Olympics Oklahoma Family of the Year. Adopted 5-19-08.

SR 93 (Sparks): Congratulating the Lexington Lady Bulldogs Slow Pitch Softball Team for winning the 2008 5A State Championship. Adopted 5-19-08.

SR 94 (Rabon): Commending the musical contributions of Ray Wylie Hubbard. Adopted 5-23-08.

SR 95 (Bingman): Honoring the actions of Creek County Deputy Michael M. Marcum. Adopted 5-23-08.

SR 96 (Branan): Congratulating the athletic program at Bishop McGuinness High School for eight championships. Adopted 5-23-08.

SR 97 (Coffee): Expressing gratitude to Senator James Williamson. Adopted 5-20-08.

SR 98 (Rabon): Commending the musical accomplishments of Oklahoman Mike Rabon. Adopted 5-23-08.

SR 99 (Rabon): Commending the public career of Bill Moyers. Adopted 5-23-08.

SR 100 (Rabon): Commending the career of Hoyt Axton. Adopted 5-23-08.

SR 101 (Adelson): Commending the 2008 American Idol winner David Cook of Tulsa, Oklahoma. Adopted 5-23-08.

SR 102 (Johnson (Constance)): Commemorating the 50<sup>th</sup> anniversary of the sit-in at Katz Drug Store in Oklahoma City. Adopted 5-23-08.

SR 103 (Johnson (Constance)): Commending the Heritage Hall boy's golf team for winning the 2008 Class 3A State Championship. Adopted 5-23-08.

SR 104 (Laughlin): Expressing gratitude to Senator Mike Morgan. Adopted 5-23-08.

SR 105 (Corn): Mourning the loss of former Lieutenant Governor Jack Mildren. Adopted 5-23-08.

HR 1051 (Reynolds): Study and investigation of Jeff McMahan, State Auditor and Inspector. Adopted 2-19-08.

HR 1052 (Steele): Proclaiming April 26, 2008 Kelsey Briggs Day. Adopted 4-28-08.

HR 1053 (Steele): Commending John Pannell, President of the Elks Association. Adopted 4-21-08.

HR 1055 (Thomsen): Establishing a Fellowship of Christian Athletes Day. Adopted 3-6-08.

HR 1059 (Jones): Commending the Boys and Girls Clubs of Oklahoma. Adopted 3-27-08.

HR 1060 (Martin (Steve)): Commending the life of Jim Connor. Adopted 4-7-08.

HR 1062 (Cargill): Recognizing and celebrating Don Wallace. Adopted 4-3-08.

HR 1063 (Dorman): Congratulating the Athletes First Foundation. Adopted 4-8-08.

HR 1064 (Enns): Expressing condolences and honoring Staff Sergeant Christopher Michael Hake. Adopted 4-2-08.

HR 1065 (Blackwell): Declaring a County Government Week. Adopted 4-10-08.

HR 1067 (Luttrell): Congratulating the Ponca City High School's Po Hi-Steppers. Adopted 5-6-08.

HR 1068 (Luttrell): Designating Sean O'Grady Day. Adopted 5-1-08.

HR 1069 (Denney): Observing May 1, 2008 as National Day of Prayer. Adopted 5-5-08.

HR 1070 (Ingmire): Congratulating Bill Self on the Kansas Jayhawks 2008 NCAA Men's Basketball National Championship. Adopted 5-7-08.

HR 1071 (Covey): Congratulating Sand Hill Vineyards. Adopted 5-8-08.

HR 1072 (McPeak): Honoring and expressing appreciation for the living original Dawes Rolls enrollees. Adopted 5-13-08.

HR 1074 (Smithson): Congratulating Randy Tonche for winning the 2007 Class 3A Wrestling Championship. Adopted 5-20-08.

HR 1075 (Smithson): Congratulating Grant Daffin for winning Class 3A wrestling championships. Adopted 5-20-08.

HR 1076 (Pittman): Celebrating Many Nations Day. Adopted 5-23-08.

HR 1077 (Jones): Requesting the State Board of Career and Technology education to develop a teacher salary supplement schedule. Adopted 5-23-08.

HR 1079 (McDaniel (Randy)): Celebrating the life and mourning the loss of Jack Mildren. Adopted 5-23-08.

### **VETOED BILLS**

SB 1024 (Laughlin/Sullivan): Creates the School Protection Act. Makes it unlawful to make a false criminal report against an education employee and provides liability protection to educators. Any person over 18 who is convicted of making a false accusation against an education employee shall be guilty of a misde-

meanor. The court has the discretion to determine punishment for any student between the ages of 7 and 17 who is convicted of making a false accusation. If the educational entity or education employee prevails, the court shall award them court costs and attorney fees. Expert witness fees may be included as part of the costs. Effective 11-1-08.

Vetoed 6-6-08. Veto message states: "While I am supportive of the overall intent of this legislation, Section 5 of the bill is constitutionally flawed in that it dispenses unequal treatment to parties that are guaranteed equal treatment under the law. That section would require only one side in a legal action, the plaintiff, to pay their adversary's attorney's fees if they did not prevail in their case. Defendants, however, face no such sanction in a losing cause, providing them with an unjust advantage over the plaintiff. Because this legislation treats equal parties unequally, it is constitutionally infirm."

SB 1599 (Leftwich/Morrisette): Creates the Gaje Jeffrey Florence Act. Creates new penalties for persons involved in personal injury vehicle accidents while disqualified to drive. A person convicted of that offense is guilty of a misdemeanor punishable by a fine of up to \$2,000 or up to one year in county jail. A person convicted of causing great bodily injury to another person while disqualified to drive and while intoxicated at the time of the accident is guilty of a felony punishable by a fine of up to \$5,000 and from one to seven years imprisonment with the Department of Corrections. Defines "great bodily injury" as an injury which creates a substantial risk of death, permanent disfigurement, or protracted loss of a bodily function. A person convicted of causing an injury while disqualified to drive that results in death within one year of the accident is guilty of a felony punishable by a fine of up to \$7,000 and from two to seven years imprisonment with the Department of Corrections. Directs the Department of Public Safety to extend the period of driver license suspension by one year for any person who violates this act under a suspended license. Effective 7-1-08.

Vetoed 6-6-08. Veto message states: "While this legislation is well-intended and I am supportive of reasonable sanctions for traffic offenses, this bill is vague and duplicative of existing law. In particular, Section 5 of the bill goes too far and could make felons of otherwise innocent people. Under this provision, some drivers could face a mandatory prison term

even if they were not at fault in an injury accident. For that reason, I had no choice but to veto this legislation.”

SB 1842 (Aldridge/Wright): Abolishes the Special Agency Account Board and transfer powers and duties to the Office of State Finance.

Vetoed 5-13-08. Veto message states: “Section 3 of this bill is ambiguous, eliminates competition, and discriminates against organizations with less than 2000 members that currently collect dues through a voluntary payroll deduction.”

SB 1865 (Coffee/Benge): Creates the Accountability and Innovation Act, to require the conducting of performance audits and the review of tax incentives to ensure the efficient use of state resources and best practices of state agencies. The Joint Committee on Accountability and Innovation is created to develop a list of state agencies or programs to be subject to a performance audit and a list of tax preferences to subject to review. The Office of Accountability and Innovation is created within the Legislative Service Bureau, within the limits of existing funding, to conduct the audits and reviews.

Vetoed 6-6-08. Veto message states: “While it is critical for the state to conduct regular performance reviews of state agencies and programs, state law already assigns those responsibilities to the Oklahoma Legislature, the Office of State Finance and the State Auditor and Inspector. Creating a new layer of bureaucracy to perform the same duties is duplicative and unnecessarily increases the size and cost of government. In 2003, the Legislature established a joint zero-based budgeting committee, also known as the Legislative Oversight Committee on State Budget and Performance, to conduct state performance reviews. State law specifically charged it with reviewing a specified number of agencies and programs each year. Rather than establish a new state entity, the Legislature should use the existing zero-based budgeting committee to conduct performance reviews and accountability assessments not already duplicated by other state entities.”

SB 1869 (Johnson (Mike)/Miller): Abolishes the Joint Legislative Committee on Budget and Program Oversight and directs that its duties be performed by the existing appropriations committees of both houses of the Legislature and eliminates the filing of paperwork with the Committee. The bill also clarifies the amounts that would be expended from the EDGE Fund.

Vetoed 6-6-08. Veto message states: “While I wholeheartedly support the provisions of this legislation giving the EDGE endowment greater flexibility with carryover funds, I cannot support the balance of the legislation because it guts the state’s zero-based budgeting law by abolishing the Joint Legislative Committee on Budget Program Oversight. The zero-based budgeting statute was overwhelmingly approved by the Legislature in a bipartisan vote in 2003 and can be a critical tool in making government more efficient and effective. While lawmakers have fallen behind on their zero-based budget work and their compliance with the law, abolishing the committee in question does nothing to reform state government or help the taxpayers of Oklahoma.

SB 1880 (Jolley/Jones): Extends the Achieving Classroom Excellence II Task Force until November 30, 2008.

Vetoed 6-6-08. Veto message states: “The ACE II Task Force has completed its work, issued its final report and was terminated by operation of law on December 31, 2007. There is no reason to reconstitute this task force. To do so, particularly for just a six-month period as proposed by this legislation, would be an unnecessary and wasteful use of taxpayer dollars.”

HB 2247 (Shoemaker/Ballenger): Changes the name of Oklahoma State University Technical Branch at Okmulgee to the Oklahoma State University Institute of Technology-Okmulgee.

Vetoed 4-23-08: Veto message states: “Because it is duplicative of SB 1442. All of the language in this bill is contained in SB 1442, which I have signed.”

HB 2458 (Schwartz/Laster): Modifies the Governmental Tort Claims Act, to include certain contractors of the Oklahoma Health Care Authority within the definition of a “state employee”. HB 2458 also requires the plaintiff to attach a certain affidavit to the petition in a civil action for professional negligence, including a written opinion from a qualified expert which must meet certain requirements. An extension may be granted, and certain documentation must be provided to the defendant.

Vetoed 5-9-08. Veto message states: “This bill is in direct conflict with a recent Oklahoma Supreme Court decision and therefore, is unconstitutional. In an 8-1 decision in 2006, the state’s highest court ruled that the

cost associated with certificates of merit placed an undue financial burden on citizens seeking access to justice and served as a barrier to their constitutional rights. I support efforts to reduce frivolous lawsuits, but because the court has already spoken clearly on the certificate of merit issue, enacting this measure would have been a wasteful exercise in futility.”

HB 2547 (Richardson/Schulz): States hunting or fishing without permission is prohibited on land that is primarily devoted to farming, ranching, or forestry purposes without the requirement to post such land.

Vetoed 5-14-08: Veto message states: “This bill conflicts with and, thus, renders void SB 2111 signed into law earlier this session. Additionally, the bill is poorly drafted, providing no cap on the fine for the first offense of trespass and further creates a vague, ambiguous and confusing patchwork of trespass laws that could ensnare the unsuspecting, but honest, hunter, fisherman or outdoorsman.”

HB 2633 (Kern/Jolley): Creates the Religious Viewpoints Antidiscrimination Act, which requires schools to treat students who voluntarily express religious viewpoints the same as students expressing secular viewpoints on the same subject. Specifies that end-of-instruction tests shall be administered to students during the final 25 days of a course.

Vetoed 6-6-08: Veto message states: “Under current state and federal law, Oklahoma public school students are already allowed to express their faith through voluntary prayer and other activities. While well intended, this legislation is vaguely written and may trigger a number of unintended consequences that actually impede rather than enhance such expression. For example, under this legislation, schools could be forced to provide equal time to fringe organizations that masquerade as religions and advocate behaviors, such as drug use or hate speech, that are dangerous or offensive to students and the general public. Additionally, the bill would presumably require school officials to determine what constitutes legitimate religious expression, subjecting them to an explosion of costly and protracted litigation that would have to be defended at taxpayers expense.”

HB 2642 (Peters/Ford): Prohibits the employment of a personal home care assistant for more than four months unless the individual has completed home care agency-based per-

sonal care training. Directs the home care agency to develop a written training plan for personal home care assistants. Requires supervisory visits by the nursing supervisor at least once every six months. Prohibits personal home care assistants from providing services until a criminal history check and a check of the nurse aide registry have been conducted and approved. Prohibits home care agencies from employing personal home care assistants listed on the Community Services Worker Registry. Prohibits Medicare-certified employers from employing an individual as a home health aide for more than four months unless the individual is a licensed health professional or unless the individual is certified and placed on the home health aide registry.

Vetoed 6-6-08: Veto message states: “While I support increasing the number of home health care workers to assist the elderly and disabled, this legislation reduces the training requirements for such personnel and may inadvertently put patients at risk. We must be very vigilant when it comes to caring for the elderly and infirm, and this legislation falls short of providing necessary safeguards.”

HB 2791 (Jackson/Schulz): Authorizes the Department of Wildlife Conservation to issue a permit to a person who holds a big game commercial license to engage in the management of depredating animals by use of aircraft only on land listed in the commercial hunting area license and providing for rules and regulations related to the permit. Also provides penalties for entering and hunting in a commercial hunting area without permission. For the first offense, the penalty will be a misdemeanor and for the second and subsequent offense, the penalty will be a felony.

Vetoed 6-6-08: Veto message states: “While this legislation is well-intended, it contains two critical flaws. First, it makes felons out of otherwise innocent hunters who commit a simple trespass. The current laws on trespass, which provide for a misdemeanor, jail time and steep fines, as well as damages for injury or waste to property, are sufficient. Second, the measure could endanger public health by authorizing the hunting of animals from helicopters and airplanes. It would be best to thoroughly and thoughtfully study this concept in an interim study before enacting a law.”

<b>APPROPRIATIONS COMPARISON FY'08 - FY'09</b>
--

Agency	FY'08 Appropriation With Supplementals Minus One-times	FY'09 Appropriation	Dollar Change	Percent Change
<b>Subcommittee on Education</b>				
Arts Council	\$5,150,967	\$5,150,967	\$0	0.0%
Career and Technology Education	\$155,549,442	\$158,269,736	\$2,720,294	1.7%
Education, State Department of	\$2,510,412,562	\$2,531,702,553	\$21,289,991	0.8%
Educational Television Authority	\$8,394,383	\$8,394,383	\$0	0.0%
Higher Education, Regents for	\$1,026,465,669	\$1,039,886,280	\$13,420,611	1.3%
Land Office, Commissioners of	\$4,864,881	\$4,864,881	\$0	0.0%
Libraries, Department of	\$7,294,856	\$7,294,856	\$0	0.0%
Physician Manpower Training Commission	\$5,523,502	\$5,523,502	\$0	0.0%
Private Vocational Schools, Board of	\$193,304	\$0	(\$193,304)	-100.0%
Science & Math, School of	\$7,597,512	\$7,985,737	\$388,225	5.1%
Science & Technology, Center for	\$22,456,507	\$22,456,507	\$0	0.0%
Teacher Preparation, Commission on	\$2,059,982	\$2,059,982	\$0	0.0%
<b>Subtotal</b>	<b>\$3,755,963,567</b>	<b>\$3,793,589,384</b>	<b>\$37,625,817</b>	<b>1.0%</b>
<b>Subcommittee on General Government and Transportation</b>				
Auditor and Inspector	\$6,315,269	\$6,315,269	\$0	0.0%
Bond Advisor	\$186,419	\$186,419	\$0	0.0%
Central Services, Department of	\$17,457,297	\$18,713,175	\$1,255,878	7.2%
Election Board	\$6,805,988	\$6,805,988	\$0	0.0%
Emergency Management Department	\$806,604	\$1,156,604	\$350,000	43.4%
Ethics Commission	\$517,960	\$667,960	\$150,000	29.0%
Finance, Office of State	\$23,081,434	\$23,081,434	\$0	0.0%
Governor	\$2,661,981	\$17,661,981	\$15,000,000	563.5%
House of Representatives	\$19,176,434	\$19,176,434	\$0	0.0%
Legislative Service Bureau	\$4,887,349	\$5,537,349	\$650,000	13.3%
Lt. Governor	\$659,597	\$659,597	\$0	0.0%
Merit Protection Commission	\$613,684	\$613,684	\$0	0.0%
Military, Department of	\$13,132,301	\$13,132,301	\$0	0.0%
Personnel Management	\$4,891,745	\$4,891,745	\$0	0.0%
Secretary of State	\$530,517	\$530,517	\$0	0.0%
Senate	\$14,699,125	\$14,699,125	\$0	0.0%
Space Industry Development Authority	\$530,340	\$530,340	\$0	0.0%
Tax Commission	\$48,201,340	\$50,201,340	\$2,000,000	4.1%
Transportation, Department of	\$207,591,448	\$207,691,448	\$100,000	0.0%
Treasurer	\$4,668,763	\$4,668,763	\$0	0.0%
<b>Subtotal</b>	<b>\$377,415,595</b>	<b>\$396,921,473</b>	<b>\$19,505,878</b>	<b>5.2%</b>
<b>Subcommittee on Health and Social Services</b>				
Health, Department of	\$73,786,143	\$75,028,113	\$1,241,970	1.7%
Health Care Authority	\$771,709,298	\$842,122,261	\$70,412,963	9.1%
J.D. McCarty Center	\$4,452,961	\$4,452,961	\$0	0.0%
Mental Health & Substance Abuse Services	\$207,429,129	\$209,579,129	\$2,150,000	1.0%
University Hospitals Authority	\$41,865,342	\$43,250,342	\$1,385,000	3.3%
Veterans Affairs, Department of	\$40,282,600	\$40,282,600	\$0	0.0%
<b>Subtotal</b>	<b>\$1,139,525,473</b>	<b>\$1,214,715,406</b>	<b>\$75,189,933</b>	<b>6.6%</b>

Agency	FY'08 Appropriation With Supplementals Minus One-times	FY'09 Appropriation	Dollar Change	Percent Change
<b>Subcommittee on Human Services</b>				
Children and Youth, Commission on	\$2,334,473	\$2,608,473	\$274,000	11.7%
Disability Concerns, Office of	\$412,769	\$412,769	\$0	0.0%
Human Rights Commission	\$710,226	\$710,226	\$0	0.0%
Human Services, Department of	\$557,107,190	\$559,107,190	\$2,000,000	0.4%
Indian Affairs, Commission of	\$258,466	\$258,466	\$0	0.0%
Juvenile Affairs	\$112,060,812	\$112,254,258	\$193,446	0.2%
Rehabilitation Services, Department of	\$29,539,374	\$30,053,770	\$514,396	1.7%
<b>Subtotal</b>	<b>\$702,423,310</b>	<b>\$705,405,152</b>	<b>\$2,981,842</b>	<b>0.4%</b>
<b>Subcommittee on Natural Resources and Regulatory Services</b>				
Agriculture, Food and Forestry, Dept. of	\$33,435,185	\$34,540,185	\$1,105,000	3.3%
Centennial Commission	\$0	\$0	\$0	0.0%
Commerce, Department of	\$27,854,894	\$30,934,772	\$3,079,878	11.1%
Conservation Commission	\$9,187,084	\$10,292,962	\$1,105,878	12.0%
Consumer Credit, Department of	\$669,042	\$669,042	\$0	0.0%
Corporation Commission	\$15,310,417	\$12,415,417	(\$2,895,000)	-18.9%
Environmental Quality, Department of	\$9,728,096	\$9,728,096	\$0	0.0%
Historical Society	\$14,587,451	\$14,967,451	\$380,000	2.6%
Horse Racing Commission	\$2,669,568	\$2,669,568	\$0	0.0%
Insurance Commissioner	\$2,515,943	\$2,515,943	\$0	0.0%
J.M. Davis Memorial Commission	\$385,403	\$385,403	\$0	0.0%
Labor, Department of	\$3,760,284	\$3,760,284	\$0	0.0%
Mines, Department of	\$1,013,586	\$1,013,586	\$0	0.0%
Scenic Rivers Commission	\$345,322	\$345,322	\$0	0.0%
Tourism and Recreation, Department of	\$27,821,991	\$28,041,991	\$220,000	0.8%
Water Resources Board	\$6,801,524	\$6,801,524	\$0	0.0%
Will Rogers Memorial Commission	\$933,702	\$933,702	\$0	0.0%
<b>Subtotal</b>	<b>\$157,019,492</b>	<b>\$160,015,248</b>	<b>\$2,995,756</b>	<b>1.9%</b>
<b>Subcommittee on Public Safety and Judiciary</b>				
Alcoholic Beverage Laws Enforcement	\$3,925,266	\$3,925,266	\$0	0.0%
Attorney General	\$13,924,449	\$14,631,704	\$707,255	5.1%
Corrections, Department of	\$506,619,998	\$503,000,000	(\$3,619,998)	-0.7%
Court of Criminal Appeals	\$3,464,631	\$3,474,527	\$9,896	0.3%
District Attorneys and DAC	\$39,920,210	\$42,820,210	\$2,900,000	7.3%
District Courts	\$57,674,778	\$58,067,785	\$393,007	0.7%
Fire Marshal	\$2,270,855	\$2,270,855	\$0	0.0%
Indigent Defense System	\$16,304,008	\$16,734,008	\$430,000	2.6%
Investigation, State Bureau of	\$17,316,450	\$17,316,450	\$0	0.0%
Judicial Complaints, Council on	\$283,729	\$283,729	\$0	0.0%
Law Enforcement Education and Training	\$4,410,370	\$4,614,370	\$204,000	4.6%
Medicolegal Investigations, Board of	\$4,825,625	\$4,825,625	\$0	0.0%
Narcotics and Dangerous Drugs, Bureau of	\$6,773,895	\$6,773,895	\$0	0.0%
Pardon and Parole Board	\$2,577,581	\$2,577,581	\$0	0.0%
Public Safety, Department of	\$97,170,391	\$97,170,391	\$0	0.0%
Supreme Court	\$19,420,570	\$19,247,063	(\$173,507)	-0.9%
Workers' Compensation Court	\$5,242,033	\$5,259,801	\$17,768	0.3%
<b>Subtotal</b>	<b>\$802,124,839</b>	<b>\$802,993,260</b>	<b>\$868,421</b>	<b>0.1%</b>
<b>Rural Economic Action Plan</b>	<b>\$15,500,000</b>	<b>\$15,500,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$6,949,972,276</b>	<b>\$7,089,139,923</b>	<b>\$139,167,647</b>	<b>2.0%</b>

**THIS PAGE INTENTIONALLY LEFT BLANK**

## Legislative Summary Index

Bill No.	Description	Page
SB 41	Charitable beer event license.....	29
SB 45	Modifies provisions for Construction Industries Bd/Plumbing, Electrical and Mechanical Lic.....	33
SB 47	Prohibits forced implanting of microchips in humans.....	20
SB 70	Creates Large Animal Veterinarian Incentive Act.....	34
SB 74	Jurors-Modify qualifications of jailers or law enforcement officers.....	30
SB 81	St. Fin. Info. Services-develop procedures for destruction of electronic storage media.....	19
SB 498	Recycling-State goal for reducing solid waste.....	13
SB 502	OJA-Gives Director authority to commission employees as peace officers.....	25
SB 512	Med. diagnostic imaging facilities for performed med services-Apply lien right.....	30
SB 519	Directs development of physical fitness assessment software program.....	10
SB 539	Creates the Intoxicating liquors-Package store license.....	29
SB 551	Creates the Forget-Me-Not Vehicle Safety Act.....	37
SB 565	Insurance premium tax credit.....	27
SB 612	Increase supervision fee-Increase fees in criminal cases.....	4
SB 706	Mining permits-Authorizes cities to limit proof of compliance requests.....	13
SB 746	Grand River Dam Authority to employ director of investments.....	14
SB 763	Child molestation offense-Expands definition.....	30
SB 811	County jails-Modify liability for medical costs.....	4
SB 824	Civil procedure-Modify definitions.....	30
SB 906	Creates the Interstate Compact for the Placement of Children.....	30
SB 923	Creates the Zachary Eckles & Luke Davis Automated External Defibrillators in Schools Act.....	10
SB 924	District boards of education vacancies-Deletes procedures.....	10
SB 958	Ad valorem taxes-Provides for calculation of value of property.....	41
SB 995	Intoxicating liquors-Provide for various licenses.....	29
SB 1024	Creates School Protection Act-Vetoed.....	51
SB 1038	Creates TF on OK's Promise-the OK Higher Learning Access Prog-Modify Access Act.....	12
SB 1043	Modifies requirements for certificates of incorporation.....	3
SB 1148	Estate tax returns-Modifies required forms.....	41
SB 1155	Designates highways, bridges and interchanges-Requires placement of markers.....	45
SB 1168	Medical cost liability-Specify for defendant in custody .....	18
SB 1178	Boat registration-requires conformation of state and tribal to federal rules.....	31
SB 1181	Roads-Removes certain contract limitations for consultant services.....	45
SB 1186	Schools-Modifies minimum time requirement for physical education program.....	10
SB 1189	Risk management program-Authorizes negotiation for insurance related services.....	27
SB 1190	Lead-impacted communities-Modifies relocation and rental assistance grants.....	14
SB 1192	Community services workers-Modifies definitions.....	25
SB 1288	Department of Commerce-Directs transfer of funds.....	9
SB 1289	Department of Commerce-Appropriation.....	9
SB 1290	Conservation Commission-Appropriation.....	17
SB 1292	Department of Commerce-Appropriation.....	9
SB 1298	Oklahoma Historical Society-Appropriation.....	9
SB 1312	Tourism and Recreation Department-Appropriation.....	45
SB 1369	Unclassified Register.....	40
SB 1373	Higher education-Provides procedures for use of state matching monies.....	36
SB 1374	Capital Improvement-Authorizes bond issue for Native American cultural center .....	36
SB 1381	Scenic Rivers Commission-Modifies fees.....	14
SB 1384	Modified motor vehicle and law enforcement provisions.....	31
SB 1389	Adds Unrecovered-theft Title for stolen and not recovered vehicles.....	32
SB 1390	College savings funds-Exempts from public assistance program eligibility requirements.....	25
SB 1392	Modifies Trucking One-Stop Shop Fund.....	45
SB 1398	Higher education finance-Amends master lease program.....	36

## Legislative Summary Index

Bill No.	Description	Page
SB 1399	County purchasing agents-Changes place of training.....	18
SB 1403	Modifies procedures concerning Juvenile offenders.....	4
SB 1404	Not-for-profit employers-Expands premium assistance program.....	20
SB 1405	Advantage Waiver/Developmental Disability Services Rate Review Comm.-Expand members.....	25
SB 1406	Municipalities-Authorizes part-time city managers.....	18
SB 1410	Aquifers-Directs demonstration projects.....	14
SB 1420	Creates the OK Health Information Exchange Act.....	20
SB 1421	Foster care-Expands authorization for computerized finger imaging system.....	25
SB 1422	Directs a Mental health first aid pilot program be established.....	21
SB 1423	Modifies Underground Storage Tank Act.....	14
SB 1428	Insurance-Create Vehicle Protection Product Act.....	27
SB 1435	State-Tribal Gaming Act-Modifies distribution of payments.....	17
SB 1440	Controlled substances-Provides for conditional discharge.....	4
SB 1442	Higher education-Modifies name to OSU Institute of Technology-Okmulgee.....	12
SB 1451	Creates OK Energy Efficiency and Emission Reduction Program.....	14
SB 1452	Reentry Policy Council-Provides for reimbursement of council members.....	19
SB 1453	Junk dealers-Requires proof of ownership to buy beer kegs.....	34
SB 1463	Prohibits computer-assisted remote hunting of animals and birds.....	44
SB 1468	Correctional officers-Lowers minimum age.....	4
SB 1475	Authorizes creation of Advisory Committee for Sustaining OK's Energy Resources.....	15
SB 1479	Roads and highways-Requires offer to landowners prior to sale of property.....	45
SB 1505	Public bidding-Modifies prequalification and licensing requirements for bidders.....	19
SB 1506	Public highways-Prohibits opening of public highways on section lines.....	46
SB 1507	State documents and reports-Requires electronic format.....	19
SB 1511	Revenue and taxation-Modifies tax procedures.....	41
SB 1525	Children-Expands certain jurisdiction.....	26
SB 1529	Engineering and land surveying-Modifies provisions.....	34
SB 1531	Employment Security Act-Modifies provisions.....	3
SB 1546	Muscogee (Creek) Nation Housing Authority-Requires adoption of agreements.....	18
SB 1547	Marriage license-Allows court clerk to issue.....	30
SB 1554	Emergency Price Stabilization Act-Exempts price increases for petroleum.....	15
SB 1558	Tax credit for certain clean-burning motor vehicle fuel property.....	42
SB 1575	OK Abstractors Law-Modifies definition.....	18
SB 1577	Creates the OK Anesthesiologist Assistant Act.....	21
SB 1578	Plumbing License Law of 1955-Electrical License Act-Modifies penalties.....	34
SB 1585	Hi. Ed. Promise of Excellence Act-Modifies deadline for issuing audited financial statements.....	12
SB 1587	Corporation Commission-Authorizes utilization of fees from conferences.....	15
SB 1595	Office of Accountability Systems-Modifies authority.....	21
SB 1599	Creates the Gaje Jeffrey Florence Act-Vetoed.....	51
SB 1600	Elderly persons-Enhances penalty for assault and battery.....	4
SB 1601	Child abuse and sex offenders-Modifies procedures.....	4
SB 1608	Contracts-Modifies definition.....	3
SB 1612	Creates Quality Aftersch Opport. Act to Reduce Chldhd. Obesity & Improve Academic Perform.....	21
SB 1618	Capitol Improvement Authority-Authorizes use of funds.....	36
SB 1625	CLEET-Modifies provisions for sanctions of certified peace officers.....	37
SB 1627	Creates the Marginal-quality water technical review group.....	15
SB 1631	Creates the Computer Equipment Recovery Act.....	15
SB 1640	Insurance-Provides reimbursement on equitable basis for specified services.....	28
SB 1641	OPERS-Modifies computation rate and factor for elected officials.....	40
SB 1648	Criminal procedure-Specifies eligibility for expungement of records.....	30
SB 1654	License denial revocation or suspension-Modifies provisions.....	32

## Legislative Summary Index

Bill No.	Description	Page
SB 1656	Creates the Patient-Centered Medical Home Task Force.....	21
SB 1658	Extends exemption on gross production tax to wells spudded before certain date.....	42
SB 1662	Cities to allow burning or provide disposal services.....	15
SB 1663	Crimes-Modifies valuation of offense.....	5
SB 1672	Criminalizes use of devices and substances against officers.....	5
SB 1673	Sex offender background checks-Specifies responsibility for payment of fees.....	37
SB 1675	OSBI to disclose info to DHS for child abuse investigations.....	37
SB 1685	Modifies the Uniform Unclaimed Property Act.....	42
SB 1696	Creates the Conservation Commission Municipal Infrastructure Cost-Share Program.....	15
SB 1697	Mines and mining-Creates a Limited Use Permit.....	15
SB 1699	Commercial vehicle registration-Specifies duties of Tax and Corporation Commissions.....	42
SB 1708	Creates the Anatomical Gift Act.....	21
SB 1714	Motor license agents-Authorizes Tax Commission to approve locations.....	32
SB 1719	Creates the OK Health Information and Privacy Collaboration Advisory Board.....	21
SB 1725	Creates task force to study circumstances relating to incarcerated women.....	5
SB 1734	Prohibits taking certain animals or trespassing upon licensed facilities.....	44
SB 1735	Permission to fish upon land of another-Makes person responsible for damage.....	2
SB 1754	Dog kennels-Restricts distance from schools and day care facilities.....	18
SB 1757	Electric utility rates-Modifies procedures for recovery.....	16
SB 1759	Authorizes DMHSAS to contract with retired physicians.....	21
SB 1760	Juvenile court case managers-Authorizes appointment.....	30
SB 1761	Corporations-Modifies definition for related professional services.....	34
SB 1763	Juvenile bureaus-Designates as departments of the county for legal representation purposes.....	18
SB 1765	Creates the OK Geologic Storage of Carbon Dioxide Task Force.....	16
SB 1766	Conservation Commission and districts-Modifies powers and duties.....	16
SB 1769	Schools-Provides for alternative tests-Provides funding for student remediation.....	10
SB 1770	Sale of property by county treasurer-Modifies procedures.....	42
SB 1789	Chiropractic Practice Act-Modifies procedures for expunging documents.....	34
SB 1793	Motor vehicles-Modifies provisions relating to types, registration & operation requirements.....	32
SB 1795	Specifies manner of appropriations from Oklahoma Education Lottery Trust Fund.....	17
SB 1797	Bail bondsmen-Requires exoneration of bond.....	30
SB 1799	Income tax credit-Modifies tax credit for specified time periods.....	42
SB 1816	Board of county commissioners-Authorized to declare a period of extreme fire danger.....	2
SB 1819	Quality Jobs Program Act-incentive payments.....	42
SB 1839	Child witness testimony-Modifies persons who may be court-appointed advocate.....	30
SB 1842	Abolishes the Special Agency Account Board-Abolish-Vetoed.....	52
SB 1853	Ambulatory surgical centers-Modifies definition.....	21
SB 1855	Tourism and Recreation-Modifies requirements relating to agency clearing accounts.....	44
SB 1856	Creates the Oklahoma Scrap Metal Dealers Act.....	16
SB 1859	Creates the Oklahoma Dairy Promotion Act.....	2
SB 1863	Health care-States legislative intent.....	28
SB 1865	Creates the Accountability and Innovation Act-Vetoed.....	52
SB 1866	REAP funds be administered by Department of Commerce-Provides for audit.....	36
SB 1869	Sunset the Leg. Oversight Com. on State Budget Performance-Vetoed.....	52
SB 1872	Tourism and Recreation Commission membership-Adds exemption.....	44
SB 1873	Oklahoma Employment Security Commission-Appropriation.....	3
SB 1878	Creates the Freedom of Conscience Act-Veto Override.....	21
SB 1880	Extends the Achieving Classroom Excellence II Task Force-Vetoed.....	52
SB 1881	Extends the School Funding Formula Task Force.....	10
SB 1891	Quality Jobs Incentive Leverage Act-Allows second election to participate.....	8
SB 1900	Surface treatment road projects-Provides exemption.....	46

## Legislative Summary Index

Bill No.	Description	Page
SB 1918	Communicable diseases-Modifies definitions and procedures.....	22
SB 1921	Protection from Domestic Abuse Act-Allows action to be heard by specified court.....	30
SB 1922	Production of documents in civil procedure-Limits number of requests.....	30
SB 1923	Uniform Parentage Act-Modifies paternity provisions.....	30
SB 1926	Association of Mortgage Professionals-Name change.....	34
SB 1927	Mortgage Broker Licensure Act-Adds education requirement for licensure.....	34
SB 1928	Mortgage Broker Licensure Act-Modifies continuing education requirements.....	34
SB 1941	Creates the Oklahoma School Security Act.....	37
SB 1943	Local Dev./Enterprise Zone Incnt. Leverage Act-Military Base Prot. and Expansion Incentive.....	8
SB 1945	Drivers with intermediate Class D licenses-Provides for operation of motor vehicles.....	32
SB 1950	Criminal procedure-Applies statute of limitations to child trafficking.....	6
SB 1951	Creates the Interstate Commission on Educational Opportunity for Military Children.....	10
SB 1956	Revenue and taxation-Modifies tax laws.....	42
SB 1960	Narcotics and Dangerous Drugs Control-Creates revolving fund.....	22
SB 1961	Creates the Drug Money Laundering and Wire Transmitter Act.....	6
SB 1964	Corrections-Provides procedures for petty cash and discharge of prisoners.....	6
SB 1970	Military Dept/Adjutant Gen-Adds authorities/duties-Creates OK Medal of Freedom.....	46
SB 1975	Abstractors-Limits access to instruments.....	18
SB 1980	Creates the Viatical Settlements Act of 2008.....	28
SB 1992	Child stealing-Modifies intent of action.....	6
SB 1998	Imported mini-trucks-Provides for registration and operation.....	32
SB 2000	Youth Suicide Prevention Act-Modifies.....	22
SB 2001	Public health and safety-Relates to informed consent.....	22
SB 2003	Crimes and punishments-Establishes consequences for failure to attend treatment.....	30
SB 2004	Victim impact statement-Allows inclusion of material.....	30
SB 2007	Witness fee-Allows for additional fees .....	30
SB 2028	Guardian and ward-Prohibits concealment or removal from jurisdiction of persons.....	7
SB 2034	Directs establishment of Voluntary Compliance Initiative.....	42
SB 2037	Classroom placement-Provides for multiple birth siblings.....	10
SB 2046	Whistleblower Act-Provides for appeal.....	18
SB 2047	Assisted living facilities-Requires type of building to be constructed under code.....	22
SB 2061	Alcoholic Beverage Control Act-Modifies excise taxes on wine.....	42
SB 2066	Private prison contractors-Requires criminal history check on employees.....	7
SB 2069	Creates the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.....	30
SB 2071	Requests establishment of a Comprehensive autism training program.....	12
SB 2074	Licensed Alcohol and Drug Counselors Act-Modifies provisions.....	35
SB 2076	Mental health-Modifies provisions.....	22
SB 2086	Allows operation of all-terrain vehicles on streets and highways within a municipality.....	33
SB 2100	Schools-Modifies procedures.....	10
SB 2104	Domestic abuse and assault and battery-Allows suspension of sentencing.....	7
SB 2111	Trespass on private land-Increases penalty.....	2
SB 2119	Modifies lifetime limit under Health Insurance High Risk Pool.....	28
SB 2122	Creates the Crimes by or Affecting Persons Engaged in the Business of Insurance Act.....	28
SB 2129	Income tax credits for venture capital investments.....	42
SB 2131	Construction Industries Board-Modifies membership.....	35
SB 2143	Public Retirement Systems-Modifies provisions.....	41
SB 2153	Quality Jobs Program Act-Modifies definitions, requirements and procedures.....	9
SB 2163	Criminal procedure-Protective orders-Allows GPS monitoring.....	30
SB 2186	Creates the Task Force on the Effect of Alzheimer's Disease on Oklahoma.....	23
SB 2194	Marriage and family-Modifies guidelines for child support.....	31
SCR 42	Congress to intervene on regulations relating to ATV access on Forest System trails.....	47

## Legislative Summary Index

Bill No.	Description	Page
SCR 44	Designate Duncan the Crape myrtle Capital of the State.....	47
SCR 45	Honor Fall Classic in Duncan.....	47
SCR 48	Declare February 6, 2008, Ronald Reagan Day in the State of Oklahoma.....	47
SCR 49	Repudiate the concept of Jim Crow Laws in Oklahoma.....	47
SCR 50	Designate June 2008 Deep Vein Thrombosis Awareness Month and June 4 as DVT Day.....	47
SCR 53	Commend J.D. McCarty Center for Children with Developmental Disabilities.....	47
SCR 54	Praise life, achievements and basketball ability of Marques Haynes.....	47
SCR 55	Commend the life of the late Deputy Sheriff Dustin Duncan.....	47
SCR 56	Commend the public career of the late Richard Huddleston.....	47
SCR 57	Request fed gov to fully fund and maintain the McLellan-Kerr Arkansas River Navigation System.....	47
SCR 58	Declare March Multiple Sclerosis Awareness Month.....	47
SCR 59	Commend the public career of Senator Gideon "Gid" Graham.....	47
SCR 60	Commend 2007 Chelsea Lady Dragons Fast pitch Softball Team for winning St Championship.....	47
SCR 61	Designate March 18, 2008, as Law Enforcement Appreciation Day in St of OK.....	47
SCR 62	Honor the service of nine narcotics agents and officers for bravery in the line of duty.....	47
SCR 63	Praise the public career of the late Charles Nesbitt.....	47
SCR 65	Commend Justin McBride for his rodeo performances.....	47
SCR 66	Congratulate Howe Lady Lions for winning Class A State Basketball Championship.....	47
SCR 67	Congratulate Pocola Lady Indians for winning Class 2A State Basketball Championship.....	47
SCR 68	Commend R.W. McQuarters for his role in the 2008 Super Bowl.....	47
SCR 69	Congratulate the Williams Company upon their 100th anniversary.....	47
SCR 71	Modify date on which Legislature will adjourn sine die.....	47
SCR 73	Reg. Univ. Sys. of OK to issue revenue bonds on behalf of East Central University.....	48
SCR 76	Recognize Robert "Bob" Mulkey as 2007 Oklahoma and National Quality Dealer.....	48
SCR 77	Honor the accomplishments of the Broken Arrow Police Department.....	48
SCR 78	Congr. Guthrie High School Bluejays basketball team for winning Class 5A St Championship.....	48
SCR 79	Congr. Guthrie High School Bluejays football team for winning Class 5A St Championship.....	48
SCR 80	Road Construction and Utility Relocation Task Force-Create.....	48
SCR 81	Commend Stephens County Sheriff Jimmie Bruner.....	48
SCR 84	Proclaim April 26 - May 4, 2008, National Safe Kids Week in Oklahoma.....	48
SCR 85	Declare April 30, 2008, Braum's Day at the Oklahoma State Capitol.....	48
SCR 86	Honor Retired Trooper Ed Vandergriff.....	48
SCR 87	Commend the public career of Dr. Jeanie Nelson.....	48
SCR 89	Recall Senate Bill 1507 from the Governor.....	48
SCR 90	Proclaim May 7, 2008, Komen Advocacy Day at the State Capitol.....	48
SCR 91	Urge Regents for Higher Ed and others to practice cost-effective purchasing procedures.....	48
SCR 92	Congratulate Ada Metal Mayhem Team for winning the Rookie All-Star Award.....	48
SCR 93	Recognize May 30 and 31 as Power to End Stroke Gospel Fest Days.....	48
SCR 96	Celebrate 100th anniversary of the University of Science and Arts.....	48
SCR 97	Establish legislative procedure schedule for 52nd Oklahoma Legislature.....	48
SCR 100	Waive 30-legislative-day review period for permanent rules of the Teachers' Retirement System.....	48
SCR 102	Employee Benefits Council-Waive 30-legislative-day review period on rule changes.....	48
SJR 29	Constitutional amendment; providing for direct shipment of wines.....	29
SJR 38	Const. amend.-recognizes the right of citizens of this state to game and fish.....	44
SJR 41	Health improvement plan-Requires State Board of Health to prepare.....	23
SR 52	Local and state elected offices and gov agencies to promote healthier state.....	49
SR 53	Recognize and commend Antoine Cason, the 2007 Jim Thorpe Award winner.....	49
SR 54	Urge Government of Turkey to uphold and safeguard religious and human rights.....	49
SR 55	Congratulate Brooke Good 2007 Mrs. Oklahoma International.....	49
SR 56	Praise the life of Jeannine T. Rainbolt.....	49
SR 57	Memorialize the federal government to fully fund vital public safety programs.....	49

## Legislative Summary Index

Bill No.	Description	Page
SR 58	Congratulate Makenna Smith upon her selection as Miss Oklahoma 2007.....	49
SR 59	Praise the public career of the late Zack Taylor.....	49
SR 60	Praise the life and career of the late Regina Lee Wood.....	49
SR 61	Commend Oklahoma Boys and Girls Clubs.....	49
SR 62	Congratulate the Lady Eagles Fast pitch Softball Team.....	49
SR 63	Celebrate April 7, 2008, as CompSource Oklahoma Day.....	49
SR 65	Congr. the Tulsa Union Girls Basketball Team for winning the Class 6A State Championship.....	49
SR 66	Congratulate Barbara and Bill Walter for their induction into the OK Journalism Hall of Fame.....	49
SR 67	Urge support of the Credit Cardholders' Bill of Rights Act of 2008.....	49
SR 68	Mourn the loss of Army Staff Sergeant Chris Hake.....	49
SR 69	Commend Baptist Village Retirement Communities on their 50th anniversary.....	49
SR 71	Designate April 7-11, 2008, County Government Week in the State of OK.....	49
SR 73	Congr. Tulsa Memorial Boys Basketball Team for winning 2008 St Class 6A Championship.....	49
SR 76	Praise the many accomplishments of Dr. Larry G. Burdick.....	49
SR 77	Encourage democracy and human rights in Ethiopia.....	49
SR 78	Express gratitude to Senator Owen Laughlin.....	49
SR 79	Express gratitude to Senator Kathleen Wilcoxson.....	49
SR 80	Express gratitude to Senator Jeff Rabon.....	49
SR 81	Congr. Randy Tonche for winning the 2007 OK Class 3A State Wrestling Championship.....	49
SR 82	Commend Roma's Italian Restaurant in Durant, Oklahoma.....	49
SR 83	Commend Cordell High School for their academic achievements.....	50
SR 84	Congr. Grant Daffin on winning two consecutive Ok Class 3A Wrestling Championships.....	50
SR 85	Congr. Fort Cobb-Broxtton Mustangs for Spring 2008 Class A Basketball St Championship.....	50
SR 86	Commend Hobart Boys Bearcat Track Team for Winning the Class 2A State Championship.....	50
SR 87	Commend Leedey's Lady's Softball Team upon winning Class A State Championship.....	50
SR 88	Congratulate 2008 Vian Girls Tract Team for winning the State Championship.....	50
SR 89	Congratulate Red Oak Eagles for winning Spring 2008 Class B State Baseball Championship.....	50
SR 90	Protection of property and supplies of Senate and duties of President Pro Tempore in interim.....	50
SR 92	Commend Schultz Family, 2008 Special Olympics Oklahoma Family of the Year.....	50
SR 93	Congr. Lexington Lady Bulldogs Slow Pitch Softball Team for 2008 5A St Championship.....	50
SR 94	Commend the musical contributions of Ray Wylie Hubbard.....	50
SR 95	Honor the actions of Creek County Deputy Michael M. Marcum.....	50
SR 96	Congratulate athletic program at Bishop McGuinness High School for eight championships.....	50
SR 97	Express gratitude to Senator James Williamson.....	50
SR 98	Commend the musical accomplishments of Oklahoman Mike Rabon.....	50
SR 99	Commend the public career of Bill Moyers.....	50
SR 100	Commend the career of Hoyt Axton.....	50
SR 101	Commend 2008 American Idol winner David Cook of Tulsa, Oklahoma.....	50
SR 102	Commemorate 50th anniversary of the sit-in at Katz Drug Store in Oklahoma City.....	50
SR 103	Commend the Heritage Hall boys golf Team for winning the 2008 Class 3A State Championship.....	50
SR 104	Express gratitude to Senator Mike Morgan.....	50
SR 105	Mourn the loss of former Lieutenant Governor Jack Mildren.....	50
HB 1021	Human trafficking-Provides penalties.....	7
HB 1387	Creates the Joint Computer Enhancement Fund.....	43
HB 1453	Creates the Task Force on Digitizing the County Records of Oklahoma.....	18
HB 1460	Provides for certain privileged communications in peer support counseling sessions.....	31
HB 1546	Department of Rehabilitation Services-Authorizes fund use for School for the Deaf.....	26
HB 1622	Crimes and punishments-Credit or debit cards-Expands scope of prohibited act.....	7
HB 1647	Creates the Radiologist Assistant Licensure Act.....	23
HB 1711	Cars-Restricted license for unemancipated person.....	33
HB 1739	Creates the Retail Electric Consumer Cost Reduction, Safety and Service Efficiency Act.....	16

## Legislative Summary Index

Bill No.	Description	Page
HB 1820	Muscogee Nation Hsng. Auth.-Adds rqrmts. for assumption of management and control.....	18
HB 1897	Domestic abuse against pregnant woman-Provides penalties.....	7
HB 1903	Nursing homes-Allows contact of clergy upon impending death.....	23
HB 1959	CompSource Oklahoma-Modifies authority.....	28
HB 2074	Teachers' Retirement System-Modifies post-retirement earnings limitations.....	41
HB 2196	Creates the Oklahoma Clean Campaigns Act of 2008.....	19
HB 2202	Sunset-Recreates State Board of Examiners of Perfusionists.....	20
HB 2203	Sunset-Recreates Emergency Response Systems Development Advisory Council.....	20
HB 2204	Sunset-Recreates State Committee of Plumbing Examiners.....	20
HB 2205	Sunset-Recreates Educational Television Authority.....	20
HB 2206	Sunset-Recreates Waterworks and Wastewater Works Advisory Council.....	20
HB 2208	Sunset-Recreates Board of Examiners of Certified Shorthand Reporters.....	20
HB 2209	Sunset-Recreates the Public Employees Relations Board.....	20
HB 2215	Public Safety Commissioner, agreements-turnpikes, speed limit provisions, prohibited vehicles.....	38
HB 2226	Crossbow hunting-Allows legal residents over a certain age.....	44
HB 2229	Schools-Veterans Day and Celebrate Freedom Week content to be grade-appropriate .....	11
HB 2231	Roads-Removes requirements for markers by Department of Transportation.....	46
HB 2239	Schools-Expands self-administer of asthma med to anaphylaxis medication.....	11
HB 2240	ODOT contracts-Modifies requirement to include payment percentage.....	46
HB 2241	Crime Victims Compensation Act-Modifies amounts.....	7
HB 2242	State Travel Reimburse-Authorizes Higher Education to enter contracts.....	12
HB 2245	Creates the Security Breach Notification Act.....	3
HB 2247	OSU Tech Okmulgee-name change-Vetoed.....	52
HB 2250	Open Records Act-Modifies voluntary disclosure of information.....	16
HB 2272	Road funding for Transportation Department-bond package.....	37
HB 2276	General appropriations-Appropriation.....	1, 9, 17, 45
HB 2297	Former Higher Education Regents-Modifies time for employment by institution.....	12
HB 2410	Corporation Commission-Appropriation.....	17
HB 2446	Higher Learn Access Ac- modifies eligibility requirements.....	12
HB 2458	The Governmental Tort Claims Act-Modifies definition.....	52
HB 2460	Uniform Controlled Dangerous Substance Act-Modifies factors for registration of applicants.....	23
HB 2462	Quartz Mountain Arts & Conference Center & Park-Modifies board of trustees.....	12
HB 2469	Grandparent visitation-Eliminates requirements .....	31
HB 2474	Construction or maintenance zone-Makes acts unlawful.....	38
HB 2490	Creates the Pharmacy Audit Integrity Act.....	29
HB 2492	Water-Raises amount of contract requiring advertisement.....	2
HB 2501	Aircraft-Requires dealer license-Specify requirements.....	3
HB 2518	Schools-Modifies transfers for children with disabilities.....	11
HB 2522	Counties authorized to establish misdemeanor drug court programs.....	31
HB 2530	Child emergency custody-Provides for filed form in lieu of hearing.....	31
HB 2533	State Council for Interstate Adult Offender Supervision-Modifies membership.....	31
HB 2539	Home Care Act-Directs accommodation be in accordance with codes, rules and requirements.....	39
HB 2544	Game and fish-Permits to use certain land-Modifies fees.....	44
HB 2547	Trespassing on private land-Prohibits hunting and fishing.....	53
HB 2557	Municipal Code-Modifies who is required to attend institute for municipal officials.....	18
HB 2564	Real Estate Commission-Modifies powers and duties.....	4
HB 2566	County planning commissions and boards of adjustment-Modifies fees.....	18
HB 2568	Child Death Review Board-Expands powers and duties.....	26
HB 2585	Peanut Commission-Modifies membership.....	2
HB 2587	Creates the Uniform Real Property Electronic Recording Act.....	18
HB 2606	Loitering-Makes certain act unlawful.....	7

## Legislative Summary Index

Bill No.	Description	Page
HB 2631	Supreme Court Justice-appoints judges under certain circumstances.....	31
HB 2633	School Test Program Act-Adds Test Window Date-Vetoed.....	53
HB 2638	Address Confidentiality Program-Transfers to Office of the Attorney General.....	7
HB 2639	Probate procedure-Non-Testamentary Transfer of Property Act.....	31
HB 2641	Companion and sitter service licensure-Modifies rule requirement.....	23
HB 2642	Provides training requirements for personal home care assistants-Vetoed.....	53
HB 2643	Child Care Facilities Licensing Act-Modifies requirements.....	26
HB 2662	Employment Security Act-Required to implement electronic filing procedures.....	4
HB 2667	Provides for a Five-year fishing, hunting and combination hunting/fishing license.....	44
HB 2674	Municipal employees-Requires certification training.....	18
HB 2675	Modifies the requirements of audits for fire protection districts.....	19
HB 2691	Naming highways and bridges.....	46
HB 2693	Creates the Emergency Medical Technician Death Benefit Revolving Fund.....	41
HB 2695	Commissioner of Public Safety-Authorized to own, train & use canines.....	39
HB 2699	Schools visual arts programs-Expands eligibility for incentive grants .....	11
HB 2703	Creates the Consumer Protection for Wheeled Mobility Act.....	23
HB 2704	Long-term care facility for sex offenders-Procedures for complaints .....	23
HB 2705	Prenatal classes for persons in family drug courts.....	24
HB 2713	Medicaid coverage-Exempts foster parents from qualifying employer requirement.....	24
HB 2715	Increases per diem rate of certain fines, fees and costs.....	31
HB 2725	Banks and trust companies-Modifies the banking code.....	3
HB 2726	Probate procedure-Modifies effect of failure to mail notice.....	31
HB 2731	Creates the School District Employee Direct Deposit Act.....	11
HB 2732	Medical practices-Increases penalties for unlawful practice.....	35
HB 2735	Changes the age limit to ten for an apprentice hunting license or permit.....	44
HB 2749	Creates the Adoption Review Task Force.....	31
HB 2758	Trauma Systems Improvement and Development Advisory Council-Adds member.....	24
HB 2760	Physical Therapy Practice Act-Expands referral list.....	24
HB 2763	Oklahoma Licensed Pedorthists-Modifies license requirements.....	24
HB 2765	Mental health and substance abuse services-Modifies treatment.....	24
HB 2778	Sorghum Resources Act-Provides exemption for collection of assessments.....	2
HB 2783	Sex Offenders Registration Act-Requires risk assessment review.....	7
HB 2791	Actions on farmed cervidae facility or hunting area without permission unlawful-Vetoed.....	53
HB 2793	Schools-Authorizes tax-sheltered annuity accounts.....	41
HB 2813	Makes costs of transmission upgrades for wind energy recoverable.....	16
HB 2819	Electronic signatures-provides statutory reference for term in misdemeanor case.....	31
HB 2821	Modifies powers and duties of the Director of Bureau of Narcotics and Dang Drugs Control.....	7
HB 2822	Outgoing emergency telephone calls-Deletes population restriction.....	39
HB 2833	Creates the Food Security Act.....	26
HB 2862	Allows nonprofit organizations vehicles to be equipped with strobe lights.....	33
HB 2863	Children-Creates Demarion's Law-Mandates liability insurance.....	26
HB 2882	Creates the Board of Trustees for Langston University, Oklahoma City and Tulsa.....	13
HB 2891	Unfair business practices-Provides for signage for profit entities.....	4
HB 2935	School foundation-Allows a school district to provide office space on school property.....	11
HB 2941	Cerebral Palsy Commission-Personnel.....	24
HB 2958	Child placement-Prohibits consideration of the age of an individual .....	31
HB 2969	State entities-Directed to purchase flags manufactured in the United States.....	20
HB 2970	Veterans-Allows veterans free admission to state parks and museums.....	46
HB 2974	Parental relocation-Specifies written notice requirements.....	31
HB 2995	MISSing Angels Act - Christopher and Kendall's Law.....	24
HB 3003	Modifies Law enforcement certification.....	46

## Legislative Summary Index

Bill No.	Description	Page
HB 3031	Criminal procedure-expungement of criminal records.....	8
HB 3050	Cemeteries-Adds plots to list of land portions to be surveyed.....	19
HB 3060	Public health and safety-Establishes the public umbilical cord blood bank.....	24
HB 3070	Renames Professional Boxing Commission the Oklahoma State Athletic Commission.....	17
HB 3076	Boating safety-Defines passenger.....	33
HB 3098	Creates the Aerospace Development Act of 2008.....	44
HB 3100	Establishes the Oklahoma Legislative Medal of Honor.....	47
HB 3112	Public retirement systems-Authorizes benefit increases.....	41
HB 3124	Board of Education to issue a license to teach to persons in the Teach for America Program.....	11
HB 3126	Creates the Advancement in Stem Cell Cures and Therapies Act.....	24
HB 3132	Electronic and Information Technology Access Advisory Council-Modifies end date.....	27
HB 3135	Waters rights-Modifies amount for Indemnity Fund.....	17
HB 3143	Creates the Compassionate Care Task Force.....	24
HB 3148	Controlled Dangerous Substances Act-Adds certain drugs to schedules.....	25
HB 3162	Motor vehicles-Modifies transaction involving salvage vehicles.....	33
HB 3164	Game and fish-Five-day nonresident hunting license to include pheasant.....	44
HB 3187	Creates the Oklahoma Oilseed Resources Act.....	2
HB 3193	Drivers-Required to take certain actions when approaching wreckers and tow vehicles.....	33
HB 3198	Creates the Task Force on Creative Artist Guilds.....	45
HB 3229	Protested taxes-Requires investment.....	43
HB 3239	Aerospace-Provides tax credits.....	43
HB 3268	Turnpikes-Authorizes Department of Wildlife to have agreements on law enforcement .....	45
HB 3275	District attorney assistance-Removes District Attorneys Council from AG's office.....	31
HB 3278	Contracts-Limits scope of a debt cancellation agreement.....	3
HB 3303	Corporation Commission-Limits above ground storage tank requirement.....	17
HB 3325	Central Services-Modifies powers, duties.....	20
HB 3326	License plate reissue-Provides procedures.....	43
HB 3335	Transportation Department-Removes population limitation on sign placement.....	46
HB 3336	Jail cost-Prohibits waiver-Requires reimbursement to health care provider.....	19
HB 3341	Creates the Fire Safety Standard and Firefighter Protection Act.....	39
HB 3352	Local Development Act-increment, incentive district property; tax assessment.....	43
HB 3354	Const. amend.-prohibits applications for exemption from ad valorem taxation prior to certain filing.....	44
HB 3365	Possession and transportation of paddlefish eggs-Modifies restrictions.....	45
HB 3394	Public buildings and public works-Adopts high performance certification program.....	20
HB 3395	Schools-Establishes a School Health Coordinators Pilot Program.....	11
HB 3397	Higher education-Modifies guaranteed tuition rate requirements.....	13
HCR 1047	Describes the OK History Center official Rock and Roll Song competition.....	48
HCR 1055	Celebrating the life of Opio Toure-Expressing condolences.....	48
HCR 1057	Establishing the Task Force on Student Remediation.....	48
HCR 1058	Patient-centered medical homes-Encourage study and use.....	48
HCR 1060	Congratulating Israel on its sixtieth anniversary.....	48
HCR 1065	Designate May 2, 2008, as Osage Tribal Museum Day.....	48
HCR 1067	Declare April 2008 as Autism Awareness Month.....	48
HCR 1072	Congratulating the Oklahoma Intercollegiate Legislature.....	48
HCR 1075	Designate Carroll Shelby Day.....	48
HCR 1083	Authorize the use of earnings from OK Capitol Improvement Authority Series 1995 Bonds.....	49
HCR 1084	Renaming the Oklahoma State Art Collection Gallery the Betty Price Gallery.....	49
HCR 1089	Commend the University of Tulsa's Golden Hurricane Men's Basketball Team.....	49
HCR 1096	Extending time for sine die adjournment.....	49
HJR 1058	Authorizes sale of Laura Dester property in Tulsa County.....	27
HJR 1093	Include the state in Military Spouse Career Advancement Initiative.....	47

## Legislative Summary Index

Bill No.	Description	Page
HJR 1105	Directs fee schedule of the Water Resources Board.....	17
HJR 1107	Disapproves in part rules of the Oklahoma Used Motor Vehicle and Parts Commission.....	4
HJR 1108	Approves permanent rules of the State Board of Career and Technology Education.....	11
HR 1051	Study and investigation of Jeff McMahan, State Auditor and Inspector.....	50
HR 1052	Proclaiming April 26, 2008, Kelsey Briggs Day.....	50
HR 1053	Commending John Pannell, President of the Elks Association;.....	50
HR 1055	Fellowship of Christian Athletes Day.....	50
HR 1059	Commending the Boys & Girls Clubs of Oklahoma.....	50
HR 1060	Commending the life of Jim Connor.....	50
HR 1062	Recognizing and celebrating Don Wallace.....	50
HR 1063	Congratulating Athletes First Foundation.....	50
HR 1064	Condolences; honoring SSgt. Christopher Michael Hake.....	51
HR 1065	Declaring County Government Week.....	51
HR 1067	Congratulating Ponca City High School's Po Hi-Steppers.....	51
HR 1068	Designating Sean O'Grady Day.....	51
HR 1069	Observing May 1, 2008, as National Day of Prayer.....	51
HR 1070	Congr. Bill Self on the Kansas Jay hawks 2008 NCAA Men's Basketball Ntnl. Championship.....	51
HR 1071	Congratulating Sand Hill Vineyards.....	51
HR 1072	Honoring and expressing appreciation for the living original Dawes Rolls enrollees.....	51
HR 1074	Congratulating Randy Tonche for winning the 2007 Class 3A wrestling championship.....	51
HR 1075	Congratulating Grant Daffin for winning Class 3A wrestling championships.....	51
HR 1076	Celebrating Many Nations Day.....	51
HR 1077	Requesting Bd. of Career & Technology Ed develop a teacher salary supplement schedule.....	51
HR 1079	Celebrating the life and mourning the loss of Jack Mildren.....	51