

---

---

---

---

# **SENATE JOURNAL**

**SECOND REGULAR SESSION**

**Thirty-second Legislature  
of Oklahoma**

**1970**

---

---

---

**Convened January 6, 1970**

**Adjourned April 15, 1970**

---

---

---

---

# SENATE JOURNAL

SECOND REGULAR SESSION

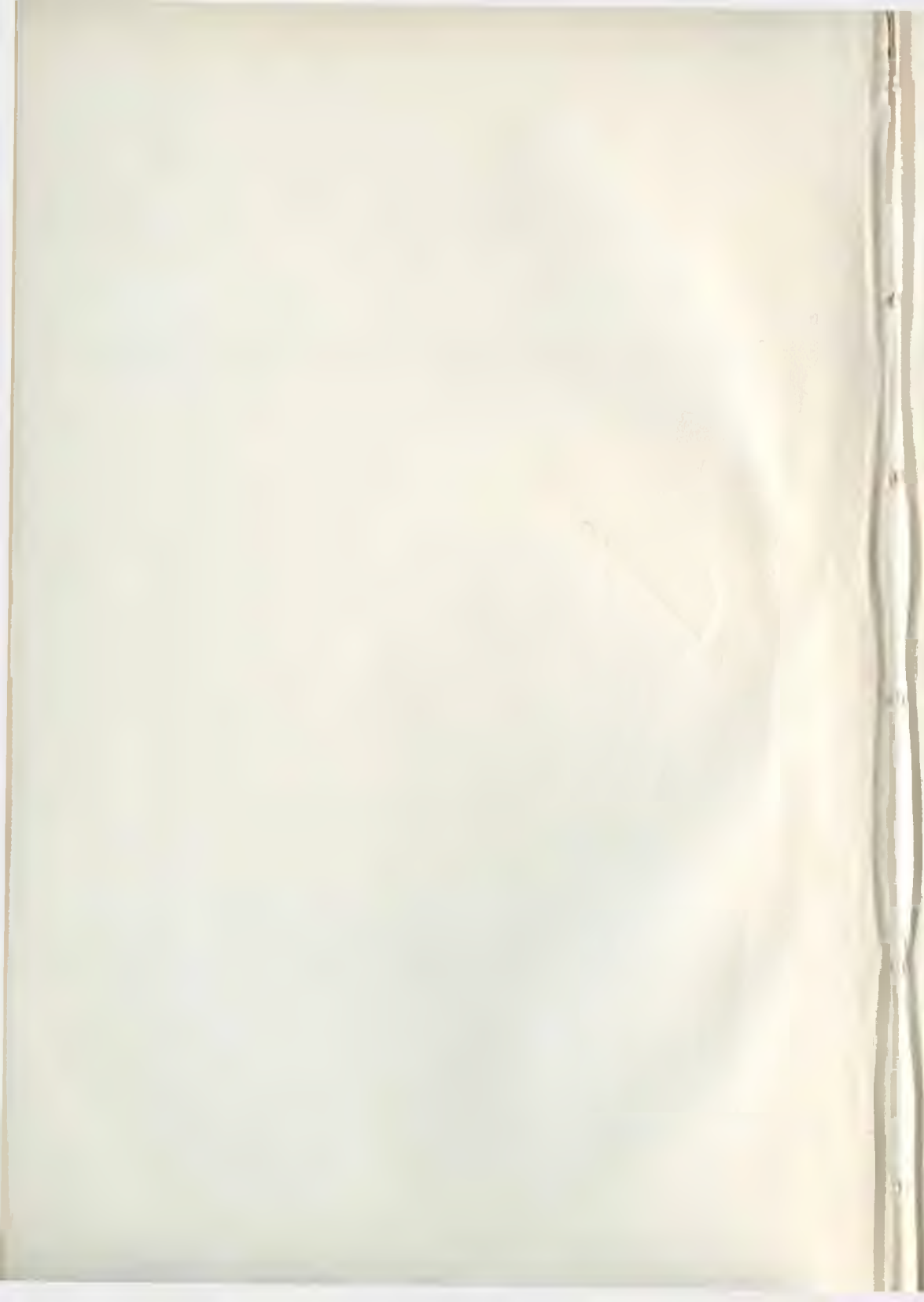
Thirty-second Legislature of Oklahoma

**1970**

---







# JOURNAL

of the

# SENATE

SECOND REGULAR SESSION  
THIRTY-SECOND LEGISLATURE  
1970



Convened January 6, 1970

Adjourned April 15, 1970

## OFFICERS OF THE SENATE

2nd Regular Session

32nd LEGISLATURE

1970

---

GEORGE NIGH, Oklahoma City.....	PRESIDENT
FINIS W. SMITH, Tulsa .....	PRESIDENT PRO TEMPORE
AL TERRILL, Lawton .....	MAJORITY FLOOR LEADER
JIMMY BIRDSONG, Oklahoma City .....	ASSISTANT MAJORITY FLOOR LEADER
PHIL SMALLEY, Norman .....	MAJORITY WHIP
DENZIL D. GARRISON, Bartlesville .....	MINORITY FLOOR LEADER
G. O. WILLIAMS, Woodward .....	ASSISTANT MINORITY FLOOR LEADER
JACK M. SHORT, Oklahoma City .....	MINORITY WHIP
BASIL R. WILSON, Mangum .....	SECRETARY
Miss W. E. (Bill) SHIPLEY, Oklahoma City.....	CHIEF CLERK
VERA AGENT, Oklahoma City.....	JOURNAL CLERK
BOBBIE STEENBERGEN, Bethany.....	CALENDAR CLERK
RUTH SMITH, Oklahoma City .....	CHIEF ENG. and ENR. CLERK
FRANK TRUEL, Oklahoma City.....	SERGEANT-AT-ARMS
REVEREND JOE DICKENS, Tulsa .....	CHAPLAIN
(Pastor of the John Calvin Presbyterian Church, Tulsa)	



## *In Memoriam*

### THE OKLAHOMA STATE SENATE



Name	Born-Died	Dist.	Legislative Sessions
HOLLOWAY, W. J.	1888-1970	24	8, 9 1st of 10
MEMMINGER, Charles B.	1893-1970	20	13, 14
SANFORD, John T.	1900-1970	10	16, 17 18, 19
THOMPSON, Joe B.	1904-1969	18	16, 17 1st of 18 22, 23

MEN WORTHY OF HONORS BESTOWED

# CALENDAR MONTHS OF THE SECOND REGULAR SESSION 32nd LEGISLATURE — 1970

Convened January 6, 1970 — Adjourned April 15, 1970

(Legislative Days shown in BOLD FACE type)

1970	JANUARY						1970
SUN	MON	TUE	WED	THU	FRI	SAT	
				1	2	3	
4	5	<b>6</b>	<b>7</b>	<b>8</b>	9	10	
11	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	16	17	
18	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	23	24	
25	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	30	31	

1970	FEBRUARY						1970
SUN	MON	TUE	WED	THU	FRI	SAT	
1	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	6	7	
8	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	13	14	
15	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	20	21	
22	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	27	28	

1970	MARCH						1970
SUN	MON	TUE	WED	THU	FRI	SAT	
1	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	6	7	
8	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	13	14	
15	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	20	21	
22	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	27	28	
29	<b>30</b>	<b>31</b>					

1970	APRIL						1970
SUN	MON	TUE	WED	THU	FRI	SAT	
			<b>1</b>	<b>2</b>	3	4	
5	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	10	11	
12	<b>13</b>	<b>14</b>	<b>15</b>	16	17	18	
19	20	21	22	23	24	25	
26	27	28	29	30			

(Oklahoma Supreme Court Opinion, No. 22,184, filed March 26, 1931, held "LEGISLATIVE DAY" — a day on which Legislature convened and actually engaged in business.)

## TABLE OF CONTENTS

Senate Journal — Pages 1 through 1113



	Page
Part I Index to Senate Bills .....	1125
Part II Index to Senate Joint Resolutions .....	1167
Part III Index to Senate Concurrent Resolutions .....	1171
Part IV Index to Senate Resolutions .....	1179
Part V Index to House Bills .....	1183
Part VI Index to House Joint Resolutions .....	1215
Part VII Index to House Concurrent Resolutions .....	1219
Part VIII Index—Topical and Personal .....	1223
Part IX Index—Subject matter of Bills and Resolutions .....	1253
Part X Index—Disposition of Measures passed .....	1305

### CAUCUSES

DEMOCRAT and REPUBLICAN

and

INTERIM COMMITTEES

(Immediately preceding Page 1)

SENATE STANDING COMMITTEES

Page 1115



## MEMBERSHIP OF SENATE

(Terms expire 1970)

D I S T	NAME	P O L	ADDRESS	COUNTIES COMPRISING DISTRICT
2	Clem McSpadden	D	Claremore	Delaware, Mayes, Rogers
4	James E. Hamilton	D	Heavener	LeFlore, Sequoyah
6	John Massey	D	Durant	Atoka, Bryan, Johnston, Marshall
8	Tom Payne	D	Okmulgee	McIntosh, Okmulgee
10	Raymond L. Horn	D	Hominy	Osage, Pawnee
12	John W. Young	D	Sapulpa	Creek, Okfuskee
14	Ernest D. Martin	D	Ardmore	Carter, Love
16	Phil Smalley	D	Norman	Cleveland
18	Don F. Ferrell	R	Chandler	Lincoln, Logan, Noble
20	Roy E. Grantham	D	Ponca City	Kay
22	Roy Boecher	D	Kingfisher	Blaine, Canadian, Kingfisher
24	Wayne M. Holden	D	Duncan	Jefferson, Stephens
26	Byron Dacus	D	Hobart	Greer, Harmon, Kiowa, Washita
28	G. O. Williams	R	Woodward	Alfalfa, Ellis, Grant, Major, Woodward
30	Leon Field	D	Texhoma	Beaver, Cimarron, Harper, Texas, Woods
32	Al Terrill	D	Lawton	Comanche
34	George Hargrave, Jr.	D	Tulsa	Tulsa
36	Gene C. Howard	D	Tulsa	Tulsa
38	Peyton A. Breckinridge	R	Tulsa	Tulsa
40	Richard D. Stansberry	R	Oklahoma City	Oklahoma
42	H. B. Atkinson	D	Midwest City	Oklahoma
44	J. Lee Keels	D	Oklahoma City	Oklahoma
46	Jack M. Short	R	Oklahoma City	Oklahoma
48	E. Melvin Porter	D	Oklahoma City	Oklahoma

## MEMBERSHIP OF SENATE

(Terms expire 1972)

D		
I		
S		
T	NAME	P O L ADDRESS COUNTIES COMPRISING DISTRICT
1	William Fred Phillips	D Miami Craig, Nowata, Ottawa
3	Robert P. Medearis	D Tahlequah Adair, Cherokee, Wagoner
5	Jinmie Lane	D Idabel Choctaw, McCurtain, Pushmataha
7	Gene Stipe	D McAlester Haskell, Latimer, Pittsburg
9	John D. Luton	D Muskogee Muskogee
11	Allen G. Nichols	D Wewoka Hughes, Seminole
13	George A. Miller	D Ada Coal, Murray, Pontotoc
15	Glen Ham	D Pauls Valley Garvin, McClain
17	Ralph W. Graves	D Shawnee Pottawatomie
19	Richard E. Romang	R Enid Garfield
21	Robert M. Murphy	D Stillwater Payne
23	Don Baldwin	D Anadarko Caddo, Grady
25	Herschel Crow	D Altus Cotton, Jackson, Tillman
27	Ed Berrong	D Weatherford Beckham, Custer, Dewey, Roger Mills
29	Denzil D. Garrison	R Bartlesville Washington
31	Jim Taliaferro	D Lawton Comanche
33	Ed W. Bradley	D Tulsa Tulsa
35	James M. Inhofe	R Tulsa Tulsa
37	Finis W. Smith	D Tulsa Tulsa
39	Joseph R. McGraw, Jr.	R Tulsa Tulsa
41	Bryce Baggett	D Oklahoma City Oklahoma
43	John L. Garrett	D Del City Oklahoma
45	Jimmy Birdsong	D Oklahoma City Oklahoma
47	John R. McCune	R Oklahoma City Oklahoma

## **DEMOCRATIC CAUCUS**

(Majority)

Chairman: Allen G. Nichols, Wewoka

Secretary: Wayne M. Holden, Duncan

## **REPUBLICAN CAUCUS**

(Minority)

Chairman: Richard E. Romang, Enid



## INTERIM COMMITTEE APPOINTMENTS

by

President Pro Tempore Finis W. Smith

(Made following the Second Regular Session of the  
32nd Legislature.)

- EXECUTIVE COMMITTEE—Legislative Council—Holdovers (74 O. S. 1961 § 456, as amended 1968):  
Atkinson, H. B., Midwest City  
Baggett, Bryce, Oklahoma City  
Berrong, Ed., Weatherford  
Birdsong, Jimmy, Oklahoma City  
Garrison, Denzil D., Bartlesville  
Holden, Wayne M., Duncan  
Howard, Gene C., Tulsa  
Luton, John D., Muskogee  
McSpadden, Clem, Claremore  
Miller, George A., Ada  
Murphy, Robert M., Stillwater  
Smalley, Phil, Norman  
Taliaferro, Jim, Lawton  
Terrill, Al, Lawton  
Young, John W., Sapulpa
- UNDER SR 63—In depth study of Senate operations, rules and procedures:  
Smith, Finis W., Tulsa, Chairman  
Smalley, Phil, Norman  
Garrison, Denzil D., Bartlesville  
Terrill, Al, Lawton  
Birdsong, Jimmy, Oklahoma City
- UNDER SR 72—Study as to limitation of opportunity of State Businesses, Professions and Industries, etc.:  
Stipe, Gene, McAlester  
Phillips, William Fred, Miami  
Luton, John D., Muskogee  
Porter, E. Melvin, Oklahoma City  
McGraw, Joseph R. Jr., Tulsa
- UNDER SCR 54—Study of Pollution control:  
Boecher, Roy, Kingfisher  
Terrill, Al, Lawton  
Hargrave, George, Jr., Tulsa  
Lane, Jimmie, Idabel  
Short, Jack M., Oklahoma City
- UNDER HB 980—31st Legislature—74 § 1410 Supp. 1968—Joint Legislative Ethics Committee:  
Garrison, Denzil D., Bartlesville  
Grantham, Roy E., Ponca City  
Miller, George A., Ada
- UNDER 74 OS 1961 §354.4—Advisory Committee, South Central Interstate Forest Fire Protection Campact:  
Lane, Jimmie, Idabel

# APPOINTMENTS

to Fred W. Smith

Technical Section - 100  
1000

for Council—Hollister (14 C. 2)

Vol. 100

1-10-10

1000

1000

1000

1000

# Senate Journal

of the Second Regular Session of the Thirty-second Legislature  
of the State of Oklahoma

First Legislative Day, Tuesday, January 6, 1970

Pursuant to Article 5, Section 26, of the Constitution of the State of Oklahoma, as amended by State Question 435, Legislative Referendum 156 (referred by **SJR 7—1965**, and adopted by the people on May 24, 1966), the Senate of the Second Regular Session of the Thirty-second Legislature assembled in its Chamber at 12:00 noon.

The President, Lieutenant Governor George Nigh, called the Senate to order.

Upon roll call, the following members were present:

Present: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—47.

Excused: Stipe.—1.

The President declared a quorum present.

The Permanent Senate Chaplain, the Reverend Joe Dickens, Pastor of John Calvin Presbyterian Church, Tulsa, Oklahoma, offered the following prayer, and same is incorporated herein upon motion of President Pro Tempore Smith:

O God who art the Lord of all the worlds that are, who art Lord not only of the church, but of the marketplace, the halls of business and the political arena, we pause at the beginning of this New Year to acknowledge Thee.

We ask as these men, chosen by the people to govern the affairs of this State, resume their concerns that they may be freed from petty ambition, from short-sighted goals and from selfish pride. Help them to feel that they have been put in this place of responsibility by Thy hand, that they may serve the people as service to Thee.

Thou who hast taught us to love one another and that love is not mere sentiment but includes righteousness and justice, courage and honesty, bless the honorable Oklahoma State Senate that this day and this session Thy will may be done. We pray in Christ. Amen.

## SENATE OFFICERS- SENATE ORGANIZATION

The President announced that pursuant to Rule 21-f, adopted by the Senate in the First Regular Session of the 32d Legislature, the Organization and selection of Officers for that Session became the Organization and selection of Officers of the Senate for the Second Regular Session of said Legislature, and that the Journal will so reflect the Officers and Standing Committees, same being as follows:

## OFFICERS OF THE SENATE

George Nigh, Oklahoma City, President.

Finis W. Smith, Tulsa, President Pro Tempore.

Al Terrill, Lawton, Majority Floor Leader.

Jimmy Birdsong, Oklahoma City, Ass't Majority Floor Leader.

Phil Smalley, Norman, Majority Whip.



Denzil D. Garrison, Bartlesville, Minority Floor Leader.

G. O. Williams, Woodward, Ass't Minority Floor Leader.

Jack M. Short, Oklahoma City, Minority Whip.

Basil R. Wilson, Mangum, Secretary.

Miss W. E. "Bill" Shipley, Oklahoma City, Chief Clerk.

Vera Agent, Oklahoma City, Journal Clerk.

Bobbie Steenbergen, Bethany, Calendar Clerk.

Ruth Smith, Oklahoma City, Chief En-grossing and Enrolling Clerk.

Frank Truel, Oklahoma City, Sergeant-at-Arms.

The Reverend Joe Dickens, Permanent Senate Chaplain, Pastor of the John Calvin Presbyterian Church, Tulsa.

### STANDING COMMITTEES

#### AGRICULTURE: (8)

Field, Chairman.

Dacus, Vice-Chairman.

Atkinson	Hamilton
Boecher	Lane
Crow	Williams

#### APPROPRIATIONS & BUDGET: (18)

McSpadden, Chairman

Massey, Vice-Chairman

Atkinson	Lane
Baldwin	Medearis
Berrong	Miller
Dacus	Murphy
Ferrell	Phillips
Hamilton	Short
Horn	Stipe
Inhofe	Taliaferro

#### BUSINESS RELATIONS: (9)

Luton, Chairman.

Payne, Vice-Chairman

Berrong	Romang
Birdsong	Stipe
Inhofe	Young
Phillips	

#### CONSERVATION AND ECONOMIC DEVELOPMENT: (9)

Boecher, Chairman

Holden, Vice-Chairman.

Field	Massey
Horn	Payne
Lane	Williams
Luton	

#### CONSTITUTIONAL REVISIONS & REGULATORY SERVICES: (7)

Baggett, Chairman.

Nichols, Vice-Chairman.

Breckinridge	Smalley
Howard	Stansberry
Keels	

#### EDUCATION: (17)

Miller, Chairman.

Hamilton, Vice-Chairman.

Baggett	Massey
Breckinridge	Murphy
Crow	Porter
Howard	Short
Keels	Smalley
Luton	Stansberry
McGraw	Terrill
Martin	

#### FINANCE & COMMERCE: (9)

Berrong, Chairman.

Stipe, Vice-Chairman.

Baggett	Inhofe
Bradley	Medearis
Breckinridge	Terrill
Graves	

#### GOVERNMENTAL AFFAIRS: (9)

Keels, Chairman.

Horn, Vice-Chairman.

Boecher	McSpadden
Crow	Taliaferro
Garrison	Williams
Grantham	

#### JUDICIARY: (10)

Grantham, Chairman.

Garrett, Vice-Chairman.

Garrison	Romang
Ham	Short
Hargrave	Smalley
Porter	Young

**MUNICIPAL GOVERNMENT: (8)**

Howard, Chairman.

Ham, Vice-Chairman.

Birdsong	McCune
Garrison	McGraw
Holden	Smalley

**PUBLIC AFFAIRS: (7)**

Hargrave, Chairman.

Porter, Vice-Chairman.

Garrett	Martin
McCune	Stipe
McSpadden	

**PUBLIC HEALTH: (10)**

Martin, Chairman.

Graves, Vice-Chairman.

Hargrave	Payne
McCune	Phillips
Miller	Porter
Nichols	Stansberry

**REVENUE & TAXATION: (7)**

Taliaferro, Chairman.

Bradley, Vice-Chairman.

Baldwin	McGraw
Ferrell	Terrill
Garrett	

**ROADS AND HIGHWAYS: (14)**

Murphy, Chairman.

Atkinson, Vice-Chairman.

Birdsong	Ham
Bradley	Holden
Dacus	Medearis
Ferrell	Nichols
Field	Rcmang
Grantham	Young

**RULES: (15)**

Baldwin, Chairman.

Young, Vice-Chairman.

Baggett	McSpadden
Birdsong	Miller
Boecher	Murphy
Bradley	Nichols
Dacus	Smalley
Garrison	Terrill
Luton	

President Nigh, citing Rule 29, which provides the Rules of the First Regular Session of the 32d Legislature to be in

full force and effect during the Second Regular Session of said Legislature, advised that the Senate of the Second Regular Session is properly organized.

**CARRY-OVER BILLS—Procedure**

Senate Rule 16-a, adopted by the First Regular Session of the 32nd Legislature, provided for the safekeeping of all measures pending before the Committees following adjournment of the First Regular Session and the convening of the Second Regular Session of the 32d Legislature.

Senator Terrill moved that the bills and resolutions pending before the several Standing Committees at adjournment of the First Regular Session of the 32d Legislature be ordered filed with the Calendar Clerk, to be returned to the respective Committee boxes for consideration by the Senate, and that a complete list thereof be reflected in the Journal, which motion was declared adopted.

Pursuant to the above motion, the following compilation of bills and resolutions pending before the respective Senate Committees is incorporated herein:

**AGRICULTURE**

SBs	HB
235 by Young	1387 by Howard
202 by Luton	
258 by Lane	
261 by Atkinson	

**APPROPRIATIONS AND BUDGET**

SBs	HBs
87 by Massey	1033 by Sparkman
97 by McSpadden	1208 by Vann
196 by Boecher	

**BUSINESS RELATIONS**

SBs	HB
40 by Bradley	1361 by Abbott
139 by Payne	
149 by Young	
150 by Young	
151 by Stipe	
177 by McGraw	
203 by Field	
280 by Luton	
281 by Luton	
305 by Stipe	

CONSERVATION AND ECONOMIC  
DEVELOPMENT

SBs	HBs
285 by Grantham	1066 by Trent
294 by Field	1295 by Bradley
313 by Breckinridge	
373 by Ferrell	

CONSTITUTIONAL REVISIONS AND  
REGULATORY SERVICES

SBs	HBs
180 by Smalley	1170 by Connor
378 by Williams	1260 by Cate
385 by Terrill	1340 by Mountford

SJR	HJR
1 by Short	1001 by Briscoe
2 by Garrison	1003 by Spearman
3 by Garrison	1008 by Connor
6 by Howard	1021 by Privett
8 by Porter	1022 by Spearman
11 by Smalley	1024 by Sandlin
16 by McSpadden	
18 by Baggett	
19 by Terrill	
21 by Short	
23 by Garrison	
24 by Garrison	

## EDUCATION

SBs	HBs
9 by Short	1210 by Hill (Ben)
36 by Garrison	1291 by Clemons
144 by Short	1339 by Monks
241 by Hargrave	1403 by Allard
246 by Baggett	1439 by Abbott
302 by Horn	1445 by Clemons
333 by Ferrell	1451 by Monks
346 by Baggett	
352 by Young	
367 by Young	

## SCR

20 by Baggett

## FINANCE AND COMMERCE

SBs	HBs
148 by Graves	1317 by Bamberger
293 by Inhofe	1434 by Thompson
374 by Graves	

## GOVERNMENTAL AFFAIRS

SBs	HBs
14 by Short	1154 by Sparkman
84 by Garrison	1330 by Odom
86 by Garrison	(Martin)
115 by McSpadden	1365 by Sparkman
128 by Hargrave	1470 by Hill
176 by Ham	(Archibald)
231 by Howard	
240 by Hargrave	
243 by Howard	
266 by Howard	
291 by Howard	
299 by Ferrell	
306 by Garrett	
320 by Howard	
321 by Stipe	
322 by Stipe	
342 by Graves	
348 by Murphy	
358 by Horn	
361 by Lane	
362 by Stipe	
364 by Ferrell	
370 by Breckinridge	

## JUDICIARY

SBs	HBs
4 by Grantham	1021 by Spearman
12 by McGraw	1131 by McCune
20 by Smalley	1171 by Mountford
90 by Grantham	1199 by Briscoe
108 by Hamilton	1206 by Harrison
127 by Howard	1231 by Tabor
157 by Stipe	1435 by Hill (Ben)
161 by Howard	1450 by Beauchamp
167 by Howard	1457 by Hutchens
178 by McGraw	1474 by Bamberger
184 by Hargrave	HJR
188 by Young	1016 by Vann
190 by Porter	
201 by Boecher	
206 by Young	
238 by Murphy	
292 by Howard	
303 by Romang	
311 by Nichols	
314 by McSpadden	
316 by Romang	

## JUDICIARY

## SBs

324 by Luton  
 359 by Hargrave  
 363 by Hamilton  
 372 by Grantham  
 375 by Smith  
 380 by Boecher  
 381 by Smith  
 382 by Smith  
 383 by Young  
 384 by Short

## SJR

13 by Howard

## MUNICIPAL GOVERNMENT

## SBs

46 by Howard  
 111 by Ham  
 120 by Smith  
 136 by Howard  
 183 by Howard  
 216 by Smalley  
 274 by Payne  
 377 by Romang

## HBs

1050 by McCune  
 1271 by Hill  
 (Archibald)

## PUBLIC AFFAIRS

## SBs

42 by Grantham  
 222 by Short  
 283 by Luton

## HBs

1059 by Bengtson  
 1179 by Hargrave  
 1248 by Mountford  
 1265 by Monks  
 1301 by Allard  
 1389 by Lindstrom  
 1476 by Poulos

## PUBLIC HEALTH

## SB

239 by Birdsong

## HB

1203 by Atkins

## REVENUE AND TAXATION

## SBs

113 by Martin  
 165 by Hamilton  
 174 by Atkinson  
 185 by Inhofe  
 194 by Atkinson  
 271 by Smith  
 298 by Ferrell  
 310 by Ferrell  
 326 by Ferrell  
 327 by Ferrell  
 334 by Ham  
 368 by Ferrell

## HBs

1023 by Poulos  
 1217 by Odom  
 (Martin)  
 1281 by Mountford  
 1393 by Monks

## SCR

13 by Baggett

## ROADS AND HIGHWAYS

## SBs

31 by Howard  
 121 by Young  
 131 by Williams  
 154 by Baggett  
 252 by Garrison  
 265 by Smith  
 276 by Romang  
 337 by Garrett  
 360 by Baggett  
 376 by Keels

## HB

1322 by Townsend  
 SJR  
 9 by Nichols  
 HJR  
 1031 by Sandlin

## RULES

## SBs

181 by Smalley  
 223 by Luton  
 369 by Baldwin

## HB

1239 by Trent

Senator Terrill moved that a Committee be appointed to notify the Governor of the State of Oklahoma that the Senate is organized and ready to transact business, which motion was declared adopted. The President appointed Senators Nichols, Garrison and Porter as such Committee.

Senator Terrill moved that a Committee be appointed to notify the Honorable House the Senate is organized and ready to transact business, and to confer and arrange for a Joint Session, which motion was declared adopted. The President appointed Senators Boecher, Williams and Crow as such Committee.



Senator Terrill stated that Lobby Permits issued during the First Regular Session of the 32d Legislature were subject to revocation during the Second Regular Session of said Legislature and asked unanimous consent that the same Special Committee be appointed to consider any further requests for Lobby Permits, with authority to renew any existing Lobby Permits without further action by the Senate.

No objection being voiced, the President reappointed Senators Bradley, Grantham and Berrong as members of such committee.

Senator Terrill moved that the Mileage allowances for members of the Senate authorized in the First Session of the 32d Legislature be the mileage allowance for the Second Session of the 32d Legislature, which motion was declared adopted.

President Nigh expressed the condolence of the entire Senate membership to Senator Garrison on the loss of his beloved Father, a retired Colonel in the U.S. Army, retired Superintendent of the Norman, Oklahoma, schools and member of the State Board of Education, whose life expired December 30, 1969.

Upon motion of Senator Terrill, the Senate was declared at ease.

The Senate was called to order by President Nigh.

Senator Nichols, on behalf of the Committee appointed to notify the Governor the Senate is organized and ready to transact business, reported the duty performed, following which the Committee was ordered discharged.

Senator Boecher, on behalf of the Committee appointed to confer with a like Committee from the Honorable House in arranging for a Joint Session of the Second Session of the 32d Legislature, reported the duty performed, and the hour of 1:30 p.m., this day, had been agreed upon for the Joint Session. The Committee was ordered discharged.

Senator Terrill moved that the Senate stand recessed until 1:25 p.m., which motion prevailed.

The Senate reassembled in its Chamber at 1:25 p.m., with President Nigh presiding.

The hour of 1:30 p.m., having arrived and that being the hour agreed upon by a Joint Committee for the convening of the Second Regular Session of the 32d Legislature in Joint Session, it was upon motion of Senator Terrill that the Senate, preceded by its Officers, went in a Body to the House Chamber for the purpose of the Joint Session.

### JOINT SESSION

The Senate and the Honorable House in the first Joint Session of the Second Regular Session of the 32d Legislature was called to order by Lieutenant Governor George Nigh, President of the Senate.

Upon motion of Senator Terrill, the attendance roll call of the Senate was considered the roll call of the Senate in Joint Session, which was as follows:

Present: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—47.

Excused: Stipe.—1.

The President declared a quorum of the members of the Senate present.

Upon motion of Representative Wolf, the attendance roll call of the Honorable House was considered the roll call of the House in Joint Session, which was as follows:

Present: Abbott, Allard, Anderson, Andrews, Atkins, Bamberger, Barker, Beauchamp, Bengtson, Bernard, Bickford, Boren, Bradley, Briscoe, Browers, Camp, Cate, Clemons, Coffin, Cole, Conaghan, Connor, Converse, Cox, Derryberry, Doornbos, Dunn, Ferguson, Ferrell, Finch, Fine, Ford, Gooden, Goodfellow, Green,

Greenhaw, Hancock, Hargrave, Harrison, Hatchett, Hesser, Hill (Archibald), Hill (Ben), Holaday, Hopkins, Howard, Hutchens, Johnson, Jones, Kamas, Lindstrom, McCune McKee, Miskelly, Monks, Mountford, Murphy, Musgrave, Nance, Odom (Martin), Odom (V. H.), Patterson, Payne, Poulos, Raibourn, Robinson, Rogers, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Smithey, Sparkman, Spearman, Stratton, Sullivan, Tabor, Taggart, Tarwater, Thompson, Thornhill, Townsend, Trent, Vann, Wayland, Whorton, Wiedemann, Williams, Williamson, Willis, Witt, Wixson, Wolf (Leland), Wolfe (Stephen), York, Mr. Speaker.—97.

Excused: Bean.—1.

Election Pending.—1.

The Speaker declared a quorum of the members of the Honorable House present.

The President declared quorums of the Senate and the Honorable House present and the Joint Session properly assembled.

Invocation was by the Reverend Joe Dickens, Pastor of the John Calvin Presbyterian Church, Tulsa, Oklahoma.

Senator Terrill moved that the President and the Speaker appoint Committees from the Senate and the Honorable House, respectively, as a Joint Committee to notify the Governor the Second Regular Session of the 32d Legislature is now in Joint Session and ready to receive him and hear his Message, which motion was declared adopted, the Committees being:

FOR THE SENATE: Baggett, Romang, Smalley, Garrison and Birdsong.

FOR THE HOUSE: Connor, Doornbos, Camp, Kamas and Holiday.

The Sergeant-at-Arms was recognized and announced the arrival of the Chief Executive, the Honorable Dewey F. Bartlett, accompanied by the Joint Committee appointed to advise the Governor the Joint Session awaits his presence.

Governor Bartlett was escorted by the Joint Committee to the Speaker's desk.

The President presented Governor Bart-

lett to the Joint Session, where he read his prepared Message.

Upon motion of Senator Terrill, the Joint Session was ordered dissolved.

The Senate reassembled in its Chamber, with President Pro Tempore Smith presiding.

Senator Birdsong raised the question of "no quorum."

The President Pro Tempore ordered the roll called and declared a quorum was present.

Senator Terrill moved that the State of the State Message of the Governor, delivered in Joint Session, be incorporated in the Senuate Journal for this day, which motion was declared adopted, the Message being as follows:

Governor Nigh, President Pro Tempore Smith, Speaker Privett, honorable members of the 32nd Oklahoma Legislature, guests, my fellow Okies:

Welcome back to Oklahoma City for the opening of the Fourth Annual Session of the Oklahoma Legislature.

Last year, in accordance with the expectations of the citizens of the State when they voted annual sessions, you adjourned on April 29th, the shortest legislative session in recent history. This year, I challenge you to do even better.

In my opinion, the work of this session can — and should — be completed in not more than 90 calendar days, I pledge you my support in achieving that goal.

Let us immediately tackle the work at hand, accomplish it in a responsible manner, and continue to restore our citizens' confidence in their elected leaders.

We have adequate funds to do the job.

During Governor Edmondson's Administration, for fiscal 1960-1963, appropriated revenues were \$466,585,237.

During Governor Bellmon's Administration, for fiscal 1964-1967, appropriated revenues were \$585,494,637.

For the four year period of this Ad-



ministration, fiscal 1968-71, appropriated revenues will be at least \$875,715,755. This represents an increase of 49 per cent over 1964-67, and an increase of 87.69 per cent over 1960-63.

There are several reasons for this immense increase, but a general tax increase is not one of them. The two most important reasons are (1) the general growth of the economy, and (2) more vigorous collection of taxes due the State.

The State of the State of Oklahoma is excellent. The outlook for the future is optimistic.

Oklahoma has had phenomenal success in its attempt to achieve economic growth.

During the past three years, new or expanded industries have occurred in 67 of our 77 counties. In 1969, industrial growth progressed more than any previous year.

Preliminary figures for 1969 show that capital expenditures for industrial facilities exceeded \$242 million dollars, which will (according to the companies involved) create 12,290 new jobs. These totals are incomplete, yet they show that Oklahoma's Industrial growth, its economic growth, has reached new levels.

In the past three years, \$492 million dollars has been or will be invested by industry and 28,600 new jobs have been or will be created (according to the companies involved.)

In October, 1969, Oklahoma employment was up 18,500 over October, 1968, despite a 1,000 job loss in agriculture.

In 1969, total employment reached one million for the first time.

We already have laid the foundation for 1970, with the announcement that the Weyerhaeuser Company will invest in excess of \$100 million dollars in Southeastern Oklahoma.

This achievement has been no one-man show.

It is the result of a coordinated, coop-

erative effort, from Chambers of Commerce to civic organizations to industrial leaders to individual citizens, to our Industrial Development Division, and to you, the Members of the Legislature, who have provided laws — and money — to make Oklahoma more attractive to industry.

The goal of my administration has been "more and better jobs." It will be my goal in the future.

One portion of our success formula depends directly upon you and the citizens, and that is the submission and approval of an increase in the amount of dollars the Oklahoma Industrial Finance Authority may use to attract new or expanded industry. It is essential this be accomplished at a special election during this session.

As of November 1, 1969, the Authority has made 82 loans totaling \$9.1 million dollars. Of that sum, \$8.6 million was to industry in non-metropolitan areas.

These loans will create (according to the companies involved) 7,907 new jobs, with an estimated payroll of \$44 million dollars.

In the past nine years, these funds have helped finance industry in 51 counties.

New and expanded industry valued at \$58.8 million dollars was located in 50 rural counties with the assistance of the Authority.

Loans in the process of being closed total another \$10 million dollars which will completely exhaust available funds.

During 1969, 28 counties voted more than \$40 million dollars in general obligation bonds for industrial development. This brings to 52 the number of counties with such bonds.

Private industry in 1969 donated \$220,000 for an indepth study of Oklahoma's industrial potential. The Industrial Development and Park Department is imple-

menting this study, known as the Fantus Report.

Five thousand names of potential plants for Oklahoma were provided.

In 1969, the State's industrial coordinators visited approximately 200 Oklahoma communities. Calls were made in 86 industrial centers in 35 states.

The Ozarks Regional Development Commission allocated \$2 million Public Works dollars for projects in 37 Eastern Oklahoma counties. These projects included vo-tech schools, airports, and sewer and water improvements.

In tourism — itself an industry — 1969 produced more than \$380 million dollars, new dollars from outside the State.

A vital factor in our industrial and economic growth is education.

Many yardsticks may be used to measure Oklahoma's Educational System, but one accurate yardstick is the ability of the system to produce a highly proficient and professional and technically-skilled labor force to satisfy the demands of the most sophisticated industry.

As my Economic Development Report indicates, we are educating students that can compete, and because of our system, our State is enjoying an unprecedented growth.

We are attracting industry because we have a good school system.

We must strive to make it even better.

Total State appropriations to education during this administration will amount to at least \$623,200,441.

Under my proposed budget, appropriations to common schools will have increased 77 per cent during the four-year period ending June 30, 1971.

Teacher salaries in 1967-68 averaged \$6,259. This year, the average is \$7,300. For fiscal 1970-71, if my proposed budget is adopted, the average will exceed \$7,800.

One of the most dramatic steps being

made in education in Oklahoma is the state-wide system of area Vocational-Technical Education Centers.

Here, for the first time in Oklahoma's educational history, young people of high school age are learning the sophisticated skills necessary to hold technological and other jobs in the exciting decade we face today.

To date, 17 area Vo-Tech School Districts have been formed. Our State Department of Vocational and Technical Education has planned for 22 schools to offer this type of education within commuting distance of every resident of Oklahoma.

We have developed within our Vo-Tech System the Special Schools Program, which allows us to train workers for specific industries anywhere in the State.

In higher education, according to the U.S. Department of Commerce, Oklahoma ranked 20th of the 50 states in per capita expenditure in fiscal 1968-69.

Student enrollment in the Oklahoma State System of Higher Education has increased by approximately 100 per cent over the past ten years.

In that same period, Educational and General Operations Budgets of State System Institutions have increased 166.8 per cent.

It is revealing that the average increase for the last three years of this period amounts to \$11 million per year, as compared to \$5 million the preceding seven years.

The total number of students in Oklahoma Higher Education now equals the combined total of 15 Oklahoma counties.

Latest figures compiled by the State Regents reveal that about 67 per cent of Oklahoma's High School Graduates go on to college — placing Oklahoma at or near the top among the 50 states.

Oklahoma ranks seventh among the 50 states in the ratio of state institutions to population, with one State-Supported Institution for each 145,000 citizens.

Oklahoma State Higher Education will expend approximately \$235 million in construction of new academic facilities during the decade 1965-75.

#### THE BUDGET

Before discussing the major points of the budget, I want to make several general observations.

You will find in a detailed examination of my proposed budget that the tax collar is being stretched.

That will come as no surprise to you. In all likelihood, you will be beset by those who say that the tax dollar is being stretched too far.

But I submit to you that the tax dollar used to run State Government is not stretched as far as the dollar used to run the households of Oklahoma taxpayers.

The budget includes sufficient funds to increase the minimum salary for every State employee to \$310 per month.

It includes sufficient funds to provide a one-step pay increase for every State employee.

It includes \$500,000 to fund a proposed disability program for State employees.

These three steps will, I believe, elevate employees of the State to the level afforded employees of private industry. These steps are overdue.

#### PUBLIC SCHOOL EDUCATION

In Public School Education, I recommend a total appropriation of \$113,176,445, an increase of \$16,839,945. This increase provides sufficient funds to finance the present school code, substantial increases for counseling, special education, kindergartens, transportation, and an increase in the minimum salary of teacher to \$6,000 per year.

#### TEXTBOOKS

I propose \$3,283,857 for textbooks. This amount will raise our per pupil expenditure from \$4.00 to \$5.00.

#### TEACHER'S RETIREMENT

I propose an appropriation of \$3.5 million dollars for Teacher Retirement.

This proposed expenditure covers only what is required by present law.

I know that you are committed to an increase in Teacher Retirement Benefits, and while I personally favor such an increase, the funds available for appropriation as estimated by the State Board of Equalization are not sufficient to fund any increased benefits without retarding the growth of other needed functions.

However, as you are well aware, other funds — over and above the estimate by the Equalization Board — are available for appropriation by you. The Income Tax Adjustment Fund has more than \$1 million dollars which you can — as you have in the past — appropriate.

I therefore recommend that you honor your commitment to increase Teacher's Retirement Benefits and that you finance the increased benefits from the Income Tax Adjustment Fund.

IF the increased benefits are realistic, IF the increase is financed from the Income Tax Adjustment Fund, and IF the amount appropriated to finance the increased benefits will allow the Retirement Fund to remain actuarially sound, THEN I pledge you my support in honoring your commitment.

#### HIGHER EDUCATION

For Higher Education, I propose an appropriation of \$67,705,883, an increase of \$8 million dollars. I recommend that \$50,000 be set aside for a Student Loan Program and that \$200,000 be set aside for a Televised Instruction Program which will provide a method of taking the classroom to industrial communities where advanced courses in Higher Education are needed. Industry of the State will participate in this program by providing additional funds to establish the system and to help defray operating costs.



## VOCATIONAL-TECHNICAL EDUCATION

To further improve our growing Vocational-Technical Education System, I propose a total of \$4.3 million dollars, an increase of \$750,000. This \$4.3 million dollars represents an amount three times the amount appropriated in 1967.

## HIGHWAYS

I propose an appropriation of \$62,690,298 for highways, an increase of \$4.7 million dollars. Three point seven million dollars will come from the Highway Construction and Maintenance fund and \$1 MILLION FROM THE GENERAL REVENUE FUND.

## PUBLIC HEALTH

I propose an appropriation of \$2,554,020 for Public Health, an increase of \$363,016. I request \$150,000 to assist local health departments. I also REQUEST \$50,000 BE ALLOCATED FOR A GUIDANCE CENTER PROGRAM and \$50,000 FOR FAMILY PLANNING.

## MENTAL HEALTH

I propose an appropriation for Mental Health of \$13,874,864. This includes an increase of \$17,735 for the department itself.

I further propose an increase of \$553,249 for Central State Griffin Memorial Hospital; an increase of \$393,833 for Eastern State Hospital, and an increase of \$186,935 for Western State Hospital.

Upon the strong recommendation of the Director of Mental Health, I recommend that Taft State Hospital be transferred to the Welfare Department as an Institution for Adult Mental Retardates.

Over the past six years, the resident patients in the four State Mental Hospitals have gradually decreased from approximately 6,300 to 3,600. Indications are that this trend will continue.

For reasons of economy and utilization of professional personnel, it seems logical to effect this transfer, especially in light of the need existing in Oklahoma

for an institution devoted to the care and rehabilitation of Adult Mental Retardates.

There are in our four mental hospitals approximately 350 Retardates. I recommend that they be integrated into the Oklahoma Public Welfare Commission's Program for the Mentally Retarded and its other programs, and that all mental patients now cared for at Taft State Hospital be assigned to Eastern, Central and Western Hospitals in accordance with their residence of origin.

Because responsibility for the care and rehabilitation of retardates rests with the Welfare Department, it is appropriate that Taft be transferred to that Department.

## LAW ENFORCEMENT

In Law Enforcement, I have four recommendations.

1—The establishment of the Oklahoma Criminal and Traffic Law Enforcement System, at a cost of \$374,000.

2—The addition of five agents for the Oklahoma Bureau of Investigation.

3—The addition of 85 Highway Patrolmen — which will bring Patrol strength to 538, an increase of 179 in the four years of this administration. I also recommend pay increases of \$50 per month for Uniformed Personnel, and a \$40,000 appropriation for the Southwest Center for Law Enforcement.

4—Transfer of responsibility for Water Safety and Enforcement from the Industrial Development and Park Department to the Department of Public Safety.

## CORRECTIONS

As an adjunct to Law Enforcement, I have made recommendations involving our Correctional System.

They are:

Increases of \$600,000 for the State Penitentiary and \$72,141 for the State Reformatory. These increases are necessary to meet rising costs and provide additional personnel to handle increasing penal population.

In addition, I recommend funds be ap-

propriated to the Corrections Department to provide for hiring seven additional Probation Officers and an Assistant Director of Probation and Parole.

#### OTHER BUDGET RECOMMENDATIONS

I recommend the expenditure of \$50,000 for capital outlay in preparing Camp Gruber for use by the Oklahoma National Guard.

I recommend \$30,000 for the Department of Agriculture to initiate a System of Pesticide Control.

I recommend \$24,000 as the first appropriation for the State Office of Economic Opportunity. We have assurances from the Federal O. E. O. Office that it will support meaningful programs by the State O. E. O. Office for the poor of Oklahoma.

I recommend a reduction of \$250,000 in the Corporation Commission Appropriation. This reduction is granted at the request of the Chairman of the Commission, Charles Nesbitt.

I want to compliment Chairman Nesbitt for requesting this decrease in appropriation. It appears to me an intelligent and realistic reduction, and constitutes an attitude that might well be copied by other Agencies of the State.

#### PLANNING AND COMMUNITY AFFAIRS

I recommend the establishment of the Office of Community Affairs and Planning within the Executive Branch, to assist local officials in planning, in developing long-range goals and to increase coordination between state, county and municipal officials.

#### OTHER LEGISLATION

I strongly urge you to enact legislation calling for a Constitutional Convention to upgrade and update our existing Constitution.

I recommend you review our existing laws on drugs and narcotics and make

any needed changes. In this regard, I refer you to the report of the recent Governor's Seminar on Drugs and Narcotics for recommended improvements in this area.

I recommend passage of a Scenic Rivers Bill.

I again recommend early passage of a Proposed Constitutional Amendment to increase the lending authority of the Oklahoma Industrial Finance Authority and request an election be held on the Resolution at the earliest opportunity.

#### ECONOMY AND EFFICIENCY

The Budget which I propose to you is, in my opinion, one of the best Budgets ever presented to any Legislature in the history of Oklahoma.

It recommends substantial increases in practically all areas of State Government.

It fills the needs of the various departments of government, even though it falls short of filling the requests and desires of the various departments.

I am proud of this Budget, proud that we are able to continue to finance State Government without a general tax increase on our already over-burdened taxpayer.

But, Ladies and Gentlemen, I am disappointed, too. Disappointed that this Budget is not the best Budget which could be written if adequate laws were enacted by you to increase economy and efficiency in Government, without at the same time increasing taxes.

There are many measures now pending before you which, if enacted into law, would substantially increase the amount of money which you could appropriate.

Among these are:

1. SB 38, which would abolish the Office of County Superintendent of Schools.

2. SB 252, which places County Commissioner's purchases under Central Purchasing.

3. SJR 3, which abolishes the Office of Commissioner of Charities and Corrections.

4. SJR 4, which authorizes the Board of Affairs to establish an Interagency Mail Service.

5. SJR 25, which abolishes the Office of State Auditor.

6. HB 1062, which abolishes the Cotton Gin Utilities Division of the Corporation Commission.

7. HB 1064, which authorizes the State Depository Board to employ an Investment Specialist.

In addition, with interest rates at an all time high, you should enact a realistic Bill for the investment of idle State Funds.

I urge you now, as I have repeatedly urged you in the past, to enact these measures into Law, to prove to the people of Oklahoma that we can, and we will, do everything in our power to make the best possible use of their tax dollar.

Senator Terrill moved that the President Pro Tempore be authorized and directed to approve claim in payment of postage to provide each member of the Senate with sufficient postage, which motion was declared adopted.

Upon motion of Senator Terrill, each member of the Senate was allowed the sum of Two Hundred and Fifty Dollars (\$250.00) for expense of purchasing personal stationery, supplies and equipment.

**Bill numbers listed under "First Reading" begin consecutively with the last number used in the First Regular Session of the 32d Legislature.**

#### **FIRST READING (Pre-filed)**

As provided under Title 75, Section 26.11-14, O. S. 1961, the following pre-filed Bills and/or Joint Resolutions were presented by President Pro Tempore Smith and, upon motion of Senator Terrill, introduced and read for the first time:

**SB 386**—By Terrill—An Act relating to uniform accident and health insurance and benefits coverage on employees and officers of the State of Oklahoma; repealing Sections 1 through 14, inclusive, Chapter 374, O. S. L. 1967 (74 O. S. Supp. 1968, §§ 1301 through 1314); and declaring an emergency.

**SB 387**—By Terrill—An Act relating to uniform accident and health insurance and benefits coverage on employees and officers of the State of Oklahoma; amending Section 10, Chapter 374, O. S. L. 1967 (74 O. S. Supp. 1968, § 1310), to increase to a ten dollar per month per employee maximum the appropriation to the Health Insurance Reserve Fund; and declaring an emergency.

**SB 388**—By Garrett—An Act relating to court fees; amending 28 O. S. 1961, §82, as amended by Section 1, Chapter 488, O. S. L. 1965 (28 O. S. Supp. 1969, §82); providing for the payment of witness fees and mileage in criminal cases and certain civil cases.

**SB 389**—By Romang—An Act relating to public finance; providing for payment of vendors within thirty days after claim is properly filed, the items contracted for by a county, school district or municipality having been delivered by claimant; providing undue delay in payment caused by an officer or employee of the vendee shall subject said person to removal from his office or position.

**SB 390**—By McCune—An Act relating to cities and towns; amending 11 O. S. 1961, §405; authorizing cities and towns to change or repeal regulations, restrictions and boundaries; providing for protests, manner of protesting and method of determination thereof; defining terms; and declaring an emergency.

**SB 391**—By McCune—An Act relating to children — delinquent, dependent, neglected; amending Section 125, Chapter 282, O. S. L., 1968 (10 O. S. Supp. 1969, §1125); and declaring an emergency.

**SB 392**—By Terrill—An Act relating to



the Teachers' Retirement System of Oklahoma; amending Section 7, Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, §17-107); authorizing Board of Trustees to invest funds; and declaring an emergency.

**SB 393**—By Birdsong—An Act relating to public officers; providing a law enforcement officer against whom a civil action is instituted for acts alleged to have been wrongfully committed by him while performing an official duty of quelling riot or controlling civil disorder shall be represented by the district attorney without obligation for either attorney fee or court costs; making provisions severable; and declaring an emergency.

**SB 394**—By Birdsong—An Act relating to fire and allied lines insurance; regulating the cancellation of policies providing fire or allied lines insurance coverage; establishing operative date of the Act; providing for severability; repealing conflicting laws; designating codification; and declaring an emergency.

**SB 395**—By Young—An Act relating to civil procedure; amending Section 2, Chapter 98, O. S. L. 1965 (12 O. S. Supp. 1969, § 105); providing for application of statutes of limitation in actions on claims arising outside the state.

**SB 396**—By Birdsong—An Act relating to insurance; amending 36 O. S. 1961, §1309, as amended by Section 1, Chapter 261, O. S. L. 1965 (36 O. S. Supp. 1969, §1309); prohibiting the issuance or renewal of agent's or solicitor's license when used or intended to be used principally for the purpose of procuring insurance in a general merchandising store of a foreign corporation; and declaring an emergency.

**SB 397**—By Smalley and Young—An Act relating to motor vehicles; providing the rate of a motor vehicle's speed as indicated by Vascar shall be admissible as prima facie evidence in actions wherein vehicular speed is of concern; providing

condition upon its use as evidence; providing for severability; and declaring an emergency.

**SB 398**—By Young—An Act relating to evidence; providing for the admission into evidence of learned treatises, authoritative textbooks, periodicals or pamphlets, and providing for the establishment of the authoritative nature of said treatises, authoritative textbooks, periodicals or pamphlets; and declaring an emergency.

**SB 399**—By McCune—An Act relating to marriage; amending 43 O. S. 1961, § 3, as last amended by Section 1, Chapter 383, O. S. L. 1965 (43 O. S. Supp. 1969, § 3); providing conditions for issuance of marriage licenses to females under age fifteen and males under age eighteen; and declaring an emergency.

**SB 400**—By Grantham of the Senate and McCune of the House—An Act relating to criminal procedure; amending 22 O. S. 1961, § 1051, as amended by Section 1, Chapter 113, O. S. L. 1965 (22 O. S. Supp. 1969, § 1051); providing certain rights of appeal to convicted defendants; providing method of appeal prescribed by rule of Court of Criminal Appeals as to procedure by trial courts or tribunals in the preparation and authentication of transcripts and records, procedure to be followed in appealing, and in petitioning for and issuance of writs of certiorari, shall have the force of statute; and repealing Section 1, Chapter 60, O. S. L. 1967 (22 O. S. Supp. 1969, § 1075).

**SB 401**—By Smalley—An Act relating to public schools of Oklahoma; amending Section 5, Chapter 397, O. S. L. 1965 (70 O. S. Supp. 1969, § 18-5A); providing for the method of forwarding warrants by the State Board of Education by eliminating the provision as to receipt and apportionment process performed presently by the county treasurer as to funds school districts receive from the State Board of Education; and declaring an emergency.

**SB 402**—By Romang—An Act relating to damages; providing the rate of interest

in a judgment in an action to recover damages for injury to person or property from the time of the injury to the time of entry of judgment; and declaring an emergency.

**SB 403**—By Smith, Baggett, Miller, Terrill and Smalley—An Act relating to special education of handicapped exceptional children; providing for short title; amending 70 O. S. 1961, § 13-1, as last amended by Section 1, Chapter 175, O. S. L. 1969 (70 O. S. Supp. 1969, § 13-1) and 70 O. S. 1961, § 13-3, as last amended by Section 1, Chapter 173, O. S. L. 1969 (70 O. S. Supp. 1969, § 13-3); expressing legislative intent as to appropriations; and providing for effective date of amendments.

**SB 404**—By Baggett—An Act relating to education; providing for short title; amending 70 O. S. 1961, §§ 1-16 and 10-5, and Section 11, Chapter 397, O. S. L. 1965 (70 O. S. Supp. 1969, § 18-11A); adding five year old children to those between the ages of six and eighteen who are entitled to attend school and to be included in school census and average daily attendance; and providing for effective date of amendments.

**SB 405**—By Crow—An Act relating to schools; providing parents, or guardians, of children in public schools be required to have their children vaccinated for certain diseases or to show cause why they should not be vaccinated by State Department of Health; providing for performance thereof by the State Department of Health in certain instances; providing a time beyond which any exemption from the requirement of this Act shall not apply; and declaring an emergency.

**SB 406**—By McCune—An Act relating to civil procedure; amending Section 1, Chapter 344, O. S. L. 1965, as last amended by Section 1, Chapter 161, O. S. L. 1968 (12 O. S. Supp. 1969, § 1289); providing for termination of obligations to make support payments upon death or remarriage of former spouse receiving the support except under certain circumstances; providing for hearing on merits of periodic

payments of support money and entry of order with reference thereto in certain instances; and declaring an emergency.

**SB 407**—By Martin—An Act relating to drugs and pharmacy; amending 59 O. S. 1961, § 353.11; providing that the annual registration or permit fee for pharmacists and assistant pharmacists be increased to \$25.00; and amending 59 O. S. 1961, § 353.18; providing that the annual fee for any person, firm or corporation engaged in selling at retail or offering for sale, drugs, medicines, chemicals or poisons for the treatment of disease be increased to \$35.00; and declaring an emergency.

**SB 408**—By Young—An Act relating to state officers; prescribing to the Attorney General the duty of representing the public in any hearing for a rate increase before any commission board, or officer; providing for notice to him and for proof thereof; and directing codification.

**SB 409**—By Smalley—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 2, as last amended by Section 1, Chapter 331, O. S. L. 1967 (85 O. S. Supp. 1969, § 2); providing for the inclusion of certain additional employments within provisions of the workmen's compensation law; and declaring an emergency.

**SJR 27**—By Baggett—A Joint Resolution authorizing and directing the State Board of Public Affairs to make specific ground available, to be designated and selected by the State Board of Public Affairs for the use of the Oklahoma Historical Society for construction of a building; the architectural plans for which shall be first approved by the State Board of Public Affairs, at no cost to the state; authorizing the Oklahoma Historical Society to lease the premises to the Oklahoma Memorial Association; authorizing the said Society to receive monetary and other material gifts and contributions for the development of the project and for other purposes.

**SJR 28**—By Garrison—A Joint Resolu-

tion directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Oklahoma Constitution by adding a new section thereto authorizing the issuance and sale of additional state industrial finance bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding; providing for repayment; providing for ballot title; and ordering a special election.

**SJR 29**—By Howard—A Joint Resolution relating to a claim against the Oklahoma Tax Commission and ordering said claim allowed and paid.

**SJR 30**—By Hargrave—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment of Section 10 of Article VI of the Constitution of the State of Oklahoma; authorizing and directing the legislature to create a State Pardon and Parole Board with such composition, membership qualifications, terms of office, compensation of members, powers and duties and other provisions as may be necessary to effectuate the purposes of said Section 10; setting time limit for creation of board; providing for a ballot title; and ordering a special election.

The following pre-filed Resolutions were read and consideration deferred for this legislative day:

**SCR 40**—By Miller—A Concurrent Resolution for the accreditation of high school or post high school vocational schools and expressing the intent of the Legislature regarding vocational schools.

**SCR 41**—By Field, Crow and Atkinson of the Senate and Briscoe, Wiedemann, Harrison and Witt of the House—A Concurrent Resolution requesting the Congress of the United States to direct the Interstate Commerce Commission to investigate the carload freight rates applicable to small grains and to prescribe such rates, charges, rules, and regulations as

it shall find reasonable and equitable; and directing distribution.

**SCR 42**—By Howard—A Concurrent Resolution continuing the study during the current legislative session and directing the Executive Committee of the State Legislative Council to appoint a special committee at the conclusion of the current legislative session to continue the study of the special committee created pursuant to Senate Concurrent Resolution No. 1 of the First Session of the Thirty-second Oklahoma Legislature in the 1970 legislative interim towards an evaluation, revision and codification of the Laws of Oklahoma relating to city, county, regional and state planning; directing use of funds; and directing a report and recommendations.

**SCR 43**—By Inhofe of the Senate and Thompson of the House—A Concurrent Resolution directing a study and evaluation of the recommendations of the United States Department of Justice and the National Institute of Mental Health on Narcotic Addiction and Drug Abuse for the purpose of establishing a well coordinated drug control program for the state of Oklahoma; providing for a special committee for this purpose; directing that a report of its findings and recommendations be submitted to the 2nd Session of the 32nd Oklahoma Legislature: providing that all bills introduced on the subject of narcotic addiction and drug abuse shall be retained in committee until the report of the joint committee hereby created has been submitted to the 2nd Session of the 32nd Legislature.

**SCR 44**—By Terrill—A Concurrent Resolution requesting the appointment of a special citizen-legislator committee to make a study of the services, functions and purposes of Langston University; five Senate members thereof to be appointed by the President Pro Tempore of the Senate, five House of Representatives members thereof to be appointed by the Speaker of the House of Representatives, five citizen members to be appointed by the Governor, and five members to be ap-



pointed by Langston University and the Alumni Association thereof; and directing a report and recommendations.

**SR 43**—By Garrison—A Resolution relating to the Criminal Code in the State of Oklahoma, directing the appointment of a special interim committee to make an in-depth study toward an evaluation, revision and codification of the criminal laws of the State of Oklahoma.

### **FIRST READING**

The following Bills and/or Resolution were introduced and read the first time:

**SB 410**—By Taliaferro and Terrill of the Senate and Ferrell, Lindstrom, Raibourn, Beauchamp, and Hutchens of the House—An Act relating to area school districts; validating certain bond elections and bonds issued by area school districts; validating certain area school districts and declaring the same to be duly established area school districts for the purposes of Section 9B, Article X, Oklahoma Constitution; and declaring an emergency.

**SB 411**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Governor and making appropriations thereto; stating the purpose; providing that the Governor shall fix the duties and compensation of employees; providing for transfer of items of appropriations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 412**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Emergency Fund and making an appropriation thereto; stating the purpose; making said appropriation nonfiscal; making provisions of this Act severable; and declaring an emergency.

**SB 413**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the State Auditor and making appropriations thereto; stating the purpose; providing that the State Auditor shall fix the du-

ties and compensation of employees within certain limitations; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 414**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Board of Equalization and making appropriations thereto; stating the purpose; providing that the Secretary of the Board of Equalization shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 415**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Board of Public Affairs and making appropriations thereto; stating the purposes; providing for the appointment and compensation of employees; making an appropriation for renovation and repair of the state capitol buildings and grounds; providing for salary of State Purchasing Director; setting the salary of the Chairman of the State Board of Public Affairs; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 416**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the State Treasurer and making appropriations thereto; stating the purpose; providing that the State Treasurer shall fix the duties and compensation of employees within certain limitations; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 417**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Attorney General and making appropriations thereto; stating the purpose; providing for maximum salary for the Attorney General; providing that the Attorney General shall fix the duties and compensation of employees within certain limitations; providing lapse date; making pro-

visions of this Act severable; and declaring an emergency.

**SB 418**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Court of Tax Review and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 419**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Attorney General and Offices of District Attorneys and making appropriation thereto; stating the purpose; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 420**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the State Industrial Court and making appropriations thereto; stating the purpose; providing that the judges shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 421**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; stating the purpose; providing legislative intent with respect to allocation of funds to various institutions; providing legislative intent with respect to special allocations; providing for studies and information for use by the legislature and other higher education policy-making bodies; providing lapse date; making provisions of Act severable; and declaring an emergency.

**SB 422**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; providing legislative intent with respect to allocation of funds appropriated; providing

lapse date; making provisions of Act severable; and declaring an emergency.

**SB 423**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Arts and Humanities Council and making an appropriation thereto; stating the purpose; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 424**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; stating the purpose; providing that the Administrative Secretary shall fix the duties and compensation of employees; providing the Administrative Secretary with authority to buy equipment, pay hourly wages, and other necessary expenses from the appropriation for microfilming; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 425**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Department of Libraries and making appropriations thereto; stating the purpose; providing that the Director of the Department of Libraries shall fix the duties and compensation of employees; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 426**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to public education; making appropriations to the State Board for Vocational and Technical Education; stating the purpose; providing for cooperation with United States Office of Education; authorizing appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 427**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Teachers' Retirement System;

making an appropriation thereto; stating the purpose; providing for allocation and transfer of funds; making provisions of this Act severable; and declaring an emergency.

**SB 428**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the Department of Mental Health and the mental health institutions and making appropriations thereto; stating the purpose; providing for the Director of Mental Health to fix the duties and compensation of employees; authorizing the Board of Mental Health to administer the affairs of the institutions listed herein; providing authority for expenditure of any monies appropriated in this Act to the institutions; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 429**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Department of Charities and Corrections and making appropriations thereto; stating the purpose; providing for the appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 430**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Governor—Division of Economic Opportunity and making an appropriation thereto; stating the purpose; providing for the appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 431**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Governor's Committee on Employment of the Handicapped and making an appropriation thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making

provisions of this Act severable; and declaring an emergency.

**SB 432**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma Veterans Center, Sulphur, Oklahoma, the Oklahoma Veterans Center, Ardmore, Oklahoma, and the Oklahoma War Veterans Commission and making appropriations thereto; stating the purpose; providing for transfer of funds; making an appropriation from the W.V.C. Revolving Fund and stating the purpose; providing for Administration of Affairs of the Department of Veterans Affairs, and each of the institutions listed in this Act; providing for appointment and compensation of personnel; providing for authority to enter into agreements with the Vocational Rehabilitation Division of the Oklahoma Public Welfare Department, for rehabilitation of disabled veterans; providing for method of making purchases; appropriating funds for contracting with the Department of Mental Health for services rendered veterans; prescribing method of aiding destitute minor dependents; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 433**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the State Employees Group Health Plan and making an appropriation for administrative costs; providing that the appropriation shall be to the Public Employees Retirement System pursuant to provisions of Section 13, Chapter 374, O. S. L. 1967 (74 O. S. Supp. 1969, § 1313); providing for approval of operating budget by the State Employees Group Health Board; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 434**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Western



Plains Indians Arts and Crafts Commission and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 435**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of Civil Defense and making appropriations thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 436**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Bureau of Investigation and making an appropriation thereto; stating the purpose; authorizing the Director to create positions and fix the salaries of necessary employees; making an appropriation for the purchase of regulated drugs and other evidence costs; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 437**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; making an appropriation for capital outlay expenditures at Camp Gruber; making an appropriation for repairs to armories; providing for appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 438**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 439**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of

the Pardon and Parole Board and making an appropriation thereto; stating the purpose; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 440**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Highway Department; making appropriations thereto; specifying purposes for which same may be expended; providing for transfer of certain funds; authorizing expenditure for Highway Safety Coordinating Committee; requiring certain minimum allocation of funds to commissioners districts; providing that the appropriations made by this Act shall be subject to the provisions of 62 O. S. 1961, § § 41.1 through 41.38 as now or hereafter amended; making said appropriations nonfiscal; making provisions of this Act severable; and declaring an emergency.

**SB 441**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Chief Mine Inspector and making appropriations thereto; stating the purpose; providing that the Chief Mine Inspector shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 442**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Department of Labor and making appropriations thereto; stating the purpose; providing that the Commissioner of Labor shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 443**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Mining Board and making appropriations thereto; stating the purpose; providing for

lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 444**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Securities Commission and making appropriations thereto; stating the purpose; providing that the Administrator of the Securities Commission shall fix the duties and compensation of employees; providing for maximum salary for the administrator; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 445**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Commission on Consumer Affairs and making an appropriation thereto; stating the purpose; providing for the appointment of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 446**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Department of Agriculture and making appropriations thereto; stating the purpose; requiring that expenditures for brucellosis eradication shall be in conjunction with federal government's eradication program; authorizing appointment and compensation of personnel; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 447**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Industrial Development and Park Commission and making appropriations thereto; stating the purpose; authorizing utilization of unexpended funds for other purposes; prohibiting expenditures in leased state-owned lodges for certain purposes; directing the expenditure of certain funds appropriated to the Division of Publicity, Advertising and Information; directing the expenditure of certain funds appropriated to the Division of Research and Planning; providing for reimbursement of employees'

general expenses; providing for the appointment and compensation of officials and employees; providing for agreements with the federal government; authorizing payment of premiums for workmen's compensation and other necessary insurance; providing for use of revenue received from the sale of copies of subscriptions of the magazine "Oklahoma Today"; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 448**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Petroleum Experiment Station and making an appropriation thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 449**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Soil Conservation Board and making appropriations thereto; providing for the payment of operational expenses by the State Soil Conservation Board; providing for the appointment and compensation of employees; providing for the payment of District Supervisors; making an appropriation to the Small Watershed Control Fund; expressing legislative intent; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SJR 31**—By Crow of the Senate and Witt of the House—A Joint Resolution extending the limit of the time within which the Oklahoma State Board of Public Accountancy should consider registrations of persons otherwise qualified under Section 16 of Chapter 271, O. S. L. 1968 (59 O. S. Supp. 1968, § 1521); to include the balance of the month of May, 1969; and declaring an emergency.

## RESOLUTION

By unanimous consent, upon request of Senator Birdsong, the following Resolution was introduced, read at length as follows,

adopted upon his motion, and ordered referred for enrollment:

**SR 44**—By Birdsong—A Resolution providing for payment of necessary expenses of committees, delegations and individuals traveling to and from points outside the State of Oklahoma, on trips authorized by the Senate.

WHEREAS, during the Second Session of the Thirty-second Oklahoma Legislature certain committees, delegations and individual members of the Senate may be required to make certain trips to points outside the State of Oklahoma; and

WHEREAS, it is deemed necessary and proper that a uniform rate of payment of mileage and expenses of such trips be fixed.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That each Member of the Senate who travels to and from any point outside the State of Oklahoma, under authority of the Senate, whether as a member of a committee, delegation or individually, shall be paid, out of the funds appropriated for the Senate, the sum of Thirty-five Dollars (\$35.00) per day for necessary expenses, and an additional sum for first class transportation.

#### DECLARATION OF VOTE

Senator Keels asked that the record show that had a roll call vote been taken on **SR 44**, he would have voted NAY, which was the order.

#### COMMUNICATION

Upon motion of Senator Terrill, the following communication and Resolution of the State Board of Equalization was read and ordered incorporated herein:

Honorable George Nigh  
President of the Senate  
Second Session

Thirty-second Oklahoma Legislature  
State Capitol Building  
Oklahoma City, Oklahoma

Dear Sir:

In accordance with the provisions of Section 23 of Article 10 of the State Constitution, as amended April 16, 1968, and in compliance with the terms of a Resolution adopted by the State Board of Equalization, sitting in called session on November 24th, 1969, I have the honor to transmit to you herewith a duly authenticated duplicate original of said Resolution as adopted by said Board; and to request a signed memorandum acknowledging receipt of same for the records of the Board.

Respectfully yours,

Joe Bailey Cobb

State Auditor and Secretary

State Board of Equalization

JBC:cw

#### RESOLUTION OF THE STATE BOARD OF EQUALIZATION

WHEREAS, according to the provisions of Article X, Section 23, of the Oklahoma Constitution, as amended April 16, 1968, (State Question No. 453, Referendum Petition No. 166), which provides now in part, as follows: "Within twenty-one days after the adopting of this amendment and thereafter prior to the convening of each regular session of the Legislature, the State Board of Equalization shall make an itemized estimate of the revenues to be received by the State under the laws in effect at the time such estimate is made, for the next ensuing fiscal year showing separately the revenues to accrue to the credit of the General Revenue Fund and each special fund of the State, and the total amount of such estimate for such fiscal year shall not exceed the total



revenue which accrued to each such fund for the last preceding fiscal year, to which amount shall be added the cash surplus, \*\*\* and all appropriations made in excess of such estimate shall be null and void; provided, however, that the Legislature may at any regular session or special session called for that purpose, enact laws to provide for additional revenues, other than ad valorem taxes, or transferring the existing revenues or surpluses from one fund to another, whereupon it shall be the duty of the State Board of Equalization to make an estimate of the revenues that will accrue under such laws and to file the same with the Governor and with the President of the Senate and the Speaker of the House of Representatives, and the amount of any increase or decrease, resulting, for any reason, from such laws shall be added to or deducted from each respective fund, as the case may be. The amount of such adjusted estimate shall be the maximum amount which can be appropriated for all purposes from any fund for the fiscal year estimated." and,

WHEREAS, the State Board of Equalization, acting in conformity with the Constitutional requirements as articulated above, and in the discharge of the official duty and authority thus conferred upon it, has caused to be laid before it all the data, items, figures and relevant information from the various State Departments concerning the income of the General Revenue Fund and of the various special funds of the State, including detailed and summarized reports and recommendations prepared and presented by the Director of State Finance, and after careful and thoughtful study of the same, being fully advised in the premises, and on due consideration thereof, has determined the figures which properly represent such itemized estimate of revenues of said funds

for the next fiscal year; and has also determined the cash surplus now existing in the hands of the State Treasurer to the credit of any such fund and not previously appropriated by the State Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BOARD OF EQUALIZATION, that the sums and amounts reasonably estimated to accrue to the General Revenue Fund and to the several special funds of the State as herein set forth be, and they are hereby adopted and fixed by this Board as the official estimate of monies to accrue for and during the fiscal year ending June 30, 1970, which said sums and amounts are in words and figures as follows, to wit:

BE IT FURTHER RESOLVED, that a duly authenticated duplicate original of this resolution be delivered to the Governor, the President of the Senate, and the Speaker of the House of Representatives as provided by Article X, Section 23 of the State Constitution, as amended April 16, 1968.

Dewey F. Bartlett

Governor and Chairman

John M. Rogers

State Examiner and Inspector

and Vice Chairman

Joe Bailey Cobb

State Auditor and Secretary

James N. Ballinger

President of the State Board of Agriculture

G. T. Blankenship

Attorney General

John Rogers

Secretary of State

Leo Winters

State Treasurer

STATE OF OKLAHOMA  
EXECUTIVE DEPARTMENT  
DIVISION OF THE BUDGET

GENERAL REVENUE COLLECTIONS  
FISCAL YEAR 1969

Taxes .....	\$192,001,074.12
Licenses, Permits, and Fees .....	10,466,470.98
Use of Money and Property .....	2,907,941.47
Miscellaneous Income .....	117,412.03
<hr/>	
Total Collections to General Revenue Fund .....	\$205,492,898.60
Collections of Special Funds Above Appropriations .....	1,882,921.80
<hr/>	
TOTAL .....	\$207,375,820.40
<hr/>	

ANALYSIS OF THE 1969 SURPLUS

1969 Collections	\$207,375,820.40	
Less 1969 Appropriations	194,931,682.52	
<hr/>		
Income in Excess of 1969 Appropriation		\$ 12,444,137.88
Lapsed Appropriations		2,687,457.32
Surplus of Prior Years:		
General Revenue Fund	32,696,956.98	
Emergency Appropriation Fund	7,565,843.37	40,262,800.35
<hr/>		
Statutory Cancellations		2,717.33
<hr/>		
1969 SURPLUS		\$ 55,397,112.88
<hr/>		

# FUNDS AVAILABLE FOR APPROPRIATION BY 2ND SESSION OF THE 32ND LEGISLATURE

## GENERAL REVENUE

Income of Preceding Fiscal Year	\$207,375,820.40
1969 Surplus	55,397,112.88

## Adjustments—Additions:

Insurance License Fees (H.B. 1404, 1st Session 32nd Leg.)	\$ 70,000.00
Consumer Credit Code (H.B. 1001, 1st Session 32nd Leg.)	400,000.00
Drivers' Licenses Increase (S.B. 291, 2nd Session 31st Leg.)	800,000.00

Total Additions	<u>\$ 1,270,000.00</u>
-----------------	------------------------

TOTAL GENERAL REVENUE	<u>\$264,042,933.28</u>
-----------------------	-------------------------

## Adjustments—Deductions:

Dedicated to Police Retirement (H.B. 1267, 1st Session 32nd Leg.)	\$ 250,000.00
Boat & Motor Licenses (H.B. 1487, 1st Session 32nd Leg.)	200,000.00
Increase in Cigarette Tax to Sinking Funds:	
1961 and 1965 Building Bonds	331,535.00
1968 Building Bonds	1,682,450.00
Court Fee Reductions (H.B. 1043, 1st Session 32nd Leg.)	3,181.31
Fireworks License (S.B. 41, 1st Session 32nd Leg.)	4,500.00
Franchise Tax (H.B. 1004, 1st Session 32nd Leg.)	4,000.00
Motor Vehicle Excise Tax (H.B. 1302, 1st Session 32nd Leg.)	3,000.00
Farmers' Income Tax (S.B. 343, 1st Session 32nd Leg.)	25,000.00

Total Deductions	<u>\$ 2,503,666.31</u>
------------------	------------------------

AVAILABLE FOR APPROPRIATION	<u>\$261,539,266.97</u>
-----------------------------	-------------------------



SPECIAL FUNDS AVAILABLE FOR APPROPRIATION  
BY THE 2ND SESSION OF THE 32ND LEGISLATURE

## TECHNICAL &amp; SCIENTIFIC EDUCATION SPECIAL FUND

Income of Preceding Year		\$ 907,042.30
Surplus:		
1969 Collections	\$ 907,042.30	
Less 1969 Appropriation	666,667.00	
	<hr/>	
Income in Excess of 1969 Appropriation	240,375.30	
Prior Years' Surplus	138,404.57	
	<hr/>	
Surplus, June 30, 1969		378,779.87
		<hr/>
Total Technical & Scientific Education Special Fund		1,285,822.17

## ALCOHOLIC BEVERAGE FUND

Income of Preceding Year	429,605.26	
Surplus of Preceding Year	331,234.00	
	<hr/>	
Total Alcoholic Beverage Fund		760,839.26

## STATE EXAMINER AND INSPECTOR FUND

Income of Preceding Year	394,796.83	
Surplus of Preceding Year	54,440.39	
	<hr/>	
Total State Examiner and Inspector Fund		449,237.22

## PROPERTY &amp; CASUALTY RATES BOARD FUND

Income of Preceding Year	544,032.50	
Surplus of Preceding Year	74,070.00	
	<hr/>	
Total Property and Casualty Rates Board Fund		618,102.50

## INSURANCE DEPARTMENT FUND

Income of Preceding Year	798,009.44	
Surplus of Preceding Year	200,000.00	
	<hr/>	
Total Insurance Department Fund		998,009.44

## LIQUEFIED PETROLEUM GAS FUND

Income of Preceding Year	120,680.00	
Surplus of Preceding Year	10,000.00	
	<hr/>	
Total Liquefied Petroleum Gas Fund		130,680.00

## OKLAHOMA TAX COMMISSION FUND

Income of Preceding Year	8,252,446.90	
Surplus of Preceding Year	600,000.00	
	<hr/>	
Total Oklahoma Tax Commission Fund		8,852,446.90

## INDUSTRIAL COURT FUND

Income of Preceding Year	32,035.00	
Surplus of Preceding Year	1,263.99	
	<hr/>	
Total Industrial Court Fund		33,298.99

## HIGHWAY CONSTRUCTION &amp; MAINTENANCE FUND

Income of Preceding Year	47,158,668.27	
Surplus of Preceding Year	4,599,177.17	
	<hr/>	
Total Highway Construction & Maintenance Fund		51,757,845.44

## PUBLIC BUILDING FUND

Income of Preceding Year	253,534.32	
Surplus of Preceding Year	19,845.65	
	<hr/>	
Total Public Building Fund		273,379.97

## STATE JUDICIAL FUND

Estimated Income to State Judicial Fund (H.B. 1323, 2nd Session 31st Leg.)	2,854,819.99	
Surplus of Preceding Year	145,180.01	
	<hr/>	
Total State Judicial Fund		3,000,000.00

COMPARISON REPORT SHOWING REVENUE ACCRUED TO THE SEVERAL SPECIAL FUNDS FOR THE FIRST  
THREE MONTHS OF THE FISCAL YEARS 1969 AND 1970 AND AN ESTIMATED TOTAL FOR 1970 AND 1971

SPECIAL FUNDS	First Three Months 1969	First Three Months 1970	Estimated Fiscal Year 1970	Estimated Fiscal Year 1971	Preceding Fiscal Year 1969
ALCOHOLIC BEVERAGE FUND					
Licenses	\$ —0—	\$ 63,810.00	\$ 430,000.00	\$ 430,000.00	\$ 429,605.26
STATE EXAMINER AND INSPECTOR FUND					
Fees	100,448.69	100,153.92	390,000.00	390,000.00	394,796.83
PROPERTY AND CASUALTY RATES BOARD FUND					
Tax on Insurance Premiums	—0—	—0—	570,000.00	600,000.00	544,032.50
INSURANCE DEPARTMENT FUND					
Tax on Insurance Premiums	—0—	—0—	570,000.00	600,000.00	544,032.50
Insurance Agents' Licenses	94,564.57	26,839.71	270,000.00	290,000.00	253,976.94
	<hr/> 94,564.57	<hr/> 26,839.71	<hr/> 840,000.00	<hr/> 890,000.00	<hr/> 798,009.44
LIQUEFIED PETROLEUM GAS BOARD					
Licenses, Permits and Fees	78,830.00	74,881.00	127,000.00	130,000.00	120,680.00
OKLAHOMA TAX COMMISSION FUND					
Percentage of Taxes Collected	1,458,743.38	1,544,415.81	8,700,000.00	9,000,000.00	8,252,446.90
INDUSTRIAL COURT FUND					
Filing Fees	9,125.00	13,845.00	32,000.00	32,000.00	32,035.00

COMPARISON REPORT SHOWING REVENUE ACCRUED TO THE SEVERAL SPECIAL FUNDS FOR THE FIRST  
THREE MONTHS OF THE FISCAL YEARS 1969 AND 1970 AND AN ESTIMATED TOTAL FOR 1970 AND 1971

	First Three Months 1969	First Three Months 1970	Estimated Fiscal Year 1970	Estimated Fiscal Year 1971	Preceding Fiscal Year 1969
STATE JUDICIAL FUND					
Court Fees	\$ —0—	\$ —0—	\$ 2,850,000.00*	\$ 2,850,000.00*	\$ 245,180.01
HIGHWAY CONSTRUCTION & MAINTENANCE FUND					
Gasoline Excise Tax	11,342,614.99	11,861,207.01	44,700,000.00	47,000,000.00	42,574,280.55
Special Fuel Use Tax	987,370.47	1,092,121.09	4,300,000.00	4,500,000.00	4,100,820.81
Others	15,893.62	18,515.83	500,000.00	530,000.00	483,566.91
	<hr/> 12,345,879.08	<hr/> 12,971,843.93	<hr/> 49,500,000.00	<hr/> 52,030,000.00	<hr/> 47,158,668.27
PUBLIC BUILDING FUNDS					
Income on Investments	50,943.38	29,432.01	200,000.00	200,000.00	213,576.55
Royalties, Gas	247.26	135.25	850.00	850.00	835.41
Royalties, Oil	10,960.73	13,839.49	40,000.00	40,000.00	39,122.36
	<hr/> 62,151.37	<hr/> 43,406.75	<hr/> 240,850.00	<hr/> 240,850.00	<hr/> 253,534.32
TECHNICAL & SCIENTIFIC EDUCATION SPECIAL FUND					
Stamps	234,624.06	248,089.19	1,000,000.00	1,000,000.00	907,042.30

\* First annual receipts from District Court Funds due January, 1970.

COMPARISON REPORT SHOWING REVENUE ACCRUED TO THE GENERAL REVENUE FUND FOR THE FIRST  
THREE MONTHS OF THE FISCAL YEARS 1969 AND 1970 AND AN ESTIMATED TOTAL FOR 1970 AND 1971

GENERAL REVENUE FUND	First Three Months 1969	First Three Months 1970	Estimated Fiscal Year 1970	Estimated Fiscal Year 1971	Preceding Fiscal Year 1969
Alcoholic Beverage Excise Tax	\$ 1,593,371.35	\$ 1,396,308.45	\$ 6,500,000.00	\$ 7,000,000.00	\$ 5,894,964.11
Beverage Tax	2,410,688.83	2,676,215.26	9,100,000.00	10,000,000.00	8,257,508.70
Cigarette Tax	4,158,088.10	4,074,519.06	26,401,067.41	25,247,099.41	28,404,703.25
Franchise Tax	4,989,614.27	5,253,667.22	5,500,000.00	5,800,000.00	5,286,555.74
Freight Car Tax	42,067.40	198,919.45	250,000.00	250,000.00	248,116.02
Fuel Excise Tax	279,373.34	290,747.41	1,100,000.00	1,130,000.00	1,021,908.16
Gift Tax	39,545.32	47,770.40	1,000,000.00	1,000,000.00	1,074,557.40
Gross Production Tax	6,877,575.85	7,117,143.88	26,900,000.00	27,500,000.00	26,398,682.59
Income Tax	17,494,848.98	19,285,109.70	73,750,000.00	81,150,000.00	67,059,904.93
Inheritance and Estate Tax	2,969,910.39	3,163,163.02	13,350,000.00	14,300,000.00	12,491,449.03
Insurance Premium Tax	16,363.43	2,982.19	14,000,000.00	15,000,000.00	13,043,227.22
Motor Vehicle Excise Tax	3,425,524.91	3,506,099.76	15,000,000.00	16,000,000.00	14,555,846.99
Tobacco Products Tax	726,560.12	707,397.16	2,775,503.17	2,719,083.31	2,836,970.12
Use Tax	1,072,219.83	1,124,575.04	4,500,000.00	4,800,000.00	4,203,790.52
Charters	177,209.78	420,917.46	500,000.00	500,000.00	396,002.54
Coin Devise Licenses	104,622.46	90,835.07	100,000.00	100,000.00	455,715.81
Drivers' Licenses	815,133.20	1,274,877.53	4,700,000.00	5,000,000.00	3,787,903.22
Oversize Truck Permits	115,440.00	132,820.00	550,000.00	600,000.00	487,480.00
Title Fees	215,123.06	215,846.27	1,000,000.00	1,100,000.00	994,370.27
Other Licenses, Permits and Fees	273,964.03	267,952.33	1,500,000.00	1,550,000.00	1,413,746.60
Interest on Bank Deposits	563,814.17	1,432,432.53	5,000,000.00	5,500,000.00	2,855,957.78
Other Use of Money and Property	7,910.46	7,186.69	50,000.00	50,000.00	51,983.69
Other Receipts	34,268.42	36,042.33	35,000.00	35,000.00	117,412.03
Boat and Motor Licenses	22,287.94	21,976.23	100,000.00*	100,000.00*	308,295.79
Unclaimed Property	878,263.70	11,728.16	60,000.00*	60,000.00*	1,222,889.34
Alcoholic Brand Licenses	—0—	71,350.00	130,000.00**	130,000.00**	128,150.00
Asphalt Road Judgment	—0—	—0—	—0—	—0—	2,494,806.75*
<b>TOTAL</b>	<b>\$49,303,789.34</b>	<b>\$52,828,582.60</b>	<b>\$213,851,570.58</b>	<b>\$226,621,182.72</b>	<b>\$205,492,898.60</b>

\* See adjustments

\*\* New revenue in 1969. Estimates based on one year's collections.

Upon motion of Senator Birtsong, the  
Senate adjourned to meet as provided un-  
der the Rules, 1:00 p.m., tomorrow.

First Day, Tuesday, January 6, 1970





## Second Legislative Day

Wednesday, January 7, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Present: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Baldwin, Horn, Payne, Porter.—4.

The President declared a quorum present.

Prayer was offered by the Chaplain and is incorporated herein upon request of President Pro Tempore Smith:

O God we pause for prayer, quite sure that there are better things we can do with our time. We ask for strength, though we are certain that we can do our jobs without any supernatural help. We pray for guidance even as we know we are going to do things our own way and nothing is going to change our direction.

Forgive our arrogance, our pride, our stubborn refusal to recognize that we are weak human beings, constantly in need of resources beyond ourselves.

Remind us of our childish excesses, our lack of courtesy to those we love, our narrow goals for ourselves and for those we serve. Remind us even more of your forgiveness for the sins of the past and your grace to make us better.

Deliver us from thinking that you will do anything without our help or that we can do anything without yours, Amen.

The Journal for the last legislative day was declared approved.

### REQUEST FOR LOBBY PERMITS

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

T. R. Watts, 801 N. W. 19th Street, Oklahoma City, representing the Oklahoma City Chamber of Commerce.

Quentin Fitzgerald, 15412 Lake Park Drive, Mustang, representing the Oklahoma Good Roads and Streets Association.

### CITATION

Upon motion of Senator Berrong, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Bessie S. McColgin, who will celebrate her 95th birthday on January 8. Mrs. McColgin is the mother of the late State Senator Sterling S. McColgin.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SR 44 correctly enrolled.

Enrolled SR 44 was properly signed and ordered transmitted to the Secretary of State.

### RESOLUTION

SCR 45 was introduced and read as follows:

SCR 45 by Terrill and Taliaferro of the

Senate and Ferrell of the House—A Concurrent Resolution dedicating to public usage a parcel of land belonging to the State of Oklahoma.

**SCR 45** was considered, read at length, adopted upon motion of Senator Terrill and ordered referred for engrossment.

### PENDING SENATE ACTION

**SR 43** by Garrison was taken up consideration, read at length as follows, adopted upon his motion, and ordered referred for enrollment:

**SR 43**—By Garrison—A Resolution relating to the criminal code in the State of Oklahoma, directing the appointment of a special interim committee to make an in-depth study toward an evaluation, revision and codification of the criminal laws of the State of Oklahoma.

WHEREAS, there is a great need for a study and evaluation of the present criminal laws of the State of Oklahoma; and

WHEREAS, it has become apparent that the present criminal laws may need to be updated, revised and recodified.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32 ND OKLAHOMA LEGISLATURE:

SECTION 1. That the President Pro Tempore shall be directed to appoint a special interim committee to make an in-depth study of the criminal laws of the State of Oklahoma to determine what laws, if any, need to be repealed, what laws, if any, need to be amended, and what new criminal laws, if any, should be enacted for the benefit of the people of Oklahoma.

### FIRST READING

The following Bills were introduced and read the first time:

**SB 450**—By Hamilton—An Act relating to the Oklahoma Industrial Finance Authority Act; amending 74 O. S. 1961, § 856, to authorize an increase from five percent (5%) per annum to seven percent (7%)

per annum as the maximum rate of interest State Industrial Finance Bonds may bear; and declaring an emergency.

**SB 451**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the Oklahoma Industrial Development and Parks Department; making an appropriation thereto for continued study toward and restoration of the Spiro Indian Mounds Complex; making the appropriation non-fiscal; and declaring an emergency.

**SB 452**—By Grantham, Smith, Miller and Baggett of the Senate and Hesser, Privett and Allard of the House—An Act relating to higher education; providing for system of televised instruction and methods of financing; granting authority to Oklahoma State Regents for Higher Education; authorizing cooperative agreements; creating revolving fund and fixing sources of income and purposes of expenditures; making an appropriation; and declaring an emergency.

### SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 386**—Business Relations.

**SB 387**—Business Relations.

**SB 388**—Appropriations and Budget.

**SB 389**—Education.

**SB 390**—Municipal Government.

**SB 391**—Judiciary.

**SB 392**—Education.

**SB 393**—Judiciary.

**SB 394**—Business Relations.

**SB 395**—Judiciary.

**SB 396**—Business Relations.

**SB 397**—Judiciary.

**SB 398**—Judiciary.

**SB 399**—Judiciary.

**SB 400**—Judiciary.

**SB 401**—Education.

**SB 402**—Judiciary.

**SB 403**—Education.

- SB 404—Education.
- SB 405—Public Health.
- SB 406—Judiciary.
- SB 407—Public Health.
- SB 408—Business Relations.
- SB 409—Business Relations.
- SB 410—

Senator Terrill asked unanimous consent that SB 410 be ordered printed and placed upon the Calendar without reference to a committee, which was the order.

- SB 411—Appropriations and Budget.
- SB 412—Appropriations and Budget.
- SB 413—Appropriations and Budget.
- SB 414—Appropriations and Budget.
- SB 415—Appropriations and Budget.
- SB 416—Appropriations and Budget.
- SB 417—Appropriations and Budget.
- SB 418—Appropriations and Budget.
- SB 419—Appropriations and Budget.
- SB 420—Appropriations and Budget.
- SB 421—Appropriations and Budget.
- SB 422—Appropriations and Budget.
- SB 423—Appropriations and Budget.
- SB 424—Appropriations and Budget.
- SB 425—Appropriations and Budget.
- SB 426—Appropriations and Budget.
- SB 427—Appropriations and Budget.
- SB 428—Appropriations and Budget.
- SB 429—Appropriations and Budget.
- SB 430—Appropriations and Budget.
- SB 431—Appropriations and Budget.
- SB 432—Appropriations and Budget.
- SB 433—Appropriations and Budget.
- SB 434—Appropriations and Budget.
- SB 435—Appropriations and Budget.
- SB 436—Appropriations and Budget.
- SB 437—Appropriations and Budget.
- SB 438—Appropriations and Budget.
- SB 439—Appropriations and Budget.
- SB 440—Appropriations and Budget.
- SB 441—Appropriations and Budget.
- SB 442—Appropriations and Budget.

- SB 443—Appropriations and Budget.
- SB 444—Appropriations and Budget.
- SB 445—Appropriations and Budget.
- SB 446—Appropriations and Budget.
- SB 447—Appropriations and Budget.
- SB 448—Appropriations and Budget.
- SB 449—Appropriations and Budget.

SJR 27—Constitutional Revisions and Regulatory Services.

SJR 28—Constitutional Revisions and Regulatory Services.

SJR 29—Judiciary.

SJR 30—Public Affairs.

SJR 31—Constitutional Revisions and Regulatory Services.

### PENDING SENATE ACTION

SCR 43 by Inhofe of the Senate and Thompson of the House was called up for consideration.

Senator Inhofe moved to amend SCR 43, page 1, lines 35 and 36, by deleting after the word "Senate" on line 35, and before the word "and" on line 36, the language contained therein, which amendment was declared adopted.

Senator Inhofe moved to amend SCR 43, page 2, line 1, by inserting after the comma, following the word "Representatives" and before the word "which" the language "one of which shall be designated as chairman," which amendment was declared adopted.

Senator Inhofe moved to amend SCR 43, page 2, line 6, by striking the word "That" and inserting before the word "all" the language "It shall be the policy of both the Oklahoma House of Representatives and the Oklahoma Senate that, unless good reason dictates to the contrary," and by amending the title to conform thereto, which amendment was declared adopted.

Senator Inhofe asked that further consideration of SCR 43 be deferred for this legislative day, which was the order.

President Pro Tempore Smith moved that sufficient Xerox copies of SCR 43,



as amended, be furnished to all members of the Senate, which motion was declared adopted.

**SCR 41** by Field, Crow and Atkinson of the Senate and Briscoe, et al, of the House was taken up for consideration, read at length, adopted upon motion of Senator Field, and ordered referred for engrossment.

**SCR 40** by Miller was taken up for consideration, read at length, adopted upon his motion and ordered referred for engrossment.

**SCR 42** by Howard was taken up for consideration, read at length, adopted upon his motion and ordered referred for engrossment.

Senator Terrill moved, that when the Clerk's desk is cleared, the Senate stand adjourned until 10:00 a.m. tomorrow, which motion was declared adopted.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 302**—Education.

**HB 1439**—Education.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m. tomorrow.

## Third Legislative Day

Thursday, January 8, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Present: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, McSpadden, Nichols, Payne, Stipe.—10.

The President Pro Tempore declared a quorum present.

Prayer was offered by the Chaplain and is incorporated herein upon request of Senator Crow:

Our Father, as our thoughts and hearts turn toward home, we pause to give thanks for today and this week.

As this Body faces the critical issues of our State, we ask Thy special graces to those who serve here. Grant to President Pro Tempore Smith the strength of courage and the patience in dealing with others that his office requires. Give to every senator a renewed dedication to good government and grace to overcome public apathy, and to be faithful in spite of it. Give to those who serve behind the scenes—the secretaries, the sergeants-at-arms, pages and custodians—a sense of the important part they play in good government, and the special graces needed for their tasks.

Grant to all leaders a sense of respon-

sibility, a dedication to justice for all men, and a burning drive to do well the tasks to which a free people have called them. Remind us of the price others have paid for our freedom that we may be free.

We ask in the name of Him who said, "The truth shall make you free."—Amen.

The Journal for the last legislative day was declared approved.

### REQUEST FOR LOBBY PERMITS

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Dale Patrick, 2124 West Eubanks, Oklahoma City, Oklahoma, representing the Oklahoma City Speakers Forum, Inc.

Joe D. Hurt, 325 East 6th Street, Edmond, Oklahoma, representing Oklahoma State School Boards Association, Inc.

Frank C. Ruland, 1106 Tedford Way, Oklahoma City, Oklahoma, representing the Oklahoma City Speakers Forum, Inc.

### RESOLUTION

SR 45 by Birdsong was introduced, read at length as follows, adopted upon his motion, and ordered referred for enrollment:

SR 45—By Birdsong—A Resolution providing for employment of temporary personnel for administrative and technical assistance to the State Senate of the Second Session of the Thirty-second Oklahoma Legislature; designating positions and emoluments.

WHEREAS, the efficient and expeditious performance of the Legislative functions of the Second Session of the Thirty-second Oklahoma Legislature requires the employment of necessary and proper admin-

istrative and technical personnel by the State Senate; and

WHEREAS, Section 1, Chapter 309, O.S.L. 1968, as amended by Section 1, Chapter 148, O.S.L. 1969 (74 O.S. Supp. 1969, § 292), provides that the State Senate shall, at the beginning of each regular session, provide by simple resolution for the employment of its temporary employees not exceeding in number and emolument that as prescribed by said section.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The following positions are hereby provided for the Second Session of the Thirty-second Oklahoma Legislature, at such emolument as may be fixed by the President Pro Tempore, but not exceeding the amounts below indicated:

Position	Number	Rate of Pay Per Day
Parking Lot Attendants	4	\$11.00
Assistant Counsel	1	16.50
Calendar Clerk	1	17.50
Assistant Calendar Clerk	1	15.50
Chaplain (each week)	1	11.00
Communication Technician	1	14.50
Administrative, Clerical and Research Assistants	10	20.00
Typists	6	14.50
Assistant Engrossing and Enrolling Supervisor	1	17.50
Engrossing and Enrolling Supervisor	1	20.00
Information Clerks	2	12.00
Assistant Journal Clerk	1	17.50
Machine Supervisor—Bill Locator	1	13.00
Maids	2	9.00
Assistant Supervisors of Mail	2	11.00

Supervisor of Mail	1	13.50
Pages (each week)	12	8.00
Page Counselor	1	13.00
Assistant Chief Page	1	11.00
Chief Page	1	15.50
Porters	9	11.00
Assistant Multilith Operator	1	13.00
Assistant Reading Clerk	1	12.00
Receptionists	3	11.00
Chief Bill Locator	1	17.50
Assistant Sergeants-at-Arms	20	11.00
Chief Sergeant-at-Arms	1	20.00
Assistant Chief Sergeant-at-Arms	1	13.00
Assistant Bill Locator	1	15.50
Secretaries	38	14.50
Secretary to Assistant Majority Floor Leader	1	16.50
Secretary to Chief Counsel	1	17.50
Chief Counsel	1	40.00
Secretary to Minority Floor Leader	1	16.50
Secretary to Lieutenant Governor	1	16.50
Night Watchmen	2	11.00
Committee Secretaries	20	16.50

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SCRs 40, 41, and 42 each correctly engrossed.

SR 43 correctly enrolled.

Engrossed SCRs 40, 41, and 42 were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled SR 43 was properly signed and ordered transmitted to the Secretary of State.

#### FIRST READING

The following Bills were introduced and read the first time:

SB 453—By McGraw of the Senate and Odom (Martin) of the House—An Act re-

lating to the public schools of Oklahoma; providing purchase of school bus bodies by school districts authorized to furnish transportation for pupils shall be through State Board of Public Affairs, Central Purchasing Department; providing school bus bodies shall meet or exceed certain specifications; providing for codification; and declaring an emergency.

**SB 454**—By Howard—An Act relating to evidence; providing for the admission into evidence of learned treatises, authoritative textbooks, periodicals or pamphlets, and providing for the establishment of the authoritative nature of said treatises, authoritative textbooks, periodicals or pamphlets; and declaring an emergency.

**SB 455**—By Luton and Garrison of the Senate and Odom (V.H.) and Connor of the House—An Act relating to state institutions; transferring jurisdiction of Taft State Hospital to Oklahoma Public Welfare Commission and Department of Public Welfare and designating use of institution and buildings thereof; transferring property and funds of Taft State Hospital; establishing Taft State School for care and treatment of mentally retarded persons, and providing for operation thereof; providing institutions under jurisdiction of Oklahoma Public Welfare Commission or Department of Public Welfare may be used for any program of commission or department; defining powers and duties of Oklahoma Public Welfare Commission and Department of Public Welfare; repealing Section 22, Chapter 261, Oklahoma Session Laws 1967, as amended by Section 1, Chapter 137, Oklahoma Session Laws 1968 (57 O. S. Supp. 1969, § 522); fixing effective date of Act; making provisions of Act severable; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 450**—Finance and Commerce.

**SB 451**—Appropriations and Budget.

**SB 452**—Education.

## PENDING SENATE ACTION

Senator Terrill moved that **SCR 43**, as printed with the amendments adopted on the last legislative day incorporated therein, be referred to the Rules Committee, which motion was declared adopted.

## GENERAL ORDER

**SB 410** by Taliaferro and Terrill of the Senate and Ferrell, et al, of the House was read and considered.

Upon motion of Senator Taliaferro, **SB 410** was advanced to engrossment.

By unanimous consent, upon request of Senator Taliaferro, **SB 410** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 410** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Phillips, Porter, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Nay: Baggett.—1.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, McSpadden, Murphy, Nichols, Payne, Smith, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Phillips, Porter, Ro-



mang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Nay: Baggett.—1.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, McSpadden, Murphy, Nichols, Payne, Smith, Stipe.—12.

The emergency was declared passed.

**SB 410** was referred for engrossment.

## DECLARATION OF VOTE

Senator Murphy asked that the record show, had he been present at the time of third reading and final passage of **SB 410**, he would have voted AYE, which was the order.

## GENERAL ORDER

**SB 302** by Horn was read and considered.

Senator Baggett moved to amend **SB 302**, page 2, line 6, by adding after the words "local treasurer" the language, "who shall serve without compensation in districts with fewer than 1,500 pupils in average daily attendance" and by striking after the word "district" on page 2, line 3, the language "having one thousand five hundred or more pupils in average daily attendance", which amendment was declared adopted.

Upon motion of Senator Horn, **SB 302**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Horn, **SB 302**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 302** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Porter, Romang, Short, Smalley,

Smith, Stansberry, Taliaferro, Terrill, Williams.—28.

Nay: Berrong, Bradley, Ferrell, Field, Graves, Howard, Medearis, Murphy, Phillips, Young.—10.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, McSpadden, Nichols, Payne, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, Martin, Massey, Medearis, Miller, Murphy, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—32.

Nay: Berrong, Ferrell, Field, McCune, Short, Young.—6.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, McSpadden, Nichols, Payne, Stipe.—10.

The emergency was declared passed.

**SB 302**, as amended, was referred for engrossment.

Senators McSpadden and Stipe asked to be shown present, which was the order.

## GENERAL ORDER

**HB 1439** by Abbott was read and considered.

Senator Miller asked to be made the Senate Author of **HB 1439**, which was the order.

Senator Williams, joined by Senator Miller, moved to amend **HB 1439**, page 4, line 13, by striking after the word "of" and before the word "in" the language "2:00 [o'clock] p.m. and 6:00 [o'clock] p.m." and substituting therefor the language "12:00 o'clock noon and 7:00 o'clock p.m." which amendment was declared adopted.

Senator Williams, joined by Senator Miller, moved to amend **HB 1439**, page 11, line 10, by striking after the word "of"

and before the word "at" the language "2:00 [o'clock] p.m. and 6:00 [o'clock] p.m." and substituting therefor the language "12:00 o'clock noon and 7:00 o'clock p.m." which amendment was declared adopted.

Upon motion of Senator Miller, **HB 1439**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **HB 1439**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1439** was read for the third time at length.

On the question of passage of Bill the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Nay: Crow.—1.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, Holden, Keels, Nichols, Payne.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: None.

Nay: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Porter, Romang, Short, Smalley,

Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, Holden, Keels, Nichols, Payne.—10.

The emergency was declared failed of passage.

**HB 1439**, as amended, was referred for engrossment.

### RESOLUTION

**SCR 46** by Luton, Birdsong, Hamilton, Inhofe and Young of the Senate and Tarwater, et al, of the House was introduced and read as follows:

A Concurrent Resolution relating to the Legislative Council Special Committee to study procedures involving property and casualty insurance rates; authorizing said committee to continue its study and to schedule additional meetings as may be necessary for the purpose of completing the interim assignment as provided in Legislative Council Resolution No. 7.

**SCR 46** was considered, read at length, adopted upon motion of Senator Luton and ordered referred for engrossment.

Senator Terrill moved, that when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 45** correctly engrossed.

Engrossed **SCR 45** was properly signed and ordered transmitted to the Honorable House for consideration.

As provided under the Terrill motion, the Senate was declared adjourned to meet, as provided under the Rules, 1:00 p.m., Monday.



## Fourth Legislative Day

Monday, January 12, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Dacus, Howard, McSpadden, Phillips, Smalley, Stipe.—7.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend Tom Goins, Pastor of the First Assembly of God Church, Sapulpa, Oklahoma, and is incorporated herein, by unanimous consent, upon request of Senator Young:

Our Father in Heaven, to Thee we come in the Name and through the merits of the Lord Jesus Christ, our Lord and Master. You have taught us in Your Word that first of all prayers, supplications, and intercessions be made for those in authority, that they may lead a quiet and peaceable life in all godliness and honesty. We pray, therefore, for all these in this room today, that they may have wisdom, integrity, courage and faithfulness in the performance of the duties assigned to them. May we remember that government is an institution ordained by Thee, for you do

not desire that mankind should live in anarchy in which everyone does that which is right in his own eyes. May, therefore, every officer remember that he will give an account of his office, not only to his fellow citizens, but especially to Thee in that day of accounting.

Likewise, we pray for the citizens of our land, cause them to know that righteousness exalteth a nation, but sin is a reproach to any people. From Thy Word and from the record of the past, cause them to know that You require that we do justly, love mercy and walk humbly with Thee; and that You turn to destruction all the nations that forget God.

Father, we sincerely pray that this will be a day of good tidings for all.

These petitions we present to You through the Name of Your Son. . . . Amen.

The Journal for the last legislative day was declared approved.

### REQUEST FOR LOBBY PERMITS

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

David M. Dank, 117 Chevy Chase Drive, Midwest City, representing the Oklahoma Retail Merchants Association.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 302, 410, SCR 46; and HB 1439 each correctly engrossed.

SR 45 correctly enrolled.

Engrossed SBs 302, 410 and SCR 46 were properly signed and ordered trans-



mitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1439**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SR 45** was properly signed and ordered transmitted to the Secretary of State.

### FIRST READING

The following Bills were introduced and read the first time:

**SB 456**—By Smalley—An Act relating to public schools; amending 70 O. S. 1961, § 4-24, as amended by Section 1, Chapter 168, O. S. L. 1963 (70 O. S. Supp. 1969, § 4-24); providing for the election by the Board of Education of each school district from its membership certain officers; deleting the requirement that a deputy clerk shall apply only to those districts having an average attendance of 12,500; and declaring an emergency.

**SB 457**—By Berrong—An Act relating to savings and loan associations; defining terms; according effect to existing corporate entities, their issues, contracts and obligations; prescribing term of existence of associations hereafter incorporated; designating the Oklahoma Savings and Loan Board as the state board for administering this act; providing for its constituency, qualifications of members, their terms of office, and compensation; authorizing said board to adopt rules and approve grants by the Commissioner of Certificates of Authority; imposing duties and powers upon the Commissioner, Deputy Commissioner, and Savings and Loan Supervisor; providing for certain immunity from civil liability; providing for examinations of associations; prescribing the furnishing of copies of certain audit reports and statements; providing for payment of certain fees and per diem in lieu of actual expense of examiners; prescribing requirements of application for forming a savings and loan association; pre-

scribing procedures therefor; providing for board's approval of certain actions and procedures in a savings and loan association's internal control; prescribing annual publication of a statement of the association's financial condition; providing requirements relative to cash reserves; providing for savings and other types of accounts, their classification, ownership, earnings thereof and priority in event of liquidation; requiring approval for an association's conduct of deposit-type transactions; authorizing certain investments; providing for conversion, merger, and liquidation; repealing 18 O. S. 1961, § § 211, as amended, 212, 214, 215, 218, 219, 220, 221, 222, 223, 224, 225, 227, 230, 231, as amended, 232, 233, as amended, 233a, 233b, 233c, 234, 236, 237, 238, 240, 241, 242, 391, 392, 401, 402, 403, 404, 405, 406, and Sections 1-19, inclusive, Chapter 147, O. S. L. 1969 (18 O. S. Supp. 1969, § § 371.1-371.19, inclusive); making the provisions of this Act severable; and providing an effective date.

**SB 458**—By Young—An Act relating to the organization of the Supreme Court of Oklahoma; amending Section 2, Chapter 379, O. S. L. 1968 (20 O. S. Supp. 1969, § 16.2); fixing compensation for Administrative Director of the courts; providing an effective date; and declaring an emergency.

**SB 459**—By Young—An Act relating to labor; amending 40 O. S. 1961, § 165.2; as last amended by Section 1, Chapter 346, O. S. L. 1967 (40 O. S. Supp. 1969, § 165.2); providing for time and manner of payment to employees by employers; providing that any state or municipal corporation engaged in business for profit shall come under this Act; and declaring an emergency.

**SB 460**—By Young—An Act relating to insurance; amending 36 O. S. 1961, § 331, as last amended by Section 4, Chapter 60, O. S. L. 1965 (36 O. S. Supp. 1969, § 331); creating the State Board for Property and Casualty Rates; deleting certain background requirements for appointees to the

board; outlining the powers, duties and responsibilities of the board; providing salaries; and declaring an emergency.

**SB 461**—By Young—An Act relating to the judiciary; amending Section 1, Chapter 350, O. S. L. 1968 (20 O. S. Supp. 1969, § 122), by providing that a special judge shall be appointed for each county within the administrative district with a population of at least 24,000, as determined by the 1960 federal decennial census; providing further that an additional special judge shall be appointed for each additional 50,000 in population in a county within the administrative district, as determined by the 1960 federal decennial census; and declaring an emergency.

**SB 462**—By Young—An Act relating to court bailiffs; amending 19 O. S. 1961, § 552, as last amended by Section 1, Chapter 219, O. S. L. 1969 (19 O. S. Supp. 1969, § 552); providing for appointment and compensation of bailiffs in certain counties; directing recodification in Title 20 of the Oklahoma Statutes; repealing 19 O. S. 1961, § 551, as amended by Section 1, Chapter 232, O. S. L. 1965 (19 O. S. Supp. 1969, § 551); and declaring an emergency.

**SB 463**—By Hamilton—An Act relating to insurance; amending 36 O. S. 1961, § § 903 and 1004; to provide that rate increase hearings before the State Board for Property and Casualty Rates which would result in additional premium charge to insureds within the state shall be formal and in the manner of adversary proceedings; providing for attorney, actuary and other necessary staff to represent public at such hearings; providing time for such hearings; providing for manner of appointment of such attorney, actuary and staff; and declaring an emergency.

**SB 464**—By Hamilton—An Act relating to insurance; amending 36 O. S. 1961, § § 910 and 1016, to provide that appeals from a decision of the State Board for Property and Casualty Rates to the Supreme Court shall stay the execution of any order or decision of the board; changing time with-

in which notices of appeal shall be filed with the Secretary of the board; directing Supreme Court to expedite determinations of such appeals; and declaring an emergency.

**SB 465**—By Birdsong—An Act relating to insurance; amending 36 O. S. 1961, § § 903 and 1004, to provide that any filing before the State Board for Property and Casualty Rates for increased rates shall not be set for hearing until at least thirty days after notice of such hearing is given and that there shall be at least a thirty-day delay after evidence is heard before final action is taken; and declaring an emergency.

**SB 466**—By Birdsong—An Act relating to insurance; amending 36 O. S. 1961, § § 904 and 1004, to provide that the State Board for Property and Casualty Rates prepare a resume of all rate filings for rate increases and transmit a copy to every member of the Legislature, and to individuals and organizations requesting same and to all newspapers, radio and television stations in Oklahoma City and Tulsa; prescribing time within which such resume is to be furnished; and declaring an emergency.

**SB 467**—By Murphy—An Act relating to motor vehicle licensing and registrations; amending 47 O. S. 1961, § 22.2, as last amended by Section 2, Chapter 171, O. S. L. 1969 (47 O. S. Supp. 1969, § 22.2); providing for apportionment of monies received by the Tax Commission pursuant to provisions of act relating to licensing and registration so that a certain percentage thereof, specified in subsection (e), shall be deposited to credit of State Highway Department to be by it used for a county's benefit to match federal aid for procuring rights-of-way on projects within the counties or at the option of the State Highway Department, be remitted to a county for farm-to-market roads.

**SB 468**—By Stansberry—An Act relating to tax-supported hospitals; providing that hospitals supported by public money shall be open to either Doctors of Medi-

cine or Doctors of Osteopathy; defining terms; providing such hospitals may be staffed by either Doctors of Medicine or Doctors of Osteopathy; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 453**—Education.

**SB 454**—Judiciary.

**SB 455**—Public Affairs.

President Pro Tempore Smith presiding.

## PENDING SENATE ACTION

**SCR 44** by Terrill was called up for consideration.

Senator Terrill moved to amend **SCR 44**, page 1, by deleting all of lines 24 through 30 and substituting therefor the language, "Whereas, efficiency in government is of prime concern and whereas the quality of education is of prime concern to the people of this state it is therefor determined that a study of the purpose, function, and

need of all state institutions and agencies would be of benefit to the legislature and of assistance to the citizens of Oklahoma" which amendment was declared adopted.

Senator Terrill asked unanimous consent that **SCR 44**, as amended, be referred to the Committee on Education, which was the order.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

\*

The Senate reassembled in open session with President Pro Tempore Smith presiding.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

The clerk's desk being clear, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Fifth Legislative Day

Tuesday, January 13, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Dacus, McSpadden, Massey, Nichols, Porter, Short.—6.

The President declared a quorum present.

Prayer was offered by the Chaplain and is incorporated herein upon request of Senator Young:

In these moments, O God, let us spend in honest heart-to-heart communion with Thee. Then will our whole day be changed for us, and we shall be changed for the day. Our moods will become right, and we shall be sensitized.

Thou hast brought us to this new day of great opportunity. Help us to work with Thee that it may be a good day with good things done.

We know that a different world cannot be built by indifferent people.

May there be no apathy in this place, no lukewarmness when we need to be sincere.

Use these moments, O Lord, to make every thought and feeling what they ought

to be, that we may be able to do things for Thy sake that we would not have done for our own or the sake of others.

Grant your guidance and blessings to these responsible and dedicated men. . . . Amen.

The Journal for the last legislative day was declared approved.

### CITATION

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dr. John W. Richardson, M.D., for serving as Doctor of the Day on January 12, 1970.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

SB 401—Education.

DO PASS, as amended:

SB 367—Education.

SB 403—Education—Coauthored by Murphy, McGraw, Breckinridge, Keels and Graves.

SB 452—Education—Coauthored by Murphy, Smalley, Keels, McGraw, Breckinridge and Martin—To Appropriations and Budget by reporting committee.

HB 1339—Education—Coauthored by Luton, Keels, Murphy, Hamilton, Smalley and Breckinridge.



**FIRST READING**

The following Bills and/or Resolutions were introduced and read the first time:

**SB 469**—By Ham—An Act relating to motor vehicles; amending Section 1, Chapter 86, O. S. L. 1967 (47 O. S. Supp. 1969, § 751), to provide for paying certain expense of procuring tests for determining alcoholic content of person operating motor vehicle on public highways or streets procured at direction of law enforcement officer; providing assessment of amount so expended with fine and costs if person involved is convicted.

**SB 470**—By Ham—An Act relating to oil and gas; amending 52 O. S. 1961, § 113, to provide that an appeal from a decision of the Corporation Commission under the Oil and Gas Conservation Act may be taken by filing in the Supreme Court a petition in error within thirty days from the date of the decision; and declaring an emergency.

**SB 471**—By Hamilton—An Act relating to insurance; amending 36 O. S. 1961, § 1004, to provide that rating organizations which classify cities and towns for fire insurance rates shall file with the State Board for Property and Casualty Rates such classifications with its rating schedule for fire insurance rates; providing notice and hearing when such classifications are changed; providing that changes shall be approved by the board; and declaring an emergency.

**SB 472**—By Hamilton—An Act relating to insurance rates and rating; amending 36 O. S. 1961, §§ 902 and 1003, to provide that investment income shall be a factor in determining or increasing insurance rates; and declaring an emergency.

**SB 473**—By Murphy of the Senate and Skeith of the House—An Act relating to highways; amending Section 1103, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1103); providing for the retention of evidence of securities with the State Highway Commission to insure payment of person-

al property tax and purchase of workmen's compensation.

**SB 474**—By Murphy of the Senate and Skeith of the House—An Act relating to highways; amending Section 1101, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1101); providing for contracts for construction on state highways; providing that contractor's performance bond may be in form of money or negotiable securities; including county highways in the provisions of the Act with certain exceptions; and declaring an emergency.

**SB 475**—By Murphy of the Senate and Skeith of the House—An Act relating to state officers and employees; amending 74 O. S. 1961, § 85.12, as last amended by Section 1, Chapter 205, O. S. L. 1969 (74 O. S. Supp. 1969, § 85.12); excluding certain acquisitions from provisions of the Oklahoma Central Purchasing Act; making all acquisitions not so excluded subject to act regardless of source of funds; and declaring an emergency.

**SB 476**—By Murphy—An Act relating to state officers and employees; amending 74 O. S. 1961, § 85.12, as last amended by Section 1, Chapter 205, O. S. L. 1969 (74 O. S. Supp. 1969, § 85.12); excluding certain acquisition from provisions of the Oklahoma Central Purchasing Act; making this section applicable to contracts for construction of highway structures; and declaring an emergency.

**SB 477**—By Murphy of the Senate and Skeith of the House—An Act relating to roads and bridges; amending Section 501, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 501); providing that bridges on segments of roads removed from State Highway System shall remain property of State Highway Commission unless county within six months designates such segment a part of County Highway System; and declaring an emergency.

**SJR 32**—By Young—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Consti-

tution of Oklahoma amending Section 8, Article VII of the Oklahoma Constitution by deleting the provision that there be at least one Associate District Judge for each county from Section 8, Article VII, which provides for classification of judges, their qualifications, jurisdictions, powers and terms of office; providing for a ballot title; and ordering a special election.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 456**—Education.

**SB 457**—Finance and Commerce.

**SB 458**—Judiciary.

**SB 459**—Constitutional Revisions and Regulatory Services.

**SB 460**—Business Relations.

**SB 461**—Judiciary.

**SB 462**—Judiciary.

**SB 463**—Business Relations.

**SB 464**—Business Relations.

**SB 465**—Business Relations.

**SB 466**—Business Relations.

**SB 467**—Roads and Highways.

**SB 468**—Public Health.

## BILL REFERRED

By unanimous consent upon request of Senator Garrett, **SB 388** was ordered withdrawn from the committee on Appropriations and Budget and referred to the committee on Judiciary.

Senator Birdsong moved, when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1035**—By Cate and Boren—A Concurrent Resolution relating to higher education in the State of Oklahoma; directing the Speaker of the House of Repre-

sentatives and the President Pro Tempore of the Senate to appoint a special committee to make an in-depth study of institutions of higher education to determine whether or not monies that are currently available thereto are utilized to the maximum effective extent, and if such be the case, to recommend measures for additional financial support for institutions of higher learning.

**HCR 1036**—By Camp, Monks, Smith (E. W.), Kamas, Anderson, Hancock, Williams, Hatchett and Whorton—A Concurrent Resolution petitioning the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

**HCR 1037**—By Hesser, Williamson, Privett, Connor, Cole, Tarwater, Bickford and Boren of the House and Murphy of the Senate—A Concurrent Resolution expressing the opposition by the Oklahoma Legislature to any change in the oil import control program which would have the effect of placing direct federal control on the price of crude oil or reduce price incentive; and directing distribution.

**HCR 1038**—By Sparkman of the House and Berrong of the Senate—A Concurrent Resolution requesting the Oklahoma State Regents for Higher Education to establish programs in graduate education leading to the Master's Degree in Nurse Education at the University of Oklahoma Medical Center School of Nursing.

Consideration of the Resolutions was deferred for this Legislative day.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 41**, and **SCR 45**—Coauthored by Beauchamp.

The above numbered Resolutions were referred for enrollment.

As provided under the Birdsong motion, the Senate was declared adjourned to meet, as provided under the Rules, 1:00 p.m. tomorrow.

and the President Pro Tempore of the Oregon State Bar Association, who presided at the meeting, which was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

**HON. J. W. WILKINSON**  
(President Pro Tempore)  
The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

**GE FROM THE**  
The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

**SECOND RE**  
The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

**FROM THE**  
The meeting was held in the hall of the Oregon State Bar Association, at the corner of Third and Main streets, on Tuesday evening, June 10, 1908.

## **Sixth Legislative Day**

### **Wednesday, January 14, 1970**

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—45.

Excused: McSpadden, Murphy, Stipe.—3.

The President declared a quorum present.

Prayer was offered by the Chaplain and is incorporated herein upon request of Senator Young:

Our Heavenly Father, we unite our hearts in prayer today, that You will teach us how to trust you more. Forgive us that there are times when we find it difficult, when it ought to be so easy.

Give us this day, O God, A strong and vivid sense that You are truly by our side. Desiring to guide us through our difficulties.

Grant that the sweetness of your Holy Spirit fill our lives lifting us above the confusion and fears of the day.

Give to these leaders today, the inspired ideas that will lead our country into making the American dream come true.

May this be a good day for Governor Nigh and each member of the Senate.

We make our prayer in the lovely name of Jesus. . . . Amen.

The Journal for the last legislative day was declared approved.

#### **REQUEST FOR LOBBY PERMITS**

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

Ben S. Hutchinson, 909 Choctaw, Muskogee, Oklahoma, representing Oklahoma State AFL-CIO.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed SB 410.

The above numbered Bill was referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1039**—By Spearman—A Concurrent Resolution memorializing the Congress of the United States to refer to the states for ratification a proposed amendment to the United States Constitution providing for the merit selection and retention of all federal judges except Justices of the United States Supreme Court; and directing distribution.

Consideration of the Resolution was deferred for this Legislative Day.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SCR 45** correctly enrolled.

Enrolled **SCR 45** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.



**COMMITTEE REPORTS**

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 231**—Governmental Affairs.

**SB 407**—Public Health—Show Sparkman as House Author.

DO PASS, as amended:

**SB 291**—Governmental Affairs.

**SJR 28**—Constitutional Revisions and Regulatory Services—Coauthored by Smalley and Keels of the Senate and show Connor as House Author.

**SJR 31**—Constitutional Revisions and Regulatory Services—Coauthored by Lane.

**HJR 1008**—Constitutional Revisions and Regulatory Services—Show Baggett as Senate Author.

**FIRST READING**

The following Bills and/or Resolutions were introduced and read the first time:

**SB 478**—By Luton of the Senate and Tarwater, Musgrave, Clemons, McKee and Bernard of the House—An Act relating to insurance; amending 36 O. S. 1961, § § 903, 1004 and 1016, to provide that all meetings of the State Board for Property and Casualty Rates shall be formal and no official action shall be taken except at a formal meeting; providing that minutes of all meetings shall be recorded and made a matter of public record; providing that no final action on rates shall be taken until the expiration of thirty days from the notice of such meeting; providing that any conferences held prior to official meetings shall be official conferences with minutes recorded in the same manner as official meetings; and declaring an emergency.

**SB 479**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the Oklahoma State Regents for Higher Education; providing for an appropriation for a research program in conjunction

with the experimental program being conducted by the Oklahoma State University of Agriculture and Applied Science for the eradication of ticks; providing that federal funds be obtained; providing for lapse date; making provisions of Act severable; and declaring an emergency.

**SB 480**—By Nichols, Garrison, McSpadden, Baggett, Field, Grantham, Breckinridge, Massey, Bradley and Boecher of the Senate and Bickford, Boren, Finch, Connor, Musgrave and Wixson of the House—An Act relating to revenue and taxation; amending Section 1, Chapter 277, O. S. L. 1969 (68 O. S. Supp. 1969, § 2310), by adding a new subsection thereto; providing that income and gain or loss on stock options as defined in Sections 422, 423 and 424 of Internal Revenue Code shall be recognized when and to the extent recognized for federal income tax purposes and adjustments, and deductions be made under terms of Sections 421 through 425, Internal Revenue Code; providing conditions and time of refunds under such new subsection; and declaring an emergency.

**SB 481**—By Crow—An Act relating to schools; amending Section 4, Chapter 48, O. S. L. 1968 (70 O. S. Supp. 1969, § 1210.53); providing specific upward adjustments in salaries of teachers who earn certain credits toward master's degrees may be made with incentive aid funds.

**SB 482**—By Lane—An Act relating to economic, agricultural and recreational development; transferring the functions, authority and properties of the Forestry Division of the State Department of Agriculture, and the Department of Wildlife Conservation and Wildlife Conservation Commission, and the Park Division of the Industrial Development and Park Department; the carrying out, implementing and enforcing of laws relating to a department hereby created and established as the Forestry, Wildlife and Parks Department; providing for a commission thereof and their compensation and for paying their expenses; providing for a director and for

granting necessary authorities to him; providing for severability; and providing for an operative date.

**SJR 33**—By Lane of the Senate and Robinson and McKee of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection an amendment of the Constitution of Oklahoma repealing Article XXVI, providing for a constitutionally created and functioning Department of Wildlife Conservation and Wildlife Conservation Commission; prescribing a ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 469**—Roads and Highways.

**SB 470**—Conservation and Economic Development.

**SB 471**—Business Relations.

**SB 472**—Business Relations.

**SB 473**—Roads and Highways.

**SB 474**—Roads and Highways.

**SB 475**—Roads and Highways.

**SB 476**—Roads and Highways.

**SB 477**—Roads and Highways.

**SJR 32**—Judiciary.

## PENDING SENATE ACTION

Senator Terrill asked unanimous consent that **HCRs 1035, 1036 and 1038** be ordered withdrawn from the Calendar and referred to the Committee on Education, which was the order.

Lieutenant Governor Nigh presiding.

## GENERAL ORDER

**HB 1339** by Monks, et al, of the House and Luton, Keels, Murphy, Hamilton, Smalley and Breckinridge of the Senate was read and considered.

Senator Ham asked to be made coauthor of **HB 1339**, which was the order.

Senator Short moved to amend **HB 1339**,

page 2, line 16, by inserting after the word "or" and before the word "all" the word "allow", which amendment was declared adopted.

Senator Baggett moved to amend **HB 1339**, page 2, line 12, by inserting before the word "for" the words "or of the United States", which amendment was declared adopted.

Senator Berrong moved to amend **HB 1339**, page 2, line 10, by striking all of lines 10 on page 2 through line 1 of page 3 and substituting therefor the language "All public schools may conduct a proper observance of Veterans Day as said date is nationally recognized", which amendment was declared adopted.

Senator Luton moved to amend **HB 1339** by amending the Title to conform thereto, which amendment was declared adopted.

President Pro Tempore Smith presiding.

Upon motion of Senator Luton, **HB 1339**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **HB 1339**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1339** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Garrett, McSpadden, Murphy, Nichols, Porter, Stipe.—6.

The bill was declared passed.

**HB 1339**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 367** by Young was read and considered.

Senators Ferrell, Stansberry, Birdsong, Inhofe and Keels asked to be made co-authors of **SB 367**, which was the order.

Senator Baggett, joined by Senator Smalley, moved to amend **SB 367**, page 2, line 8, by inserting after the figure "1" and before the word "participation" the words "Conviction of"; on line 10, page 2, by inserting after the figure "2" and before the word "Possession" the words "Conviction of"; and on line 12, page 2, by inserting after the figure "3" and before the word "Destruction" the words "Conviction of", which amendment was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Bradley, Breckinridge, Garrison, Grantham, Graves, Hamilton, Holden, Howard, Luton, Phillips, Porter, Short, Smalley, Smith, Young.—17.

Nay: Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Ham, Hargrave, Horn, Inhofe, Keels, Lane, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Stansberry, Taliaferro, Terrill, Williams.—27.

Excused: Garrett, McSpadden, Murphy, Stipe.—4.

Upon motion of Senator Young, **SB 367** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 367** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 367** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrison, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Short, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Baggett, Bradley, Breckinridge, Grantham, Hamilton, Hargrave, Porter, Romang, Smalley, Smith.—10.

Excused: Garrett, McSpadden, Murphy, Stipe.—4.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrison, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Nay: Baggett, Bradley, Breckinridge, Grantham, Hamilton, Hargrave, Porter, Romang.—8.

Excused: Garrett, McSpadden, Murphy, Stipe.—4.

The emergency was declared passed.

**SB 367** was referred for engrossment.

### GENERAL ORDER

**SB 401** by Smalley was read and considered.

Senator Smalley moved to amend **SB 401**, page 2, line 7, by inserting after the word "Finance" the words "directly to each school district" which amendment was declared adopted.

Upon motion of Senator Smalley, **SB 401**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SB 401**, as amended, was considered engrossed and placed upon third reading and final passage.



**THIRD READING**

**SB 401** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Nay: Hamilton, Horn.—2.

Excused: Garrett, McSpadden, Murphy, Stipe.—4.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Nay: Hamilton, Horn.—2.

Excused: Atkinson, Garrett, McSpadden, Murphy, Stipe.—5.

The emergency was declared passed.

**SB 401**, as amended, was referred for engrossment.

Senator Murphy asked to be shown present, which was the order.

Senator Baldwin presiding.

**GENERAL ORDER**

**SB 403** by Smith, Baggett, Miller, Terrill, Smalley, Murphy, McGraw, Breckinridge, Keels and Graves was read and considered.

Senators Berrong, Field, Dacus, Taliaferro, Bradley, Howard, Inhofe, Birdsong, Young, Martin, Massey, Horn, Payne and Ham asked to be made coauthors of **SB 403**, which was the order.

Upon motion of President Pro Tempore Smith, **SB 403** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SB 403** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 403** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—45.

Excused: McSpadden, Porter, Stipe.—3.

The bill was declared passed.

**SB 403** was referred for engrossment.

**PENDING SENATE ACTION**

**HCR 1037** by Hesser, et al, of the House and Murphy of the Senate was called up for consideration.

Senators Payne and Horn asked to be made coauthors of **HCR 1037**, which was the order.

**HCR 1037** was read at length, adopted upon motion of Senator Murphy, properly signed and ordered returned to the Honorable House.

**REPORT OF ENGROSSED AND ENROLLED BILLS**

**SB 410** correctly enrolled.



Enrolled **SB 410** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

Senator Martin presiding.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 410**.

The above numbered Enrolled Bill was referred to the Governor.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 45**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned to meet, as provided under the Rules, 1:00 p.m., tomorrow.

## Seventh Legislative Day

Thursday, January 15, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Phillips.—7.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

Upon request of Senator Garrison, the Journal for the First Legislative Day was ordered corrected on page 11, which correction is shown on the last page of this day's Journal.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, January 14, 1970, of Enrolled **SB 410** entitled:

**SB 410**—By Taliaferro and Terrill of the Senate and Ferrell, et al, of the House—An Act relating to area school districts; validating certain bond elections and bonds issued by area school districts; \*\*\* and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HB 1515**—By Willis, Miskelly, Sparkman and Lindstrom of the House and McSpadden and Massey of the Senate—An Act relating to the State Veterans Department, Oklahoma State War Veterans Home facilities, Sulphur, Oklahoma, the Oklahoma War Veterans Home facilities, Ardmore, Oklahoma, and the Oklahoma War Veterans Commission; prescribing maximum per capita per day basis as to expenditure of appropriated funds for maintenance and education of minor dependents of other than dishonorably discharged veterans; and declaring an emergency.

**HB 1526**—By Privett, Willis, Miskelly, Bickford, Cate, Gooden, Greenhaw, Hatchett, Hutchens, K a m a s, McKee, Odom (Martin), Raibourn, Rogers, Sparkman, Sullivan, Tarwater, Thornhill, Townsend, Wayland, Williamson, Witt, Barker, Bengtson, Browers, Cox, Jones, Mountford, Odom (V. H.), Patterson, Poulos, Sanguin, Smithey, Tabor, Trent and Wiedemann—An Act relating to state officers and employees; amending Section 1, Chapter 502, O. S. L. 1965, as amended by Section 2, Chapter 343, O. S. L. 1969 (74 O. S. Supp. 1969, § 284); prescribing minimum salary for all full-time officers and employees of the state; providing effective date; and declaring it to be the policy of the state to upgrade salaries.

The above numbered HBs were read for the first time.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 40**.

The above numbered Resolution was referred for enrollment.

**MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1037**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

**REQUEST FOR LOBBY PERMIT**

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

Claud Thompson, 839 N. Tulsa, Oklahoma City, representing Sooner Alcohol Narcotics Education.

**REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 367, 401 and HB 1339** each correctly engrossed.

**SCR 41** correctly enrolled.

Engrossed **SBs 367 and 401** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1339**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SCR 41** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

**COMMITTEE REPORTS**

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 411**—Appropriations and Budget.

**SB 418**—Appropriations and Budget.

**SB 431**—Appropriations and Budget.

**SB 434**—Appropriations and Budget.

**SB 448**—Appropriations and Budget.

**DO PASS**, as amended:

**SB 265**—Roads and Highways.

**SB 412**—Appropriations and Budget.

**SB 414**—Appropriations and Budget.

**SB 452**—Appropriations and Budget—Co-authored by Atkinson, Short, Hamilton, Phillips, Lane, Berrong and Miller of the Senate and Conaghan of the House.

**FIRST READING**

The following Bills were introduced and read the first time:

**SB 483**—By Garrison of the Senate and Nance of the House—An Act relating to public health and safety; amending Section 325, Chapter 325, O. S. L. 1963, as amended by Section 1, Chapter 184, O. S. L. 1968, (63 O. S. Supp. 1969, § 1-325); providing for fees for certified copies of records; providing for acceptance of personal checks in payment of such fees without being held responsible and personally liable in the event of such non-collection; providing search for facts in certain instances shall be exempt from fee payment; and declaring an emergency.

**SB 484**—By Phillips—An Act relating to civil procedure; amending 12 O. S. 1961, § 1501; providing for partition of real property; vesting jurisdiction in the District Court in partition actions; and declaring an emergency.

**SB 485**—By Stipe—An Act relating to workman's compensation; amending 85 O. S. 1961, § 2, as last amended by Section 1, Chapter 331, O. S. L. 1967 (85 O. S. Supp. 1969, § 2); providing all employees in the state, except those who are presently exempt by reason of being engaged in agriculture, shall be within the act's purview and be payable for injuries sustained in pursuit of their employment.

**SB 486**—By Ham—An Act relating to courts; amending 20 O. S. 1961, § 104, as amended by Section 1, Chapter 319, O. S. L. 1969 (20 O. S. Supp. 1969, § 104), to provide that when any judge of the district court is ordered by the Chief Justice of the Supreme Court to perform duties or attend a judicial conference outside the county of his residence he shall be entitled to reimbursement for mileage and subsistence or per diem as expenses

necessarily incurred in complying with such order; amending Section 2, Chapter 319, O. S. L. 1969 (20 O. S. Supp. 1969, § 1405), by providing that Justices of the Supreme Court and Judges of the Court of Criminal Appeals and the Court of Appeals shall be entitled to reimbursement for mileage and subsistence or per diem, as the case may be, as expenses necessarily incurred in attending judicial conferences ordered by the Chief Justice; and declaring an emergency.

**SB 487**—By Smalley of the Senate and Cate of the House—An Act to confer upon minors over the age of sixteen years the power to execute enforceable written obligations to secure loans or other aid or assistance for the purpose of furthering their education at accredited or approved educational institutions; defining terms; specifying the conditions under which the power exists; and declaring an emergency.

**SJR 34**—By Young—A Joint Resolution providing that any proposed money settlement by the Attorney General on behalf of the State of Oklahoma be approved first by a Joint Resolution of the Legislature; providing that if the Legislature is not in session at the time of the proposed money settlement, said settlement must be approved by the Executive Committee of the Legislative Council; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 478**—Business Relations.

**SB 479**—Appropriations and Budget.

**SB 480**—Revenue and Taxation.

**SB 481**—Education.

**SB 482**—Governmental Affairs.

**SJR 33**—Constitutional Revisions and Regulatory Services.

## RESOLUTION

**SCR 47** by Smith of the Senate and Priv-

ett of the House was introduced and read as follows:

A Concurrent Resolution authorizing and creating a ten-member study committee to make an in-depth study of the tax structure of the State to determine the existence or nonexistence of tax inequities in the Tax Code; and directing said committee to make a report of said study.

President Pro Tempore Smith asked that consideration of the above Resolution be deferred for this legislative day, which was the order.

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed **HCRs 1041** and **1042**.

Upon request of Senator Massey, **HCR 1042** was taken up for immediate consideration.

Senator Massey asked unanimous consent that all other members of the Senate be made coauthors of **HCR 1042**, which was the order.

**HCR 1042**, as coauthored, was read at length as follows and adopted upon motion of Senator Massey:

**HCR 1042**—By Payne and Sandlin of the House and Massey, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams and Young of the Senate—A Concurrent Resolution expressing regret at the demise of C. B. Memminger; extending sympathy to his family from members of the House of Representatives and the Senate of the Second Session of the Thirty-second Oklahoma Legislature; and directing distribution of copies of this Resolution.

WHEREAS, on the 9th day of January,



1970, C. B. Memminger passed away; and

WHEREAS, the high character, integrity and admirable qualities of C. B. Memminger are known broadly in his locality and to considerable extent throughout this state, he having for many years been respected by the courts and fellow practitioners of the legal profession, being recognized as the Dean of Atoka County Lawyers; and

WHEREAS, his illustrious career of public service included membership in the State Senate of the Fourteenth Oklahoma Legislature, as well as being a Page in the very first Oklahoma Legislature; and

WHEREAS, he was a veteran of World War I, and an active member of the American Legion and other Organizations; and

WHEREAS, his service to the people also included his being one of the founding fathers of the youth organization "Boys' State"; and

WHEREAS, he was a good neighbor, good townsman, good family man, good citizen, good friend, and good to know, and we miss him; and

WHEREAS, we wish to express to his family our deep and sincere sympathy in their grief, which we share.

Now, therefore, be it resolved by the House of Representatives of the 2nd Session of the 32nd Oklahoma Legislature, the Senate concurring therein:

SECTION 1. That the House of Representatives on behalf of its members and on behalf of the people of the State of Oklahoma does hereby express to the family of C. B. Memminger profound regret at the loss to our state resulting from the death of C. B. Memminger and does further express its appreciation for his many contributions to the State of Oklahoma.

SECTION 2. That a duly authenticated copy of this Resolution be delivered to his widow.

HCR 1042 was properly signed and ordered returned to the Honorable House.

Upon request of Senator Taliaferro, HCR 1041 was taken up for immediate consideration.

Senators Stipe, Miller, Graves, Birdsong, Garrett and Keels asked to be made coauthors of HCR 1041, which was the order.

HCR 1041, as coauthored, was read at length as follows and adopted upon motion of Senator Taliaferro:

HCR 1041—By Miskelly, Lindstrom, Anderson, Beauchamp, Bengtson, Bernard, Clemons, Cox, Derryberry, Ferrell, Goodfellow, Greenhaw, Hutchens, Jones, Monks, Murphy, Odom (Martin), Payne, Privett, Raibourn, Sanguin, Skeith, Smith, Tabor, Thornhill, Townsend, Trent, Wayland, Wiedemann and Williamson of the House and Taliaferro, Atkinson, Terrill, Garrett and Crow of the Senate—A Concurrent Resolution relating to memorializing Congress to pass, and the President to sign, House Bill No. 13111; and directing distribution.

WHEREAS, there is not a country in the world where the importance of education is ranked higher and accepted more universally than in these United States; and

WHEREAS, current trends support the conclusion that there will be an abnormal need to expand expenditures for education; and

WHEREAS, good and adequate education requires dedicated parents, teachers and taxpayers; and

WHEREAS, good and adequate education must be measured by the end product—the child; and

WHEREAS, the education and future welfare of the public school children is affected by House Bill No. 13111, United States House of Representatives; and

WHEREAS, the education and future welfare of the public school child of Oklahoma is affected by said bill; and

WHEREAS, Public Law 874 regarding

Impacted Areas Assistance is directly affected by House Bill No. 13111; and

WHEREAS, Oklahoma has large federal installations exempt from ad valorem taxes; and

WHEREAS, the loss of Impacted Areas Assistance would seriously jeopardize the Oklahoma school child's future.

Now, therefore, be it resolved by the House of Representatives of the 2nd Session of the 32nd Oklahoma Legislature, the Senate concurring therein:

SECTION 1. The Congress of the United States be, and is hereby, respectfully memorialized to enact into law House Bill No. 13111, commonly referred to as the fiscal 1970 Labor, Health, Education and Welfare Appropriation Bill, and that the President of the United States sign the bill into law.

SECTION 2. That copies of this Resolution, after consideration and enrollment, shall be forwarded to United States Congress, President of the United States, Secretary of Health, Education and Welfare and the Oklahoma Congressional Delegation.

HCR 1041 was properly signed and ordered returned to the Honorable House.

## PENDING SENATE ACTION

Senator Terrill asked unanimous consent that HCR 1039 be ordered withdrawn from the Calendar and referred to the Judiciary Committee, which was the order.

## GENERAL ORDER

SB 407 by Martin of the Senate and Sparkman of the House was read and considered.

Upon motion of Senator Martin, SB 407 was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, SB 407 was considered engrossed and placed upon third reading and final passage.

## THIRD READING

SB 407 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill.—35.

Nay: Breckinridge, Crow, Smalley, Young.—4.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Miller, Murphy, Payne, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Birdsong, Breckinridge, Crow, Medearis, Short.—5.

Excused: Atkinson, Baldwin, Boecher, Bradley, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—11.

The emergency was declared passed.

SB 407 was referred for engrossment.

## GENERAL ORDER

SB 231 by Howard was read and considered.

Upon motion of Senator Howard, SB 231 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 231 was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 231** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—38.

Excused: Baggett, Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—38.

Nay: Short.—1.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—10.

The emergency was declared passed.

**SB 231** was referred for engrossment.

**GENERAL ORDER**

**SJR 28** by Garrison, Smalley and Keels of the Senate and Connor of the House was read and considered.

Senators Grantham, Young, Massey, Murphy, Ferrell, Short, Berrong, Field, Breckinridge, Ham, Dacus, Bradley, Holden and Lane asked to be made coauthors of **SJR 28**, which was the order.

Upon motion of Senator Garrison, **SJR 28** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SJR 28** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SJR 28** was read for the third time at length, as follows:

**SJR 28**—By Garrison, Smalley, Keels, Grantham, Young, Massey, Murphy, Ferrell, Short, Berrong, Field, Breckinridge, Ham, Dacus, Bradley, Holden and Lane of the Senate and Connor of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Oklahoma Constitution by adding a new section thereto authorizing the issuance and sale of additional state industrial finance bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding; providing for repayment; providing for ballot title; and ordering a special election.

Be it resolved by the Senate and the House of Representatives of the Second Session of the Thirty-second Oklahoma Legislature:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed new section to Article X of the Constitution of the State of Oklahoma, to be designated as Section 34A.

**Section 34A.** The Oklahoma Industrial Finance Authority is hereby authorized to issue and sell additional state industrial finance bonds, not to exceed Ten Million Dollars (\$10,000,000.00) outstanding at any one time in such amounts as may be needed and to mature within thirty (30) years from their date for the purposes set out in Section 34, Article X of the Oklahoma Constitution pertaining to the State Industrial Finance Authority, approved by vote of the people on July 26, 1960. The



Legislature of the State of Oklahoma may raise the above amount of bonds to be issued by said Authority, not to exceed an additional Sixty Million Dollars (\$60,000,000.00) outstanding at any one time to mature within thirty (30) years from their date, in increments of Ten Million Dollars (\$10,000,000.00) by enactment of an appropriate resolution. All bonds herein authorized to be issued and sold shall be backed by the full faith and credit of the State of Oklahoma. The bonds herein authorized shall be in addition to those now authorized by the above-mentioned Section 34, Article X of the Oklahoma Constitution, and enabling statutes. There shall be pledged to the payment of principal and interest of the bonds herein authorized to be issued: (1) The net proceeds from repayment of loans and interest received thereon; (2) Any moneys available from other funds of the state not otherwise obligated; and (3) The proceeds of any tax other than ad valorem, which may be imposed for such purpose in the event funds available for use and pledge under (1) and (2) should be insufficient. All other provisions of said Section 34, Article X of the Oklahoma Constitution shall remain in full force and effect.

SECTION 2. The ballot title for the proposed Constitutional Amendment set forth in SECTION 1 of this Resolution shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No.-----

State Question No.-----

#### THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment amending Article X of the Oklahoma Constitution by adding a new section to be designated Section 34A, authorizing the issuance and sale of additional State Industrial Finance Bonds not to exceed Ten Million Dollars (\$10,000,000.00) outstanding at any one time, but authorizing the Legislature to raise the amount which may be outstanding to an amount not to exceed Sixty Million Dollars (\$60,000,000.00) addi-

tionally outstanding at any one time, providing that all such bonds shall be backed by the full faith and credit of the State of Oklahoma, and providing for repayment of the bonds.

be approved by the people?

☐ YES

SHALL THE PROPOSED  
AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the above ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on March 17, 1970, or on the date of the next primary election, whichever is earlier, at which time the proposed amendment to the Constitution of the State of Oklahoma set forth in SECTION 1 of this Resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—39.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—9.

The Resolution was declared passed.

The question being, "Shall **SJR 28**, by Garrison, Smalley, Keels, Grantham, Young, Massey, Murphy, Ferrell, Short, Berrong, Field, Breckinridge, Ham, Dacus, Bradley, Holden and Lane of the Senate and Connor of the House entitled:



A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Oklahoma Constitution by adding a new section thereto authorizing the issuance and sale of additional state industrial finance bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding; providing for repayment; providing for ballot title; and ordering a special election.

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on March 17, 1970, or on the date of the next primary election, whichever is earlier, as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on March 17, 1970, or on the date of the next primary election, whichever is earlier, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—39.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—9.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**SJR 28** was ordered referred for engrossment.

## GENERAL ORDER

**SJR 31** by Crow and Lane of the Senate and Witt of the House was read and considered.

Senators Miller and Martin asked to be made coauthors of **SJR 31**, which was the order.

Upon motion of Senator Crow, **SJR 31** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **SJR 31** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SJR 31** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—37.

Excused: Baldwin, Boecher, Hargrave, Inhofe, Keels, McGraw, McSpadden, Murphy, Nichols, Phillips, Williams.—11.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—39.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Nichols, Phillips, Williams.—9.

The emergency was declared passed.

**SJR 31** was referred for engrossment.

## GENERAL ORDER

**HJR 1008** by Derryberry, et al, of the House and Baggett of the Senate was read and considered.

Upon motion of Senator Baggett, **HJR 1008** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HJR 1008** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HJR 1008**, as amended was read for the third time at length, as follows:

**HJR 1008**—By Derryberry, et al of the House and Baggett of the Senate—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article XXIV of the Constitution of the State of Oklahoma; authorizing either branch of the Legislature to propose amendments to this Constitution, and prescribing procedure therefor; providing for submission of proposals at General or Special Elections; removing prohibition against submission of proposals containing more than one general subject; providing for ballot title; and ordering a special election.

Be it resolved by the House of Representatives and the Senate of the First Session of the Thirty-second Legislature of the State of Oklahoma:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 1 of Article XXIV of the Constitution of the State of Oklahoma:

Section 1. Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature, and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered in their journals and re-

ferred by the Secretary of State to the people for their approval or rejection, at the next regular general election, except when the Legislature, by a two-thirds vote of each house, shall order a special election for that purpose. If a majority of all the electors voting at such election shall vote in favor of any amendment thereto, it shall become a part of this Constitution.

*An entire article or the addition of a new article may be proposed as a single amendment with only one question being required to be submitted to the electors and such amendment may delete, revise and transpose provisions from other articles of the Constitution provided such provisions are germane to the subject matter of the article being revised or being proposed.*

**SECTION 2.** The ballot title for the proposed constitutional amendment set forth in Section 1 of this resolution shall be in the following form:

### BALLOT TITLE

Legislative Referendum No. -----

State Question No. -----

THE GIST OF THE PROPOSITION  
IS AS FOLLOWS:

Shall a Constitutional Amendment

*Amending Section I of Article XXIV of the Constitution of the State of Oklahoma authorizing the amendment of the Constitution by proposing an entire article or addition of a new article as a single question and authorizing the deletion, revision and transfer of provisions in other articles where germane to the proposed article as a part of the same question.*  
be approved by the people?

☐ YES

SHALL THE PROPOSED  
AMENDMENT BE APPROVED?

☐ NO

**SECTION 3.** The Speaker of the House of Representatives shall immediately after the effective date of this resolution, prepare and file one copy thereof, including said ballot title, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout this state on the 17th day of March, 1970, at which the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Stansberry, Terrill, Young.—32.

Nay: Dacus, Martin, Payne, Porter, Stipe, Taliaferro.—6.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Massey, Nichols, Phillips, Williams.—10.

The Resolution was declared passed.

The question being, "Shall **HJR 1008**, by Derryberry, et al of the House and Baggett of the Senate, entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article XXIV of the Constitution of the State of Oklahoma; authorizing either branch of the Legislature to propose amendments to this Constitution, and prescribing procedure therefor; providing for submission of proposals at General or Special Elections; removing prohibition against submission of proposals containing more than one general subject;

providing for ballot title; and ordering a special election.

be ordered referred by the legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on March 17, 1970, as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on March 17, 1970, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows.

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—36.

Nay: Porter, Stipe.—2.

Excused: Baldwin, Boecher, Hargrave, Inhofe, McGraw, McSpadden, Massey, Nichols, Phillips, Williams.—10.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**HJR 1008**, as amended, was ordered referred for engrossment.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, until Monday, which motion was declared adopted.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., Monday, January 19, 1970.



## **Eighth Legislative Day**

**Monday, January 19, 1970**

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Williams, Young.—31.

Excused: Baldwin, Boecher, Bradley, Crow, Dacus, Ferrell, Ham, Hargrave, Holden, Howard, Inhofe, Martin, Massey, Porter, Stipe, Taliaferro, Terrill.—17.

The President declared a quorum present.

Prayer was offered by the Chaplain, the Reverend Finley Tinnin, Pastor of Baptist Temple, Oklahoma City, Oklahoma.

The Journal for the last legislative day was declared approved.

### **REQUEST FOR LOBBY PERMITS**

Request for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Don A. Peters, 2609 North Vermont, Oklahoma City, representing Oklahoma Hardware & Implement Association, Inc.

Maury H. Ferguson, 4514 N.E. Thompson, Oklahoma City, representing Mobile Home Association of Oklahoma, Inc.

### **COMMITTEE REPORTS**

The following Bills were reported by the Committees named, ordered printed and

placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 388—Judiciary.**

**DO PASS, as amended:**

**SB 395—Judiciary.**

### **FIRST READING**

The following Bills were introduced and read the first time:

**SB 488—By Hamilton of the Senate and Sullivan of the House—An Act relating to the Department of Corrections and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.**

**SB 489—By Graves of the Senate and Wayland and Townsend of the House—An Act relating to cities and towns; amending 11 O. S. 1961, § 171, to authorize governing body of a city or town to acquire by negotiation real estate or interests therein for streets by expenditure of moneys on hand in any appropriate funds; and declaring an emergency.**

**SB 490—By Short—An Act relating to crimes and punishment; amending Sections 1 and 2, Chapter 308, O. S. L. 1969 (21 O. S. Supp. 1969, § § 1373 and 1374); providing that any person not a student, officer or employee who shall refuse to leave the campus facilities of any college or university or public school upon request is guilty of a misdemeanor; defining terms; and declaring an emergency.**

**SB 491—By Baggett—An Act relating to revenue and taxation; providing for review of assessments resulting from comprehensive program of revaluation under**



Chapter 357, O. S. L. 1967, as amended; and declaring an emergency.

**SB 492**—By Baggett—An Act relating to revenue and taxation; amending Section 2457 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § 2457); enlarging County Boards of Equalization and County Excise Boards from three to five members and providing for the manner of appointment of additional members; and declaring an emergency.

**SB 493**—By Baggett—An Act relating to consumer credit; amending Sections 2-413 and 3-404, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, §§ 2-413 and 3-404); and declaring an emergency.

## **SECOND READING**

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 483**—Public Health.

**SB 484**—Judiciary.

**SB 485**—Judiciary.

**SB 486**—Judiciary.

**SB 487**—Judiciary.

**SJR 34**—Judiciary.

**HB 1515**—Appropriations and Budget.

**HB 1526**—Appropriations and Budget.

## **GENERAL ORDER**

**SB 411** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 411** was advanced to engrossment.

Senator Birdsong moved, when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

Senator Baggett presiding.

## **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 403, 407, SJRs 28, 31; and HJR 1008** each correctly engrossed.

**SCR 40** correctly enrolled.

Engrossed **SBs 403, 407, SJRs 28 and 31** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HJR 1008**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SCR 40** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Ninth Legislative Day

Tuesday, January 20, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Crow, Ferrell, Field, Garrett, Garrison,  
Grantham, Graves, Ham, Hamilton, Har-  
grave, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McCune, McGraw,  
McSpadden, Martin, Massey, Medearis,  
Miller, Murphy, Nichols, Phillips, Ro-  
mang, Short, Smalley, Smith, Stansberry,  
Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Por-  
ter, Stipe.—5.

The President declared a quorum pres-  
ent.

The following prayer was offered by the  
Chaplain and is incorporated herein upon  
request of Senator McCune:

Our Heavenly Father, there is so much  
about us that changes. We rejoice in the  
reality that our God does not change,  
that with Thee there is "no shadow of  
turning".

We pray Thy blessing upon this session  
of our State Senate and upon these men  
who have been elected to positions of  
great trust and responsibility. Supply  
them with the wisdom that is Divine.  
Make available to them the counsel that  
gives Holy direction and purpose to the  
endeavors of men.

We offer our supplication in Jesus'  
name, Amen.

The Journal for the last legislative day  
was declared approved.

### REQUEST FOR LOBBY PERMITS

Request for Lobby Permits were filed  
by the following persons and ordered re-  
ferred to the Committee on Lobby Per-  
mits:

Ouida E. Ferrall, 104 N.W. 82, Okla-  
homa City, representing Communications  
Workers of America.

Stephen L. Parrish, 8340 E. 25th Place,  
Apt. 124, Tulsa, representing UAW Okla-  
homa State CAP Council.

Cecil C. Hamilton, 2500 N.W. 51st Street,  
Oklahoma City, representing Phillips Pe-  
troleum Company.

R. A. "Dick" Hunter, 1212 N.W. 85th,  
Oklahoma City, representing Oklahoma  
Wholesale Liquor Association.

Mrs. Eulalie Pegg, 1817 Meyers Place,  
Oklahoma City, representing Communi-  
cations Workers of America.

### CITATIONS

Upon motion of Senator Howard, pur-  
suant to Rule 8-b, a Citation of Commem-  
dation was ordered issued to Delbert D.  
Dandurant, Tulsa postman for saving the  
life of Mrs. Mary Sue Moore.

Upon motion of Senator Short, pursuant  
of Rule 8-b, a Citation of Congratulations  
was ordered issued to Norma Fuller, R.N.  
of Coyne-Campbell Hospital for serving as  
Nurse of the Day on January 20, 1970.

The above requests were ordered re-  
ferred to the Committee on Engrossed  
and Enrolled Bills for issuance of Cita-  
tions.

### MESSAGE FROM THE HOUSE

Advising that the House has rescinded

its action whereby Enrolled SCR 40 was signed and also the action whereby SCR 40 was adopted by the House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 41.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

SB 281—Business Relations - Coauthored by Payne and Phillips.

SB 372—Judiciary.

SB 399—Judiciary.

SB 461—Judiciary.

SJR 13—Judiciary.

DO PASS, as amended:

SB 280—Business Relations—Coauthored by Payne, Phillips and Birdsong.

SB 393—Judiciary—Coauthored by Hopkins of the House.

SB 400—Judiciary.

SB 408—Business Relations.

SB 409—Business Relations—Coauthored by Luton, Birdsong, Phillips and Young of the Senate and Monks of the House.

SB 413—Appropriations and Budget.

SB 415—Appropriations and Budget.

SB 416—Appropriations and Budget.

SB 423—Appropriations and Budget.

SB 454—Judiciary—Coauthored by Young and Garrett.

SB 456—Education.

SJR 27—Constitutional Revisions and Regulatory Services.

SJR 32—Judiciary.

WITHOUT RECOMMENDATION:

SB 252—Roads and Highways—Coauthored by Ferrell.

Senator Massey asked unanimous consent to withdraw the Committee Report on SB 413, which was the order.

#### FIRST READING

The following Bill was introduced and read the first time:

SB 494—By Hamilton—An Act relating to courts; amending 28 O.S. 1961, § 101, as last amended by Section 3, Chapter 202, O.S.L. 1969 (28 O.S. Supp. 1969, § 101); providing for costs in criminal actions; reducing the amount of credit on fines and costs for imprisonment; and declaring an emergency.

#### SECOND READING

The following Bills were read the second time and referred to Committees indicated:

SB 488—Appropriations and Budget.

SB 489—Municipal Government.

SB 490—Judiciary.

SB 491—Revenue and Taxation.

SB 492—Revenue and Taxation.

SB 493—Finance and Commerce.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SB 411 correctly engrossed.

#### THIRD READING

SB 411 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.



The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

SB 411 was withheld pursuant to Rule 19-f.

### GENERAL ORDER

SB 434 by McSpadden and Massey of the Senate and Willis, et al., of the House was read and considered.

Upon motion of Senator McSpadden, SB 434 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 434 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 434 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, Payne, Porter, Stipe, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, Payne, Porter, Stipe, Taliaferro.—6.

The emergency was declared passed.

SB 434 was referred for engrossment.

### GENERAL ORDER

SB 418 by McSpadden and Massey of the Senate and Willis, et al., of the House was read and considered.

Upon motion of Senator McSpadden, SB 418 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 418 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 418 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Nichols, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Nichols, Porter, Stipe.—5.

The emergency was declared passed.

**SB 418** was referred for engrossment.

### GENERAL ORDER

**SB 431** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Senator Inhofe asked to be made a co-author of **SB 431**, which was the order.

Upon motion of Senator McSpadden, **SB 431** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 431** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 431** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

**SB 431** was referred for engrossment.

### GENERAL ORDER

**SB 414** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 414** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 414** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 414** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge,

Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

**SB 414** was referred for engrossment.

### GENERAL ORDER

**SB 412** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator Massey, **SB 412** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **SB 412** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 412** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-

grave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

**SB 412** was referred for engrossment.

### GENERAL ORDER

**SB 448** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Senator Garrison asked to be made a coauthor of **SB 448**, which was the order.

Upon motion of Senator Massey, **SB 448** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **SB 448** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 448** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-

grave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

SB 448 was referred for engrossment.

### GENERAL ORDER

SB 452 by Grantham, Smith, Miller, Baggett, Murphy, Smalley, Keels, McGraw, Breckinridge, Martin, Hamilton, Atkinson, Short, Phillips, Lane and Berong of the Senate and Hesser, et al, of the House was read and considered.

Senators Garrison, Luton, Inhofe, Birdsong, Stansberry and Young asked to be made coauthors of SB 452, which was the order.

Senator Hamilton moved to amend SB 452, page 4, line 1, by inserting after the word "use" and before the word "in" the words "of the above services" which amendment was declared adopted.

Upon motion of Senator Grantham, SB 452, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 452, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 452 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Ro-

mang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, Hargrave, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, Hargrave, Payne, Porter, Stipe.—6.

The emergency was declared passed.

SB 452, as amended, was referred for engrossment.

### GENERAL ORDER

SB 388 by Garrett was read and considered.

Senators Keels and Birdsong asked to be made coauthors of SB 388, which was the order.

Upon motion of Senator Garrett, SB 388 was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, SB 388 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 388 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw,



McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

SB 388 was referred for engrossment.

### GENERAL ORDER

SB 395 by Young was read and considered.

Upon motion of Senator Young, SB 395 was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 395 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 395 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, Hargrave, Payne, Porter, Stipe.—6.

The bill was declared passed.

SB 395 was referred for engrossment.

### GENERAL ORDER

SB 291 by Howard was read and considered.

Senators Smalley and Baggett asked to be made coauthors of SB 291, which was the order.

Senator Ferrell moved to amend SB 291, page 2, line 16, by striking the word "less" and substituting therefor the word

"more" which amendment was declared adopted.

Upon motion of Senator Howard, SB 291, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 291, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 291 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Garrett, Grantham, Graves, Hargrave, Horn, Howard, Keels, Luton, Martin, Miller, Murphy, Nichols, Phillips, Smalley, Smith, Taliaferro, Terrill.—22.

Nay: Baldwin, Berrong, Breckinridge, Ferrell, Field, Garrison, Hamilton, Holden, Inhofe, Lane, McCune, McGraw, Massey, Medearis, Romang, Short, Stansberry, Williams, Young.—19.

Excused: Boecher, Dacus, Ham, McSpadden, Payne, Porter, Stipe.—7.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baggett moved that the vote be reconsidered by which SB 291, as amended failed of passage.

### COMMITTEE ASSIGNMENT

President Pro Tempore Smith asked unanimous consent, at the request of Senator Nichols and as approved by the Committee on Rules, that Senator Nichols be removed as a member of the Committee on Roads and Highways and assigned as a member of the Judiciary Committee, which was the order.

Senator Baldwin presiding.

### PENDING SENATE ACTION

SCR 47 by Smith of the Senate and Pri-



vett of the House was taken up for consideration.

Senators Garrison, Short, McGraw and Ferrell asked to be made coauthors of **SCR 47**, which was the order.

**SCR 47**, as coauthored, was read at length, adopted upon motion of President Pro Tempore Smith, and ordered referred for engrossment.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

# **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1041** and **1042**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

## **BILL RELEASED**

As provided under Rule 19-f, **SB 411** was properly signed and ordered transmitted to the Honorable House for consideration.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Tenth Legislative Day

Wednesday, January 21, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Atkinson, Berrong, Boecher, Dacus, Graves, Horn, Massey, Payne, Porter, Stipe.—10.

The President declared a quorum present:

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

By unanimous consent, upon request of Senator Field, the following "Outstanding Citizen Award" certificate, presented to Senator Atkinson by the Midwest City Chamber of Commerce, was read and incorporated herein:

### OUTSTANDING CITIZEN AWARD

1969

This certificate acknowledges an outstanding citizen of Midwest City and is issued as a special recognition for many years of community service. The Midwest City citizen named herein has for more than twenty-five years given of his time, talent, and finances to every worthy community project.

"We Can Try It and See" is the attitude which has characterized his participation in a broad field of activities since he became a citizen of Midwest City. Having enjoyed considerable success in several business ventures, he is presently engaged in an avocation to which he dedicates time and energy comparable to that which you might expect of a professional. He helped to organize one of Midwest City's major civic clubs, which he served as charter president, and lent his support and energies to a variety of activities, including the purchase of band uniforms, funds for uniforms for early day firemen and policemen, helped establish programs for FFA, American Legion, and YMCA, and lent his considerable support to many other organized activities in the community. His generosity is best illustrated by his contribution of land for Midwest City's first park, the Lions Park and the Kiwanis Park, in cooperation with his associates. He is a member of the Wickline Methodist Church, Tinker YMCA, Sportsman's Club, Elks, Cowboy Hall of Fame, and serves as a member of the Board of Directors of the Midwest City Chamber of Commerce. His interests outside the community have brought him recognition when he was designated "Conservationist of the Year" by the National Wildlife Federation and the Robert A. Macklanburg, Jr. Foundation, in cooperation with the Oklahoma Wildlife Federation. His "Can Do" attitude was typified by a willingness to raise \$10,000 to help finance Midwest City's 25th anniversary celebration.

In recognition of his long-time leader-

ship and support of Churches, Civic Clubs, Youth Activities, his profession, and the Midwest City Chamber of Commerce, it is our privilege to declare that:

H. B. ATKINSON is an outstanding citizen of Midwest City and deserving of our every appreciation.

IN WITNESS whereof we set our hand and seal this 20th day of January, 1970.

MIDWEST CITY CHAMBER  
OF COMMERCE

/s/ James F. Howell  
President

ATTEST:

/s/ Grover C. Phillips, II  
Secretary

### REQUESTS FOR LOBBY PERMITS

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Don M. Woodcock, 404 West Hayes Street, Norman, Oklahoma, representing Communications Workers of America.

Dr. Bruce G. Carter, 12004 Camelot Drive, Oklahoma City, representing Higher Education Alumni Council of Oklahoma.

Charles H. Murphy, Box 397, Millerton, Oklahoma, representing D.R.I.V.E. Democratic-Republican - Independent - Voters-Education.

Lowell S. Quillman, 717 North Joplin, Tulsa, representing UAW-Oklahoma State CAP Council.

J. V. Bradshaw, 3521 Northwest 64, Oklahoma City, representing Associated Credit Bureaus of Oklahoma and Oklahoma City Retailers Association, Inc.

### CITATIONS

Upon motion of President Pro Tempore Smith, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Louis A. Gatti, The Oklahoma Malt Beverage Association, and Adolph Coors

Company for initiating an Anti-litter program in Oklahoma.

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dr. Robert J. Hogue, Guthrie, for serving as Doctor of the Day on January 21, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1495**—By Bamberger—An Act relating to fees for service of process; amending Section 1, Chapter 214, O. S. L. 1969 (28 O. S. Supp. 1969, § 39.1); providing for the establishment of a flat fee for service of writs, orders, process, commands and notices; providing for effective date; and declaring an emergency.

**HB 1589**—By Sparkman, Cole and Williamson of the House and Smith of the Senate—An Act relating to motorboats and vessels—registration; amending Subsections 1 and 2 of Section 3, Chapter 350, O. S. L. 1969 (63 O. S. Supp. 1969, Sections 804.1 and 804.2); providing that outboard motors for boats shall be defined as outboard motors in excess of ten horsepower; providing that the annual license fees for each vessel, watercraft, motorboat or boat of any description and each outboard motor in excess of ten horsepower for boats, where provable original or new cost of materials is One Hundred Fifty Dollars or less and base license fee for those over One Hundred Fifty Dollars shall be reduced from Three Dollars to One Dollar; and providing that license fees paid by any person under the provisions of Section 804.2, 63 O. S. Supp. 1969, in excess of the license fees provided in Section 2 of this Act shall be refunded by the Oklahoma Tax Commission to the person so paying; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1043**—By Skeith of the House and Stipe of the Senate—A Concurrent Resolution declaring the week of October 5 through October 10, 1970, "Indian Week" in Oklahoma.

Consideration of the Resolution was deferred for this Legislative day.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 388, 395, 412, 414, 418, 431, 434, 448, 452** and **SCR 47** each correctly engrossed.

Engrossed **SBs 388, 395, 412, 414, 418, 431, 434, 448, 452**, and **SCR 47** were properly signed and ordered transmitted to the Honorable House for consideration.

#### COMMITTEE REPORTS

The following Bills and/or resolution were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 483**—Public Health—Coauthored by McCune, Stansberry and Graves.

DO PASS, as amended:

**SB 413**—Appropriations and Budget.

**SJR 33**—Constitutional Revisions and Regulatory Services.

**HB 1203**—Public Health—Coauthored by Phillips and Crow.

**HB 1291**—Education—Coauthored by Luton, Keels, Smith, Miller, Murphy, Smalley, McGraw, Howard and Short.

#### FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 495**—By Smith of the Senate and Privett of the House—An Act relating to the State Capitol Building; amending 74

O. S. 1961, § 94, to vest the Legislature with full authority to allot space on the third, fourth and fifth floors of the State Capitol Building; and declaring an emergency.

**SB 496**—By Nichols—An Act relating to marriage; amending 43 O. S. 1961, § 5, as last amended by Section 1, Chapter 25, O. S. L. 1965 (43 O. S. Supp. 1969, § 5); providing for a six-month waiting period from the time of application to the time of issuance of a license for persons under legal age; and declaring an emergency.

**SB 497**—By Nichols—An Act relating to public welfare; providing for the prosecution of a parent for desertion of a child when such child is receiving assistance from the Department of Public Welfare; prescribing punishment; and declaring an emergency.

**SB 498**—By Garrett—An Act relating to alimony, child support, temporary support and similar payments; requiring the court clerk to mail the same to the payee if requested to do so by the payee; providing procedure; and declaring an emergency.

**SB 499**—By Smith, Hamilton, Birdsong, Smalley, Luton, Phillips, Crow, Lane, Young, Howard, Hargrave, Medearis, Miller, Garrett, Taliaferro and Keels of the Senate and Miskelly, Townsend and Hopkins of the House—An Act relating to revenue and taxation; amending Section 2309 of Section 2, Chapter 530, O. S. L. 1965 (68 O. S. Supp. 1969, § 2309); to provide for the elimination of certain credits for dividends against net income; and declaring an emergency.

**SB 500**—By Smith, Howard, Miller, Atkinson, Taliaferro, Medearis, Garrett, Keels, Martin, Hargrave, Hamilton, Birdsong, Smalley, Luton, Crow, Phillips, Lane and Young of the Senate and Miskelly, Townsend and Hopkins of the House—An Act relating to insurance; amending 36 O. S. 1961, § 624, as last amended by Section 1, Chapter 194, O. S. L. 1965 (36 O. S. Supp. 1969, § 624), to provide an an-



nual tax upon certain income earned in this state by foreign and alien insurers shall likewise apply to such type of income earned in this state by domestic insurers.

**SJR 35**—By Hamilton—A Joint Resolution directing the Board of Regents of the University of Oklahoma and the State Department of Health to procure and prepare informational data as to the feasibility of establishing regional health centers for specific purposes; directing submission thereof within thirty days to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and each member of the Legislature.

**SJR 36**—By Smith—A Joint Resolution relating to legislative intent in the enactment of Section 2, Chapter 362, O. S. L. 1963, as renumbered by Section 2, Chapter 215, O. S. L. 1965 and as amended by Section 1, Chapter 189, O. S. L. 1968 (68 O. S. Supp. 1969, § 508), as regards the time for filing of reports for exemption of certain taxes on motor fuel sold and used for aircraft; stating the consensus and intent of the Legislature that said act permits the filing of such reports beyond the specific deadline date under certain circumstances, and the exemption from taxes as provided therein; and directing that a copy of this resolution be transmitted to the Chairman and members of the Oklahoma Tax Commission.

## SECOND READING

The following Bill was read the second time and referred to Committee indicated:

**SB 494**—Judiciary.

## GENERAL ORDER

**SB 393** by Birdsong of the Senate and Hopkins of the House was read and considered.

Senator Keels asked to be made coauthor of **SB 393**, which was the order.

Senator Baggett moved to amend **SB 393**, page 2, line 9, by adding after the word "to" and before the word "other" the

word "receive" which amendment was declared adopted.

Upon motion of Senator Birdsong, **SB 393**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 393**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 393** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Atkinson, Berrong, Boecher, Dacus, Graves, Horn, Massey, Payne, Porter, Stipe.—10.

The bill was declared passed.

Senators Atkinson and Horn asked to be shown present, which was the order.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Berrong, Boecher, Dacus, Graves, Massey, Payne, Porter, Stipe.—8.

The emergency was declared passed.

**SB 393**, as amended, was referred for engrossment.

Senator Atkinson asked unanimous consent, which was granted, that he be shown as a coauthor of **SB 393**.

Senators Graves, Berrong and Massey asked to be shown present, which was the order.

### GENERAL ORDER

**SB 372** by Grantham of the Senate and McCune of the House was read and considered.

Upon motion of Senator Grantham, **SB 372** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 372** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 372** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The emergency was declared passed.

**SB 372** was referred for engrossment.

Senator Baldwin presiding.

### GENERAL ORDER

**SB 400** by Grantham of the Senate and McCune of the House was read and considered.

Upon motion of Senator Grantham, **SB 400** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 400** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 400** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Nay: Field, Graves, Hamilton.—3.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

The bill was declared passed.

**SB 400** was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Baggett motion to reconsider the vote by which **SB 291**, as amended, failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Howard, Keels,

Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Smalley, Smith, Taliaferro, Terrill.—26.

Nay: Baldwin, Berrong, Breckinridge, Ferrell, Garrison, Hamilton, Holden, Horn, Inhofe, Lane, McCune, McGraw, Romang, Short, Stansberry, Williams, Young.—17.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

On the question of the passage of **SB 291**, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Horn, Howard, Keels, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Smalley, Smith, Taliaferro, Terrill.—27.

Nay: Baldwin, Berrong, Breckinridge, Ferrell, Garrison, Hamilton, Holden, Inhofe, Lane, McCune, McGraw, Romang, Short, Stansberry, Williams, Young.—16.

Excused: Boecher, Dacus, Payne, Porter, Stipe.—5.

Senator Howard asked unanimous consent, which was granted that the Emergency Section of **SB 291** be stricken and the Title amended to conform thereto.

**SB 291**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 415** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 415** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 415** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 415** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McSpadden, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McSpadden, Payne, Porter, Stipe.—6.

The emergency was declared passed.

**SB 415** was referred for engrossment.

### GENERAL ORDER

**SB 416** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 416** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 416** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 416** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Crow, Ferrell, Field, Garrett, Garrison,  
Grantham, Graves, Ham, Hamilton, Har-  
grave, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McCune, McSpadden,  
Martin, Massey, Medearis, Miller, Mur-  
phy, Nichols, Phillips, Romang, Short,  
Smalley, Smith, Stansberry, Taliaferro,  
Terrill, Williams, Young.—42.

Excused: Beecher, Dacus, McGraw,  
Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Crow, Ferrell, Field, Garrett, Garrison,  
Grantham, Graves, Ham, Hamilton, Har-  
grave, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McCune, McSpadden,  
Martin, Massey, Medearis, Miller, Mur-  
phy, Nichols, Phillips, Romang, Short,  
Smalley, Smith, Stansberry, Taliaferro,  
Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McGraw,  
Payne, Porter, Stipe.—6.

The emergency was declared passed.

**SB 416** was referred for engrossment.

### GENERAL ORDER

**SB 423** by McSpadden and Massey of  
the Senate and Willis, et al, of the House  
was read and considered.

Senator Terrill asked to be made a co-  
author of **SB 423**, which was the order.

Upon motion of Senator McSpadden, **SB 423** was advanced to engrossment.

By unanimous consent, upon request of  
Senator McSpadden, **SB 423** was consid-  
ered engrossed and placed upon third read-  
ing and final passage.

### THIRD READING

**SB 423** was read for the third time at  
length.

On the question of passage of Bill, the  
roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Bradley, Breckinridge, Crow, Fer-  
rell, Field, Garrett, Garrison, Grantham,  
Graves, Ham, Hamilton, Hargrave, Hol-  
den, Horn, Howard, Inhofe, Keels, Lane,  
Luton, McCune, McSpadden, Martin, Mas-  
sey, Medearis, Miller, Murphy, Nichols,  
Phillips, Romang, Short, Smalley, Smith,  
Stansberry, Taliaferro, Terrill, Williams,  
Young.—41.

Excused: Birdsong, Boecher, Dacus,  
McGraw, Payne, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Bradley, Breckinridge, Crow, Fer-  
rell, Field, Garrett, Garrison, Grantham,  
Graves, Ham, Hamilton, Hargrave, Hol-  
den, Horn, Howard, Inhofe, Keels, Lane,  
Luton, McCune, McSpadden, Martin, Mas-  
sey, Medearis, Miller, Murphy, Nichols,  
Phillips, Romang, Short, Smalley, Smith,  
Stansberry, Taliaferro, Terrill, Williams,  
Young.—41.

Excused: Birdsong, Boecher, Dacus,  
McGraw, Payne, Porter, Stipe.—7.

The emergency was declared passed.

**SB 423** was referred for engrossment.

### GENERAL ORDER

**SB 409** by Smalley, Luton, Birdsong,  
Phillips and Young of the Senate and  
Monks of the House was read and consid-  
ered.

Senator Hargrave asked to be made a  
coauthor of **SB 409**, which was the order.

Upon motion of Senator Smalley, **SB 409**  
was advanced to engrossment.

By unanimous consent, upon request of  
Senator Smalley, **SB 409** was considered  
engrossed and placed upon third reading  
and final passage.

### THIRD READING

**SB 409** was read for the third time at  
length.



On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The emergency was declared passed.

**SB 409** was referred for engrossment.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 456** by Smalley was read and considered.

Senator Ferrell moved to amend **SB 456**, page 2, beginning on line 18, through line 4, on page 3, by striking all new material contained therein, and by amending the title to conform, which amendment was declared adopted.

Upon motion of Senator Smalley, **SB 456**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SB 456**, as amended, was

considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 456** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Nay: Hamilton.—1.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Nay: Hamilton.—1.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The emergency was declared passed.

**SB 456**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 408** by Young was read and considered.

Senator Crow asked to be made a co-author of **SB 408**, which was the order.

Following discussion, Senator Terrill

asked unanimous consent that **SB 408** be ordered withdrawn from the Calendar and referred to the Judiciary Committee, which was the order.

**SB 454** by Howard, Young and Garrett was read and considered.

Upon motion of Senator Howard, **SB 454** was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **SB 454** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 454** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Nay: Baggett, Garrison, Luton.—3.

Excused: Boecher, Dacus, Hargrave, McGraw, Payne, Porter, Stipe.—7.

The bill was declared passed.

Senator Grantham asked unanimous consent, which was granted, that the Emergency Section of **SB 454** be stricken and the Title amended to conform thereto.

**SB 454**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 399** by McCune was read and considered.

Senator Keels asked to be made a co-author of **SB 399**, which was the order.

Upon motion of Senator McCune, **SB 399** was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, **SB 399** was considered

engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 399** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hargrave, Horn, Inhofe, Keels, McCune, Martin, Miller, Nichols, Phillips, Romang, Short, Smith, Stansberry, Williams, Young.—24.

Nay: Atkinson, Baggett, Baldwin, Birdsong, Garrett, Graves, Hamilton, Holden, Howard, Lane, Luton, McSpadden, Massey, Medearis, Murphy, Smalley, Taliaferro, Terrill.—18.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator McCune moved to reconsider the vote by which **SB 399** failed of passage.

### MOTION

Senator Smalley moved that **SB 231** be ordered withdrawn from the Engrossing and Enrolling Department, for further consideration, which motion was declared adopted.

### MOTION TO RECONSIDER VOTE

Senator Smalley asked unanimous consent that the Rules be suspended for the purpose of lodging a motion to reconsider the vote by which **SB 231** passed, which was the order, following which he moved to reconsider the vote by which **SB 231** passed as an Emergency Measure.

### GENERAL ORDER

**SB 265** by Crow was read and considered.

Senator Crow moved to amend **SB 265**,

page 2, line 2, by striking after the word "possessed" and before the comma (,) on line 7, all language contained therein, and by inserting in lieu thereof the language "as to that portion of the unopened section line which abutts his property" which amendment was declared adopted.

Senator Young moved to amend **SB 265**, page 2, line 10, by inserting after the word "authority" a new subsection to read as follows: "1201A—Any landowner needing access to land, said landowner may open and improve any section line which is hereby declared public highway in this State without any prior approval of any government agency provided said landowner does the work at his own cost and expense" which amendment was tabled upon motion of Senator Field.

Upon motion of Senator Crow, **SB 265**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **SB 265**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 265** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Breckinridge, Crow, Field, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Nichols, Phillips, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—26.

Nay: Bradley, Ferrell, Garrison, Grantham, Hargrave, Horn, Luton, Medearis, Miller, Murphy, Young.—11.

Excused: Baggett, Baldwin, Birdsong, Boecher, Dacus, Garrett, McGraw, Payne, Porter, Short, Stipe.—11.

The bill was declared passed.

**SB 265**, as amended, was referred for engrossment.

### GENERAL ORDER

**SJR 27** by Baggett was read and considered.

Senators Baldwin and Birdsong asked to be made coauthors of **SJR 27**, which was the order.

Upon motion of Senator Baggett, **SJR 27** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SJR 27** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 27** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—37.

Nay: Bradley, Grantham.—2.

Excused: Boecher, Dacus, Hargrave, Keels, McGraw, Payne, Porter, Stipe, Taliaferro.—9.

The resolution was declared passed.

**SJR 27** was referred for engrossment.

### GENERAL ORDER

**SJR 13** by Howard was read and considered.

Upon motion of Senator Howard, **SJR 13** was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **SJR 13** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 13** was read for the third time at length.



On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Taliaferro, Terrill, Young.—29.

Nay: Baggett, Baldwin, Bradley, Grantham, Hamilton, Horn, Lane, Nichols, Smith, Stansberry, Williams.—11.

Excused: Boecher, Dacus, Holden, McGraw, Payne, Porter, Smalley, Stipe.—8.

The Resolution was declared passed.

**SJR 13** was referred for engrossment.

### GENERAL ORDER

**SB 461** by Young was read and considered.

Upon motion of Senator Young, **SB 461** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 461** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 461** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Nay: Baggett, Birdsong, Murphy.—3.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Boecher, Dacus, McGraw, Payne, Porter, Stipe.—6.

The emergency was declared passed.

**SB 461** was referred for engrossment.

### GENERAL ORDER

**SJR 32** by Young was read and considered.

Upon motion of Senator Young, **SJR 32** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SJR 32** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 32** was read for the third time at length, as follows:

**SJR 32**—By Young—A Joint Resolution directing the Secretary of State to refer to the People for their approval or rejection a proposed amendment to the Constitution of Oklahoma amending Section 8, Article VII of the Oklahoma Constitution by deleting the provision that there be at least one Associate District Judge for each county from Section 8, Article VII, which provides for classification of judges, their qualifications, jurisdictions, powers and terms of office; providing for a ballot title; and ordering a Special election.

Be it resolved by the Senate and the House of Representatives of the Second Session of the Thirty-second Oklahoma Legislature:

**SECTION 1.** The Secretary of State of the State of Oklahoma shall refer to the people for their approval or rejection, as



and in the manner provided by law, the following proposed amendment to the Constitution of Oklahoma, amending Section 8, Article VII, to read as follows:

Section 8. (a) The judges of the district court shall be district judges, associate district judges, and special judges. Each district judge, each associate district judge, and each special judge shall be selected according to the provisions of this article.

(b) Superior court judges shall become district court judges on the effective date of this article.

(c) Common pleas, county, children's and juvenile court judges shall become associate district judges in the following manner: Those judges whose terms expire after the effective date of this article shall become associate district judges on the effective date of this article. Those judges whose terms expire on or before the effective date of this article, shall be subject to selection in a manner provided by law, as associate district judges for a term expiring the day preceding the second Monday in January, 1971, and the selectees shall become associate district judges on the effective date of this article.

(d) *[There shall be at least one Associate District Judge for each County in the State.]* The number of district judges, including superior court judges who become district judges, and associate district judges shall continue at the number held over under this article until changed by statute. The district judges and associate district judges shall exercise all jurisdiction in the district court except as otherwise provided by law. The district courts, or any judges thereof, shall have the power to issue any writs, remedial or otherwise necessary or proper to carry into effect their orders, judgments, or decrees.

(e) The appointment of any judge to any court abolished by this article made after its adoption shall be for a period ending on the day preceding the effective day of this article.

(f) The terms of district judges and associate district judges shall be for four (4) years commencing on the second Monday of January in 1971 and vacancies shall be filled in the manner provided by law.

(g) Each district judge shall have had prior to election or appointment a minimum of four (4) years' experience as a licensed practicing attorney, or as a judge of a court of record, or both, within the State of Oklahoma; shall be a qualified elector of the respective district; and shall have such additional qualifications as may be prescribed by statute. Each associate district judge shall be an attorney licensed to practice in the State of Oklahoma and an elector in the county at the time of filing; and they shall have such additional qualifications as prescribed by statute. Both district judges and associate district judges shall continue to be licensed attorneys while in office.

(h) The district judges in each judicial administrative district shall appoint special judges to serve at their pleasure. The district judges may appoint a nonlawyer as a special judge if no qualified licensed attorney is available. The jurisdiction of special judges shall be limited as may be prescribed by statute. The formula used for the number of special judges to be allowed to each judicial administrative district shall be set by the Legislature. All judges of special sessions courts shall become special judges for the remainder of their terms.

(i) District judges, associate district judges and special judges may hold court anywhere in this state authorized by rule of the Supreme Court.

SECTION 2. The ballot title for the proposed amendment to the Oklahoma Constitution shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....

THE GIST OF THE PROPOSITION  
IS AS FOLLOWS:

Shall a Constitution Amendment amending Section 8, Article VII, of the Constitution of the State of Oklahoma by deleting the provision that there be at least one associate district judge for each county in the state from Section 8, Article VII, which provides for classification of judges, qualifications, their jurisdictions, powers and terms of office be approved by the people?

☐ YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file one copy thereof, including said ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on August 25, 1970, at which time the proposed amendment to the Constitution of the State of Oklahoma set forth in SECTION 1 of this Resolution shall be submitted to the people of Oklahoma for their approval as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Nay: Crow, Ham, Hamilton, Lane, Luton.—5.

Excused: Boecher, Dacus, McGraw, Massey, Payne, Porter, Stipe.—7.

The Resolution was declared passed.

The question being, "Shall SJR 32, by Young entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of Oklahoma amending Section 8, Article VII of the Oklahoma Constitution by deleting the provision that there be at least one Associate District Judge for each County from Section 8, Article VII, which provides for classification of judges, their qualifications, jurisdictions, powers and terms of office; providing for a Ballot Title; and ordering a Special election,

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on August 25, 1970 as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on August 25, 1970, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Baggett, Breckinridge, Crow, Lane, Luton, Massey.—6.

Excused: Atkinson, Boecher, Dacus, McGraw, Nichols, Payne, Porter, Stipe.—8.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

SJR 32 was ordered referred for engrossment.

## COMMITTEE REPORT

The following Committee Report on Lobby Permits was submitted, and considera-

tion deferred for this legislative day:  
Mr. President:

The Committee on Lobby Permits to which was referred requests for Lobby Permits after careful consideration recommends that the following petitioners be granted Lobby Permits:

Dank, David M.—117 Chevy Chase Drive, Midwest City. Oklahoma Retail Merchants Association.

Ferguson, Maury H., 4514 N.E. Thompson, Oklahoma City. Mobile Home Association of Oklahoma, Inc.

Ferrall, Ouida E.—104 N.W. 82nd, Oklahoma City. Communications Workers of America.

Fitzgerald, Quentin—15412 Lake Park Drive, Mustang. Oklahoma Good Roads and Streets Association.

Hamilton, Cecil C.—2500 N.W. 51st, Oklahoma City. Phillips Petroleum Company.

Hunter, R. A. "Dick"—1212 N.W. 85th, Oklahoma City. Oklahoma Wholesale Liquor Association.

Hurt, Joe D.—325 East 6th Street, Edmond. Oklahoma State School Boards Association, Inc.

Hutchinson, Ben S.—909 Choctaw, Muskogee. Oklahoma State AFL-CIO.

Parrish, Stephen L.—8340 E. 25th Place, Tulsa. UAW Oklahoma State CAP Council.

Patrick, Dale—2124 West Eubanks, Oklahoma City. Oklahoma City Speakers Forum, Inc.

Pegg, Mrs. Eulalie—1817 Meyers Place, Oklahoma City. Communications Workers of America.

Peters, Don A.—2609 N. Vermont, Oklahoma City. Oklahoma Hardware & Implement Association.

Ruland, Frank C.—1106 Tedford Way, Oklahoma City. Oklahoma City Speakers Forum, Inc.

Thompson, Claud—839 N. Tulsa, Oklahoma City. Sooner Alcohol Narcotics Education.

Watts, T. R.—801 N.W. 19th, Oklahoma

City. Oklahoma City Chamber of Commerce.

Respectfully submitted,  
Bradley, Chairman

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 1:00 p.m., tomorrow, which motion was declared adopted.

## RESOLUTIONS

The following Resolutions were introduced and consideration deferred for this legislative day.

**SCR 48**—By Smalley, Terrill, Smith and Birdsong of the Senate and Wolf (Leland), et al, of the House—A Resolution expressing the profound regret and sorrow of the members of the Second Session of the Thirty-second Oklahoma Legislature upon the passing of the Honorable J. Don Garrison, of Norman; commending the memory of a life dedicated to the improvement and advancement of public school education and to the ideal of service; offering condolences to his widow and family; and directing distribution.

**SR 46**—By Inhofe, Berrong, Hargrave, Luton, Bradley and Horn—A Resolution directing a study and evaluation of the existing narcotics and dangerous drug laws of the State of Oklahoma and of the recommendations of the United States Department of Justice, the National Institute of Mental Health and other appropriate sources on narcotic addiction and drug abuse for the purpose of establishing a well-coordinated drug control program for the State of Oklahoma; providing for the submission of such study to a special committee appointed for this purpose; directing that a report of its findings and recommendations be submitted to the 2nd Session of the 32nd Oklahoma Legislature; requesting that all bills introduced on the subject of narcotic addiction and drug abuse shall be retained in committee until the report of the Joint committee hereby created has been submitted to the 2nd Session of the 32nd Legislature.

As provided under the Terrill motion,  
the Senate was declared adjourned until  
1:00 p.m., tomorrow.





## Eleventh Legislative Day

Thursday, January 22, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—40.

Excused: Baldwin, Boecher, Dacus, McGraw, Porter, Stipe, Terrill, Young.—8.

The President Pro Tempore declared a quorum present.

Prior to the invocation, the Reverend Finley Tinnin, Chaplain for this legislative week, was recognized for the following remarks, which are incorporated herein, by unanimous consent, upon request of Senator Nichols:

Gentlemen, I am most sincerely appreciative of the hospitality and cordiality extended to me by the Members of the Senate and those filling auxiliary positions. I have been profoundly impressed by the apparent integrity and the obvious competency of the Members of the Senate.

It is reassuring to know that the affairs of our State are in such capable hands. I represent your constituents who pledge prayerful and practical support of your efforts in our behalf.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### CITATIONS

Upon motion of Senator Birdsong, pursuant to Rule 8-b, a Citation of Congratulations was offered issued to Ben K. West and KOCO-TV, Channel 5, Oklahoma City for contributing valuable TV time to the United Cerebral Palsy Telethon.

Upon motion of Senator Birdsong, pursuant to Rule 8-b, a Citation of Congratulations was offered issued to Johnny Tiltonson, Eileen Smith, James Brolin, Denise Nicholas, Shari Lewis, Peter Palmer, Aniko Farrell, Jack LaLanne and Bob Corcoran for contributing their time and talents to the United Cerebral Palsy Telethon.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1497**—By York and McCune—An Act relating to divorce appeals; amending 12 O. S. 1961, § 1280, as amended by Section 1, Chapter 322, O. S. L. 1969 (12 O. S. Supp. 1969, § 1280); prescribing certain proscriptions against a divorced person marrying or cohabiting with another other than his divorced spouse; providing violations thereof shall constitute named crimes; providing an appeal from a judgment granting or denying a divorce shall

be made in like manner as in other civil cases; and providing effective date.

**HB 1500**—By Privett, Dunn, Monks, Barker, Jones and Murphy—An Act relating to the State Highway System; amending Section 502 of Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 502); designating what roads may be under the supervision and authority of the State Highway Commission.

**HB 1512**—By Green—An Act amending 22 O. S. 1961, § 571, as renumbered by Section 1, Chapter 119, O. S. L. 1969, to be Section 1401 of Title 20 of the Oklahoma Statutes (20 O. S. Supp. 1969, § 1401), to provide that a judge of any court of record shall not sit in any cause if he is related to any attorney in said cause within the fourth degree of consanguinity or affinity; and providing for effective date.

**HB 1518**—By Cox and Spearman of the House and Ferrell and Baggett of the Senate—An Act relating to the Office of the Oklahoma Military Department; reappropriating certain funds; stating the purpose; making the appropriation nonfiscal; making provisions of the Act severable; repealing all acts in conflict herewith; and declaring an emergency.

**HB 1519**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Commission on Consumer Affairs and reappropriating certain funds thereto; stating the purpose; providing for the appointment of personnel; making said reappropriation fiscal; making provisions of this Act severable; and declaring an emergency.

**HB 1525**—By York, McKune and Bamberger—An Act relating to civil procedure and small claims therein; amending Section 14, Chapter 322, O. S. L. 1968, as amended by Section 1, Chapter 285, O. S. L. 1969 (12 O. S. Supp. 1969, § 1764), to provide for a fee of Five Dollars upon filing affidavit in a small claims case; providing 20 O. S. 1961, §§ 1202 and 1218, requiring certain sums be set aside in the Law Library Fund shall be inapplicable

to cases filed in small claims; providing effective date; and declaring an emergency.

**HB 1550**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Legislative Council; making an appropriation thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1554**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Secretary of the State Election Board and making appropriations thereto; stating the purpose; fixing the salary of the Secretary of the State Election Board; providing for the employment and compensation of necessary personnel; making said appropriations nonfiscal; making the provisions of this Act severable; and declaring an emergency.

**HB 1562**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Commission on Education; making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1564**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Commissioners of the Land Office and making an appropriation thereto; stating the purpose; providing that the commissioners shall create positions and fix the salaries therefor; providing procedures for expenditure of funds appropriated; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1565**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Will Rogers Memorial Commission and making an appropriation thereto; stating the purpose; providing that the commission shall fix

the duties and compensation of employees; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1566**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1572**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Department of Public Welfare and making an appropriation thereto; stating the purpose; providing maximum per capita payment; providing qualifications for recipient institutions; providing for the withholding of funds in certain circumstances; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1586**—By Odom (Martin), Abbott, Sparkman, Lindstrom, Allard, Tabor, Anderson, Andrews, Bean, Bengtson, Boren, Briscoe, Browers, Clemons, Coffin, Conaghan, Cox, Doornbos, Ferguson, Harrison, Hesser, Hill (Ben), Jones, McKee, Murphy, Payne, Spearman, Vann, York, Atkins, Bamberger, Cole, Monks, Mountford, Nance, Sullivan and Williamson of the House and Terrill of the Senate (Schools Teachers Retirement)

**HB 1602**—By Skeith and Dunn—An Act relating to roads and highways; amending Section 3, Chapter 191, O. S. L. 1968 (69 O. S. Supp. 1969, § 1273); defining terms and clarifying language; and declaring an emergency.

**HB 1603**—By Skeith and Dunn of the House and Murphy of the Senate—An Act relating to state lands; amending Sections 1 and 3 of Chapter 350, O. S. L. 1967 (74 O. S. Supp. 1969, §§ 129.1 and 129.3); creating a Central Information Office of State Lands; providing for furnishing and delivering a list of records; making certain exceptions; and declaring an emergency.

**HB 1611**—By Ford and Hancock—An Act relating to securities; amending 71 O. S. 1961, § 6; providing that the annual report of the Securities Commission to the Governor shall include a listing of securities registered with the commission; providing for a monthly supplement of such list; providing for the sale of said list; and declaring an emergency.

The above numbered HBs were read for the first time.

## MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed **HB 1439**, requesting Conference and naming Conferees as follows: Abbott, Coffin and Stratton.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 372, 393, 400, 409, 415, 416, 423, 454, 456, SJRs 13 and 27** each correctly engrossed.

Engrossed **SBs 372, 393, 400, 409, 415, 416, 423, 454, 456, SJRs 13 and 27** were properly signed and ordered transmitted to the Honorable House for consideration.

## COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 419**—Appropriations and Budget.

**SB 420**—Appropriations and Budget.

DO PASS, as amended:

**SB 276**—Roads and Highways.

**SB 376**—Roads and Highways.

**SB 430**—Appropriations and Budget.

**SB 442**—Appropriations and Budget.

**SB 455**—Public Affairs.

## FIRST READING

The following Bills and/or Resolution were introduced and read the first time:

**SB 501**—By Nichols—An Act relating to divorce; providing for a waiting period from the time of filing petition for divorce



where there are children under fifteen (15) years of age at the time the petition is filed.

**SB 502** —By Baggett—An Act relating to professional corporations; amending Section 1, Chapter 342, O. S. L. 1963 (18 O. S. Supp. 1969, § 803), by adding public accountants to the list of professional persons who may incorporate under the provisions of the Professional Corporation Act; and declaring an emergency.

**SJR 37**—By Berrong—A Joint Resolution authorizing Vera M. Hoffman to bring suit against the State of Oklahoma for damages as a result of injuries sustained while operating a flatwork ironer as an employee of the Western Oklahoma Tuberculosis Sanatorium; providing for service of summons; providing for venue; directing the Attorney General of the State of Oklahoma to defend such action; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 495**—Governmental Affairs.

**SB 496**—Judiciary.

**SB 497**—Public Affairs.

**SB 498**—Judiciary.

**SB 499**—Revenue and Taxation.

**SB 500**—Revenue and Taxation.

**SJR 35**—Public Health.

**SJR 36**—Revenue and Taxation.

**HB 1495**—Judiciary.

**HB 1589**—Revenue and Taxation.

## GENERAL ORDER

**SB 413** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 413** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 413** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 413** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—38.

Excused: Baggett, Baldwin, Boecher, Dacus, McGraw, Phillips, Porter, Stipe, Terrill, Young.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—38.

Excused: Baggett, Baldwin, Boecher, Dacus, McGraw, Phillips, Porter, Stipe, Terrill, Young.—10.

The emergency was declared passed.

**SB 413** was referred for engrossment.

## GENERAL ORDER

**SB 483** by Garrison, McCune, Stansberry and Graves of the Senate and Nance of the House was read and considered.

Upon motion of Senator McCune, **SB 483** was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, **SB 483** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Taliaferro, Williams.—37.

Excused: Baldwin, Boecher, Dacus, McGraw, Phillips, Porter, Smalley, Stansberry, Stipe, Terrill, Young.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Taliaferro, Williams.—37.

Excused: Baldwin, Boecher, Dacus, McGraw, Phillips, Porter, Smalley, Stansberry, Stipe, Terrill, Young.—11.

The emergency was declared passed.

**SB 483** was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Smalley motion to reconsider the vote by which **SB 231** passed, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham,

Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—36.

Excused: Baldwin, Boecher, Dacus, Ham, McGraw, Medearis, Murphy, Phillips, Porter, Stipe, Terrill, Young.—12.

### THIRD READING

Senator Smalley moved to reconsider the vote by which **SB 231** was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

Upon motion of Senator Smalley, **SB 231** was ordered withdrawn from the Calendar and re-referred to the Committee on Governmental Affairs.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, until Monday, which motion was declared adopted.

### RESOLUTION

The following Resolution was introduced by Senator Berrong, and consideration deferred for this legislative day:

**SCR 49**—By Berrong of the Senate and Stratton of the House—A Concurrent Resolution commending the 1969 Clinton High School "Red Tornadoes" Football Team as Class A State Champions for three consecutive years; commending the starting lineup; commending the seven players who were recognized for "All-Conference"; commending two players named to the "All-State Squad"; and commending the team's coaches.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., Monday, January 26, 1970.



## Twelfth Legislative Day

Monday, January 26, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Dacus, Stansberry.—2.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend Donald Roulet, Pastor of the First Presbyterian Church, Broken Arrow, Oklahoma, and is incorporated herein, by unanimous consent, upon request of Senator Breckinridge:

God, these men they are busy men. They have a lot to do and need to rush to do it. You see what they do is going to affect the lives of lots of people. The decisions they make may mean for some life and death.

They have the weight of the whole population of this State on their shoulders. These busy men have important tasks to perform.

Why, then, have we interrupted the schedules of those busy men to consider you? Is it because it looks good to pray? Is it because it is a decorative part of

formal openings of meetings? Or is it because these busy men know they need all the help you can give? Which reason is it, Lord. Which one is it? Let each one here make his own answer. Amen.

The Journal for the last legislative day was declared approved.

By unanimous consent, upon request of Senator Martin, the following members of the Color Guard from Kemper Military Academy of Boonville, Missouri, were recognized for the purpose of the presentation of the Flag: Cadet Sgt. First Class Art Schnuck, Boonville, Missouri, Color Guard Commander; Cadet Staff Sgt. Alan Wrany, Oklahoma City; Cadet Staff Sgt. James Cohen, Polis, Indiana; Cadet Steve Richard, Los Angeles, California; Mrs. Helen Wrany at the organ; and Mr. Ed Wrany.

The above is incorporated herein upon the unanimous consent request of Senator Martin.

### CITATIONS

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Reverend Finley W. Tinnin, Jr., Baptist Temple Church for serving as Chaplain of the Week from January 19, 1970 to January 22, 1970.

Upon motion of Senator Hargrave, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mr. and Mrs. Buford Brandon for providing Thanksgiving Day Dinner to hundreds of the less fortunate.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.



**MESSAGE FROM THE HOUSE**

Advising adoption of and transmitting for consideration Engrossed

**HB 1549**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Legislature and making appropriations thereto; stating the purpose; providing for approval of claims; relating to the filing of claims and payrolls; making said appropriations nonfiscal; making the provisions of this Act severable; and declaring an emergency.

**HB 1551**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Lieutenant Governor and declaring an emergency).

**HB 1563**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Educational Television Authority; and declaring an emergency).

**HB 1580**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Office of the Insurance Commissioner and making appropriations thereto; stating the purpose; providing that the Insurance Commissioner shall fix the duties and compensation of employees; providing for the salary of the Insurance Commissioner; providing for transfer of unappropriated funds to the General Revenue Fund; providing lapse date; providing for severability; and declaring an emergency.

**HB 1584**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Department of Pollution Control; making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

The above numbered HBs were read for the first time.

**COMMITTEE REPORTS**

The following Bills were reported by the

Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 486**—Judiciary.

DO PASS, as amended:

**SB 188**—Judiciary.

**SB 316**—Judiciary.

**FIRST READING**

The following Bills and/or Resolution were introduced and read the first time:

**SB 503**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the State Board for Vocational and Technical Education and making an appropriation thereto; stating the purpose; authorizing appointment of personnel and expenditure of funds; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 504**—By Murphy, Smalley, Terrill, Smith, Ham, McGraw and Graves—An Act relating to bonds or other obligations; allowing bonds or other obligations issued by counties, municipalities, or other political subdivisions or public agencies to bear interest at a rate deemed advisable by the governing bodies thereof; providing a rate of interest not excessive of eight percent per annum; repealing conflicting laws or parts of laws; and declaring an emergency.

**SB 505**—By Horn—An Act relating to motor vehicles; amending 47 O. S. 1961, § 1-165; defining special mobilized machinery to include a truck or truck tractor when used while drawing special mobilized machinery; and declaring an emergency.

**SB 506**—By McGraw—An Act relating to professions and occupations; creating the Oklahoma Board of Hearing Aid Dealers and Fitters; providing for salaries of members and reimbursement of necessary expenditures and outlining its powers and duties; defining terms; providing for the licensing of dealers and fitters of hearing

aids; providing for temporary permits; providing grounds for suspension of licenses; making violation of act a misdemeanor; providing penalties; making provisions of Act severable; and declaring an emergency.

**SJR 38**—By Smalley, Terrill, Smith, Howard, Miller and Garrett of the Senate and Spearman of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the question of calling a Constitutional Convention which shall be authorized to propose alterations, revisions, or amendments to the Constitution, or to propose a new Constitution; providing for a ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolution were read the second time and referred to Committees indicated:

**SB 501**—Judiciary.

**SB 502**—Constitutional Revisions and Regulatory Services.

**SJR 37**—Judiciary.

**HB 1497**—Judiciary.

**HB 1500**—Roads and Highways.

**HB 1512**—Judiciary.

**HB 1518**—Appropriations and Budget.

**HB 1519**—Appropriations and Budget.

**HB 1525**—Judiciary.

**HB 1550**—Appropriations and Budget.

**HB 1554**—Appropriations and Budget.

**HB 1562**—Appropriations and Budget.

**HB 1564**—Appropriations and Budget.

**HB 1565**—Appropriations and Budget.

**HB 1566**—Appropriations and Budget.

**HB 1572**—Appropriations and Budget.

**HB 1586**—Education.

**HB 1602**—Roads and Highways.

**HB 1603**—Governmental Affairs.

**HB 1611**—Finance and Commerce.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 455** by Luton and Garrison of the Senate and Odom (V. H.), et al, of the House was read and considered.

Upon motion of Senator Luton, **SB 455** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 455** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 455** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Martin, Stansberry.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Martin, Stansberry.—3.

The emergency was declared passed.

**SB 455** was referred for engrossment.

## COMMITTEE REPORT

The Committee Report on Lobby Permits, submitted on January 21, 1970, was

declared adopted upon motion of Senator Bradley, who stated such Permits would be issued by the Office of the President Pro Tempore.

Senator Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**SB 276** by Romang was read and considered.

Senator Keels asked to be made co-author of **SB 276**, which was the order.

Senator Stipe moved to amend **SB 276**, page 2, line 16, by adding after the word "costs" the language "in the event of a conviction for drunk driving" which amendment was declared adopted.

Upon motion of Senator Romang, **SB 276**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Romang, **SB 276**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 276** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams.—40.

Nay: Porter, Smith, Young.—3.

Excused: Baggett, Dacus, Holden, Luton, Martin.—5.

The bill was declared passed.

By unanimous consent, upon request of Senator Grantham, the Emergency Sec-

tion of **SB 276** was ordered stricken and the title amended to conform thereto.

**SB 276**, as amended, was referred for engrossment.

### GENERAL ORDER

Senator Murphy asked unanimous consent that **SB 252** be withdrawn from the Calendar and re-referred to the Committee on Roads and Highways for correction, which was the order.

**SB 419** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 419** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 419** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 419** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Baggett, Dacus.—2.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis,



Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Baggett, Dacus.—2.

The emergency was declared passed.

**SB 419** was referred for engrossment.

President Nigh presiding.

## GENERAL ORDER

**SB 420** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Senators Birdsong and Murphy asked to be made coauthors of **SB 420**, which was the order.

Upon motion of Senator McSpadden, **SB 420** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 420** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 420** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Baggett, Dacus, Smalley.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-

grave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Baggett, Dacus, Smalley.—3.

The emergency was declared passed.

**SB 420** was referred for engrossment.

## GENERAL ORDER

**SB 430** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 430** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 430** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 430** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: Bradley, Howard, Keels.—3.

Excused: Baggett, Dacus.—2.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune,



McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: Bradley, Howard, Keels.—3.

Excused: Baggett, Dacus.—2.

The emergency was declared passed.

**SB 430** was referred for engrossment.

## GENERAL ORDER

**SB 442** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 442** was advanced to engrossment.

By unanimous consent upon request of Senator McSpadden, **SB 442** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 442** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: McGraw, Porter.—2.

Excused: Baggett, Dacus, Phillips.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden,

Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: McGraw, Porter.—2.

Excused: Baggett, Dacus, Phillips.—3.

The emergency was declared passed.

**SB 442** was referred for engrossment.

President Pro Tempore Smith presiding.

## PENDING SENATE ACTION

Upon motion of Senator Miller, the request of the Honorable House for a conference on **HB 1439** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1439**: Miller, Williams and Howard.

## GENERAL ORDER

**HB 1291** by Clemons of the House and Luton, Keels, Smith, Miller, Murphy, Smalley, McGraw, Howard and Short of the Senate was read and considered.

Upon motion of Senator Terrill, **HB 1291** was advanced to engrossment.

By unanimous consent upon request of Senator Luton, **HB 1291** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1291** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill.—30.

Nay: Baldwin, Berrong, Boecher, Fer-

rell, Field, Garrison, Grantham, Ham, Horn, Inhofe, McCune, Medearis, Nichols, Romang, Williams, Young.—16.

Excused: Baggett, Dacus.—2.

The bill was declared passed.

**HB 1291**, as amended, was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 265, 291, 413, 461, 483** and **SJR 32** each correctly engrossed.

Engrossed **SBs 265, 291, 413, 461, 483** and **SJR 32** were properly signed and ordered transmitted to the Honorable House for consideration.

Senator Hamilton presiding.

## GENERAL ORDER

**SB 376** by Keels and Birdsong was read and considered.

Senator Birdsong, joined by Senator Hamilton, moved to amend **SB 376**, page 1, by striking Section 1 and substituting in lieu thereof the following language: "Section 1. The State Highway Commission is hereby directed to cooperate with the County Commissioners of this State through their statewide association, for the purpose of holding educational meetings to furnish information as to road building methods, to acquaint the Commissioners with state and federal laws and regulations and such other programs as can be agreed upon. Travel and registration fees may be paid by the counties.

These meetings may be by region or statewide not more than 2 times per year" which amendment was declared adopted.

Upon motion of Senator Keels, **SB 376**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keels, **SB 376**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 376** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Dacus, Ferrell, Hargrave, Howard, McSpadden.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Dacus, Ferrell, Hargrave, Howard, McSpadden.—7.

The emergency was declared passed.

**SB 376**, as amended, was referred for engrossment.

## GENERAL ORDER

**SJR 33** by Lane of the Senate and Robinson, et al, of the House was read and considered.

Senator Boecher asked to be made a co-author of **SJR 33**, which was the order.

Senator Garrison, joined by Senators Smith and Terrill moved to amend **SJR 33**, page 2, line 7, by striking the period (.) after the figures "1971" and adding the language "; and all employees, other than

the Director and Assistant Director of the Department of Wildlife Conservation, shall on said date become members of the classified service under the Merit System of Personnel Administration, as now constituted or as hereafter amended" and by amending the title and the ballot title accordingly.

Senator Payne asked to be made a co-author of the Garrison-Smith-Terrill amendment, which was the order.

The vote occurring upon the Garrison-Smith-Terrill-Payne amendment, it was declared adopted.

Senator Garrison moved to amend **SJR 33**, page 1, line 9 of the Title, by striking the semicolon (;) after the word "Commission" which amendment was declared adopted.

Senator Young moved to amend **SJR 33**, page 2, line 18, by inserting after the word "Commission" and before the word "effective" on page 3, line 1, the language "and Section 2 of Article XIII-A, which created the Oklahoma State Regents for Higher Education" and by amending the title to conform thereto.

Senator Garrison raised a point of order against the Young amendment, stating it was not germane to the subject matter contained in the Resolution, which point of order he withdrew.

Senator Murphy raised a point of order, which was sustained, against the Young amendment, stating that only one Article of the Constitution can be considered in an election.

Upon motion of Senator Lane, **SJR 33**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, **SJR 33**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 33**, as amended, was read for the third time at length, as follows:

**SJR 33**—By Lane and Boecher of the Senate and Robinson and McKee of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection an amendment of the Constitution of Oklahoma repealing Article XXVI, providing for a constitutionally created and functioning Department of Wildlife Conservation and Wildlife Conservation Commission effective June 30, 1971; providing that on said date all employees, other than the Director and Assistant Director of the Department of Wildlife Conservation, shall become members of the classified service under the Merit System of Personnel Administration as now constituted or as hereafter amended; prescribing a ballot title; and ordering a special election.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people of the State of Oklahoma, for their approval or rejection, as and in the manner provided by law, the following proposal to amend the Constitution of Oklahoma, to wit:

Article XXVI of the Constitution of the State of Oklahoma providing for a constitutionally created and functioning Department of Wildlife Conservation and Wildlife Conservation Commission is hereby repealed effective June 30, 1971; and all employees, other than the Director and Assistant Director of the Department of Wildlife Conservation, shall on said date become members of the classified service under the Merit System of Personnel Administration, as now constituted or as hereafter amended.

SECTION 2. The ballot title for said proposed amendment of the Constitution shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....



THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment repealing Article XXVI of the Constitution of the State of Oklahoma which created and provided for a constitutionally created and functioning Department of Wildlife Conservation and Wildlife Conservation Commission effective June 30, 1971, and providing that on said date all employees, other than the Director and Assistant Director of the Department of Wildlife Conservation, shall become members of the classified service under the Merit System of Personnel Administration, as now constituted or as hereafter amended

be approved by the people?

☐ YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file one copy thereof, including said ballot title, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next ensuing statewide primary election, at which the proposed amendment to the Constitution of the State of Oklahoma set forth in SECTION 1 of this Resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Horn, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Short, Smith, Stansberry, Terrill, Williams—27.

Nay: Atkinson, Bradley, Breckinridge,

Graves, Holden, Howard, Inhofe, Keels, McGraw, Murphy, Phillips, Romang, Smalley, Stipe, Taliaferro, Young.—16.

Excused: Baldwin, Dacus, Garrett, Hargrave, McSpadden.—5.

The Resolution was declared passed.

The question being, "Shall **SJR 33**, by Lane and Boecher of the Senate and Robinson, et al, of the House entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection an amendment of the Constitution of Oklahoma repealing Article XXVI, providing for a constitutionally created and functioning Department of Wildlife Conservation and Wildlife Conservation Commission effective June 30, 1971; providing that on said date all employees, other than the Director and Assistant Director of the Department of Wildlife Conservation, shall become members of the classified service under the Merit System of Personnel Administration as now constituted or as hereafter amended; prescribing a ballot title; and ordering a special election.

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the date of the next ensuing statewide primary election, as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on the date of the next ensuing statewide primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Short, Smith, Stansberry, Taliaferro, Terrill, Williams.—33.



Nay: Atkinson, Bradley, Graves, Howard, Murphy, Phillips, Romang, Smalley, Stipe, Young.—10.

Excused: Baldwin, Dacus, Garrett, Hargrave, McSpadden.—5.

The Presiding Officer, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**SJR 33**, as amended, was ordered referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 47**—Coauthored by Goodfellow of the House, and as amended.

**HAS** to **SCR 47** read as follows, and concurred in upon motion of President Pro Tempore Smith:

Amendment No. 1. Amend Title to read as follows:

“A Concurrent Resolution authorizing and creating a twenty-one-member committee to make an in-depth study of the tax structure of the State of Oklahoma to determine the existence or nonexistence of tax inequities in the tax code; providing for membership of said committee; directing the Chairman of the Oklahoma Tax Commission to call the first meeting of the committee; providing for the election of a chairman and other officers as may be necessary; and directing said committee to render a report, findings and recommendations prior to adjournment of the 2nd Session of the 32nd Oklahoma Legislature.”

Amendment No. 2. Amend Page 1, Section 1, Lines 26-30, inclusive, by striking all of said section and substituting in lieu thereof the following:

“A twenty-one-member committee is hereby authorized and created to be composed of five (5) members of the Senate to be appointed by the President Pro Tempore of the Senate; five (5) members of the House of Representatives to be appointed by the Speaker of the House of

Representatives; and ten (10) members to be appointed by the Governor of the State of Oklahoma. The Chairman of the Oklahoma Tax Commission shall be an ex officio, voting member of the committee and shall call the first meeting of said committee. The committee is hereby authorized to elect a permanent chairman and such other officers as may be necessary.”

Amendment No. 3. Amend Page 1, Section 3, Line 35, by adding after the word “commissions” and before the word “to” the following: “, and private organizations, associations, individuals, and other”.

Upon motion of President Pro Tempore Smith, **SCR 47**, as amended, was declared adopted.

**HAS** to **SCR 47** were properly signed and the resolution, as amended, was referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1339**, requesting Conference and naming Conferees as follows: Monks, Barker and Sullivan.

Upon motion of Senator Luton, the request of the Honorable House for a conference on **HB 1339** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1339**: Luton, Smalley, and Miller.

### GENERAL ORDER

**HB 1203** by Atkins, et al, of the House and Phillips and Crow of the Senate was read and considered.

Senator Crow moved to amend **HB 1203**, page 3, line 11, by striking the colon after the word “immunizations” and before the word “and” and inserting the language “; or upon receipt of a written statement by the parent or guardian objecting to such tests and immunizations”, and on line 12 of page 3, by striking the period (.)

after the word "act" and adding the language "for a period of one year." which amendment was declared adopted.

Senator Phillips moved to amend **HB 1203**, page 3, line 3, by striking "(a)" which amendment was declared adopted.

Senator Terrill moved to amend **HB 1203**, page 3, line 4, by inserting after the comma (,) and before the word "may" the language "with the exception of Rubella or measles (rubeola) as defined in medical dictionaries" which amendment was declared failed of adoption.

Senator Martin moved to amend **HB 1203**, page 1, lines 1 and 2, by striking the words "for the first time" which amendment was declared adopted.

Upon motion of Senator Phillips, **HB 1203**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1203**, as amended, was considered engrossed and placed upon third reading and final passage.

Following discussion, Senator Phillips moved to reconsider the vote by which **HB 1203** was advanced to engrossment, which motion was declared adopted.

Senator Phillips moved to reconsider the vote by which Martin amendment to **HB 1203** was adopted, which motion was declared failed of adoption.

Upon motion of Senator Phillips, **HB 1203** was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1203** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1203** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Crow, Garrett, Graves, Ham, Hamilton, Howard, Inhofe, Keels, Lane, Luton, McCune, Mar-

tin, Massey, Miller, Nichols, Payne, Phillips, Porter, Short, Smith.—23.

Nay: Birdsong, Boecher, Breckinridge, Field, Garrison, Grantham, Holden, Horn, Medearis, Romang, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—16.

Excused: Baldwin, Bradley, Dacus, Ferrell, Hargrave, McGraw, McSpadden, Murphy, Stansberry.—9.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided, under Rule 19-b, Senator Phillips moved to reconsider the vote by which **HB 1203**, as amended, failed of passage.

### PENDING SENATE ACTION

**SCR 49** by Berrong of the Senate and Stratton of the House was called up for consideration, read at length, adopted upon motion of Senator Berrong, and ordered referred for engrossment.

**HCR 1043** by Skeith of the House and Stipe of the Senate was called up for consideration, read at length, and adopted upon motion of Senator Stipe.

**HCR 1043** was properly signed and ordered returned to the Honorable House.

**SCR 48** by Smalley, Terrill, Smith and Birdsong of the Senate and Wolf (Leland), et al, of the House was called up for consideration.

By unanimous consent, upon request of Senator Smalley, all other members of the Senate, except Senator Garrison, were made coauthors of the Resolution.

**SCR 48**, as coauthored, was read at length as follows, adopted upon motion of Senator Smalley, and ordered referred for engrossment:

**SCR 48**—By Smalley, Terrill, Smith, Birdsong, Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw,

McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Williams, and Young of the Senate and Wolf (Leland) and Cate of the House—A Resolution expressing the profound regret and sorrow of the members of The Second Session of The Thirty-second Oklahoma Legislature upon the passing of the Honorable J. Don Garrison, of Norman; commending the memory of a life dedicated to the improvement and advancement of public school education and to the ideal of service; offering condolences to his widow and family; and directing distribution.

WHEREAS, on December 30, 1969, an All Wise Providence called from this life to a Higher Service the Honorable J. Don Garrison, superintendent of the Norman Public Schools for twenty-seven years preceding his retirement in 1964, member of the State Board of Education since 1963, and respected leader and champion in the cause of public school education; and

WHEREAS, the noble ideal of service provided the dominant motivating force in Mr. Garrison's life, and his call by the Divine Judge of the Universe creates an eternal void in the affairs of his city and state; and

WHEREAS, deciding early that his life's work lay in the field of education and in providing the youth of his city and state with the vital background, training and tools necessary to assume the responsibilities and meet the challenges of adulthood, maturity and citizenship, Mr. Garrison set upon a course destined to serve as an abiding guide and inspiration for those knowing him and his accomplishments; and

WHEREAS, Mr. Garrison was associated with the Norman Public School system for forty years, twenty-seven as its superintendent, supplying the dynamic leadership and prophetic vision necessary to build an outstanding public school system

capable not only of accommodating the phenomenal population growth experienced by his community but also of providing superior educational opportunities for its students; and

WHEREAS, Mr. Garrison was a man of firm conviction, unimpeachable integrity, great force of character, creative energy and vision, yet simultaneously he was a man of reason, fairness and open-mindedness, seeking and respecting the views and opinions of others as he moved forward to the accomplishment of his goals of building and improving the educational systems of his city and state, and, thereby, promoting the cultural, social and economic enrichment of his state; and

WHEREAS, true to his credo, Mr. Garrison served his country with honor and distinction during the two world conflagrations of this century, continuing to serve until his retirement from the United States Army Reserve in 1959 as a Colonel; and

WHEREAS, befitting a man of his energy, interests and capacities, Mr. Garrison was a member of the First Christian Church of Norman, the Masonic Lodge, Sons of the American Revolution, the Oklahoma and National Education Associations, and the Retired Officers Association of the United States; and

WHEREAS, Mr. Garrison was a devoted and loving husband, father and grandfather, and is survived by his widow, Nita Ellen; a daughter; two sons, including the esteemed and respected Minority Leader of the State Senate, Denzil, our colleague and friend; two brothers; and eleven grandchildren; and

WHEREAS, it is fitting and proper that the members of the State Senate and the House of Representatives, as a token of respect and admiration for the late Honorable J. Don Garrison, take this occasion to express their profound regret and sorrow upon the passing of one of our State's outstanding citizens who, through his ideal of service, gave so unstintingly of himself



for the betterment of all, and who, in so giving, leaves as his eternal monument an inspiring memory to guide and sustain those who follow in his steps.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. That the members of the Second Session of the Thirty-second Oklahoma Legislature express profound regret and sorrow upon the passing of the Honorable J. Don Garrison and extend their sympathies and condolences to his widow, sons, daughter and other members of his family.

SECTION 2. That this Resolution be spread upon the pages of the permanent Journal of the State Senate as a memorial to a respected citizen and leader.

SECTION 3. That authenticated copies of this Resolution be presented to Mrs. J. Don Garrison, wife of the deceased, and to Senator Denzil D. Garrison, son of the deceased and our esteemed colleague and friend, as a token of the respect and admiration of this body for the late Honorable J. Don Garrison.

## RESOLUTION

By unanimous consent, **SCR 50** by Hamilton was introduced and considered.

Senator Garrison asked unanimous consent that all other members of the Senate be made coauthors of the Resolution, which was the order.

**SCR 50**, as coauthored, was read at length as follows, adopted upon motion of Senator Hamilton, and ordered referred for engrossment.

**SCR 50**—By Hamilton, Atkinson, Bagget, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Mc-

Cune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—A Concurrent Resolution paying tribute to the late Everett McKinley Dirksen; and expressing thanks to Congressman Albert for his remarks on the occasion of the death of Senator Dirksen.

WHEREAS, the United States Congress and the people of this country suffered a great loss by the untimely death of the late and distinguished United States Senator from Illinois, Everett McKinley Dirksen; and

WHEREAS, in a nation which is governed under the republic form of government, great men must place their country above all else, regardless of their personal position, and Senator Dirksen, more than any other man in the history of our Congress exhibited these qualities and had the respect of his colleagues and this Nation. In times of crisis he supported Presidents of the Democratic Party with force and vigor, believing that the preservation of our Nation, its ideals, purposes and perpetuation should be the first call of duty; and

WHEREAS, shortly after his death he was eulogized by his colleagues in the Congress, and many of their comments are found in the September 8 edition of the Congressional Record; and

WHEREAS, it is appropriate that the Oklahoma State Senate pause to reflect upon the memory of this great American, and perhaps the millions of words that were spoken around the world could be summed up in the remarks made by Oklahoma's distinguished Carl Albert which are found in the Congressional Record as follows:

"Mr. Speaker, the news report, which I, like many others, received while listening to television yesterday afternoon, that Senate minority leader EVERETT Mc-



KINLEY DIRKSEN had died left me shocked and saddened.

"I have had the privilege of knowing EVERETT DIRKSEN since the day I took my first oath of office in this House nearly 23 years ago. I have known him over the years as a remarkable man, an extraordinary legislator, and a personal friend.

"Senator DIRKSEN was a man of many parts. He was among the last of the great orators of the old school to serve in the Congress. His flair for the dramatic, his knowledge of great literature, his uncanny memory, his rare imagination served to make him the most colorful speaker of our time.

"If there was ever an institution in the Congress or the country it was EVERETT DIRKSEN. His name was a household word. He was truly a legend in his own time. With his death the Congress has lost perhaps its best known and most famous Member.

"Senator DIRKSEN tenaciously pursued ideas in which he was interested. Sometimes these were in areas that caused many of his critics to consider him an obstructionist. Certainly I did not share all of his legislative interests, but I never ceased to admire his relentless pursuit of his goals.

"Above all, when the chips were down, when the national interest was at stake, Senator DIRKSEN was always the patriot, always the towering statesman.

"In him there was ever present an element of greatness which stood out in critical hours. His defense of the Marshall Plan, the Test Ban Treaty, the Civil Rights Act of 1964, at crucial moments, made it clear that he was more than a skillful politician. He was, when great issues were at stake, not only a great legislator but also a fearless and indispensable leader. He was indeed one of the great statesmen of our time.

"In the death of Senator DIRKSEN ev-

ery Member of both Houses of Congress has lost a friend. The Congress has lost not only one of its most illustrious Members, but also one of its greatest champions. No Member of either House was more dedicated to the importance of the legislative department of Government. No one, either publicly or privately, was ever more determined in his defense of Congress as an institution or of the rights and prerogatives of its Members. In every bill designed to upgrade congressional service EVERETT DIRKSEN was a front rank leader. He loved congressional service. Even in his last years, though often haunted by illness, he worked tirelessly at his job. He believed in it and he made no apologies for his support of the importance of congressional service.

"This great and unique man who for decades has seemed almost as familiar and indispensable in this city as the Capitol dome has departed his friends and colleagues.

"To paraphrase Edwin Markham, like the giant oak that falls on the hillside, the death of EVERETT DIRKSEN has left a lonesome place against the sky. It is a sad farewell when we say goodbye to our friend, EV DIRKSEN. May his soul rest in the arms of the Almighty and may the peace of God comfort Mrs. Dirksen and their daughter and all the family, as they, above all others, must bear the burdens of his loss."

Now, therefore, be it resolved by the Senate of the Second Session of the Thirty-second Oklahoma Legislature, the House of Representatives concurring therein:

SECTION 1. That the Oklahoma State Senate and the Citizens of Oklahoma pay tribute to this great patriot, and further express thanks to Congressman Albert for his remarks which shall be preserved for history, and we thank Mr. Albert for expressing these views which reflect the feelings of all Oklahomans.

SECTION 2. That copies of this resolution be distributed to Mr. Albert, the Ok-

lahoma Congressional Delegation, and to the family of the late Senator Dirksen.

Senator Terrill moved when the Clerk's desk is cleared, the Senate stand adjourned as provided under the rules, which motion was declared adopted.

### **RESOLUTION**

By unanimous consent the following Resolution was introduced and consideration deferred for this legislative day:

**SCR 51**, by Young, Garrison, Boecher, Lane and Miller—A Concurrent Resolution opposing the prejudging of trials of Amer-

ican Servicemen for alleged actions in Vietnam; and directing distribution.

### **COMMITTEE REPORT**

The following Bill was reported by the Committee named, ordered printed and placed upon the Calendar unless otherwise indicated:

**WITHOUT RECOMMENDATION:**

**CS for SB 252**—Roads and Highways.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

real  
interests

to

and

My I  
interests, but I never

24. 00  
soul real in the arms of  
son and their daughter and  
murdered by the same

SECT  
Senate

## Thirteenth Legislative Day

Tuesday, January 27, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—47.

Excused: Dacus.—1.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### REQUESTS FOR LOBBY PERMITS

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Paul L. Thrash, 2205 N. Redmond, Bethany, Oklahoma, representing the Contractors Association of Oklahoma.

Herbert H. Johnson, 3440 N.W. 66 Street, Oklahoma City, representing Oklahomans For The Right To Work, Inc.

### CITATION

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Miss Sondra

Hodge, R.N. Deaconess Hospital for serving as Nurse of the Day on January 7, 1970.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for for consideration Engrossed:

**HB 1514**—By Raibourn of the House and Martin of the Senate—An Act relating to county hospitals; amending 19 O. S. 1961, § § 784, 785, 786, 787, 788, 789, as amended by Section 1, Chapter 72, O. S. L. 1963 (19 O. S. Supp. 1969, § 789), Section 4, Chapter 72, O. S. L. 1963, as amended by Section 1, Chapter 287, O. S. L. 1965 (19 O. S. Supp. 1969, § 790.1), and 794, as amended by Section 1, Chapter 290, O. S. L. 1967 (19 O. S. Supp. 1969, § 794); providing for issuance and sale of hospital self-liquidating revenue and/or general obligation bonds; providing for form, terms and recording of such bonds; providing for annual levy to pay interest and principal due on such bonds and for other purposes; providing for submission of annual report, financial statement and estimate of needs by hospital board of control; providing for purchase of site for hospital building and for erection, alteration or enlargement of existing buildings; establishing procedures and requirements for letting contracts and bids; providing for suspension, renegotiation, cancellation and reletting of contracts; requiring filing of tax receipts and workmen's compensation insurance coverage; authorizing Board of Control to select architect; authorizing leasing of hospital



and equipment to charitable nonprofit organization; providing for membership of Hospital Board of Control, establishing its procedure, powers and duties; establishing certain funds in connection with county hospitals; providing for audit of financial books and records; authorizing Board of Control to participate in governmental assistance programs; directing codification; and declaring an emergency.

**HB 1522**—By Skeith, Dunn, Monks, Barker, Murphy, Patterson, Andrews, Kamas and Hatchett—An Act relating to motor vehicles; amending 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167); exempting three-axle open top dump trucks hauling certain road building materials from the proof of public convenience and necessity and the tariff provisions of the Motor Carrier Act; and declaring an emergency.

**HB 1576**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation thereto; stating the purpose; providing that the Alcoholic Beverage Control Board shall fix the duties and compensation of employees, including the Director, within certain limitations; authorizing seasonal employees; authorizing the purchase of insurance on motor vehicles; authorizing purchase of automobiles; providing for the transfer of the unappropriated balance in Alcoholic Beverage Control Fund; providing lapse date; providing for severability; and declaring an emergency.

**HB 1581**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Office of the Liquefied Petroleum Gas Board and making appropriations thereto; stating the purpose; providing that the Administrator shall fix the duties and compensation of employees within certain limitations; providing for transfer of unappropriated balance at end of fiscal year; providing for

lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1591**—By Bradley, Cole and Kamas of the House and Crow of the Senate—An Act relating to agriculture; amending Section 2 of Chapter 461, O. S. L. 1965 (2 O. S. Supp. 1969, § 3-272); providing an exception to the requirement of licensing for pruners; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 379.

The above numbered Bill was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1044**—By Privett, Sparkman, Derbyberry, Cox, Tarwater and Tabor of the House and Medearis of the Senate—A Concurrent Resolution memorializing the Congress of the United States to take positive action to insure passage of legislation to provide adequate funds to implement child feeding programs; and directing distribution.

**HCR 1045**—By Williamson, Privett and Allard of the House and Murphy of the Senate—A Concurrent Resolution expressing the need and the Legislature's desire for the creation of an Oklahoma Athletic Hall of Fame; recommending certain persons for membership on the initial Oklahoma Athletic Hall of Fame Commission; and recommending that the site of the Oklahoma Athletic Hall of Fame be Yale, Oklahoma.

Consideration of the Resolutions was deferred for this Legislative day.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 276, 420, 455 and SJR 33** each correctly engrossed.

**SCR 47** correctly enrolled.

Engrossed **SBs 276, 420, 455** and **SJR 33** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SCR 47** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### COMMITTEE REPORTS

The following Bills and/or resolution were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 387**—Business Relations.

**SB 425**—Appropriations and Budget-Coauthored by Berrong.

**SB 429**—Appropriations and Budget.

**SB 435**—Appropriations and Budget.

**SB 439**—Appropriations and Budget.

**SB 460**—Business Relations.

**SB 463**—Business Relations.

**SB 464**—Business Relations-Coauthored by Luton.

**HB 1495**—Judiciary-Coauthored by Young.

**HB 1497**—Judiciary-Coauthored by Smalley.

**HB 1512**—Judiciary-Coauthored by Young.

**HB 1515**—Appropriations and Budget-Coauthored by Miller.

**HB 1589**—Revenue and Taxation.

**HCR 1038**—Education.

DO PASS, as amended:

**SB 294**—Conservation and Economic Development-Coauthored by McKee and Robinson of the House.

**SB 417**—Appropriations and Budget.

**SB 424**—Appropriations and Budget-Coauthored by Ferrell.

**SB 437**—Appropriations and Budget.

**SB 450**—Finance and Commerce.

**SB 457**—Finance and Commerce-Coauthored by Inhofe.

**SB 458**—Judiciary.

**SB 462**—Judiciary.

**SB 465**—Business Relations.

**SB 466**—Business Relations.

**SB 478**—Business Relations.

**HB 1231**—Judiciary-Coauthored by Ham.

**HB 1445**—Education-Coauthored by Terrill.

**HB 1525**—Judiciary-Coauthored by Garrett.

Senator Terrill moved that the Committee Report on **SB 387** be withdrawn and returned, together with **SB 387**, to the Committee on Business Relations, which motion was declared adopted.

### FIRST READING

The following Bills and/or Resolution were introduced and read the first time:

**SB 507**—By Martin—An Act relating to narcotic drugs; amending 63 O. S. 1961, § 469.1; relating to definitions of regulated drugs; including stimulants as defined by the statutes of this state as a regulated drug; and declaring an emergency.

**SB 508**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of Community Affairs and planning and making an appropriation thereto; stating the purpose; providing for the appointment of personnel and authorizing expenditure of funds; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 509**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma State Board of Public Affairs and making an appropriation thereto; providing that the purpose of the appropriation is to finance the Oklahoma Criminal and Traffic Law Enforcement System; authorizing appointment of personnel and expenditure of funds; providing lapse date; making pro-

visions of this Act severable; and declaring an emergency.

**SB 510**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the State Board for Vocational and Technical Training and making an appropriation thereto; stating the purpose; authorizing appointment of personnel and expenditure of funds; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 511**—By McGraw—An Act relating to public finance; providing that bonds or other obligations of counties, municipalities or other political subdivisions or public agencies of the state may bear an interest rate of not to exceed 8%; providing exceptions; and declaring an emergency.

**SB 512**—By Grantham of the Senate and Conaghan and Boettcher of the House—An Act relating to civil procedure; providing that errors in perfecting appeal must be raised in the trial court; providing further that all defects in perfecting an appeal except the timely filing of a petition in error and of a petition to review a certified interlocutory order may be waived; repealing the provisions of Section 1, Chapter 124, O. S. L. 1965 (12 O. S. Supp. 1969, § 988) and Section 2, Chapter 124, O. S. L. 1965 (12 O. S. Supp. 1969, § 989); and declaring an emergency.

**SJR 39**—By Murphy and Nichols of the Senate and Skeith of the House—A Joint Resolution directing the Secretary of State to refer to the people, for their approval or rejection, a proposed amendment to Section 24 of Article II, Oklahoma Constitution; providing that when private property is taken or damaged for public use any benefits from any public improvements proposed may be considered toward offsetting any damages which may be sustained resulting from severance of part of the property or reduction size of the property unit; and providing for special election thereon.

## SECOND READING

The following Bills and/or Resolution

were read the second time and referred to Committees indicated:

**SB 503**—Appropriations and Budget.

**SB 504**—Governmental Affairs.

**SB 505**—Roads and Highways.

**SB 506**—Constitutional Revisions and Regulatory Services.

**SJR 38**—Constitutional Revisions and Regulatory Services.

**HB 1549**—Appropriations and Budget.

**HB 1551**—Appropriations and Budget.

**HB 1563**—Appropriations and Budget.

**HB 1580**—Appropriations and Budget.

**HB 1584**—Appropriations and Budget.

## RESOLUTION

**SCR 52**—By Field of the Senate and McKee, et al, of the House was introduced, read at length as follows, adopted upon motion of Senator Field and ordered referred for engrossment:

**SCR 52**—By Field of the Senate and McKee and Harrison of the House—A Concurrent Resolution relating to the Selective Service System; requesting the Congress of the United States to enact legislation providing for geographical-population quotas, based on the population of counties or other local units of government, for drafting manpower under said system; and directing distribution of copies of this Resolution.

WHEREAS, the Selective Service System is the oldest and most universal method for providing military manpower needs; and

WHEREAS, widespread public criticism of the system has intensified as a result of our involvement in Vietnam and an increase in the number of young men reaching 18 years of age due to the population explosion; and

WHEREAS, further criticism results from the high ratio of young men drafted to total community population, particularly in sparsely populated areas, and the high incidence of military deaths there-



from, such as the Ohio town of 450 population for which the Vietnam death toll is 75 times the national average and the last remaining young man of draft age has been inducted; and

WHEREAS, the citizens of a number of small Oklahoma communities have expressed grief and concern that the death toll for their sons in military service is far in excess of the national average; and

WHEREAS, a vital need exists for geographical-population quotas, applicable to and effective for sparsely populated areas, to maintain and assure a proportionate contribution of draftees from the various areas within the individual states, based on the population of said areas; and

WHEREAS, in legislative representation, and in other areas of the governmental process, population is recognized, and in many instances made mandatory by court direction, as a criterion for policy making; and

WHEREAS, the establishment of geographical-population quotas is one device to provide a more equitable method for selecting draftees;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Congress of the United States is hereby requested to enact legislation providing for geographical-population quotas for drafting manpower under the Selective Service System, said quotas to be based on the population of the several counties or other local governmental units.

SECTION 2. Be it further resolved that authenticated copies of this Resolution be transmitted to:

1. The President of the United States;

2. The Presiding Officers of the United States Senate and House of Representatives;

3. Each member of the Oklahoma Congressional Delegation;

4. Members of the Senate and House of Representatives Armed Services Committees of the Congress of the United States;

5. National Director of Selective Service; and

6. Colonel Herbert Hope, State Director of Selective Service.

President Pro Tempore Smith presiding.

## PENDING SENATE ACTION

SR 46 by Inhofe, Berrong, Hargrave, Luton, Bradley and Horn was taken up for consideration.

Senator Inhofe moved to amend SR 46, page 2, beginning on line 5, by deleting "Section 2", re-numbering the succeeding sections accordingly, and by correcting title to conform thereto, which amendment was declared adopted.

SR 46, as amended, was read at length as follows, adopted upon motion of Senator Inhofe, and ordered referred for enrollment:

SR 46—By Inhofe, Berrong, Hargrave, Luton, Bradley and Horn—A Resolution directing a study and evaluation of the existing narcotics and dangerous drug laws of the State of Oklahoma and of the recommendations of the United States Department of Justice, the National Institute of Mental Health and other appropriate sources on narcotic addiction and drug abuse for the purpose of establishing a well-coordinated drug control program for the State of Oklahoma; providing for the submission of such study to a special committee appointed for this purpose; directing that a report of its findings and recommendations be submitted to the 2nd Session of the 32nd Oklahoma Legislature; requesting that all bills introduced on the subject of narcotic addiction and drug abuse shall be retained in committee until the report of the Joint Committee hereby created has been submitted to the 2nd Session of the 32nd Legislature.

WHEREAS, certain recommendations on



the subject of narcotic addiction and drug abuse have been made by the United States Department of Justice, the National Institute of Mental Health and other appropriate sources; and

WHEREAS, it is desirable that a study and evaluation of such recommendations shall be made by the Legislature of the State of Oklahoma, for the purpose of establishing a well-coordinated drug control program for the State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. There is hereby created a special committee of six members of the Oklahoma Senate to be appointed by the President Pro Tempore of the Senate, one of which shall be designated as chairman, which committee shall make a study and evaluation of present laws as well as the recommendations of the United States Department of Justice and the National Institute of Mental Health for the purpose of establishing a well-coordinated drug control program for the State of Oklahoma.

SECTION 2. If as and when a similar study is undertaken by a standing or special committee of the Oklahoma House of Representatives of the 2nd Session of the 32nd Oklahoma Legislature, it shall be the policy of the Oklahoma Senate that the committee shall cooperate and work with such House committee insofar as is practicable in realizing the objectives of this resolution.

SECTION 3. The committee shall make a report of its findings and recommendations to the 2nd Session of the 32nd Legislature convening in January of 1970.

#### GENERAL ORDER

SB 486 by Ham was read and considered.

Upon motion of Senator Ham, SB 486 was advanced to engrossment.

By unanimous consent, upon request of Senator Ham, SB 486 was considered en-

grossed and placed upon third reading and final passage.

#### THIRD READING

SB 486 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Baldwin, Keels.—2.

Excused: Crow, Dacus, Ferrell, Nichols.—4.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Baldwin, Keels.—2.

Excused: Crow, Dacus, Ferrell, Nichols.—4.

The emergency was declared passed.

SB 486 was referred for engrossment.

#### PENDING SENATE ACTION

SCR 51 by Young, Garrison, Boecher, Lane and Miller was called up for consideration.

Senators Keels, Holden and Hargrave asked to be made coauthors of SCR 51, which was the order.

**SCR 51**, as coauthored, was read at length as follows, adopted upon motion of Senator Young and ordered referred for engrossment:

**SCR 51**—By Young, Garrison, Boecher, Lane, Miller, Keels, Holden and Hargrave—A Concurrent Resolution opposing the prejudging of trials of American servicemen for alleged actions in Vietnam; and directing distribution.

WHEREAS, the conflict in which our Country is engaged in Vietnam does not follow recognized patterns of warfare and the enemy's military personnel is frequently indistinguishable from its civilian people, thus subjecting to sudden extermination from unexpected sources those who serve in this Country's military; and

WHEREAS, since the beginning of the recorded history of nations men have been charged with duties of wreaking destruction and death upon the enemies of their Country in serving their Country's military authority; and

WHEREAS, the taking of life in military service during wars between nations is logically irreconcilable with homicide under peacetime moral codes and laws administered by civilian authority; and

WHEREAS, murder trials resulting from the normal incidents of the war would have the effect of demoralizing our troops and interfering with the maximum safety with which it is possible for us to provide our troops; and

WHEREAS, some have publicly prejudged the guilt of American servicemen before any trial has been conducted.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Senate of the 2nd Session of the 32nd Oklahoma Legislature, the House of Representatives concurring therein, does hereby oppose prejudgement

of trials of American servicemen for certain alleged incidents in Vietnam.

SECTION 2. Duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and sent to President Nixon, and to each member of the Oklahoma Congressional Delegation.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the McCune motion to reconsider the vote by which **SB 399** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Berrong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Ham, Holden, Horn, Howard, Keels, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—29.

Nay: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Graves, Hamilton, Lutton, McSpadden, Massey, Medearis, Porter, Stipe, Young.—14.

Excused: Dacus, Ferrell, Hargrave, Inhofe, Lane.—5.

### THIRD READING

Upon motion of Senator McCune, the vote was reconsidered by which **SB 399** was advanced to engrossment.

### GENERAL ORDER

Senator McCune moved to amend **SB 399**, page 5, line 9, by striking the language contained on line 9, and substituting therefor the language "any male under the age of seventeen or any female under the age of fifteen" which amendment was declared adopted.

Senator McCune moved to amend **SB 399**, page 6, line 2, by striking the language "as provided in the Juvenile Code" and substituting therefor the language "if reasonably possible"

Senator Stipe, as a substitute for the McCune amendment, moved to amend **SB 399**, page 6, line 2, by striking the lan-

guage "as provided in the Juvenile Code" and substituting therefor the language "at the discretion of the court" which amendment was declared adopted.

Senator McCune moved to amend **SB 399**, by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator McCune, **SB 399**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, **SB 399**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 399** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Nay: Atkinson, Baggett, Birdsong, Boecher, Garrett, Howard, Luton, Martin, Massey, Medearis, Payne, Porter.—12.

Excused: Dacus, Ferrell.—2.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Nay: Atkinson, Baggett, Birdsong, Boecher, Garrett, Howard, Luton, Martin, Massey, Medearis, Payne, Porter.—12.

Excused: Dacus, Ferrell.—2.

The emergency was declared passed.

**SB 399**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 280** by Luton, Payne, Phillips and Birdsong was read and considered.

Following discussion, Senator Taliaferro moved that **SB 280** be deferred, and that **SB 281** be considered at this time, which motion was declared adopted.

**SB 281** by Luton, Payne and Phillips was read and considered.

Senator Atkinson asked to be made a co-author of **SB 281**, which was the order.

Senator Berrong, joined by Senator Field, moved to amend **SB 281**, page 2, lines 5 and 7, by striking the words and figures "Fifty Dollars (\$50.00)" and substituting therefor the words and figures "Forty-five Dollars (\$45.00)" which amendment was tabled upon motion of Senator Luton upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Garrett, Graves, Ham, Hamilton, Hargrave, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Smalley, Smith, Stipe, Young.—28.

Nay: Berrong, Breckinridge, Crow, Field, Garrison, Grantham, Holden, Horn, Inhofe, McCune, McGraw, Murphy, Romang, Short, Stansberry, Taliaferro, Terrill, Williams.—18.

Excused: Dacus, Ferrell.—2.

Senator Baggett moved to amend **SB 281**, page 2, line 8, by striking the words and figures "Ten Dollars (\$10.00)" where they twice appear, and substituting therefor the words and figures "Sixteen Dollars (\$16.00)" in both places, which amendment was declared adopted.

Senator Berrong, joined by Senator Field, moved to amend **SB 281**, page 3, lines 16 and 17, by striking the words and figures "thirty-nine (39)" and substituting therefor the words and figures "twenty-



six (26)" which amendment was declared adopted.

Senator Stipe moved to amend **SB 281**, page 4, line 4½, by inserting a new subsection to read as follows: "(f) Notwithstanding any other provisions of this act, each unemployed person who is actively and successfully participating in a job retraining program which is approved or sponsored by any Federal or State Governmental Agency, shall be entitled to continue to receive weekly benefits in the amounts as elsewhere specified in this section."

Senator Baggett, as a substitute for the Stipe amendment, moved to amend **SB 281**, page 4, line 4½, by inserting a new subsection to read as follows: "(f) Notwithstanding any other provisions of this Act, an unemployed individual who is enrolled in a vocational training or retraining course, approved or supported by an appropriation made by the Congress of the United States, or State Governmental Agency to which he was referred by the Employment Security Agency of the State in which he resides shall be considered available for work and making a reasonable effort to secure work so long as his attendance and progress in the course are satisfactory" which amendment was declared adopted.

Senator Baggett, joined by Senator Taliaferro, moved to amend **SB 281**, page 4, line 9½, by inserting the following new sections:

"SECTION 2. Section 215 (a), Title 40 of Oklahoma Statutes 1961, is hereby amended to read as follows: § 215 (a) For Leaving Last Work Voluntarily. For leaving his last work voluntarily without good cause connected with his work if so found by the Commission, *[for six weeks which immediately follow the filing of a valid claim, in addition to the waiting period]* FOR ALL WEEKS SUBSEQUENT THERETO IN HIS CURRENT AND NEXT FOLLOWING BENEFIT YEAR UNTIL HE HAS THEREAFTER

EARNED WAGES EQUAL TO NOT LESS THAN SIX (6) TIMES HIS CURRENT WEEKLY BENEFIT AMOUNT. PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE THE FIRST WEEK ENDING AFTER JULY 1, 1970. SECTION 3. Section 215 (b), Title 40 of Oklahoma Statutes 1961, is hereby amended to read as follows: § 215 (b) For Discharge for Misconduct. If he has been discharged for misconduct connected with his last work, if so found by the Commission, *[the six (6) consecutive weeks which immediately follow the filing of a valid claim in addition to the waiting period]* FOR ALL WEEKS SUBSEQUENT THERETO IN HIS CURRENT AND NEXT FOLLOWING BENEFIT YEAR UNTIL HE HAS THEREAFTER EARNED WAGES EQUAL TO NOT LESS THAN SIX (6) TIMES HIS CURRENT WEEKLY BENEFIT AMOUNT. PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE THE FIRST WEEK ENDING AFTER JULY 1, 1970. SECTION 4. Section 215 (c), Title 40 of Oklahoma Statutes 1961, is hereby amended to read as follows: § 215 (c) Failure to Apply for or Accept Suitable Work. If he has failed, without good cause, either to apply for or accept if offered, available, suitable work when so directed by the employment office or the Commission. Such disqualification shall continue for the week in which such failure occurred and *[for the six (6) consecutive weeks which immediately follow such week.]* FOR ALL WEEKS SUBSEQUENT THERETO IN HIS CURRENT AND NEXT FOLLOWING BENEFIT YEAR UNTIL HE HAS THEREAFTER EARNED WAGES EQUAL TO NOT LESS THAN SIX (6) TIMES HIS CURRENT WEEKLY BENEFIT AMOUNT. PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE THE FIRST WEEK ENDING AFTER JULY 1, 1970." and by renumbering the remaining section,



and amending the title to conform, which amendment was tabled upon motion of Senator Luton, upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Garrett, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Luton, McSpadden, Martin, Massey, Miller, Payne, Phillips, Porter, Smalley, Smith, Stipe, Young.—23.

Nay: Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Holden, Inhofe, Lane, McCune, McGraw, Medearis, Nichols, Romang, Short, Taliaferro, Terrill, Williams.—21.

Excused: Dacus, Ferrell, Murphy, Stansberry.—4.

Senator Luton moved to amend **SB 281**, by amending the Title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator Luton, **SB 281**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 281**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 281** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Berrong, Breckinridge, Crow, Field, Garrison, Inhofe, McCune, Short, Williams.—9.

Excused: Boecher, Dacus, Ferrell, Murphy, Stansberry.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—35.

Nay: Berrong, Boecher, Breckinridge, Crow, Field, Grantham, Inhofe, McCune, Williams.—9.

Excused: Dacus, Ferrell, Murphy, Stansberry.—4.

The emergency was declared passed.

**SB 281**, as amended, was referred for engrossment.

### GENERAL ORDER

Upon motion of Senator Luton, **SB 280** was ordered withdrawn from the Calendar and re-referred to the Committee on Business Relations.

### COMMITTEE APPOINTMENTS

President Pro Tempore Smith, having been authorized so to do, appointed the following committee members pursuant to **SR 46** and **SCR 47**:

**SR 46**: Inhofe, Birdsong, Hargrave, Martin, Berrong, and Ham.

**SCR 47**: Smalley, Taliaferro, Howard, Ham and Hamilton.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 376, 419, 430, 442, SCR 49** and **HB 1291** each correctly engrossed.

Engrossed **SBs 376, 419, 430, 442** and **SCR 49** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1291** were properly signed and ordered returned to the Honorable House.

### RESOLUTIONS

By unanimous consent, upon request of Senator Breckinridge, the following Resolution was introduced:

**SCR 53** by McGraw and Breckinridge—A Concurrent Resolution expressing profound regret for the recent death of First Lieutenant Joseph Mark Lauinger of Tulsa, Oklahoma; and expressing the sympathy of the Second Session of the Thirty-second Oklahoma Legislature to his family.

**SCR 53** was considered, read at length, adopted upon motion of Senator Breckinridge, and ordered referred for engrossment.

By unanimous consent, upon request of Senator Boecher, the following Resolution was introduced:

**SCR 54** by Boecher, Field, Payne, Lane and Williams of the Senate and Gooden, et al, of the House—A Resolution relating to interim study by the State Legislative Council; directing the Executive Committee to create a ten-member special committee on pollution control; specifying duties of said committee; and requiring that a final report on findings and recommendations be submitted to the Executive Committee and to the First Session of the Thirty-third Legislature.

**SCR 54** was considered, read at length, adopted upon motion of Senator Boecher, and ordered referred for engrossment.

By unanimous consent, upon request of Senator Crow, **SR 47** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 47**—By Crow—A Resolution authorizing the President Pro Tempore of the Senate of the Second Session of the Thirty-second Legislature to appoint four members of the Senate to attend and participate in a meeting of the National Association of Conservation Districts in San Francisco, California, to be held on February 1 through 5, 1970; and authorizing reim-

bursement for necessary travel and expenses.

WHEREAS, on the 1st through the 5th of February, 1970, the National Association of Conservation Districts will meet in San Francisco, California; and

WHEREAS, the problems and topics which will be considered at such meeting are of significance to the conservation efforts in this state; and

WHEREAS, the Senate should be represented at such meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The President Pro Tempore of the Senate is hereby authorized to appoint four members of the Senate to proceed to San Francisco, California, to attend and participate in the meeting of the National Association of Conservation Districts on the 1st through the 5th of February, 1970.

SECTION 2. Reimbursement for necessary travel and expenses shall be paid by the Senate pursuant to Senate Resolution No. 44, Second Session, Thirty-second Legislature.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

Senator Romang presiding.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 47**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.



## Fourteenth Legislative Day

Wednesday, January 28, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—47.

Excused: Atkinson.—1.

The President declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Breckinridge:

Almighty God, Grant these men the clarity of mind and the wisdom to make good decisions, the conscience to make the right decisions, and the intestinal fortitude to follow their consciences. Amen.

The Journal for the last legislative day was declared approved.

### ANNOUNCEMENT

Senator Nichols imparted the sad news of the death, at 1:20 p.m., today, of the illustrious William J. Holloway, former Governor of the State of Oklahoma. Governor Holloway was a Member of the State Senate during the Eighth, Ninth and Tenth Legislative Sessions and served as Presi-

dent Pro Tempore during the Tenth Session. He was elected Lieutenant Governor in 1927, and became Governor in 1929.

Senator Nichols asked for a moment of silence in respect for the dear and beloved friend of all who knew him; and, upon the invitation of President Pro Tempore Smith, prayer was offered by the Chaplain.

### CITATIONS

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to A. K. Scantling upon receiving an award as Citizen of the Year by the Spiro Chamber of Commerce.

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Clara Brentlinger, Oklahoma City, R.N. at Oklahoma State Department of Vocational and Technical Education for serving as Nurse of the Day on January 27, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1499**—By Sanguin, Stratton, Tabor, Kamas, Musgrave, Bernard, Wixson, Doornbos, Gooden, Smithey, Privett, Murphy, Trent, Odum (V. H.), Hutchens and Townsend of the House and Lane of the Senate—An Act relating to solid waste disposal; defining terms; creating the Solid Waste Management Advisory Committee; granting authority to municipal and coun-



ty solid wastes management systems; requiring a permit, with exceptions; empowering the Board of Health to adopt and promulgate certain rules and regulations; outlining the powers and duties of the State Health Department; designating the Department of Health as state agency for participation in federal program; providing for an injunction to restrain violations; providing penalties for violations; providing for severability; and declaring an emergency.

**HB 1595**—By Holaday and McCune of the House and Grantham of the Senate—An Act relating to revenue and taxation; amending Sections 24107 and 24108 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24107 and 24108); to provide that an appeal from a decision of the Court of Tax Review shall be commenced by filing a petition in error in the Supreme Court within thirty days from the decision; providing further that the record shall be prepared in the manner and within the time prescribed by rule of the Supreme Court; and providing for effective date.

The above numbered **HBs** were read for the first time.

#### **MESSAGE FROM THE HOUSE**

Advising adoption of and returning Engrossed **SCR 49**.

The above numbered Bill was referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Advising that the Speaker has appointed the following House Members pursuant to Enrolled **SCR 47**: Odom (V. H.), Fine, Greenhaw, Miskelly and Skeith.

#### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1291**, requesting Conference.

#### **COMMITTEE REPORT**

Senator Baldwin submitted the following Committee Report and asked that consid-

eration be deferred for this legislative day.  
**MR. PRESIDENT:**

WE, your **COMMITTEE ON RULES**, beg leave to report that we had under consideration the **ELECTRIC VOTING MACHINE** now being used in the **SENATE**. The members of the **RULES COMMITTEE** have unanimously adopted the following **RULE**:

“**RULE 1.** (a) The electric voting machine shall be used to record the vote whenever the yeas and nays are taken on any question, unless a majority of the Senate directs the same to be taken by voice vote. In the event the machine is not operating properly, all votes and determinations of quorums may be taken by calling the roll.”

“The electric voting machine shall be under the control of the Presiding Officer and shall be operated by such clerk as the Presiding Officer shall direct. At a reasonable time prior to any vote being taken, the Presiding Officer may cause notice to be given that a vote is about to be taken. When a member, other than the President Pro Tempore, is presiding he shall direct the Sergeant-at-Arms to indicate his vote at his voting station; but at no other time may a member designate any other person to indicate his vote.”

BALDWIN, Chairman

#### **COMMITTEE REPORT**

Senator Baldwin submitted the following Committee Report and moved its adoption, which motion prevailed:

**MR. PRESIDENT:**

We, your **COMMITTEE ON RULES**, beg leave to report that we had under consideration the **SENATE** printing for the Second Session of the Thirty-second Legislature, and we have awarded the printing to the **LEADER PRESS, INC., OF OKLAHOMA CITY, OKLAHOMA**, the bid of said Company being the best and lowest bid. A copy of said contract is attached hereto.

BALDWIN, Chairman

## CONTRACT

WITNESSETH:

300 copies JOURNAL each day	
Per printed page .....	\$ 8.65
Per blank page .....	.28
300 copies BILLS and RESOLUTIONS	
Per printed page .....	5.05
Per blank page .....	.28
300 copies CALENDAR	
Per printed page .....	8.10
Per blank page .....	.28

## President Pro Tempore

COMMITTEE ON EMPLOY-  
MENT AND PRINTING OF  
THE STATE SENATE OF THE  
STATE OF OKLAHOMA,  
THIRTY SECOND LEGISLA-  
TURE.

By John Young, Chairman

January 20, 1970

Mr. Robert S. Gee  
State Senate  
State Capitol  
Oklahoma City, Okla.  
Dear Mr. Gee:

Following our conversation concerning the reduction in quantity of the Senate Permanent Journal, we wish to advise and confirm that should the quantity be reduced to

125 Fabracoid Plastic Bound copies  
and

150 Paper Bound copies

the price per page for the Permanent Journal would be reduced to \$7.00 per page, rather than the \$7.20 per page now in our bid and contract.

Please accept this letter as a part of our bid and contract.

When we can be of further service, please let us hear from you.

Yours very truly,  
LEADER PRESS, INC.  
Dan Hogan, Jr.  
Secretary-Treasurer

January 21, 1970

The Leader Press  
P. O. Box 777  
Oklahoma City, Oklahoma  
Attention: Mr. Dan Hogan

Re: Revision of Contract  
Dated Jan. 20th, 1970

Dear Sir:

Please consider this letter as acceptance of your offer to print one hundred twenty five (125) Fabracoid plastic bound permanent journal copies and one hundred fifty paper bound copies at the reduced price

of \$7.00 per page. Your letter of January 20th, 1970 making that proposal together with this letter will be retaining an agreed revision and change of the contract referred to above.

Yours very truly  
Robert S. Gee  
Senate Administrator

**COMMITTEE REPORT**

The following Committee Report on Lobby Permits was submitted, read and declared adopted upon motion of Senator Bradley, who stated Permits would be issued in the Office of the President Pro Tempore:

January 28, 1970

**MR. PRESIDENT:**

The Committee on Lobby Permits to which was referred requests for Lobby Permits after careful consideration, recommends that the following petitioners be granted Lobby Permits:

Bradshaw, J. V., 3521 N. W. 64th, Oklahoma City, Oklahoma, Associated Credit Bureaus of Oklahoma and Oklahoma City Retailers Association, Inc.

Carter, Dr. Bruce G., 12004 Camelot Dr., Oklahoma City, Oklahoma, Higher Education Alumni Council of Oklahoma.

Johnson, Herbert H., 3440 N. W. 66th, Oklahoma City, Oklahomans For the Right to Work, Inc.

Murphy, Charles H., Box 397, Millerton, Oklahoma, D.R.I.V.E.

Quillman, Lowell S., 717 North Joplin, Tulsa, Oklahoma, UAW, Okla. State C.A.P. Council.

Thrash, Paul L., 2205 North Redmond, Bethany, Oklahoma, Contractors Association of Oklahoma.

Woodcock, Don M., 404 W. Hayes, Norman, Oklahoma, Communications Workers of America.

Respectfully submitted,  
Bradley, Chairman

**COMMITTEE REPORTS**

The following Bills and/or Resolutions



were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1154**—Governmental Affairs.

**HB 1330**—Governmental Affairs—Remove Romang as Senate Author and substitute Bradley as Senate Author.

**SJR 38**—Constitutional Revisions and Regulatory Services.

DO PASS, as amended:

**SB 321**—Governmental Affairs.

**SB 362**—Governmental Affairs.

**SB 385**—Constitutional Revisions and Regulatory Services.

**SB 389**—Education—Coauthored by Bradley.

**SB 408**—Judiciary.

**SB 471**—Business Relations.

**SB 487**—Judiciary—Coauthored by Young and Garrison.

**SB 495**—Governmental Affairs.

**SB 502**—Constitutional Revisions and Regulatory Services.

**SB 504**—Governmental Affairs.

**SJR 34**—Judiciary.

Senator Grantham moved that the Committee Report on **SB 408** be withdrawn and returned, together with **SB 408**, to the Committee on Judiciary, which motion was declared adopted.

## FIRST READING

The following Bills and/or Resolution were introduced and read the first time:

**SB 513**—By Luton—An Act relating to estates; providing rights of judgment creditors of heirs, legatees or devisees; providing procedure for collection; and declaring an emergency.

**SB 514**—By Berrong of the Senate and Tarwater of the House—An Act relating to insurance; amending 36 O. S. 1961, § 2121; authorizing issuance of participating policies by domestic stock or mutual insurers; providing that classification and

determination of rights of participation be reasonable and not unfairly discriminatory; prohibiting dividend from being contingent upon payment of renewal premium; prohibiting solicitation, sale or issuance of participating policies unless forms, advertising material and sales presentations have been filed with and received prior approval of Insurance Commissioner and the Oklahoma Department of Securities; making provisions of Act severable; and declaring an emergency.

**SB 515**—By Williams—An Act relating to school lands; amending 64 O. S. 1961, § 100, as last amended by Section 1, Chapter 248, O. S. L. 1969 (64 O. S. Supp. 1969, § 100), increasing the amount of interest to be charged on the balance of the purchase price of lands sold by the Commissioners of the Land Office from six percent per annum to seven percent per annum.

**SB 516**—By Baldwin—An Act relating to public finance; providing control and management of state moneys shall be the responsibility of the State Treasurer; requiring State Treasurer to invest and reinvest all moneys not immediately essential to maintenance of a compensating balance to reimburse banks for performing banking services; prescribing eligible investments; providing for disposition of earnings from treasurer's investments; and declaring an emergency.

**SJR 40**—By Hamilton—A Joint Resolution renaming the Hodgens Job Corp Camp the "Ouachita Vocational-Technical Camp"; directing the State Board of Public Affairs, the State Department of Corrections and the State Board of Vocational and Technical Education to use said new name on all letterheads, signs and other official documents; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolution were read the second time and referred to Committees indicated:



**SB 507**—Public Health.

**SB 508**—Appropriations and Budget.

**SB 509**—Appropriations and Budget.

**SB 510**—Appropriations and Budget.

**SB 511**—Finance and Commerce.

**SB 512**—Judiciary.

**SJR 39**—Constitutional Revisions and Regulatory Services.

**HB 1514**—Public Affairs.

**HB 1522**—Roads and Highways.

**HB 1576**—Appropriations and Budget.

**HB 1581**—Appropriations and Budget.

**HB 1591**—Agriculture.

Senator Hamilton presiding.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 399, SCR 48, 50, 51 and 53** each correctly engrossed.

**SB 379, SR 46 and 47** each correctly enrolled.

Engrossed **SB 399, SCR 48, 50, 51 and 53** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SB 379** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 46 and 47** were properly signed and ordered transmitted to the Secretary of State.

## MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1043**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**SB 252** by Garrison and McGraw of the Senate and Connor, et al, of the House was read and considered.

Senators Smith, Breckinridge, Short, Ham and Baggett asked to be made co-

authors of **SB 252**, which was the order.

Senator Smalley, joined by Senators Birdsong, Garrison, Keels, Smith, Terrill and Boecher, moved to amend **SB 252**, beginning on line 2 of the Title by striking after the word "highways" the remainder of the title and by striking the Enacting Clause, which amendment was declared adopted.

Senator McSpadden moved to amend **SB 252**, page 2, line 16, by striking after the word "merchant" the words "in its county or any adjoining county" which amendment was tabled upon motion of Senator Garrison upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Ham, Hargrave, Howard, Inhofe, Keels, McCune, McGraw, Nichols, Romang, Short, Smalley, Smith, Stansberry, Williams.—23.

Nay: Birdsong, Boecher, Dacus, Field, Grantham, Graves, Hamilton, Holden, Horn, Lane, Luton, McSpadden, Martin, Massey, Miller, Payne, Phillips, Stipe, Taliaferro, Terrill, Young.—21.

Excused: Atkinson, Medearis, Murphy, Porter.—4.

Senator Berrong moved to amend **SB 252**, page 4, line 3, by inserting after the word "legislation" and before "Section 4" the language "The provisions contained in this Section shall not preclude the right of the Boards of County Commissioners to set reasonable specifications to assure delivery of quality supplies, equipment and material" which amendment was declared adopted.

Senator Garrison moved to amend **SB 252**, page 5, line 7, by striking the figures "1969" and inserting in lieu thereof the figures "1970" which amendment was declared adopted.

Senator Grantham moved to amend **SB 252**, page 3, line 9, by striking the word "a" and substituting therefor the words "at least one" which amendment was declared adopted.

Upon motion of Senator Garrison, **SB 252**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SB 252**, as amended, was considered engrossed and placed upon third reading and final passage.

President Pro Tempore Smith presiding.

### THIRD READING

**SB 252** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Ham, Hargrave, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Terrill.—33.

Nay: Field, Graves, Hamilton, Holden, Horn, Luton, Miller, Payne, Phillips, Stipe, Williams, Young.—12.

Excused: Atkinson, Porter, Taliaferro.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams.—35.

Nay: Field, Graves, Hamilton, Horn, Miller, Payne, Phillips, Stipe, Young.—9.

Excused: Atkinson, McGraw, Porter, Taliaferro.—4.

The emergency was declared passed.

**SB 252**, as amended, was referred for engrossment.

Senator Terrill asked unanimous consent

that since the Doctor of the Day and the Nurse of the Day had been called from the Chamber, that it be noted in the Journal that Dr. O. L. Parsons of Lawton and Mrs. Carroll of Midwest City, respectively, were the Doctor and Nurse of the Day.

### GENERAL ORDER

**HB 1515** by Willis, et al, of the House and McSpadden, Massey and Miller of the Senate was read and considered.

Senator Grantham asked to be made co-author of **HB 1515**, which was the order.

Upon motion of Senator McSpadden, **HB 1515** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1515** was placed upon third reading and final passage.

### THIRD READING

**HB 1515** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Ferrell, Hargrave, Porter, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Ferrell, Hargrave, Porter, Stansberry, Taliaferro.—6.

The emergency was declared passed.

HB 1515 was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

SB 417 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 417 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 417 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 417 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Ferrell, Nichols, Porter, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Ferrell, Nichols,

Porter, Stansberry, Taliaferro.—6.

The emergency was declared passed.

SB 417 was referred for engrossment.

### GENERAL ORDER

SB 424 by McSpadden, Massey and Ferrell of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 424 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 424 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 424 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—41.

Excused: Atkinson, Baggett, Howard, Nichols, Porter, Stansberry, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—41.

Excused: Atkinson, Baggett, Howard, Nichols, Porter, Stansberry, Taliaferro.—7.

The emergency was declared passed.



SB 424 was referred for engrossment.

### GENERAL ORDER

SB 425 by McSpadden, Massey and Berrong of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 425 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 425 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 425 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—40.

Nay: Baldwin, Young.—2.

Excused: Atkinson, Baggett, Nichols, Porter, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—40.

Nay: Baldwin, Young.—2.

Excused: Atkinson, Baggett, Nichols, Porter, Stansberry, Taliaferro.—6.

The emergency was declared passed.

SB 425 was referred for engrossment.

### GENERAL ORDER

SB 429 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 429 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 429 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 429 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—43.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—43.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The emergency was declared passed.

SB 429 was referred for engrossment.



## GENERAL ORDER

**SB 435** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 435** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 435** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 435** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Nay: Baldwin.—1.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Nay: Baldwin.—1.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The emergency was declared passed.

**SB 435** was referred for engrossment.

## GENERAL ORDER

**SB 437** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator Massey, **SB 437** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **SB 437** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 437** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Nay: Baldwin.—1.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Nay: Baldwin.—1.

Excused: Atkinson, Baggett, Porter, Stansberry, Taliaferro.—5.

The emergency was declared passed.

**SB 437** was referred for engrossment.

## GENERAL ORDER

**SB 439** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator Massey, **SB 439** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **SB 439** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 439** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Baggett, Field, Porter, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—42.

Excused: Atkinson, Baggett, Field, Porter, Stansberry, Taliaferro.—6.

The emergency was declared passed.

**SB 439** was referred for engrossment.

## GENERAL ORDER

**SB 464** by Hamilton and Luton was read and considered.

Upon motion of Senator Hamilton, **SB 464** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 464** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 464** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—34.

Nay: Berrong, Bradley, Garrison, Keels, Williams.—5.

Excused: Atkinson, Baggett, Field, Hargrave, McCune, Miller, Porter, Stansberry, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—36.

Nay: Berrong, Bradley, Grantham, Williams.—4.

Excused: Atkinson, Baggett, Field, Hargrave, Holden, Porter, Stansberry, Taliaferro.—8.

The emergency was declared passed.

**SB 464** was referred for engrossment.

**GENERAL ORDER**

**SB 465** by Birdsong was read and considered.

Upon motion of Senator Birdsong, **SB 465** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 465** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 465** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—36.

Nay: Berrong, Field, Grantham, Horn, Howard, Williams.—6.

Excused: Atkinson, Baggett, Hargrave, Porter, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—36.

Nay: Berrong, Field, Grantham, Horn, Howard, Williams.—6.

Excused: Atkinson, Baggett, Hargrave, Porter, Stansberry, Taliaferro.—6.

The emergency was declared passed.

**SB 465** was referred for engrossment.

**GENERAL ORDER**

**SB 188** by Young was read and considered.

Senators Luton and Ham asked to be made coauthors of **SB 188**, which was the order.

Senator Baldwin presiding.

Senator Hamilton, joined by Senator Short, moved to amend **SB 188**, page 2, line 3, by striking the language “(3) value of lost love and companionship of the child; and (4) value of destroyed parent-child relationship” and by substituting a period (.) in lieu of the semi-colon (;) on line 3, which amendment was tabled upon motion of Senator Young upon a roll call as follows:

Aye: Baggett, Birdsong, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Howard, Keels, Luton, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Stipe, Terrill, Young.—23.

Nay: Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Hamilton, Horn, Inhofe, McCune, McGraw, Short, Stansberry, Williams.—18.

Excused: Atkinson, Lane, Massey, Medearis, Porter, Smith, Taliaferro.—7.

Upon motion of Senator Young, **SB 188** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 188** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 188** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Keels, Luton, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stipe, Terrill, Young.—25.

Nay: Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Hamilton, Horn, Inhofe, McCune, McGraw, Short, Stansberry, Williams.—17.



Excused: Atkinson, Lane, Massey, Medearis, Porter, Taliaferro.—6.

The bill was declared passed.

Senator Young asked unanimous consent, which was granted, that the Emergency Section of **SB 188** be stricken and the Title amended to conform thereto.

**SB 188**, as amended, was referred for engrossment.

## INTRODUCTION OF MEASURES

President Pro Tempore Smith, citing Rule 11-c, announced, due to the fact that February 1st falls on Sunday, the cut-off date will be at the close of business on Monday, February 2nd. He further stated that requests for legislation already in the Bill Drafting Department at that time will be honored, and a list of same will be prepared and laid upon the Clerk's desk to be incorporated in the Journal.

## GENERAL ORDER

Senator Birdsong asked unanimous consent that **SB 466** be ordered withdrawn from the Calendar and re-referred to the Committee on Business Relations, which was the order.

**SB 316** by Romang was read and considered.

Senator Romang moved to amend **SB 316**, page 1, line 15 of the Title by striking the words "by the jury" which amendment was declared adopted.

Senator Romang moved to amend **SB 316**, page 2, line 7, by inserting after the word "property" and before the word "contributory" the word "the" which amendment was declared adopted.

Upon motion of Senator Romang, **SB 316**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Romang, **SB 316**, as amended,

was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 316** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Breckinridge, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Young.—23.

Nay: Baldwin, Berrong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Horn, Inhofe, McCune, Medearis, Stansberry, Terrill, Williams.—18.

Excused: Atkinson, Garrett, Hargrave, Massey, Nichols, Porter, Taliaferro.—7.

The bill was declared failed of passage.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Romang moved to reconsider the vote by which **SB 316**, as amended, failed of passage.

President Pro Tempore Smith presiding.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 486** and **SCR 52** each correctly engrossed.

Engrossed **SB 486** and **SCR 52** were properly signed and ordered transmitted to the Honorable House for consideration.

## MOTION TO RECONSIDER VOTE

The vote occurring upon the Phillips motion to reconsider the vote by which **HB 1203**, as amended, failed of passage, it was declared adopted upon a roll call as follows:

Aye: Baggett, Baldwin, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels,

Lane, McCune, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smith, Stansberry, Williams, Young.—28.

Nay: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Howard, Luton, McGraw, Romang, Smalley, Stipe, Terrill.—12.

Excused: Atkinson, Dacus, Garrett, Hargrave, McSpadden, Massey, Porter, Taliaferro.—8.

### THIRD READING

Senator Phillips moved to reconsider the vote by which **HB 1203** was advanced to engrossment, which motion prevailed.

### GENERAL ORDER

Senator Phillips moved to amend **HB 1203**, page 1, lines 1 and 2, by inserting after the word “admitted” on line 1, and before the word “to” on line 2, the words “for the first time” which amendment was declared adopted.

Senator Smalley moved to amend **HB 1203**, page 3, lines 8 through 12, by striking after the word “child” on line 8, through the word “act” on 12, the language contained therein, and substituting therefor the language “or upon receipt of a written statement by the parent or guardian objecting to such tests and immunizations; and said child shall be exempt from the provisions of this act” which amendment was declared adopted.

Senator Hamilton moved to amend **HB 1203**, page 4, line 3½, by inserting a new section to read as follows: “Section 4. Any child afflicted with a contagious disease may be prohibited from attending a public, private or parochial school until such time as he is free from such contagious disease” and by renumbering succeeding sections accordingly and amending the title to conform, which amendment was declared adopted.

Senator Hamilton presiding.

Senator Stipe moved to amend **HB 1203**,

page 4, line 3, by substituting a comma (,) for the period (.) after the word “grounds” and adding the language “or by filing objections by the parents” which amendment was declared adopted.

Senator Crow asked unanimous consent, which was granted, that his name be removed as a coauthor of the Bill.

Upon motion of Senator Phillips, **HB 1203**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1203**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1203** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Crow, Field, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Williams, Young.—26.

Nay: Birdsong, Breckinridge, Garrison, Grantham, Luton, Romang, Stipe, Terrill.—8.

Excused: Atkinson, Berrong, Boecher, Bradley, Dacus, Ferrell, Garrett, Hargrave, Holden, McSpadden, Massey, Porter, Stansberry, Taliaferro.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Williams, Young.—32.

Nay: Romang, Terrill.—2.

Excused: Atkinson, Berrong, Boecher, Bradley, Dacus, Ferrell, Garrett, Har-

grave, Holden, McSpadden, Massey, Porter, Stansberry, Taliaferro.—14.

The emergency was declared passed.

**HB 1203**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**SB 478** by Luton of the Senate and Tarwater, et al, of the House was read and considered.

Upon motion of Senator Luton, **SB 478** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 478** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 478** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Terrill, Young.—30.

Nay: Baggett, Horn, Inhofe, McCune, Romang, Williams.—6.

Excused: Atkinson, Berrong, Boecher, Dacus, Ferrell, Garrett, Hargrave, McGraw, McSpadden, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—32.

Nay: Baldwin, Horn, Inhofe, Nichols, Romang.—5.

Excused: Atkinson, Berrong, Boecher, Dacus, Ferrell, Garrett, Hargrave, McSpadden, Porter, Stansberry, Taliaferro.—11.

The emergency was declared passed.

**SB 478** was referred for engrossment.

### GENERAL ORDER

Senator Hamilton asked unanimous consent, which was granted, that **SB 463** be ordered withdrawn from the Calendar and re-referred to the Committee on Business Relations.

Senator Hamilton presiding.

**HB 1589** by Sparkman, et al, of the House and Smith of the Senate was read and considered.

Senators Garrison, Grantham, Luton, Birdsong, Martin and Holden asked to be made coauthors of **HB 1589**, which was the order.

President Pro Tempore Smith moved to amend **HB 1589**, page 7, line 6, by inserting after the word and figure "Section 3" and before the word "any" the language "Upon application in writing with the receipt for the payment attached thereto" which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **HB 1589**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1589**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1589** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stipe, Terrill, Williams.—31.



Nay: Baggett, Breckinridge, McGraw.—3.

Excused: Atkinson, Berrong, Boecher, Bradley, Dacus, Ferrell, Garrett, Hargrave, McSpadden, Porter, Short, Stansberry, Taliaferro, Young.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Crow, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—33.

Nay: Breckinridge.—1.

Excused: Atkinson, Berrong, Boecher, Bradley, Dacus, Ferrell, Garrett, Ham, Hargrave, McSpadden, Murphy, Porter, Stansberry, Taliaferro.—14.

The emergency was declared passed.

**HB 1589**, as amended, was referred for engrossment.

### DECLARATION OF VOTE

Senator Holden asked that the record show, had he been present at the time of third reading and final passage of **HB 1203** he would have voted NO, which was the order.

### PENDING SENATE ACTION

**HCR 1045** by Williamson, et al, of the House and Murphy of the Senate was called up for consideration.

Senator Horn asked to be made coauthor of **HCR 1045**, which was the order.

**HCR 1045**, as co-authored, was read at length and adopted upon motion of Senator Murphy.

**HCR 1045** was properly signed and ordered returned to the Honorable House.

**HCR 1044** by Privett, et al, of the House and Medearis of the Senate was called up for consideration.

Senators Grantham, Lane, Crow and Baggett asked to be made coauthors of **HCR 1044**, which was the order.

Senator Short raised the question of "no quorum".

The Presiding officer ordered the roll called and declared a quorum was present.

**HCR 1044**, as coauthored, was read at length as follows, adopted upon motion of Senator Medearis:

**HCR 1044**—By Privett, Sparkman, Derriberry, Cox, Tarwater and Tabor of the House and Medearis, Grantham, Lane, Crow and Baggett of the Senate.—A Concurrent Resolution memorializing the Congress of the United States to take positive action to insure passage of legislation to provide adequate funds to implement child feeding programs; and directing distribution.

WHEREAS, in 1946 the Congress of the United States passed an act to make the national School Lunch Program permanent; and

WHEREAS, the basic objectives of this program were stated in the following Declaration of Policy: "It is hereby declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school-lunch programs"; and

WHEREAS, this program has been acknowledged at all levels of government as an exemplary cooperative local, state and federal endeavor; and

WHEREAS, surveys have found that hunger and malnutrition exist in all areas of our country and at all economic levels; and

WHEREAS, educators and health and nutrition specialists have found that well nourished children are easier to discipline and learn more rapidly than hungry children; and

WHEREAS, these surveys and evaluations have caused great interest in relieving hunger and malnutrition, new child feeding programs have been established and funded through the same channels; and

WHEREAS, in school districts which have made a maximum effort to implement the nutrition programs and include nutrition education in the school and community, and other districts which have made a maximum effort to include all those children financially unable to pay the full cost of their meals, there has been great expansion in participation and, at the same time, program emphasis has changed from "consumption of nutritious agricultural commodities" to "safeguard the health and well-being of the Nation's children"; and

WHEREAS, local communities and states, nationwide, have been greatly handicapped in the ability to fully implement these programs because the need is greater than funds will afford; and

WHEREAS, the State of Oklahoma, operating with the allocations made from the regular U. S. Department of Agriculture Congressional appropriations and projecting program obligations to participating schools, will exhaust all available funds sometime in March, 1970; and since the schools will have no resources from which to supplement the programs, the result will be that food service to children unable to pay the full price of the meal will be withdrawn; and

WHEREAS, it is mandatory that every participating school system must have an approved policy which declares that meals will be provided to those unable to pay the full cost, they cannot legally remain in the program and, thus, their total program will be in jeopardy; and

WHEREAS, in some areas the meal provided through the School Lunch Program to needy children is the only substantial meal eaten by such children each day.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. That the Congress of the United States be and hereby respectfully is urged to take positive action immediately to insure passage of pending legislation which will provide an appropriation of funds adequate to insure that all states will be in position to reach every child with nutritionally sound meals; most specifically to provide assistance in supplying free and/or reduced price meals for very needy children.

SECTION 2. That duly authenticated copies hereof be forwarded to the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, to each member of the Oklahoma Delegation in Congress and to the presiding officers of the legislative bodies in the several states.

**HCR 1044** was properly signed and ordered returned to the Honorable House.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SB 281** and **SCR 54** each correctly engrossed.

Engrossed **SB 281** and **SCR 54** were properly signed and ordered transmitted to the Honorable House for consideration.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 379**.

The above numbered Enrolled Bill was referred to the Governor.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SB 452**-Coauthored by Williamson, Miskelly, Sanguin, Cate, Gooden, Greenhaw, Howard, Kamas, McKee, Raibourn, Rogers, Boettcher, Sparkman, Sullivan, Thornhill, Townsend, Beauchamp, Trent and Willis.

The above numbered Bill was referred for enrollment.

**BILL RELEASED**

As provided under 19-f, **HB 1515** was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.



## Fifteenth Legislative Day

Thursday, January 29, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—43.

Excused: Atkinson, Ferrell, Medearis, Stansberry, Stipe.—5.

The President declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Breckinridge:

Almighty God, we draw nearer now to the close of another Legislative week. It has been a busy week. It has been an important week. Grant, O Lord, that the people of this State will be the ultimate winners in what has been done and passed into law during these days. And grant also that the people of this State will see and acknowledge the hard work and dedication which these men have put into making them the winners. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1461**—By Camp, Holaday, Trent, Miskelly and Hatchett—An Act relating to trusts for furtherance of public functions; amending 60 O.S. 1961, § § 176, 177 and 178, to respectively prescribe certain procedure for creating express trusts for furtherance of a public function, to provide for filing of certain instruments with the Secretary of State, and to prescribe and define certain powers, duties, qualifications, terms, succession and compensation of said trustees; providing for severability; and declaring an emergency.

**HB 1507**—By Finch—An Act relating to civil procedure; amending Section 2, Chapter 98, O. S. L. 1965 (12 O. S. Supp. 1969, § 105); providing for application of statutes of limitation in actions on claims arising outside the state; and declaring an emergency.

**HB 1521**—By Spearman—(An Act relating to the Oklahoma Historical Society; and declaring an emergency)

**HB 1527**—By Tarwater, Privett, Miskelly, Sanguin, Monks and Trent—An Act relating to uniform accident and group health and life insurance on employees and officers of the State of Oklahoma; amending Sections 1, 2, 3, 4, as amended by Section 1, Chapter 75, O. S. L. 1969, 6, 7, 8, 10, as amended by Section 1, Chapter 71, O. S. L. 1969, 11, 12 and 13, Chapter 374, O. S. L. 1967 (74 O. S. Supp. 1969, § § 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1310, 1311, 1312 and 1313), to provide that life insurance benefits be added to

insurance now provided by the state to all employees and enlarging purposes for providing insurance; creating State Employees Group Health and Life Insurance Board and defining same and the duties and powers thereof; redefining "qualified carrier"; defining life insurance plan; providing benefits included in life insurance plan and providing for contracts for life insurance and effective date; providing conditions under which employees may be enrolled in the plan; providing amounts and manner of contributions to plan from employees and participating state agencies; making provisions of Act severable; and declaring an emergency.

**HB 1542**—By Mountford—(An Act relating to certain public employees)

**HB 1560**—By Willis, Miskelly and Jones of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; providing legislative intent that the appropriation be allocated to the Eastern Oklahoma State College of Agriculture and Applied Science, and stating the purpose; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**HB 1567**—By Willis, Miskelly, Sparkman, Townsend, Sullivan, Cate, Gooden, Greenhaw, Howard, Kamas, McKee, Rabbourn, Rogers, Sanguin, Thornhill, Williamson, Boettcher, Stratton, Jones and Bickford of the House and McSpadden and Massey of the Senate—(An Act relating to the State Department of Health and declaring an emergency)

**HB 1568**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the State Department of Health and declaring an emergency)

**HB 1569**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Human Rights Commission and making appropriations thereto; stating the pur-

pose; providing for the appointment and compensation of personnel; providing for maximum salary for the Director; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1570**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to Oklahoma Indian Affairs Commission and making an appropriation thereto; stating the purpose; providing for appointment and compensation of personnel; providing for maximum salary for the director; limiting amount of funds for expenses of commission meetings; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1573**—By Willis, Miskelly, Hatchett, Williamson and Trent of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Cerebral Palsy Center; making an appropriation thereto; stating the purpose; providing for appointment of employees and for necessary expenditures; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**HB 1582**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the State Board for Property and Casualty Rates and making appropriations thereto; stating the purpose; providing that the State Board for Property and Casualty Rates shall fix the duties and compensation of employees; providing for a continuous study of insurance rates; providing for transfer of unappropriated funds to the General Revenue Fund; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HJR 1004**—By Spearman, Connor, Cate, Trent, Hill (Archibald), Green and Bamberger of the House and Smalley of the Senate—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the question of calling a Constitutional Convention

which shall be authorized to propose alterations, revisions, or amendments to the Constitution, or to propose a new Constitution; providing for a ballot title; and ordering a special election.

**HJR 1043**—By Sparkman, Privett, Abbott, Allard, Andrews, Atkins, Browers, Clemons, Cox, Finch, Goodfellow, Greenhaw, Hopkins, Hutchens, Jones, Miskelly, Monks, Mountford, Murphy, Odom (V. H.), Payne, Sanguin, Skeith, Smith (E. W.), Sullivan, Tabor, Williamson, Willis, York, McCune, Wayland, Sandlin, Barker, Patterson, Cole and Johnson of the House and Martin of the Senate—A Joint Resolution providing for increase in payments of Old Age Assistance, Aid to Blind, and Aid to Permanently and Totally Disabled; providing for raises in schedule of maximum money payments or assistance Plans in Accordance with Living Arrangements for categorical assistance programs; defining duties of the Oklahoma Public Welfare Commission and providing that Commission shall continue to maintain present programs, and take necessary action to earn federal funds for the State of Oklahoma; authorizing participation in additional federal programs; and declaring an emergency.

The above numbered HBs and/or HRs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1045**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 48**-coauthored by Connor and all other Members of the House; **SCR 50**-coauthored by entire Membership; **SCR 51**; **SCR 53**-coauthored by Inhofe, Smith, Bradley, Hargrave and Howard of the Senate and Wolfe (Stephen) and entire Membership of the House; and **SCR 54**.

The above numbered Resolutions were referred for enrollment.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 252, 424, 425, 435, 437, 439** and **HB 1589** each correctly engrossed.

**SB 452** correctly enrolled.

Engrossed **SBs 252, 424, 425, 435, 437** and **439** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1589**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 452** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 433**—Appropriations and Budget.

**SB 438**—Appropriations and Budget.

**SB 444**—Appropriations and Budget.

**SB 445**—Appropriations and Budget.

**SB 467**—Roads and Highways-Coauthored by Skeith of the House.

**SB 473**—Roads and Highways.

**SB 475**—Roads and Highways.

**HB 1500**—Roads and Highways-Senate author as Grantham and Coauthored by Birdsong.

**HB 1602**—Roads and Highways.

DO PASS, as amended:

**SB 436**—Appropriations and Budget.

**SB 449**—Appropriations and Budget.

**SB 477**—Roads and Highways.

**SB 505**—Roads and Highways.



## FIRST READING

The following Bills were introduced and read the first time:

**SB 517**—By Williams—An Act relating to the determination of value of lands offered as security for loans from funds held by the Commissioners of the Land Office; repealing 64 O. S. 1961, § 62.

**SB 518**—By Baldwin—An Act relating to the practice of medicine; amending 59 O. S. 1961, § 493, as amended by Section 1, Chapter 377, O. S. L. 1965 (59 O. S. Supp. 1969, § 493); providing qualifications and procedures for an applicant who is not a citizen of the United States and a graduate of a foreign medical school; vesting certain authority in the State Board of Medical Examiners; authorizing the licensing of an applicant who is not a citizen of the United States, under certain conditions; repealing conflicting laws; and declaring an emergency.

**SB 519**—By Field of the Senate and Harrison of the House—An Act relating to motor vehicle license and registration fees; amending Section 2, Chapter 139, O. S. L. 1963 (47 O. S. Supp. 1969, Section 22.51); removing certain restrictions limiting the use of trucks and truck-tractors used to haul machinery and equipment used in soil conservation work; permitting replacement of such vehicles during year and for credit for unused portion of license fee on registration of replacement vehicle; and declaring an emergency.

**SB 520**—By Nichols—An Act relating to salaries of the members of the State Board of Public Affairs; amending Section 1, Chapter 19, O. S. L. 1967 (74 O. S. Supp. 1969, § 81b); repealing conflicting laws; and declaring an emergency.

**SB 521**—By Boecher of the Senate and Rogers of the House—An Act relating to public finance; providing regular periodic billings of public utilities for services furnished municipalities need not as a condition to allowance and payment by a municipality be required to be upon verified

and itemized claims; amending O. S. L. 1969, Chap. 310, 62 O. S. Supp. 1969 § 305.1, 305.2, defining terms; and declaring an emergency.

**SB 522**—By McGraw and Breckinridge—An Act relating to motor vehicles; providing for the special licensing and taxation of travel trailers and defining same for such purposes; directing the Oklahoma Tax Commission to indicate on the license tag its type; providing for the amount of license fee and directing the apportionment thereof; and declaring an emergency.

**SB 523**—By Ferrell—An Act relating to publication of legal notices in newspapers; amending 25 O. S. 1961, § 106, as last amended by Section 1, Chapter 43, O. S. L. 1969 (25 O. S. Supp. 1969, § 106); providing for qualifications of newspapers publishing legal notices or advertisements of any kind in certain situations; requiring such newspapers to have offices in the county where qualified to publish legal notices; and declaring an emergency.

**SB 524**—By Ferrell—An Act relating to civil procedure; amending 12 O. S. 1961, § 173; prescribing procedure for giving notice by publication; and declaring an emergency.

**SB 525**—By Stipe—An Act relating to game and fish; amending 29 O. S. 1961, § 520, as last amended by Section 4, Chapter 348, O. S. L. 1969 (29 O. S. Supp. 1969, § 520); empowering Oklahoma Wildlife Conservation Commission to declare open seasons on certain game; removing the prohibition against the killing of doe deer; and declaring an emergency.

**SB 526**—By Taliaferro and Berrong of the Senate and Sparkman of the House—An Act relating to professions and occupations; amending 59 O. S. 1961, § 567.4, as amended by Section 1, Chapter 46, O. S. L. 1967, § § 567.5, 567.6, 567.8, 567.11, as amended by Section 4, Chapter 42, O. S. L. 1967, 567.12, as amended by Section 2, Chapter 46, O. S. L. 1967, 567.13, and 567.16, as amended by Section 6, Chapter 42, O. S. L. 1967 (59 O. S. Supp. 1969,

§ § 567.4, 567.11, 567.12, and 567.16); creating the Oklahoma Board of Nurse Registration and Nursing Education; increasing the number of board members; providing for filling of vacancies on the board; providing for the Attorney General to represent the board; providing for licensing of registered nurses; giving the Board of Regents of Higher Education supervision of nursing curricula for registered nurses of state funded schools; providing for licensing of practical nurses; giving the State Department of Vocational and Technical Education supervision of curricula for practical nurses of state-supported schools; providing procedures for denial, registration or suspension of licenses; providing certain exceptions; providing for schools for professional nurses; providing for the fixing of standards for state-supported professional nursing schools by the Oklahoma Regents for Higher Education; providing for schools for practical nurses; providing for the fixing of standards for state-supported practical nursing schools by the State Department of Vocational and Technical Education; providing for surveys of schools by the board except for state-supported schools; providing for an advisory council to the board; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolution were read the second time and referred to Committees indicated:

**SB 513**—Judiciary.

**SB 514**—Business Relations.

**SB 515**—Revenue and Taxation.

**SB 516**—Revenue and Taxation.

**SJR 40**—Governmental Affairs.

**HB 1499**—Conservation and Economic Development.

**HB 1595**—Revenue and Taxation.

## UNANIMOUS CONSENT REQUEST

Senator Romang asked unanimous consent, which was granted, that the Engross-

ing and Enrolling Department be permitted to correct the Title of **SB 188** to conform to the body of the bill, as amended.

## GENERAL ORDER

**HB 1497** by York, et al, of the House and Smalley of the Senate was read and considered.

Upon motion of Senator Smalley, **HB 1497** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1497** was placed upon third reading and final passage.

## THIRD READING

**HB 1497** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—43.

Excused: Atkinson, Ferrell, Medearis, Stansberry, Stipe.—5.

The bill was declared passed.

**HB 1497** was ordered withheld pursuant to Rule 19-f.

Senators Stipe and Stansberry asked to be shown present, which was the order.

## GENERAL ORDER

**HB 1330** by Odom (Martin), et al, of the House and Bradley of the Senate was read and considered.

Upon motion of Senator Bradley, **HB 1330** was advanced to engrossment.

By unanimous consent, upon request of Senator Bradley, **HB 1330** was placed upon third reading and final passage.

### THIRD READING

**HB 1330** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Graves, Ham, Holden, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Baggett, Breckinridge, Grantham, Hamilton, Horn, Lane, McCune, Payne, Short, Young.—10.

Excused: Atkinson, Ferrell, Hargrave, McGraw, Medearis.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Graves, Ham, Holden, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Phillips, Porter, Romang, Smalley, Smith, Stansberry Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Baggett, Breckinridge, Grantham, Hamilton, Horn, Lane, McCune, Payne, Short, Young.—10.

Excused: Atkinson, Ferrell, Hargrave, McGraw, Medearis.—5.

The emergency was declared passed.

**HB 1330** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1445** by Clemons of the House and Terrill of the Senate was read and considered.

Upon motion of Senator Terrill, **HB 1445** was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **HB 1445** was considered

engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1445** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Atkinson, Ferrell, McGraw, Medearis, Nichols.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Atkinson, Ferrell, McGraw, Medearis, Nichols.—5.

The emergency was declared passed.

**HB 1445**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 389** by Romang and Bradley was read and considered.

Senator Grantham asked to be made a coauthor of **SB 389**, which was the order.

Upon motion of Senator Romang, **SB 389** was advanced to engrossment.

By unanimous consent, upon request of



Senator Romang, **SB 389** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 389** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams.—34.

Nay: Baggett, Graves, Hamilton, McSpadden, Massey, Miller, Porter, Taliaferro, Terrill, Young.—10.

Excused: Atkinson, Ferrell, Medearis, Phillips.—4.

The bill was declared passed.

**SB 389** was referred for engrossment.

### GENERAL ORDER

**SB 321** by Stipe was read and considered.

Senator Williams moved to amend **SB 321**, page 1, line 5, by inserting after the word "of" and before the word "representatives" the word "five" which amendment was declared adopted.

Upon motion of Senator Stipe, **SB 321**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 321**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 321** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham,

Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: Baggett.—1.

Excused: Atkinson, Ferrell, Medearis, Phillips.—4.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Nay: Baggett.—1.

Excused: Atkinson, Ferrell, Medearis, Phillips.—4.

The emergency was declared passed.

**SB 321**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 362** by Stipe and Holden was read and considered.

Upon motion of Senator Stipe, **SB 362** was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 362** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 362** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Graves, Ham, Hamil-

ton, Holden, Horn, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Payne, Porter, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Berrong, Bradley, Grantham, Hargrave, Howard, Inhofe, Keels, McGraw, Romang, Williams.—10.

Excused: Atkinson, Ferrell, Medearis, Murphy, Nichols, Phillips.—6.

The bill was declared passed.

Senator Stipe asked unanimous consent, which was granted, that the Emergency Section of **SB 362** be stricken and the Title amended to conform thereto.

**SB 362**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 471** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SB 471** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 471** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 471** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—29.

Nay: Baldwin, Berrong, Bradley, Dacus, Garrison, Holden, Horn, Inhofe, McSpadden, Murphy, Payne, Short, Williams.—13.

Excused: Atkinson, Ferrell, Massey, Medearis, Nichols, Phillips.—6.

The bill was declared passed.

Senator Hamilton moved that the Emergency Section of **SB 471** be stricken and the Title amended to conform thereto.

**SB 471**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 502** by Baggett was read and considered.

Upon motion of Senator Baggett, **SB 502** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 502** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 502** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill.—36.

Nay: Bradley, Dacus, Smalley, Williams, Young.—5.

Excused: Atkinson, Baldwin, Ferrell, Hargrave, Massey, Medearis, Phillips.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill.—36.

Nay: Bradley, Dacus, Smalley, Williams, Young.—5.

Excused: Atkinson, Baldwin, Ferrell, Hargrave, Massey, Medearis, Phillips.—7.

The emergency was declared passed.  
**SB 502** was referred for engrossment.

## GENERAL ORDER

**SB 462** by Young was read and considered.

Senator Stipe moved to amend **SB 462**, page 3, line 15, by striking after the word "exceed" and before the word "in" the word "two" and substituting therefor the word "three" which amendment was tabled upon motion of Senator Young.

Senator Crow moved to amend **SB 462**, page 3, line 14, by inserting after the word "court" and before the word "may" the words "or any Associate District Judge".

Senator Payne moved that **SB 462**, together with the pending amendments thereto, be re-referred to the Judiciary Committee, which motion was tabled upon motion of Senator Grantham.

Senator Young moved to table the Crow amendment, which motion was declared adopted.

Senator Luton, joined by Senators Hamilton and Crow moved to amend **SB 462**, page 4, line 14½, by inserting a new section to read as follows: "(C) In all counties of this State having a population less than 250,000, according to the latest Federal Decennial Census, the Special District Judge of each county shall be allowed to appoint a bailiff or a secretary-clerk to be compensated at the same salary rate as set forth hereinabove for bailiffs in Section 552(a)", and by renumbering the succeeding subsections accordingly, which amendment was tabled upon motion of Senator Young upon a roll call as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Field, Garrett, Grantham, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McSpadden, Miller, Murphy, Romang, Short, Smith, Williams, Young.—23.

Nay: Bradley, Crow, Graves, Hamilton, Lane, Luton, Martin, Nichols, Payne, Porter, Smalley, Stipe, Taliaferro, Terrill.—14.

Excused: Atkinson, Baldwin, Boecher, Dacus, Ferrell, Garrison, McGraw, Massey, Medearis, Phillips, Stansberry.—11.

Senator Murphy moved that further consideration of **SB 462**, and pending amendments thereto, be deferred for this legislative day, which motion prevailed.

## PENDING SENATE ACTION

**HCR 1038** by Sparkman of the House and Berrong of the Senate was called up for consideration.

Following discussion, Senator Graves moved that further consideration of **HCR 1038** be deferred for this legislative day, which motion prevailed.

## RESOLUTION

By unanimous consent, the following Resolution was introduced:

**SCR 55** by Berrong of the Senate and Stratton of the House—A Concurrent Resolution commending the 1969 Thomas High School Football Team for winning the Class C State Championship; commending players who made All-State and Alternate All-State Squads; commending the team's coaches; and commending all those who gave support to the team.

**SCR 55** was considered, read at length, adopted upon motion of Senator Berrong and ordered referred for engrossment.

## PENDING SENATE ACTION

Upon motion of Senator Luton, the request of the Honorable House for a conference on **HB 1291** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1291**: Luton, Miller and Terrill.

## MESSAGE FROM THE HOUSE

Advising that the House has reconsidered the signing and fourth reading of **HB 1416**; has reconsidered the vote by



which the House adopted the Senate Amendments to said bill and passed the bill as amended by the Senate; and herewith transmits said bill to the Senate for reconsideration.

### **MOTION**

Pursuant to the request of the Honorable House, upon motion of Senator Martin, the Senate rescinded its signing and fourth reading of **HB 1416**.

### **MOTION TO RECONSIDER VOTE**

Senator Martin moved to reconsider the vote by which **HB 1416** passed, which motion was declared adopted upon a roll call as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Murphy, Payne, Porter, Romang, Smalley, Smith, Stipe, Terrill, Williams, Young.—34.

Excused: Atkinson, Baldwin, Boecher, Dacus, Ferrell, Garrison, McGraw, Massey, Medearis, Nichols, Phillips, Short, Stansberry, Taliaferro.—14.

Senator Martin moved to reconsider the vote by which **HB 1416** was engrossed, which motion prevailed.

### **THIRD READING**

Upon motion of Senator Martin, the vote was reconsidered by which **HB 1416** was advanced to engrossment.

### **GENERAL ORDER**

Senator Martin moved that **HB 1416** be re-referred to the Committee on Governmental Affairs, which motion prevailed.

### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SB 188** correctly engrossed.

Engrossed **SB 188** was properly signed and ordered transmitted to the Honorable House for consideration.

Senator Terrill moved that when the Clerk's desk is cleared, the Senate stand adjourned under the Rules until Monday, which motion was declared adopted.

### **BILLS RELEASED**

As provided under Rule 19-f, **HBs 1330** and **1497** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., Monday, February 2, 1970.

## Sixteenth Legislative Day

Monday, February 2, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Crow, Dacus.—2.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend Leroy Sewell, Pastor of the First Methodist Church, Alva, Oklahoma, and is incorporated herein, by unanimous consent, upon request of Senator Field:

Almighty God, Our Heavenly Father, we pause to recognize Thee as the Source of all life and all that is good. Today we lift up the dreams and the hopes of this Great Body. Each person in this room has aspirations for that which will lift the level of the life of the people of this State.

Take their visions and fulfill them beyond their highest expectation, even unto Thy perfect will. We hold up before Thee the personal lives of each of these individuals here today. Fill them with Thy wisdom, Thy goodness, Thy power. Let the glory of Thy presence abound in their

homes. Keep safe their families while they serve here.

Let the deliberations of this Body this day be according to Thy holy will. In Jesus name. Amen.

The Journal for the last legislative day was declared approved.

### INTRODUCTION OF GUEST

Senator Taliaferro, joined by Senator Terrill, asked unanimous consent, which was granted, that the Rules be suspended for the purpose of a very important introduction; whereupon, he introduced Harry Birdwell of Fletcher, Oklahoma, National President of the Future Farmers of America.

President Pro Tempore Smith presiding.

Senator Taliaferro asked unanimous consent that Harry Birdwell be accorded Privilege of the Floor for the purpose of addressing the Senate, which was the order. He was escorted to the Rostrum by President Nigh, who expressed appreciation on behalf of the Senate for the credit, honor, and recognition brought to the State of Oklahoma by the efforts of this fine young man.

Following is the address of Harry Birdwell, and is incorporated herein, by unanimous consent, upon request of Senator Taliaferro:

Mr. President, President Pro Tempore Smith, and Members of the Oklahoma State Senate:—

Certainly it is a pleasure for me to be back in my home State representing the Future Farmers of America. As has al-

ready been mentioned, we are on a national good will tour. The next five weeks we will be traveling coast to coast meeting with leaders of business, industry, agriculture and government. It is our intention during this tour to exchange information relative to the trends in society, relative to the changes in agriculture and relative to the needs of business and industry. We hope in the FFA to make our program relevant to the times. I think our efforts in that regard are very much in evidence when it is noted that we in the FFA are moving into many areas of activity—market, distribution and profit.

Once it was that FFA and Vocational Agriculture concentrated specifically on farming and ranching occupations, but now we are branching into new and dynamic areas of study in the agricultural industry. Vocational technical education in Oklahoma is quite strong. I am proud of that fact, and I'm proud to be an Oklahoman who has been through the vocational education programming. In many states vocational education and vocational agriculture are suffering. Staffs are being cut and funds are being cut. Here in Oklahoma, I think we have one of the very strongest vocational and technical programs in the nation. It is through your efforts, largely—through the appropriations made by the Oklahoma Legislature.

Why are people de-emphasizing vocational agriculture around the nation? They feel it is not relevant—that's the answer. But vocational agriculture and the FFA program of activities are relevant. Of course American agriculture has no rival in the world as far as agricultural production is concerned. I think it is a great paradox in our day when half the world is counting grains of rice that we are forced to count our calories. That very fact offers a challenge to all of us to keep American agriculture strong—to keep those attributes of agriculture that serve the production aspects strong! The story of agriculture needs to be told. There's a

great change in the efficiency and the importance to the American economy—those things are important!

Recently I was in Yellowstone National Park and I read a sign that said, "Do not feed the bears." I asked the Ranger "why." He told me that after the tourist season the bears would starve to death before they went into winter hibernation—that if they had been fed all summer, they would not know how to get back into those logs and get out honey, or they wouldn't know how to go pick wild berries to sustain themselves. Well, I have a perfect parallel to that—the American young people! Too many times the parents in our affluent society are just waiting to give their sons and daughters everything on a silver platter. It is about time the American youth realized that if we are going to be successful, we must realize that a day's pay comes from an honest day's work!

How many times have you seen young people come to these very Capitol steps to protest the Oklahoma Government—protest the educational structure here in Oklahoma—protest everything that Americans hold dear simply because they have never been responsible in their homes? We in rural America have chores to do daily. We are constructively involved with our vocational agriculture instructors, our school administrations, our community figures; but, most of all, with our parents and church—these are profoundly important!

How many times have you seen the "turn-on-drop-out" philosophy in evidence in Oklahoma—across the Nation? The other day when we came in this national good will tour to Washington, D. C., as we flew out of National Airport, we saw all kinds of hippies, and those who were carrying their placards; and, I wondered to myself—"What about this 'C' in America—what about the lack of love—the lack of God—the crime and apathy and the indifference—but then I thought of the



people we are going to be meeting with during these next few weeks as we travel across the country—the people who are really concerned about those people, and who are really concerned about the future that we hold dear for America!

Gentlemen, your continued support in Oklahoma of the Future Farmers of America will transform the motto of this organization into a way of life. What a beautiful pledge our motto is: "Learn to Do"—though classroom instruction; "Doing to Learn"—through FFA activities; "Earning to Live"—through occupational experience programs; and, the greatest line in our short motto is "Living to Serve".

The future lies before all Americans—for young America there will be many challenges, and we must come up with answers; but, the Future Farmers of America welcome these opportunities—we welcome the challenges of tomorrow—we know that in America we have much to live with; and, God knows—**EVERYTHING TO LIVE FOR!**

### CITATION

Upon motion of Senator Taliaferro, joined by Senator Terrill, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Harry Birdwell.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

President Nigh presiding.

President Pro Tempore Smith called attention to the fact that one of the Senate's own members had received a Citation of Award for his outstanding work with the FFA, and asked unanimous consent, which was granted, that such be reflected in the Journal; whereupon, the Senate acknowledged the "Grateful recognition of distinguished and effective leadership in behalf of Vocational-Technical Education, Agriculture and Future Farmers of America" to Senator Clem McSpadden, presented January 17, 1970, by the Oklahoma

Vocational Agriculture Teachers Association; and, expressed their appreciation to Senator McSpadden for his leadership and contributions in this field.

### REQUESTS FOR LOBBY PERMITS

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Leo E. Meyers, 4228 NW 21st Street, Oklahoma City, representing Oklahoma Oil Marketers Association.

R. H. "Bob" Smith, 321 North Harvey, Oklahoma City, representing the Oklahoma Gas and Electric Company.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, February 2, 1970, of Enrolled **SB 379** entitled:

**SB 379**—By Smalley and Baggett of the Senate and Cate of the House—An Act relating to banks and trust companies; amending Subsection C, Section 1202, Chapter 161, O. S. L. 1965, as amended by Section 14, Chapter 93, O. S. L. 1968 (60 O. S. Supp. 1968, § 1202, Subsection C), by adding subparagraphs (5) and (6) thereto; \*\*\* and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1585**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the State Election Board, reappropriating certain funds thereto and stating the purpose; relating to various state agencies, making appropriations thereto and stating the purpose of the appropriations; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**HB 1601**—By Skeith and Dunn of the House and Murphy of the Senate—An Act relating to the State Highway Department; creating a continuing nonfiscal fund in the State Treasury for the acquisition

of rights-of-way in advance of actual need; authorizing the Director of the Highway Department to sell property in the name of the state where not needed, in which event the proceeds shall be deposited in the fund; authorizing investment of monies in said fund and providing for deposit of earnings therefrom in such fund; providing for severability; and repealing § § 1214-1225, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § § 1214-1225).

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1515.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1044.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 452.

The above numbered Enrolled Bill was referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising that House Conferees on Engrossed HB 1291 have been named, as follows: Abbott, Odom (Martin), Clemons.

#### FIRST READING

The following Bills and/or Resolution were introduced and read the first time:

**SB 527**—By Field of the Senate and Harrison of the House—An Act relating to livestock; repealing Sections 1-14, Chapter 284, O. S. L. 1967 (2 O. S. Supp. 1969,

§ § 1151-1164), the Oklahoma Livestock Commission Act.

**SB 528**—By Boecher—An Act relating to radio common carriers; defining the same; declaring the same to be public utilities subject to the jurisdiction of the Corporation Commission; providing for the issuance of certificates of public convenience and necessity; prescribing the procedure for such issuance; providing exceptions to certain classes of existing carriers; authorizing the commission to adopt rules and regulations; making provisions of Act severable; directing codification; and declaring an emergency.

**SB 529**—By Boecher—An Act relating to agriculture; amending Section 4, Chapter 383, O. S. L. 1967 (2 O. S. Supp. 1969, § 6-153); providing for proof of ownership to accompany certain shipments of livestock within the state; exempting exhibition livestock from the provisions of this subarticle; and declaring an emergency.

**SB 530**—By Smith—An Act relating to registering and licensing motor vehicles; amending 47 O. S. 1961, § 22.5b, as amended by Section 1, Chapter 238, O. S. L. 1969 (47 O. S. Supp. 1969, § 22.5b); providing any religious corporation or society of this state owning a motor bus that is used by such owner solely for the furtherance of its religious functions and activities shall, upon due application therefor, be entitled to receive a motor bus license tag from the Oklahoma Tax Commission for a fee of One Dollar; providing trucks of eight thousand pounds or less laden weight owned by teachers of vocational agriculture and used primarily for vocational agriculture purposes shall be deemed engaged in "farm use"; providing any nonprofit organization which emphasizes programs for the unemployed of the handicapped, such as Goodwill Industries, Inc., owning any motor vehicle, except passenger automobiles, used principally in the transportation of goods or material for the use of such nonprofit organization shall, upon due application

therefor, be entitled to receive a motor vehicle tag from the Oklahoma Tax Commission for a fee of One Dollar; and declaring an emergency.

**SB 531**—By Smith—An Act relating to taxation; amending Section 24232 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § 24232); providing real property acquired by the public during certain time of year shall, from date of recording the evidence of the public's title, be relieved of all ad valorem taxes in certain instances; providing payment shall be made of ad valorem tax by the grantor, or person from whom the realty is acquired, of a sum calculated to equal, pro rata, the portion of the year such realty was privately owned; and providing method of making such calculation.

**SB 532**—By Smith—An Act relating to schools; amending 70 O. S. 1961, § 1-16, 8-1, as amended by Section 17, Chapter 397, O. S. L. 1965, and 8-3, as amended by Section 1, Chapter 167, O. S. L. 1963 (70 O. S. Supp. 1969, §§ 8-1 and 8-3); providing any child between five and twenty-one years of age shall be entitled to attend school, nursery or kindergarten, in the district in which he resides and if the school district in which he resides does not offer the grade, nursery or kindergarten in which he is entitled to be instructed, to be transferred to a school district which offers it and to have certain expenditures therefor paid from funds of the district in which he resides; prescribing conditions under which an underage or nonresident child may be admitted to nursery and kindergarten classes in a school district; providing certain conditions for continuation of eligibility for state aid funds; prescribing grounds and certain procedure for transferring child from one district to another; providing severability; and declaring an emergency.

**SB 533**—By Miller—An Act relating to elections; repealing 26 O. S. 1961, § 121, which requires an affidavit by members of a political party seeking to assist in

nominating or support a member of his party; and declaring an emergency.

**SB 534**—By Young and Grantham of the Senate and McCune of the House—An Act relating to elections; amending Section 11, Chapter 387, O. S. L. 1968 (26 O. S. Supp. 1969, § 162 1), to provide existing judicial and nominating districts for election of District Judges shall remain as formerly constituted and to define nominating districts for former Superior Court Judges; and declaring an emergency.

**SB 535**—By Terrill and Taliaferro of the Senate and Beauchamp of the House—An Act relating to judiciary; establishing eligibility for disability compensation retirement of justices or judges ordered to retire from office by the Court on the Judiciary for reason of physical disability; establishing effective dates thereof; directing codification; and declaring an emergency.

**SB 536**—By Nichols of the Senate and Sparkman of the House—An Act relating to crimes and punishments; providing that it shall be unlawful to make, present or cause to be presented false, fictitious or fraudulent claims to the State of Oklahoma; making such action a felony and declaring the punishment therefor; and declaring an emergency.

**SB 537**—By Holden—An Act relating to civil procedure; amending 12 O. S. 1961, § 936, as amended by Section 1, Chapter 135, O. S. L. 1967 (12 O. S. Supp. 1969, § 936); providing for attorney fees to be taxed as costs in certain cases; and declaring an emergency.

**SB 538**—By Garrison—An Act relating to state officers and employees; creating the Office of Community Affairs and Planning; creating Governor's Council on Community Affairs and providing for agent thereof; expressing legislative intent; providing for Administrator of Office of Community Affairs and Planning; providing for his appointment by Governor and authorizing Governor to fix salary; defining duties and powers of Administrator; transferring certain duties of Division of Re-



nance and Commerce, which was the order.

**SB 522**—Governmental Affairs.

**SB 523**—Judiciary.

**SB 524**—Judiciary.

**SB 525**—Agriculture.

**SB 526**—Constitutional Revision and Regulatory Services.

President Pro Tempore Smith asked unanimous consent that the order referring **SB 526** to the Committee on Constitutional Revisions and Regulatory Services be rescinded and that said Bill be referred to the Committee on Education, which was the order.

**HB 1461**—Judiciary.

**HB 1507**—Judiciary.

**HB 1521**—Governmental Affairs.

**HB 1527**—Finance and Commerce.

**HB 1542**—Appropriations and Budget.

**HB 1560**—Appropriations and Budget.

**HB 1567**—Appropriations and Budget.

**HB 1568**—Appropriations and Budget.

**HB 1569**—Appropriations and Budget.

**HB 1570**—Appropriations and Budget.

**HB 1573**—Appropriations and Budget.

**HB 1582**—Appropriations and Budget.

By unanimous consent, upon request of Senator Smalley, **HJR 1004** was ordered printed and placed upon the Calendar without reference to a Committee.

**HJR 1043**—Public Health.

## COMMITTEE REPORTS

The following Bills and/or resolution were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 488**—Appropriations and Budget.

**SB 498**—Judiciary.

**SJR 37**—Judiciary-Coauthored by Stratton of the House.

**HB 1021**—Judiciary-Coauthored by Young.

**HB 1519**—Appropriations and Budget.

DO PASS, as amended:

**SB 408**—Judiciary.

**SB 432**—Appropriations and Budget.

**SB 446**—Appropriations and Budget.

**SB 451**—Appropriations and Budget.

**SB 479**—Appropriations and Budget.

**SB 503**—Appropriations and Budget.

**SB 508**—Appropriations and Budget-Coauthored by Murphy.

**HB 1457**—Judiciary-Coauthored by Grantham.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 433** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 433** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 433** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 433** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Boecher, Crow, Dacus, Hargrave, Porter.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham,

Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Boecher, Crow, Dacus, Hargrave, Porter.—6.

The emergency was declared passed.

SB 433 was referred for engrossment.

### GENERAL ORDER

SB 436 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 436 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 436 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 436 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Lane, Porter.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, Mc-

Cune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Lane, Porter.—6.

The emergency was declared passed.

SB 436 was referred for engrossment.

### GENERAL ORDER

SB 449 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Senator Grantham asked to be made a coauthor of SB 449, which was the order.

Senator McSpadden moved to amend SB 449, page 1 by crippling the Title, which amendment was declared adopted.

Upon motion of Senator McSpadden, SB 449, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 449, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 449 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Phillips, Porter.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Phillips, Porter.—6.

**SB 449**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 362, 417 and SCR 55** each correctly engrossed.

**SCRs 49, 51, 53 and 54** each correctly enrolled.

**SBs 362, 417 and SCR 55** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SCRs 49, 51, 53 and 54** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### GENERAL ORDER

**SB 445** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 445** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 445** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 445** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Fer-

rell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Nay: Luton.—1.

Excused: Baldwin, Crow, Dacus, Hamilton, Hargrave, Nichols, Porter, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Nay: Luton.—1.

Excused: Baldwin, Crow, Dacus, Hamilton, Hargrave, Nichols, Porter, Taliaferro.—8.

The emergency was declared passed.

**SB 445** was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SB 444** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 444** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 444** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 444** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Baldwin, Crow, Dacus, Hargrave, Horn, Porter, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Baldwin, Crow, Dacus, Hargrave, Horn, Porter, Taliaferro.—7.

The emergency was declared passed.

SB 444 was referred for engrossment.

### GENERAL ORDER

SB 438 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Senator Birdsong asked to be made a coauthor of SB 438, which was the order.

Upon motion of Senator McSpadden, SB 438 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 438 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 438 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Keels, Porter.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Crow, Dacus, Hargrave, Keels, Porter.—6.

The emergency was declared passed.

SB 438 was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 321, 389, 429, 464, 465, 471, 478, 502 and HBs 1203 and 1445 each correctly engrossed.

Engrossed SBs 321, 389, 429, 464, 465, 471, 478 and 502 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HBs 1203 and 1445, as amended, were properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 49, 51, 53 and 54.

The above numbered Enrolled Resolu-

tions were ordered referred to the Secretary of State.

### GENERAL ORDER

**SB 504** by Murphy, Smalley, Terrill, Smith, Ham, McGraw and Graves was read and considered.

Senators Breckinridge, Nichols and Bradley asked to be made coauthors of **SB 504**, which was the order.

Senator Murphy moved to amend **SB 504**, page 1, line 2, by striking the word "bond" and substituting therefor the word "bonds" which amendment was declared adopted.

Senator Garrison, joined by Senator Murphy, moved to amend **SB 504**, page 2, lines 2 and 3, by striking the language "Authority Act, Laws 165, C 251, Section 1" and substituting therefor the language "Authorities Act, (Title 63 O. S., Sections 1051 through 1082), which amendment was declared adopted.

Senator Stipe moved to amend **SB 504**, page 2, line 4, by striking the words and figure "eight percent (8%)" and substituting therefor the words and figure "six percent (6%)" which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—31.

Nay: Berrong, Ferrell, Field, Horn, Howard, Lane, Phillips, Stansberry, Stipe, Williams, Young.—11.

Excused: Baldwin, Crow, Dacus, Hargrave, Massey, Porter.—6.

Senator Romang moved to amend **SB 504**, page 1, line 8, by striking the words "excessive of" and substituting therefor the words "to exceed" which amendment was declared adopted.

Senator Stipe moved to amend **SB 504**, page 2, line 1, by striking the words "Oklahoma Turnpike Authority" which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Holden, Inhofe, Luton, McCune, McGraw, Miller, Murphy, Nichols, Payne, Romang, Smalley, Smith, Terrill.—22.

Nay: Baggett, Berrong, Boecher, Ferrell, Field, Hamilton, Horn, Howard, Lane, McSpadden, Martin, Medearis, Phillips, Porter, Short, Stansberry, Stipe, Williams, Young.—19.

Excused: Baldwin, Crow, Dacus, Hargrave, Keels, Massey, Taliaferro.—7.

Senator Stipe moved to amend **SB 504**, page 2, line 4, by striking the words and figure "eight percent (8%)" and substituting therefor the words and figure "seven percent (7%)" which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Graves, Ham, Holden, Howard, Inhofe, Keels, Luton, McGraw, Martin, Miller, Murphy, Payne, Romang, Smalley, Smith, Terrill.—22.

Nay: Baggett, Berrong, Boecher, Ferrell, Field, Grantham, Hamilton, Horn, Lane, McCune, McSpadden, Medearis, Nichols, Phillips, Porter, Short, Stansberry, Stipe, Williams, Young.—20.

Excused: Baldwin, Crow, Dacus, Hargrave, Massey, Taliaferro.—6.

Senator Baggett moved to amend **SB 504**, page 2, line 7, by inserting after the word "Oklahoma" and before the period (.) the language "; provided, however, that the total amount of interest in any bond issue shall not exceed the principal amount of such bond issue" which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Garrison, Graves, Ham, Holden, Horn, Inhofe, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Romang, Smalley, Smith, Terrill.—21.

Nay: Baggett, Berrong, Boecher, Ferrell, Field, Garrett, Grantham, Hamilton, Howard, Lane, McCune, Medearis, Payne, Phillips, Porter, Short, Stansberry, Stipe, Williams, Young.—20.

Excused: Baldwin, Crow, Dacus, Hargrave, Keels, Massey, Taliaferro.—7.

Senator Baggett moved to amend **SB 504**, page 2, line 7, by inserting after the word "Oklahoma, and before the period (.) the language "provided, that all such bonds maturing on or after ten (10) years from their date of issue must be made subject to call and redemption at par plus accrued interest plus a premium of not to exceed one-half of one year's interest" which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Bradley, Breckinridge, Ferrell, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Luton, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Smalley, Smith, Terrill.—22.

Nay: Baggett, Birdsong, Boecher, Field, Garrett, Grantham, Howard, Keels, Lane, McCune, McSpadden, Phillips, Porter, Short, Stipe, Williams, Young.—17.

Excused: Baldwin, Berrong, Crow, Dacus, Garrison, Hargrave, Medearis, Stansberry, Taliaferro.—9.

Senator Baggett moved to amend **SB 504**, page 2, line 7, by adding after the word "Oklahoma" the language "provided, further that all such bonds must be sold and issued at par or above par and may not be sold and issued at discount."

Senator Murphy moved to table the Baggett amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Graves,

Holden, Horn, Inhofe, McGraw, Martin, Massey, Miller, Murphy, Nichols, Romang, Smalley, Smith, Taliaferro, Terrill.—21.

Nay: Baggett, Birdsong, Boecher, Field, Garrett, Ham, Hamilton, Howard, Keels, Lane, Luton, McCune, McSpadden, Medearis, Payne, Phillips, Porter, Short, Stipe, Williams, Young.—21.

Excused: Baldwin, Berrong, Crow, Dacus, Hargrave, Stansberry.—6.

The vote occurring upon the Baggett amendment, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Field, Garrett, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Payne, Phillips, Porter, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—30.

Nay: Breckinridge, Ferrell, Garrison, Grantham, Graves, Inhofe, McGraw, Miller, Murphy, Nichols, Romang, Smalley.—12.

Excused: Baldwin, Crow, Dacus, Hargrave, Massey, Stansberry.—6.

Senator Field moved to amend **SB 504**, page 2, line 7, by adding after the Baggett amendment the language "interest earned on bonds hereinafter sold and issued shall not be exempt from State Income Tax."

Senator Murphy raised a point of order, which was overruled, against the Field amendment, stating that it was not germane to the subject matter contained in the Bill.

Senator Hamilton presiding.

Senator Murphy moved to table the Field amendment, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne,



Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—33.

Nay: Berrong, Boecher, Field, Ham, Phillips, Porter, Stipe, Young.—8.

Excused: Baldwin, Birdsong, Crow, Dacus, Hargrave, Keels, Stansberry.—7.

Upon motion of Senator Murphy, **SB 504**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 504**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 504** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—33.

Nay: Baggett, Berrong, Field, Keels, Lane, Phillips, Porter, Stipe, Williams.—9

Excused: Baldwin, Crow, Dacus, Hargrave, Stansberry, Young.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—33.

Nay: Baggett, Berrong, Field, Keels, Lane, Phillips, Porter, Stipe, Williams.—9

Excused: Baldwin, Crow, Dacus, Hargrave, Stansberry, Young.—6.

The emergency was declared passed.

Senator Murphy asked unanimous consent, which was granted, that the Engrossing and Enrolling Department be granted the authority to amend the Title of **SB 504** to conform to the body of the Bill.

**SB 504**, as amended, was referred for engrossment.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 55**.

The above numbered Resolution was referred for enrollment.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Seventeenth Legislative Day

Tuesday, February 3, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—43.—

Excused: Boecher, Crow, Dacus, Stansberry, Terrill.—5.

The President declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Grantham:

Almighty God, Our Heavenly Father, it is Thy business we are about today. So we pause at mid-day to offer Thee our efforts of the morning hours, and to seek Thy help for the hours ahead.

As we labor help us to remember that all problems are spiritual problems. Help us to discern in each measure of responsibility the spiritual factor at the center. Keep us ever aware that mankind's work and life should glorify Thee, that you do not exist for man, rather man exists for Thee. So then Our Father, help us to be mindful of Thy infinite concern and caring love, working to assist us to be prudent and providential in planning for the

public good. Keep us conscious that the people are Thy people. We acknowledge therefore, that we are servants first of Thee, and consequently servants of the people.

Forgive us Father when we work an hour, a day, or a week, as though we are alone, and are not Thy tools. Forgive us that we labor sometimes without consciousness of being co-laborers with Thee. In the name of the Suffering Servant, Jesus Christ, we pray. Amen.

The Journal for the last legislative day was declared approved.

### INTRODUCTION OF GUEST

President Pro Tempore Smith asked unanimous consent, which was granted for the introduction of a very special guest; whereupon, he called upon Senator Garrison, who introduced the illustrious Major General Franklin A. Nichols, son of our own distinguished Senator Al Nichols, and his Aide, Captain Taylor.

By unanimous consent, the above introduction was ordered incorporated in the Journal; and, Major General Nichols was granted privileges of the Floor, upon the unanimous consent request of Senator Payne.

President Pro Tempore Smith appointed Senators McSpadden, Payne and Garrison as a Committee to escort the distinguished guest into the Chamber.

### REQUEST OF BILLS

By unanimous consent, upon request of President Pro Tempore Smith, the follow-

ing communication and accompanying list of requests for introduction of Senate Bills is incorporated herein:

Honorable Finis W. Smith

President Pro Tempore

State Senate

State Capitol Building

Dear Mr. President:

Attached you will find a list of drafting requests for bills and joint resolutions received from members of the Senate as of the close of the day February 2, 1970, and not completed as of this date.

The list is divided by author-requestors and each pending request is further identified by our official request number and the general subject matter of the request.

The drafting of pending requests will be completed as expeditiously as possible.

Respectfully yours,

Jack A. Rhodes

Director

AUTHOR	REQUEST NO.	SUBJECT MATTER
ATKINSON	526	Education
BAGGETT	195	Consumer Credit Code
	270	Revenue and Taxation
	271	Revenue and Taxation
	488	Education
	707	Education
	708	Constitutional Revision
	709	Constitutional Revision
	710	Education
	711	Holidays
	720	Fees Chargeable by Secretary of State
	722	ABC Board
	749	Constitutional Amendment
	750	Constitutional Amendment

AUTHOR	REQUEST NO.	SUBJECT MATTER
	751	Loan of Money
	752	Education
	753	Revenue and Taxation
	754	Elections
	755	State Bonds
	756	Fees Chargeable by Secretary of State
	757	Education
	758	Education
	759	Legislative Office of Planning
	760	Office of Legislative Post Auditor
	761	Consumer Credit Code
	762	State Bonds
	763	State Bonds
	764	Constitutional Amendment
	765	Education
	766	Education
	767	Capitol Improvement Authority
	768	Adjutant General
BALDWIN	43	Investment of State Funds
BERRONG	738	Purchasing
BIRDSONG	113	Limitations of Actions
	159	Insurance
	267	Wiretapping
	306	Judiciary
	309	Insurance
	652	Motor Vehicles
	666	Insurance
	667	Royalty Payments
	668	Insurance
	712	State Insurance Fund
	736	Motor Vehicles
BRADLEY	630	Professions and



AUTHOR	REQUEST NO.	SUBJECT MATTER	AUTHOR	REQUEST NO.	SUBJECT MATTER
		Occupations		687	Roads and Highways
	650	Judiciary			
BRECKINRIDGE	414	Public Welfare	HAMILTON	243	Insurance
	673	Constitutional Amendment		366	Insurance
	734	Insurance		344	Revenue and Taxation
CROW	29	Professions and Occupations		345	Revenue and Taxation
	25	Bond Elections		348	Office of Attorney General
	280	Revenue and Taxation		349	Judiciary
	296	Agriculture		350	Alcoholics and Drug Addicts
	697	Education		351	Study of Medical Needs
FERRELL				352	Insurance
	656	Military Awards		421	Judiciary
GARRETT	617	Judiciary		496	Constitutional Amendment
	631	Judiciary		497	Constitutional Amendment
GARRISON	92	Judiciary		612	Poultry Products
	93	Civil Procedure		672	Indian Affairs
	556	Education		721	Corporation Commission
	655	Marketable Title		740	Appropriation
GRANTHAM	224	Civil Procedure		741	Vending Machines
	412	Judiciary			
	424	Cemeteries	HARGRAVE	413	Cemeteries
	628	Chemical Tests		658	Veterans'
	689	Judiciary			
	690	Judiciary	HOLDEN	588	Pollution
	742	Probate Procedure			
	743	Probate Procedure	HOWARD	117	Limitation of Actions
	744	Revenue and Taxation		671	Elections
	745	Revenue and Taxation		718	Education
GRAVES			INHOFE	130	Revenue and Taxation
	472	Contracts—Foreclosure		230	Insurance
HAM	295	Banks and Trusts		691	Santa Claus Commission
	633	Judiciary		692	Elections
	636	Holidays		693	State Parks;

AUTHOR	REQUEST NO.	SUBJECT MATTER	AUTHOR	REQUEST NO.	SUBJECT MATTER
		Historical Sites		645	Dental Act
	694	Credit Cards		683	Revenue and Taxation
KEELS				748	Libraries
	685	Bail Bonds	NICHOLS		
LANE				217	Bonds
	739	Jukeboxes		611	Capitol Improvement Authority
LUTON				661	Board of Public Affairs
	141	Judiciary		705	Appropriation
	240	Insurance		723	Nursing Care
	651	Motorboats	PHILLIPS		
	684	Workmen's Compensation		735	Turnpike Employees
	729	Insurance			
	730	Legislative Districts	ROMANG		
MASSEY				189	Crimes and Punishment
	642	Corporation Commission		732	Appropriation
MURPHY			SMALLEY		
	455	Southwest Center of Safety Education		621	Municipal Bonds
	461	Appropriation		724	Archaeological Survey
	515	Fire Protection Personnel	SMITH		
	625	Oil and Gas		24	Housing Law—Urban Renewal
	706	Oklahoma Housing Corporation		714	Oklahoma Facilities Development
	715	Pesticides	STANSBERRY		
	716	State Officers and Employees		479	Medical Treatment
McCUNE			STIPE		
	12	Children		385	Land Reclamation
	177	Elections		670	Labor
	431	Children		695	Workmen's Compensation
McGRAW				696	Insurance
	430	Revenue and Taxation	TERRILL		
	437	Motor Vehicles		28	Children
	528	Bonds		181	Education
	669	Medical Laboratories		275	Motor Vehicles
	682	Department of Public Safety		725	Credit Cards
	733	Torts		726	Elections
McSPADDEN				727	Probate
	372	City Planning and Zoning		728	Education
				731	Welfare; Voca-

AUTHOR	REQUEST NO.	SUBJECT MATTER
		tional Technical School
WILLIAMS	533	Public Lands
	534	Public Lands
	649	Mental Health
YOUNG	376	Quail Season
	447	Roads and Highways
	629	Insurance
	674	Roads and Highways
	676	Workmen's Compensation
	688	Judiciary
	698	Workmen's Compensation
	699	Insurance
	700	Insurance
	701	Insurance
	702	Insurance
	703	Insurance
	704	Governmental Purchasing
	719	Education
	747	Insurance

### DECLARATION OF VOTE

Senator Baldwin asked that the record show, had he been present at the time of third reading and final passage of **SB 504**, he would have voted NAY, which was the order.

President Pro Tempore Smith presiding.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1552**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the office of the Secretary of State and making appropriations thereto; stating the purpose; providing that the Secretary of State shall fix the duties and compensation of employees within certain limitations; autho-

rizing the Secretary of State to prepare additional copies of legislative acts; providing for a microfilm system; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1553**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate.—(An Act relating to the division of the budget and declaring an emergency).

**HB 1555**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the office of the State Examiner and Inspector and making appropriations thereto; stating the purpose; providing that the State Examiner and Inspector shall fix the duties and compensation of employees; providing for transfer of certain unappropriated funds; providing lapse date; creating a revolving fund and stating the purpose; amending Section 6, Chapter 366, O.S.L. 1965 (74 O.S. Supp. 1969, § 227.6); making provisions of this Act severable; and declaring an emergency.

**HB 1556**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Tax Commission and declaring an emergency.

**HB 1577**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Aeronautics Commission and declaring an emergency).

**HB 1616**—By Mountford, Privett, Hopkins, Monks, Barker, Nance, Tabor, Allard, Hutchens, McCune, Smithey, Hatchett, Bamberger, Atkins, Miskelly, Howard, Smith (E. W.), Wiedemann, Spearman, Cole, Finch, Bradley, Odom (Martin), Wolf (Leland), Poulos, York, Andrews, Briscoe, Hesser, Bickford, Clemmons, Conaghan, Murphy, Payne, Rogers, Thompson, Trent, Wayland, Williamson, and Witt of the House and Smith, Nichols, Keels, McGraw, Breckinridge, McSpadden, Holden, Luton, Baggett, Massey, Horn, Payne, Young, Hargrave,



Bradley, Garrett, McCune and Stipe of the Senate—An Act relating to firemen; amending 11 O.S. 1961, § 364, as last amended by Section 1, Chapter 88, O.S.L. 1967 (11 O.S. Supp. 1969, § 364); providing for pension upon retirement after twenty years' service; providing for increased pension for service up to thirty years; providing for minimum pension; and declaring an emergency.

The above numbered HBs were read for the first time.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 341, as amended.

HAs to SB 341 read as follows, and consideration deferred:

Amendment No. 1. Amend Pages 1, Line 20 to Page 3, Line 20 by deleting Section 1, and making old Section 2 into new Section 1. Insert new Section 2 as follows:

SECTION 2. 6 O.S. 1961, § 395.11, as last amended by § 7, Chapter 496, O.S.L. 1965, and renumbered (6 O.S. Supp. 1969, § 2011), is amended to read as follows:

Section 2011. All entrance fees and fines provided by the by-laws shall be paid into a fund as a reserve against possible bad debts and other losses which the Credit Union may sustain. Before the declaration of a dividend on **[stock]** SHARES or the payment of interest on deposits, twenty percent (20%) of the income from loans to PERSONAL members, less all operating expenses, since the last dividend or interest payment and figured prior to deducting additional dividends or interest payments must be paid into such reserve fund, until same shall amount to **[ten percent (10%)]** SEVEN PERCENT (7%) of the loans outstanding of the Credit Union and in case said reserve fund is thereafter for proper purposes reduced below such **[ten percent (10%)]** SEVEN PERCENT (7%) it shall be replenished in like manner.

Amendment No. 2. Amend Page 3,

Lines 29-30, by striking the words "competent and experienced auditor, or a Certified Public Accountant" and inserting the words "LICENSED PUBLIC ACCOUNTANT".

Amendment No. 3. Amend TITLE to read as follows:

An Act relating to Credit Unions; amending 6 O. S. 1961, § 395.9 Subsection (E), as amended by Section 6, Chapter 496, O.S.L. 1965, and renumbered (6 O.S. Supp. 1969, § 2010, Subsection (E) ), relating to audits; 6 O.S. 1961, § 395.11, as last amended by § 7, Chapter 496, O.S.L. 1965, and renumbered (6 O.S. Supp. 1969), § 2011), relating to reserve fund; and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

HCR 1047—By Tabor, et al, of the House and Massey of the Senate—A Concurrent Resolution declaring the month of February American History Month in the State of Oklahoma in the year 1970.

Consideration of the Resolution was deferred for this Legislative day.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1330 and 1497.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

SB 375—Judiciary—Coauthored by Luton.

SB 383—Judiciary.

HB 1050—Municipal Government.

**HB 1434**—Finance and Commerce—Co-authored by Field.

**HB 1611**—Finance and Commerce—Coauthored by Breckinridge.

**HCR 1036**—Education — Coauthored by Keels.

DO PASS, as amended:

**SB 238**—Judiciary.

**SB 489**—Municipal Government.

**SB 494**—Judiciary.

## FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 550**—By Romang of the Senate and Rogers of the House—An Act relating to crimes and punishment; amending 21 O. S. 1961, § 1040.8, to provide that in the case of mailing any obscene, filthy, indecent, lascivious, lewd or unfit book, magazine, story, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, image, cast, slide, figure, instrument, statue, drawing, presentation or other article, the offense is deemed complete when such material is deposited in any post office or any other place to any person with intent that it should be forwarded; providing place where prosecution may be made; and declaring an emergency.

**SB 551**—By Young—An Act relating to civil procedure; amending Section 1, Chapter 452, O.S.L. 1965 (12 O.S. Supp. 1969, § 425); providing that persons submitting to physical or mental examinations in connection with workmen's compensation claims must receive copies of reports of such examination or court shall exclude all or any part of testimony regarding such examination; and declaring an emergency.

**SB 552**—By Atkinson—An Act relating to junior colleges; amending Section 1404 of Section 2, Chapter 100, O.S.L. 1967 (70 O.S. Supp. 1969, § 4404), to provide qualifications for members of board of trus-

tees for a community junior college; providing terms; providing method of selection; and declaring an emergency.

**SB 553**—By Holden—An Act relating to oil and gas; amending Sections 1 and 2, Chapter 191, O.S.L. 1965 (52 O.S. Supp. 1969, § § 309 and 310); providing for plugging, replugging, or repairing of abandoned wells drilled for the exploration, development, or production of oil or gas, or as injection or salt water disposal wells; defining the rights, authority and responsibility of the Corporation Commission and of the persons plugging, replugging or repairing such wells under the authority and direction of the Corporation Commission; providing for contracts to be let on competitive bids when Corporation Commission undertakes such remedial work; providing for the furnishing of bonds by persons drilling or operating wells for oil or gas or as injection or disposal wells and prescribing conditions thereof; and directing codification.

**SJR 42**—By Hamilton—A Resolution relating to public health; directing the State Department of Health and the State Department of Mental Health to study existing facilities and programs concerned with the treatment of alcoholics and drug addicts; directing such agencies to determine the feasibility, costs and estimated results of implementing existing facilities and programs should same be inadequate; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 527**—Agriculture.

**SB 528**—Finance and Commerce.

**SB 529**—Agriculture.

**SB 530**—Revenue and Taxation.

**SB 531**—Revenue and Taxation.

**SB 532**—Education.

**SB 533**—Governmental Affairs.

SB 534—Judiciary.  
 SB 535—Judiciary.  
 SB 536—Judiciary.  
 SB 537—Judiciary.  
 SB 538—Governmental Affairs.  
 SB 539—Judiciary.  
 SB 540—Rules.  
 SB 541—Judiciary.  
 SB 542—Judiciary.  
 SB 543—Judiciary.  
 SB 544—Judiciary.  
 SB 545—Judiciary.  
 SB 546—Governmental Affairs.  
 SB 547—Judiciary.  
 SB 548—Governmental Affairs.  
 SB 549—Judiciary.  
 SJR 41—Judiciary.  
 HB 1585—Appropriations and Budget.  
 HB 1601—Appropriations and Budget.

#### GENERAL ORDER

SB 498 by Garrett was read and considered.

Senator Baggett asked to be made a coauthor of SB 498, which was the order.

Upon motion of Senator Garrett, SB 498 was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, SB 498 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

SB 498 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley,

Smith, Stipe, Taliaferro, Williams, Young.—40.

Excused: Atkinson, Berrong, Boecher, Crow, Dacus, Ferrell, Stansberry, Terrill.—8.

The bill was declared passed.

Senator Garrett asked unanimous consent that the Emergency Section of SB 498 be stricken and the Title amended to conform thereto, to which Senator Baggett objected.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Garrison, Grantham, Ham, Inhofe, Medearis, Payne, Williams, Young.—9.

Nay: Atkinson, Baldwin, Birdsong, Bradley, Breckinridge, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro.—29.

Excused: Berrong, Boecher, Crow, Dacus, Ferrell, Keels, Nichols, Porter, Stansberry, Terrill.—10.

The emergency was declared failed of passage.

SB 498, as amended, was ordered referred for engrossment.

#### GENERAL ORDER

HJR 1004 by Spearman, et al, of the House and Smalley of the Senate was read and considered.

Senators Murphy and Inhofe asked to be made coauthors of HJR 1004, which was the order.

Upon motion of Senator Smalley, HJR 1004 was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, HJR 1004 was placed upon third reading and final passage.

#### THIRD READING

HJR 1004 was read for the third time at length, as follows:



**HJR 1004**—By Spearman, Connor, Cate, Trent, Hill (Archibald), Green and Bamberger of the House and Smalley, Murphy and Inhofe of the Senate—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the question of calling a constitutional convention which shall be authorized to propose alterations, revisions, or amendments to the Constitution, or to propose a new Constitution; providing for a ballot title; and ordering a special election.

Be it resolved by the House of Representatives and Senate of the 2nd Session of the 32nd Legislature of the State of Oklahoma:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the question, pursuant specifically to Section 2, Article XXIV, of the Oklahoma Constitution, of calling a Constitutional Convention which shall be authorized to propose alterations, revisions, or amendments to the Constitution, or to propose a new Constitution for the State of Oklahoma.

**SECTION 2.** The ballot title for the proposed question set forth in Section 1 shall be in the following form:

**BALLOT TITLE**

Legislative Referendum No. ....

State Question No. ....

**THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

Shall the Legislature call a Constitutional Convention which shall be authorized to propose alterations, revisions, or amendments to the Constitution, or to propose a new Constitution for the State of Oklahoma?

☐ YES

**SHALL THE PROPOSED QUESTION BE APPROVED?**

☐ NO

**SECTION 3.** The Speaker of the House of Representatives shall, immediately after

the adoption of this resolution, prepare and file one copy thereof, including the ballot title, with the Secretary of State and one copy with the Attorney General of the State of Oklahoma.

**SECTION 4.** A special election is hereby ordered to be held throughout the State of Oklahoma on March 17, 1970, at which the proposed question set forth in Section 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—40.

Excused: Boecher, Crow, Dacus, Nichols, Porter, Stansberry, Taliaferro, Terrill.—8.

The Resolution was declared passed.

The question being, "Shall **HJR 1004**, by Spearman, et al, of the House and Smalley Murphy and Inhofe of the Senate, entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the question of calling a Constitutional Convention which shall be authorized to propose alterations, revisions or amendments to the Constitution, or to propose a new constitution; providing for a ballot title; and ordering a special election.

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on March 17, 1970, as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on

March 17, 1970, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro.—36.

Nay: Ferrell, Lane, Stipe, Williams, Young.—5.

Excused: Boecher, Crow, Dacus, Nichols, Porter, Stansberry, Terrill.—7.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**HJR 1004** was ordered withheld pursuant to rule 19-f.

### GENERAL ORDER

Senator Smalley moved that **SJR 38** be ordered stricken from the Calendar, which motion was declared adopted.

**SB 505** by Horn was read and considered.

Upon motion of Senator Horn, **SB 505** was advanced to engrossment.

By unanimous consent, upon request of Senator Horn, **SB 505** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 505** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham,

Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Young.—35.

Nay: Baggett, Bradley, Stipe, Taliaferro, Williams.—5.

Excused: Boecher, Crow, Dacus, McSpadden, Nichols, Porter, Stansberry, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Young.—35.

Nay: Baggett, Bradley, Stipe, Taliaferro, Williams.—5.

Excused: Boecher, Crow, Dacus, McSpadden, Nichols, Porter, Stansberry, Terrill.—8.

The emergency was declared passed.

**SB 505** was referred for engrossment.

Senator Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**SB 451** by Hamilton of the Senate and Sullivan of the House was read and considered.

Upon motion of Senator Hamilton, **SB 451** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 451** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 451** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—39.

Nay: Short.—1.

Excused: Baggett, Boecher, Crow, Dacus, Garrison, Lane, Nichols, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—39.

Nay: Short.—1.

Excused: Baggett, Boecher, Crow, Dacus, Garrison, Lane, Nichols, Terrill.—8

The emergency was declared passed.

SB 451 was referred for engrossment.

### GENERAL ORDER

SB 479 by Hamilton of the Senate and Sullivan of the House was read and considered.

Senator Medearis asked to be made a coauthor of SB 479, which was the order.

Upon motion of Senator Hamilton, SB 479 was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, SB 479 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 479 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—38.

Nay: Hargrave, Short.—2.

Excused: Boecher, Crow, Dacus, Garrison, Lane, McGraw, Nichols, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—38.

Nay: Hargrave, Short.—2.

Excused: Boecher, Crow, Dacus, Garrison, Lane, McGraw, Nichols, Terrill.—8.

The emergency was declared passed.

SB 479 was referred for engrossment.

### GENERAL ORDER

SB 488 by Hamilton of the Senate and Sullivan of the House was read and considered.

Upon motion of Senator Hamilton, SB 488 was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, SB 488 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 488 was read for the third time at length.



On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Young.—37.

Nay: Short, Williams.—2.

Excused: Boecher, Crow, Dacus, Garrison, Lane, McGraw, Nichols, Taliaferro, Terrill.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Young.—37.

Nay: Short, Williams.—2.

Excused: Boecher, Crow, Dacus, Garrison, Lane, McGraw, Nichols, Taliaferro, Terrill.—9.

The emergency was declared passed.

SB 488 was referred for engrossment.

### GENERAL ORDER

SB 432 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 432 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 432 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 432 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—40.

Excused: Boecher, Crow, Dacus, Garrison, Howard, Massey, Nichols, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—40.

Excused: Boecher, Crow, Dacus, Garrison, Howard, Massey, Nichols, Terrill.—8.

The emergency was declared passed.

SB 432 was referred for engrossment.

### GENERAL ORDER

SB 446 by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, SB 446 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 446 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 446 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Ferrell, Field, Garrett, Garrison, Gran-  
tham, Graves, Ham, Hamilton, Hargrave,  
Holden, Horn, Howard, Inhofe, Keels,  
Lane, Luton, McCune, McGraw, McSpad-  
den, Martin, Medearis, Miller, Murphy,  
Nichols, Payne, Phillips, Porter, Romang,  
Short, Smith, Stansberry, Stipe, Taliafer-  
ro, Williams, Young.—42.

Excused: Boecher, Crow, Dacus, Mass-  
ey, Smalley, Terrill.—6.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Ferrell, Field, Garrett, Garrison, Gran-  
tham, Graves, Ham, Hamilton, Hargrave,  
Holden, Horn, Howard, Inhofe, Keels,  
Lane, Luton, McCune, McGraw, McSpad-  
den, Martin, Medearis, Miller, Murphy,  
Nichols, Payne, Phillips, Porter, Romang,  
Short, Smith, Stansberry, Stipe, Taliafer-  
ro, Williams, Young.—42.

Excused: Boecher, Crow, Dacus, Mass-  
ey, Smalley, Terrill.—6.

The emergency was declared passed.

**SB 446** was referred for engrossment.

## GENERAL ORDER

**SB 508** by McSpadden, Massey and Mur-  
phy of the Senate and Willis, et al, of  
the House was read and considered.

Upon motion of Senator McSpadden, **SB**  
**508** was advanced to engrossment.

By unanimous consent, upon request of  
Senator McSpadden, **SB 508** was considered  
engrossed and placed upon third reading  
and final passage.

## THIRD READING

**SB 508** was read for the third time at  
length.

On the question of passage of Bill, the  
roll call resulted as follows:

Aye: Atkinson, B e r r o n g, Birdsong,

Breckinridge, Ferrell, Field, Garrett, Gar-  
rison, Grantham, Graves, Ham, Hamilton,  
Hargrave, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McGraw, McSpadden,  
Martin, Massey, Medearis, Miller, Mur-  
phy, Nichols, Payne, Phillips, Romang,  
Short, Smith, Stansberry, Williams.—35.

Nay: Baggett, Baldwin, Bradley, Mc-  
Cune, Stipe, Young.—6.

Excused: Boecher, Crow, Dacus, Por-  
ter, Smalley, Taliaferro, Terrill.—7.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, B e r r o n g, Birdsong,  
Breckinridge, Ferrell, Field, Garrett, Gar-  
rison, Grantham, Graves, Ham, Hamilton,  
Hargrave, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McGraw, McSpadden,  
Martin, Massey, Medearis, Miller, Mur-  
phy, Nichols, Payne, Phillips, Romang,  
Short, Smith, Stansberry, Williams.—35.

Nay: Baggett, Baldwin, Bradley, Mc-  
Cune, Stipe, Young.—6.

Excused: Boecher, Crow, Dacus, Por-  
ter, Smalley, Taliaferro, Terrill.—7.

The emergency was declared passed.

**SB 508** was referred for engrossment.

## GENERAL ORDER

**HB 1519** by Willis, et al, of the House  
and McSpadden and Massey of the Senate  
was read and considered.

Upon motion of Senator McSpadden, **HB**  
**1519** was advanced to engrossment.

By unanimous consent, upon request of  
Senator McSpadden, **HB 1519** was placed  
upon third reading and final passage.

## THIRD READING

**HB 1519** was read for the third time at  
length.

On the question of passage of Bill, the  
roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Breckinridge,  
Ferrell, Field, Garrett, Garrison, Gran-

tham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Williams, Young.—41.

Excused: Boecher, Crow, Dacus, Porter, Smalley, Taliaferro, Terrill.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Williams, Young.—41.

Excused: Boecher, Crow, Dacus, Porter, Smalley, Taliaferro, Terrill.—7.

The emergency was declared passed.

**HB 1519** was ordered withheld pursuant to Rule 19-f.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Romang motion to reconsider the vote by which **SB 316**, as amended, failed of passage, it was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Ferrell, Garrett, Ham, Hamilton, Hargrave, Howard, Lane, Luton, McCune, Murphy, Phillips, Romang, Short, Smith, Stipe, Young.—20.

Nay: Baldwin, Berrong, Bradley, Field, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Keels, McSpadden, Martin, Massey, Medearis, Miller, Payne, Smalley, Stansberry, Williams.—20.

Excused: Boecher, Crow, Dacus, McGraw, Nichols, Porter, Taliaferro, Terrill.—8.

### GENERAL ORDER

**SB 475** by Murphy of the Senate and Skeith of the House was read and considered.

Upon motion of Senator Murphy, **SB 475** was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 475** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 475** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—40.

Excused: Boecher, Crow, Dacus, McGraw, Nichols, Porter, Taliaferro, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—40.

Excused: Boecher, Crow, Dacus, McGraw, Nichols, Porter, Taliaferro, Terrill.—8.

The emergency was declared passed.

**SB 475** was referred for engrossment.



## GENERAL ORDER

**SB 477** by Murphy of the Senate and Skeith of the House was read and considered.

Senator Stipe, joined by Senator Payne, moved to amend **SB 477**, page 2, line 16, by adding after the word "when" the language "from the date of this act" which amendment was declared adopted.

Senator Hamilton presiding.

Senator Berrong, joined by Senator Payne, moved to amend **SB 477**, page 3, line 16, by adding after the word "system" the language "The State Highway Commission shall not interpret this sub-section as an authorization for closing any road used as a service road for regular local traffic" which amendment was declared adopted.

Senator Williams moved to amend **SB 477**, page 3, line 13, by striking the figure and word "6 months" and inserting in lieu thereof the figure and word "2 years" which amendment was declared adopted.

Upon motion of Senator Murphy, **SB 477**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 477**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 477** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Stansberry, Williams, Young.—33.

Nay: Baldwin, Hamilton, Hargrave, Lane, Payne, Stipe.—6.

Excused: Boecher, Crow, Dacus, Phil-

lips, Porter, Smalley, Smith, Taliaferro, Terrill.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Murphy, Nichols, Romang, Short, Stansberry, Taliaferro, Williams, Young.—33.

Nay: Baldwin, McSpadden, Payne, Stipe.—4.

Excused: Atkinson, Boecher, Crow, Dacus, Grantham, Miller, Phillips, Porter, Smalley, Smith, Terrill.—11.

The emergency was declared passed.

**SB 477**, as amended, was referred for engrossment.

## GENERAL ORDER

**SJR 37** by Berrong of the Senate and Stratton of the House was read and considered.

Upon motion of Senator Berrong, **SJR 37** was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SJR 37** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SJR 37** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Williams, Young.—34.

Nay: Howard.—1.

Excused: Baldwin, Boecher, Crow, Dacus, Grantham, Hargrave, Lane, Miller, Nichols, Phillips, Porter, Smith, Terrill.—13.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Williams, Young.—34.

Nay: Howard.—1.

Excused: Baldwin, Boecher, Crow, Dacus, Grantham, Hargrave, Lane, Miller, Nichols, Phillips, Porter, Smith, Terrill.—13.

The emergency was declared passed.

**SJR 37** was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 433, 436, 438, 444, 445, 449, and 504** each correctly engrossed.

Engrossed **SBs 433, 436, 438, 444, 445, 449, and 504** were properly signed and ordered transmitted to the Honorable House for consideration.

## PENDING SENATE ACTION

**HCR 1038** by Sparkman of the House and Berrong of the Senate was called up for consideration.

Senators Graves and Taliaferro asked to be made coauthors of **HCR 1038**, which was the order.

**HCR 1038**, as coauthored, was read at length and adopted upon motion of Senator Berrong.

**HCR 1038** was properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**SB 487** by Smalley, Young and Garrison of the Senate and Cate of the House was read and considered.

Senators Graves and Keels asked to be made coauthors of **SB 487**, which was the order.

Upon motion of Senator Smalley, **SB 487** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SB 487** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 487** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Boecher, Crow, Dacus, Grantham, Ham, Hargrave, Massey, Miller, Phillips, Porter, Smith, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Boecher, Crow, Dacus, Grantham, Ham, Hargrave, Massey,

Miller, Phillips, Porter, Smith, Terrill.—13.

The emergency was declared passed.

SB 487 was referred for engrossment.

### COMMITTEE REPORT

The following resolution was reported by the Committee named:

DO PASS:

**HCR 1035**—Education-coauthored by Miller.

Senator Smalley asked for immediate consideration of **HCR 1035**, which was the order.

**HCR 1035** by Cate of the House and Miller of the Senate was read at length, adopted upon motion of Senator Smalley, properly signed, and ordered returned to the Honorable House.

### COMMITTEE APPOINTMENT

President Pro Tempore Smith, having been authorized so to do, appointed the following committee members pursuant to **HCR 1035**: Miller, Murphy, Holden, Baggett and Breckinridge.

### GENERAL ORDER

**HB 1457** by Hutchens of the House and Smalley, Stipe and Grantham of the Senate was read and considered.

Senator Short moved to amend **HB 1457**, page 2, line 2, by inserting after the word "shall" and before the colon (:) the word "either" which amendment was declared adopted upon motion of Senator Smalley.

Senator Smalley moved to amend **HB 1457**, by amending the title to conform, which amendment was declared adopted.

Upon motion of Senator Smalley, **HB 1457**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1457**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1457** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Breckinridge, Ferrell, Garrett, Graves, Ham, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpaden, Massey, Murphy, Payne, Romang, Short, Smalley, Stipe, Young.—25.

Nay: Bradley, Field, Garrison, Hamilton, Holden, Horn, Lane, Medearis, Nichols, Taliaferro, Williams.—11.

Excused: Boecher, Crow, Dacus, Grantham, Hargrave, Martin, Miller, Phillips, Porter, Smith, Stansberry, Terrill.—12.

The bill was declared passed.

Senator Smalley asked unanimous consent, which was granted, that the Emergency Section of **HB 1457** be stricken and the title amended to conform thereto.

**HB 1457**, as amended, was ordered referred for engrossment.

### GENERAL ORDER

**HB 1021** by Spearman of the House and Young of the Senate was read and considered.

Following discussion, upon request of Senator Young, further consideration of **HB 1021** was deferred for this legislative day.

**HB 1495** by Bamberger of the House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1495** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1495** was placed upon third reading and final passage.

### THIRD READING

**HB 1495** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—34.

Nay: Breckinridge, Howard.—2.

Excused: Boecher, Crow, Dacus, Grantham, Ham, Hargrave, McGraw, Phillips, Porter, Stansberry, Taliaferro, Terrill.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—34.

Nay: Breckinridge, Howard.—2.

Excused: Boecher, Crow, Dacus, Grantham, Ham, Hargrave, McGraw, Phillips, Porter, Stansberry, Taliaferro, Terrill.—12.

The emergency was declared passed.

**HB 1495** was ordered withheld pursuant to Rule 19-f.

Senator Terrill asked to be shown present, which was the order.

### GENERAL ORDER

**SB 495** by Smith of the Senate and Privett of the House was read and considered.

Upon motion of President Pro Tempore Smith, **SB 495** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SB 495** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 495** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—36.

Nay: Garrison, Stipe, Young.—3.

Excused: Berrong, Boecher, Bradley, Crow, Dacus, Hargrave, Massey, Phillips, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—36.

Nay: Garrison, Stipe, Young.—3.

Excused: Berrong, Boecher, Bradley, Crow, Dacus, Hargrave, Massey, Phillips, Stansberry.—9.

The emergency was declared passed.

**SB 495** was referred for engrossment.

### DECLARATION OF VOTE

Senator Terrill asked that the record show, had he been present at the time of third reading and final passage of **HJR 1004**, he would have voted AYE on both the passage of the Resolution and the Special Election Feature, which was the order.

**GENERAL ORDER**

**SB 385** by Terrill was read and considered.

Upon motion of Senator Terrill, **SB 385** was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **SB 385** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 385** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Stipe.—2.

Excused: Baggett, Boecher, Bradley, Crow, Dacus, Hargrave, McGraw, Massey, Nichols, Phillips, Porter, Stansberry, Young.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Stipe.—2.

Excused: Baggett, Boecher, Bradley, Crow, Dacus, Hargrave, McGraw, Massey, Nichols, Phillips, Porter, Stansberry, Young.—13.

The emergency was declared passed.

**SB 385** was referred for engrossment.

**GENERAL ORDER**

**HB 1500** by Privett, et al, of the House and Grantham and Birdsong of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1500** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1500** was placed upon third reading and final passage.

**THIRD READING**

**HB 1500** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—35.

Nay: Baldwin.—1.

Excused: Boecher, Bradley, Crow, Dacus, Hargrave, McGraw, Massey, Phillips, Porter, Stansberry, Stipe, Taliaferro.—12.

The bill was declared passed.

**HB 1500** was ordered withheld pursuant to Rule 19-f.

**GENERAL ORDER**

**HB 1602** by Skeith, et al, of the House was read and considered.

Senator Grantham asked to be made Senate Author of **HB 1602**, which was the order.

Senators Berrong, Field and Williams asked to be made coauthors of **HB 1602**, which was the order.

Upon motion of Senator Grantham, **HB 1602** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1602** was placed upon third reading and final passage.

### THIRD READING

**HB 1602** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Medearis, Miller, Nichols, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Payne, Stipe.—2.

Excused: Boecher, Bradley, Crow, Dacus, Hargrave, Lane, McGraw, Massey, Murphy, Phillips, Porter, Stansberry.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Medearis, Miller, Nichols, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Payne, Stipe.—2.

Excused: Boecher, Bradley, Crow, Dacus, Hargrave, Lane, McGraw, Massey, Murphy, Phillips, Porter, Stansberry.—12.

The emergency was declared passed.

**HB 1602** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**SB 473** by Murphy of the Senate and Skeith of the House was read and considered.

Senator Murphy moved to amend **SB 473**, page 2, lines 10 through 18 by deleting after the word "shall" on line 9, the lines 10 through 18 and substituting therefor the language "receive satisfactory evidence that securities equal to Five percent (5%) of the amount due under contract with the

Commission has been deposited with an approved depository, then the Commission is authorized to retain said securities in lieu of money to insure performance of the above requirements in the same manner as herein provided for cash deposits" which amendment was declared adopted.

Senator Berrong moved to amend **SB 473**, page 2, lines 9 through 18 by striking all language after the word and figure "Section 61;" and substituting therefor the language "Or the Commission may accept a deposit of Treasury Notes or Bank Certificates of Deposit equal to Five percent (5%) of the amount due under contract with the Commission, with proper assignment of same, until full compliance of the contract is established by the Commission" which amendment was declared adopted.

Upon motion of Senator Murphy, **SB 473**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 473**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 473** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—32.

Nay: Birdsong, Lane, McCune, Payne, Short, Stipe.—6.

Excused: Boecher, Bradley, Crow, Dacus, Garrett, Hargrave, Massey, Phillips, Porter, Stansberry.—10.

The bill was declared passed.



**SB 473**, as amended, was referred for engrossment.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 1:00 p.m., tomorrow, which motion was declared adopted.

#### **MESSAGE FROM THE GOVERNOR**

Advising approval by him, February 3, 1970, of Enrolled:

**SB 452**—By Grantham, Smith, Miller, et al of the Senate and Hesser, et al of the House—An Act relating to Higher Education; providing for system of televised instruction and methods of financing; granting authority to Oklahoma State Regents for Higher Education; authorizing cooperative agreements; creating revolv-

ing fund and fixing sources of income and purposes of expenditures; making an appropriation; expressing Legislative intent; and declaring an emergency.

#### **MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HB 1589**, as amended.

#### **BILLS RELEASED**

As provided under Rule 19-f **HBs 1495, 1500, 1519, 1602** and **HJR 1004** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.



## **Eighteenth Legislative Day**

**Wednesday, February 4, 1970**

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present.

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Boecher, Crow, Dacus, Murphy.—4.

The President declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Field:

Almighty God, our Heavenly Father, we stand before Thee today in celebration of Thy power. We recognize that all power has its origin and source in Thee. It is common place for us to see Thy power in the scenes of Mother Nature, the earthquake, the storm, the sun by day and the moon by night. In the world of business and law we even call certain events of nature "Acts of God".

We do not so easily see Thy power in operation in human affairs. We are prone to speak of history as the deeds of men, yet if Thou are truly God, even the affairs of men come under the influence of Thy power. The prophets of old saw the power of Thy hand in the rise and fall of nations, in the ascendancy of men into

positions of prominence and rulership.

Give us eyes to see Thy mighty work in today's human history, in the movements and causes of our times and days. Help us as citizens and law-makers to test our acts and decisions by the plumbline Thou dost hold for the edifice which is the State of Oklahoma.

If we fail Thee, help us to know again the grace of Thy mercy and the joy of Thy peace. In the name of our Lord Jesus Christ. Amen.

The Journal for the last legislative day was declared approved.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed:

**HB 1510**—By Hancock and McCune—An Act relating to the sale of nonintoxicating beverages; amending 37 O.S. 1961, § 163.11, as last amended by Section 5, Chapter 414, O.S.L. 1968 (37 O.S. Supp. 1969, § 163.11); providing retail dealers shall obtain permits from Court Clerk, prescribing procedure for issuance thereof, and if there are protests they shall be heard by the District Court; providing for annual showing of good character; providing for revocation of permit for certain reasons; providing for reports to Oklahoma Tax Commission; making the provisions of this Act severable; and providing for effective date.

**HB 1609**—By Mountford—An Act relating to civil procedure; amending 12 O.S. 1961, § 1501; providing for partition of real property; vesting jurisdiction in the District Court in partition actions; and declaring an emergency.



**HB 1627**—By McCune—An Act repealing obsolete and superseded statutes; repealing Section 502, Chapter 282, O.S.L. 1968 (10 O.S. Supp. 1969, § 1502); 11 O.S. 1961, §§ 961.25 and 962.26; Section 12, Chapter 172, O.S.L. 1968 (12 O.S. Supp. 1969, § 1148.12); Sections 17 and 18, Chapter 322, O.S.L. 1968 (12 O.S. Supp. 1969, §§ 1767 and 1768); 19 O.S. 1961, § 180.50; Section 1, Chapter 119, O.S.L. 1963 (19 O.S. Supp. 1969, § 221.1); Sections 8 and 9, Chapter 379, O.S.L. 1968 (20 O.S. Supp. 1969, §§ 16.8 and 16.9); Section 6, Chapter 162, O.S.L. 1968 (20 O.S. Supp. 1969, § 91.6); 20 O.S. 1961, § 92h-4, as amended by Section 2, Chapter 169, O.S.L. 1963 (20 O.S. Supp. 1969, § 92h-4); 22 O.S. 1961, §§ 572 and 838; Sections 8, 9 and 11, Chapter 359, O.S.L. 1968 (28 O.S. Supp. 1969, §§ 158, 159 and 161); and 41 O.S. 1961, § 29; directing codification; and declaring an emergency.

The above numbered **HBs** were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1495, 1500, 1519, 1589, 1602** and **HJR 1004**.

The above numbered and Enrolled Bills and/or Resolutions were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCRs 1035** and **1038**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 446, 479, 498** and **508** each correctly engrossed.

Engrossed **SBs 446, 479, 498** and **508**

were properly signed and ordered transmitted to the Honorable House for consideration.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 507**—Public Health.

**SJR 40**—Governmental Affairs.

**HB 1521**—Governmental Affairs — Show Grantham as Senate Author.

**HB 1603**—Governmental Affairs — Co-authored by Williams.

**HJR 1043**—Public Health — Coauthored by Miller, Graves and Phillips.

DO PASS, as amended:

**SB 151**—Business Relations—Coauthored by Phillips.

**HB 1416**—Governmental Affairs.

#### FIRST READING

The following Bills and/or Resolution were introduced and read the first time:

**SB 554**—By Birdsong of the Senate and Mountford of the House—An Act relating to motor vehicles; amending 47 O.S. 1961, § 7-335; providing for time during which required proof of financial responsibility must be maintained; and providing for cancellation on return of such proof.

**SB 555**—By McCune—An Act relating to voting machines; providing for sealing of counter keys and platens; providing qualifications for custodians; permitting party watchers at preelection programming and sealing; and declaring an emergency.

**SB 556**—By Luton and Garrison—An Act relating to motorboats and vessels; amending 63 O.S. 1961, §§ 805, 806, 810, 811, 813, 814, 817, 819, as amended by Section 5, Chapter 350, O.S.L. 1969 (63 O.S. Supp. 1969, § 819); providing for transfer of duties and authority of the

Oklahoma Industrial Development and Park Department pertaining to regulation and control of motorboats and vessels from said department to the Department of Public Safety; establishing a Division of Waterways Patrol; repealing 63 O.S. 1961, § 818, and all conflicting laws; making provisions of Act severable; and declaring an emergency.

**SB 557**—By Grantham of the Senate and McCune and Boettcher of the House—An Act relating to Court Reporters; providing for a Board of Examiners, its composition, the manner of selection and terms of members and officers thereof; prescribing Board's duties and authority; prescribing certain fees to be charged applicants for examinations or accrediting; abolishing Certified Reporters Fund and providing for depositing of fees to and withdrawals, for certain purposes, from State Judicial Fund; repealing 59 O.S. 1961 § § 961 through 970, both inclusive; providing severability; directing codification; establishing the effective date of the Act; and declaring an emergency.

**SJR 43**—By Breckinridge—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution, amending Sections 27 of Article X thereof; removing the requirement that voters in elections provided for by said Section be property taxpayers; providing a ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 550**—Judiciary.

**SB 551**—Judiciary.

**SB 552**—Education.

**SB 553**—Conservation and Economic Development.

**SJR 42**—Public Health.

**HB 1552**—Appropriations and Budget.

**HB 1553**—Appropriations and Budget.

**HB 1555**—Appropriations and Budget.

**HB 1556**—Appropriations and Budget.

**HB 1577**—Appropriations and Budget.

**HB 1616**—Governmental Affairs.

## UNANIMOUS CONSENT REQUEST

Senator Baggett asked unanimous consent, which was granted, that the Engrossing and Enrolling Department be authorized to add "Spearman of the House" as a coauthor of **SB 498**.

## RESOLUTION

Senator Birdsong introduced the following Resolution, which was read at length, adopted upon his motion, and ordered referred for enrollment:

**SR 48**—By Birdsong—A Senate Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee of said Council to direct that a study be conducted on the feasibility of requiring two, instead of one, motor vehicle identification and number plates per vehicle; and requesting the committee of reference to prepare a final report with recommendations, to be submitted to the Executive Committee of the State Legislative Council and to the First Session of the Thirty-Third Legislature.

WHEREAS, for many years prior to 1961, Oklahoma law provided for two vehicle license plates, "except for those years during which the materials out of which they are made are extremely scarce"; and

WHEREAS, law enforcement agencies and others have recommended the use of two vehicle plates to facilitate vehicle identification for better law enforcement, and

WHEREAS, thirty-four of the fifty states for the year 1970 have issued two registration plates per vehicle; and

WHEREAS, said subject is being studied in several jurisdictions and the Oklahoma

Legislature should have the benefit of factual information and current thinking with regard thereto:

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to direct the appropriate standing committee to study the feasibility of amending 47 O.S. 1961, § 22.4, to require two (instead of one) motor vehicle identification and number plates per vehicle licensed to operate in the State of Oklahoma.

SECTION 2. In conducting said study, the committee of reference is requested to determine the benefits accruing from the use of two vehicle registration plates, particularly as an aid in traffic law enforcement and the promotion of nighttime highway safety arising from reflectorized plates on the front of motor vehicles.

SECTION 3. The committee of reference, at the conclusion of said study, is requested to prepare a final report, including findings of fact and recommendations, to be submitted to the Executive Committee of the State Legislative Council and to the First Session of the Thirty-third Legislature.

#### **BILL REFERRED**

Senator Berrong asked unanimous consent, which was granted, that **HB 1527** be ordered withdrawn from the Committee on Finance and Commerce and that said Bill be referred to the Committee on Business Relations.

#### **GENERAL ORDER**

**SB 489** by Graves of the Senate and Wayland, et al, of the House was read and considered.

Upon motion of Senator Graves, **SB 489** was advanced to engrossment.

By unanimous consent, upon request of Senator Graves, **SB 489** was considered

engrossed and placed upon third reading and final passage.

#### **THIRD READING**

**SB 489** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—37.

Nay: Hamilton, Williams.—2.

Excused: Berrong, Boecher, Crow, Dacus, Howard, Massey, Medearis, Murphy, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—37.

Nay: Hamilton, Williams.—2.

Excused: Berrong, Boecher, Crow, Dacus, Howard, Massey, Medearis, Murphy, Stansberry.—9.

The emergency was declared passed.

**SB 489** was referred for engrossment.

#### **GENERAL ORDER**

**HB 1611** by Ford, et al, of the House and Breckinridge of the Senate was read and considered.

Upon motion of Senator Breckinridge, **HB 1611** was advanced to engrossment.

By unanimous consent, upon request of



Senator Breckinridge, **HB 1611** was placed upon third reading and final passage.

### THIRD READING

**HB 1611** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—39.

Excused: Berrong, Boecher, Crow, Dacus, Medearis, Murphy, Stansberry, Stipe, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—39.

Excused: Berrong, Boecher, Crow, Dacus, Medearis, Murphy, Stansberry, Stipe, Taliaferro.—9.

The emergency was declared passed.

**HB 1611** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1050** by McCune of the House and Smalley of the Senate was read and considered.

Senator Hargrave asked to be made a coauthor of **HB 1050**, which was the order.

Upon motion of Senator Smalley, **HB 1050** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1050** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1050** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Ferrell, Garrison, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Young.—31.

Nay: Baldwin, Berrong, Field, Grantham, Hamilton, Nichols, Williams.—7.

Excused: Boecher, Crow, Dacus, Garrett, Graves, Lane, Medearis, Murphy, Porter, Taliaferro.—10.

The bill was declared passed.

Senator Smalley asked unanimous consent, which was granted, that the Emergency Section of **HB 1050** be stricken and the Title amended to conform thereto.

**HB 1050**, as amended, was referred for engrossment.

Senator Murphy asked to be shown present, which was the order.

### GENERAL ORDER

**SB 494** by Hamilton was read and considered.

Senator Stipe moved to amend **SB 494**, page 2, line 12, by adding after the word "prison" the sentence "The Sheriff shall never be paid more than the actual verified cost for feeding prisoners."

President Pro Tempore Smith and Senator Young asked unanimous consent, which was granted, to be made coauthors of the Stipe amendment.

Senator Hamilton raised a point of order, which was overruled, against the Stipe-Smith-Young amendment, stating it was

not germane to the subject matter contained in the bill.

Senator Keels moved to table the Stipe-Smith-Young amendment, which motion was declared failed of adoption, upon a roll call as follows:

Aye: Atkinson, Birdsong, Garrett, Grantham, Keels, Luton, Nichols, Payne, Williams.—9.

Nay: Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Field, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—33.

Excused: Berrong, Boecher, Crow, Dacus, Hargrave, Massey.—6.

The vote occurring upon the Stipe-Smith-Young amendment, it was declared adopted.

Senator Stipe moved to amend **SB 494**, by amending the title to conform to the body of the bill, which amendment was declared adopted.

Senator Grantham moved to amend **SB 494**, page 2, line 12, by adding after the language contained in the Stipe-Smith-Young amendment, the sentence "Provided however, if the prisoner performs a work assignment while in prison, he shall satisfy the imprisonment or fine by receiving double credit for each day worked."

Senator Hamilton moved to table the Grantham amendment, which motion was declared failed of adoption.

The vote occurring upon the Grantham amendment, it was declared adopted.

Senator Grantham moved to amend **SB 494**, by amending the title by inserting after the word "imprisonment" the language "providing for work credit" which amendment was declared adopted.

Senator Garrett moved to amend **SB 494**, page 2, line 9, by striking the words and figures "Two Dollars (\$2.00)" and by inserting in lieu thereof the words and fig-

ures "Four Dollars (\$4.00)", which amendment was tabled upon motion of Senator Garrison.

Upon motion of Senator Hamilton, **SB 494**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 494**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 494** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Williams, Young.—34.

Nay: Atkinson, Baldwin, Birdsong, Keels, Payne, Smalley, Taliaferro, Terrill.—8.

Excused: Berrong, Boecher, Crow, Dacus, Hargrave, Massey.—6.

The bill was declared passed.

**SB 494**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 503** by Hamilton of the Senate and Sullivan of the House was read and considered.

Upon motion of Senator Hamilton, **SB 503** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 503** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 503** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—31.

Nay: Baggett, Baldwin, Birdsong, Bradley, Keels, McGraw, Martin, Payne, Short, Young.—10.

Excused: Berrong, Boecher, Crow, Dacus, Hargrave, Massey, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Boecher, Crow, Dacus, Graves, Hargrave, Keels, McSpadden, Massey, Taliaferro.—9.

The emergency was declared passed.

SB 503 was referred for engrossment.

### GENERAL ORDER

SB 383 by Young was read and considered.

Senator Baggett moved to amend SB 383, beginning on page 1, line 1, by striking after the word "person" the remaining language on line 1, and striking all language on page 2, line 1, and through the word "purpose" on line 2, and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Young, SB 383 was advanced to engrossment.

Senator Smalley moved that SB 383,

together with the amendment thereto, be re-referred to the Judiciary Committee, which motion was declared adopted.

Senator Smalley presiding.

### GENERAL ORDER

SB 458 by Young was read and considered.

Senator Birdsong asked to be made a coauthor of SB 458, which was the order.

Upon motion of Senator Young, SB 458 was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 458 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 458 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—36.

Nay: Field, Graves, Keels, McCune, Martin, Medearis, Short.—7.

Excused: Boecher, Crow, Dacus, McGraw, Terrill.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—36.



Nay: Field, Graves, Keels, McCune, Martin, Medearis, Short.—7.

Excused: Boecher, Crow, Dacus, McGraw, Terrill.—5.

The emergency was declared passed.

SB 458 was referred for engrossment.

### GENERAL ORDER

SB 238 by Murphy was read and considered.

Upon motion of Senator Murphy, SB 238 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 238 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 238 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—40.

Nay: Breckinridge.—1.

Excused: Boecher, Crow, Dacus, McGraw, Medearis, Nichols, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—40.

Nay: Breckinridge.—1.

Excused: Boecher, Crow, Dacus, McGraw, Medearis, Nichols, Taliaferro.—7.

The emergency was declared passed.

SB 238 was referred for engrossment.

### PENDING SENATE ACTION

HCR 1036 by Camp, et al, of the House and Keels of the Senate was called up for consideration.

Senator Howard asked unanimous consent, which was granted, that he be shown as the principal Senate author of HCR 1036.

HCR 1036 was read at length, and adopted upon motion of Senator Howard.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baggett moved to reconsider the vote by which HCR 1036 was adopted.

### DECLARATION OF VOTE

Senator Nichols asked that the record show he had voted NAY on the adoption of HCR 1036, which was the order.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 385, 432, 451, 475, 488, 505, SJR 37, and HB 1457 each correctly engrossed.

Engrossed SBs 385, 432, 451, 475, 488, 505 and SJR 37 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HB 1457, as amended, were properly signed and ordered returned to the Honorable House.

President Pro Tempore Smith presiding.

### PENDING CONSIDERATION OF HAS

Senator Holden moved that the Senate refuse to concur in HAS to SB 341 and request a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under SB 341; Holden, Graves and Murphy.

## GENERAL ORDER

**HB 1021** by Spearman of the House and Young of the Senate was called up for further consideration.

Upon motion of Senator Young, **HB 1021** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1021** was placed upon third reading and final passage.

## THIRD READING

**HB 1021** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.  
—40.

Excused: Boecher, Crow, Dacus, Field, Garrett, Hargrave, Nichols, Stansberry.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith,

Stipe, Taliaferro, Terrill, Williams, Young.  
—40.

Excused: Boecher, Crow, Dacus, Field, Garrett, Hargrave, Nichols, Stansberry.—8.

The emergency was declared passed.

**HB 1021** was ordered withheld pursuant to Rule 19-f.

There being matters on the President's desk for consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

\*

The Senate reassembled, with President Pro Tempore Smith presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Baldwin, advised and consented to the confirmation of the executive nomination of LOYN MARVEL, Anadarko, as a member of the Air Pollution Council to serve a seven (7) year term ending June 15, 1975, and effective upon Senate confirmation. Mr. Marvel succeeds himself.

The Senate, in executive session and upon motion of Senator Lane, advised and consented to the confirmation of the executive nomination of NEAL MERRIOTT, as member of the Wildlife Conservation Commission, to serve the unexpired term of eight (8) years, ending July 1, 1975, and effective upon Senate confirmation. Mr. Merriott's address is N. of City, Idabel. Mr. Merriott fills the unexpired term of Mr. Roeber.

The Senate, in executive session and upon motion of Senator Grantham, the Senate advised and consented to the confirmation of ORVIL SILER, Ponca City, as member of the Employment Security Commission, to serve a six (6) year term ending July 2, 1975, and effective upon Senate confirmation. Mr. Siler succeeds himself.

The Senate, in executive session and

upon motion of Senator Short, advised and consented to the confirmation of A. F. WILLIAMS, Oklahoma City, as member of the Employment Security Commission, to serve a six (6) year term ending July 2, 1973, and effective upon Senate confirmation. Mr. Williams will fill the unexpired term of Mr. Ted Knoop.

The Senate, in executive session and upon motion of Senator Baggett, advised and consented to the confirmation of the executive nomination of GUY KEITH, Oklahoma City, as a member of the Oklahoma Water Resources Board, to serve a seven (7) year term ending May 14, 1976, and effective upon Senate confirmation. Mr. Keith succeeds himself.

The Senate, in executive session and upon motion of Senator Berrong, advised and consented to the confirmation of Dr. WALTER S. MASON, Jr., Clinton, as member of the Oklahoma Industrial Development and Park Commission, to serve a seven (7) year term ending August 1, 1976, and effective upon Senate confirmation. Dr. Mason succeeds Mr. John Head.

The Senate, in executive session and upon motion of Senator Young, advised and consented to the confirmation of the executive nomination of TRACY KELLY, Bristow, as member of the Oklahoma Military Academy Board of Regents, to serve a five (5) year term ending June 30, 1974, and effective upon Senate confirmation. Mr. Kelly succeeds himself.

The Senate, in executive session and upon motion of Senator Breckinridge, advised and consented to the confirmation of the executive nomination of JOHN W. SUBLETT, Tulsa, as member of the Board of Regents, Tulsa Junior College, to serve a seven (7) year term ending June 30, 1976, and effective upon Senate confirmation. Mr. Sublett succeeds himself.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of

WILLIAM P. FRANCIS, Tulsa, as member of the Board of Regents, Tulsa Junior College, to serve a two (2) year term ending June 30, 1970, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Bradley, advised and consented to the confirmation of the executive nomination of Mrs. JAMES WELLS, Sand Springs, as member of the Board of Regents, Tulsa Junior College, to serve a five (5) year term ending June 30, 1973, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Porter, advised and consented to the confirmation of the executive nomination of Dr. F. D. MOON, Oklahoma City, as a retired member of the Board of Trustees of the Teacher Retirement System, to serve a four (4) year term, ending July 1, 1973, and effective upon Senate confirmation. Dr. Moon succeeds Kate Frank.

The Senate, in executive session and upon motion of Senator Romang, advised and consented to the confirmation of the executive nomination of E. B. MITCHELL, Enid, as member of the Oklahoma Securities Commission, to serve a six (6) year term ending July 27, 1975, and effective upon Senate confirmation. Mr. Mitchell succeeds Mr. Jack Hewett.

The Senate, in executive session and upon motion of Senator Baggett, advised and consented to the confirmation of the executive nomination of HERBERT L. BRANAN, Oklahoma City, to serve on the Commission on Consumer Affairs for a five (5) year term ending January 1, 1975, and effective upon Senate confirmation. Mr. Branan succeeds himself.

The Senate, in executive session and upon motion of Senator Ferrell, advised and consented to the confirmation of the executive nomination of RUTH PATTERSON, Guthrie, as member of the Commission on Consumer Affairs, to serve a five



(5) year term ending January 1, 1974, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Holden, advised and consented to the confirmation of the executive nomination of A. J. REEDER, Jr., Duncan, as member of the Commission on Consumer Affairs, to serve a three (3) year term ending January 1, 1972, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Garrison, advised and consented to the confirmation of the executive nomination of PAUL PARKER, Bartlesville, as member of the Commission on Consumer Affairs, to serve a four (4) year term ending January 1, 1973, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Williams, advised and consented to the confirmation of the executive nomination of JOHN WILLIAMS, Wakita, as Commissioner of the State Banking Department, to serve a four (4) year term ending June 1, 1973, and effective upon Senate confirmation. Mr. Williams succeeds Mr. Carl Sebring.

The Senate, in executive session and upon motion of Senator Smalley, advised and consented to the confirmation of the executive nomination of Judge ELVIN J. BROWN, Norman, as member of the Court of Bank Review, to serve a six (6) year term ending June 1, 1975, and effective upon Senate confirmation. Judge Brown succeeds himself.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of the executive nomination of R. D. McCULLOUGH, D. O., Tulsa, as member of the State Board of Health, to serve a nine (9) year term ending June 30, 1978, and effective upon Senate confirmation. Dr. McCullough succeeds himself.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of W. J. BOVAIRD, Tulsa, as member of the Board of Regents, Tulsa Junior College, to serve a three (3) year term ending June 30, 1971, and effective upon Senate confirmation.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 1:00 p.m., tomorrow, which motion was declared adopted.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and returning En-grossed **SJR 31**.

The above numbered Resolution was referred for enrollment.

#### **BILLS RELEASED**

As provided under Rule 19-f, **HBs 1021** and **1611** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

executive committee and  
 Joseph, advised  
 nomination of the  
 executive committee of R. R. McCall.  
 J. O. Taylor, an member of the  
 Board of Health, in 1917, and after  
 year term ending June 30, 1918, and after  
 five upon Senate committee, Mr. Mc-  
 Callough succeeded himself.

The Senate, in  
 upon motion of  
 20th  
 at the executive committee to the con-  
 sidered as member in the  
 Board of  
 later ending June  
 serve a three

the Senate term moved when the Clerk's  
 that is desired, the Senate stand adjourned  
 ed until 1:00 p.m., adjourned, which was  
 that was desired, adjourned  
 MESSAGE FROM THE HOUSE

Advised Speaker of and returned to  
 20th

The above was  
 passed for reading

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

executive committee and  
 Joseph, advised  
 nomination of the  
 executive committee of R. R. McCall.  
 J. O. Taylor, an member of the  
 Board of Health, in 1917, and after  
 year term ending June 30, 1918, and after  
 five upon Senate committee, Mr. Mc-  
 Callough succeeded himself.

The Senate, in  
 upon motion of  
 20th  
 at the executive committee to the con-  
 sidered as member in the  
 Board of  
 later ending June  
 serve a three

the Senate term moved when the Clerk's  
 that is desired, the Senate stand adjourned  
 ed until 1:00 p.m., adjourned, which was  
 that was desired, adjourned

MESSAGE FROM THE HOUSE

Advised Speaker of and returned to  
 20th

The above was  
 passed for reading

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

Bill's returned

## Nineteenth Legislative Day

Thursday, February 5, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw.—5.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Grantham:

Almighty God, our Heavenly Father, we stand to praise Thee for we know Thou art the Ruler of this universe. Thou hast established the laws by which this world is governed. They are Thy laws, Thine alone; these universal rules are not decided by a majority vote, but laid down by Thy divine command.

We thank Thee that Thou hast decreed the universal law of freedom, and hast enlightened our understanding to realize our freedom gives us the privilege of choosing whether we shall, or shall not, obey Thy laws as individuals or sovereign states.

We thank Thee also for giving us the

understanding that disorder and even chaos ensue when we do not obey Thy laws, and that peace and harmony prevail when we do obey. We thank Thee that Thou dost love us still when we have failed to be obedient. May Thy Grace and Wisdom prevail in us to the end that all our lives, and all our relationships shall express Thy perfect will of good will and peace. In the name of our Lord Jesus Christ, we pray. Amen.

The Journal for the last legislative day was declared approved.

### CITATIONS

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Diana Flynn, Tulsa, Oklahoma for her title of "Miss Rodeo U.S.A."

Upon motion of Senator Graves, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Karen Kinnett, Shawnee, Oklahoma upon being the finalist as "Miss Teenage Oklahoma City".

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1537**—By Bernard and Smith (Norman)—An Act relating to insurance; creating an Insurers Insolvency Pool and prescribing rules for formation and operation thereof; providing for assessments;



providing nonseverability; directing codification; and establishing effective date.

**HB 1541**—By Bickford, Wiedemann, Williamson, Witt, Musgrave, Sanguin, Allard, Wolfe (Stephen), Jones, Spearman, Smithy, Taggart, Green, Holaday, Wixson, Tabor, Whorton, Hancock, York, Anderson, Kamas and Payne of the House and Martin and Inhofe of the Senate—An Act relating to motor vehicles; defining house trailers, mobile home and travel trailer; classifying them for license and registration purposes; fixing license fees and time for payment of same; apportioning license fees, repealing Section 22.5d, as amended by Section 1, Chapter 344, O. S. L. 1969 (47 O. S. Supp. 1969, § 22.5d); directing codification; and declaring an emergency.

**HB 1610**—By Skeith and Dunn of the House and Murphy of the Senate—An Act relating to public works; amending Section 1, Chapter 274, O. S. L. 1969 (61 O. S. Supp. 1969, § 16); providing for retention by public agency of payment to contractor for certain period of time; providing that claimant must serve the public agency with proof that he has instituted legal action within such time to effectuate collection; providing that failure by the claimant to comply with the requirements set out in this Act and to post statutory guarantees shall release the public agency from any statutory obligations; and declaring an emergency.

**HB 1626**—By Sullivan—An Act relating to interstate compacts; accepting and agreeing to the terms of the Interstate Mining Compact, which has as its purpose achieving and maintaining an efficient and productive mining industry, and increasing economic benefits attributable to mining; authorizing Governor to appoint a representative to serve in place of Governor on Board of Compact; authorizing Governor to use Contingency Fund whenever Legislature fails to make specific appropriation for purpose of compact; providing for severability; and declaring an emergency.

**HB 1663**—By Odom (V. H.) of the

House and Medearis of the Senate—An Act relating to motor vehicles; amending Sections 1 and 2, Chapter 248, O. S. L. 1965, as amended by Section 1, Chapter 313, O. S. L. 1969 (47 O. S. Supp. 1969, § 14-103A); prescribing limitations on length, width and movement of mobile home combinations; providing standards for the towing vehicle; making such combinations include mobile home frames; and declaring an emergency.

The above numbered HBs were read for the first time.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 138**—Coauthored by Bengtson, Cole, Smithy, Andrews, Monks and Privett.

The above numbered Bill was referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SJR 28**—Coauthored by Green and, as amended.

**HAs to SJR 28** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Title to read as follows: "A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Oklahoma Constitution by adding a new section thereto authorizing the issuance and sale of additional State Industrial Finance Bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding and to include tourism and rural water districts for loans in limited amounts; providing for repayment; providing for ballot title; and ordering a special election."

**AMENDMENT NO. 2.** Amend Page 1, Line 34, by changing the period after 1960 to a comma and inserting the following: "and for the other purposes hereinafter set forth."

**AMENDMENT NO. 3.** Amend Page 2, Line 4, by adding the following language after the word "resolution." "Provided, further, that in addition to the purposes set forth in said Section 34, Article X of the Oklahoma Constitution, the Legislature may, by statute, authorize the said Authority to loan and reloan not to exceed One Million Dollars (\$1,000,000.00) for Tourism, and not to exceed Three Million Dollars (\$3,000,000.00) for Rural Water Districts, defining those terms."

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1046**—By Privett of the House and Smith of the Senate—A Concurrent Resolution memorializing Congress to enact, and the President to sign into law, S. 1232, which confirms in the several states primary authority over fish and wildlife; expressing opposition to a concept that the federal government has authority or control over fish and resident wildlife on all federally owned lands; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HJR 1008**, as amended.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 341**, and naming House Conferees as follows: Miskelly, Coffin and Payne.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1021, 1611** and **HJR 1008**.

The above numbered Enrolled Bills and/or Resolutions were, after fourth reading, properly signed and ordered returned to the Honorable House.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 443**—Appropriations and Budget.

**SB 491**—Revenue and Taxation.

**HB 1522**—Roads and Highways—Show Stipe as Senate Author.

**DO PASS**, as amended:

**SB 427**—Appropriations and Budget.

**SB 428**—Appropriations and Budget.

**SB 440**—Appropriations and Budget.

**SB 441**—Appropriations and Budget.

**WITHOUT RECOMMENDATION:**

**SB 492**—Revenue and Taxation.

### RESOLUTIONS

Senator Grantham introduced the following Resolution, which was read at length, adopted upon his motion, and ordered referred for enrollment:

**SR 49**—By Grantham—A Senate Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee of said council to direct that a study be conducted by the appropriate standing committee on the provisions of 68 O. S. Supp. 1969, § 24232, regarding the waiving of all ad valorem taxes on real property sold to a governmental unit for the year in which the sale is consummated; requesting a report and recommendations, particularly as regards the desirability of requiring payment of taxes on a prorated basis for the year in which the sale is consummated; and requiring submission of said report and recommendations to the Executive Committee of the State Legislative Council and to the First Session of the Thirty-third Legislature.

WHEREAS, 68 O. S. Supp. 1969, § 24232, relieves the seller of real property, when acquired by Federal or state governmental units for a governmental purpose,

from payment of ad valorem taxes thereon for the year in which the sale is consummated, if the deed is recorded prior to October 1; and

WHEREAS, equity in the taxation of real property would appear to require the seller to pay taxes under said circumstances on a prorated basis for the year sold regardless of the date of recording of the deed; and

WHEREAS, the seller has the use and income, if any, from the property to the date of delivery of possession;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to direct the appropriate standing committee to study said Section 24232 and to determine whether public policy and equity in the taxation program requires the repeal or amendment of said section, particularly as regards the payment of taxes by the seller on a prorated basis for the year in which the sale is consummated.

SECTION 2. In conducting said study, the committee of reference is requested to analyze the tax laws and practices of other jurisdiction, to inquire into the administrative problems involved in a proration of the annual tax and related matters in cooperation and with the assistance of the Oklahoma Tax Commission, County Assessors, County Treasurers and other officials concerned.

SECTION 3. The committee of reference, at the conclusion of said study, is

requested to prepare a final report, including findings of fact and recommendations, to be submitted to the Executive Committee of the State Legislative Council and to the First Session of the Thirty-third Legislature.

SCR 56 by Grantham and Smith of the Senate and Hesser of the House was introduced and read as follows:

A Concurrent Resolution expressing legislative intent regarding the appropriation made in Senate Bill No. 452 of the Second Session of the 32nd Oklahoma Legislature.

SCR 56 was read at length, adopted upon motion of Senator Grantham and ordered referred for engrossment.

### FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 558**—By Stipe and Young—An Act relating to civil procedure; amending 12 O. S. 1961, § 98; providing for tolling statute of limitations under certain conditions, notwithstanding any other provision of law; and declaring an emergency.

**SB 559**—By Garrison, Grantham, Smalley and Smith of the Senate and Mountford and McCune of the House—An Act relating to marketable titles; amending Sections 1, 2, 4, 8 and 11, Chapter 31, O. S. L. 1963 (16 O. S. Supp. 1969, § § 71, 72, 74, 78 and 81); providing that persons who have an unbroken chain of title of record to any interest in land for thirty years shall be deemed to have a marketable record title; fixing effective date; and declaring an emergency.

**SB 560**—By Murphy—An Act relating to



state officers; creating the Commission on Fire Protection Personnel Standards and Education; providing number of members and their appointment and qualifications; defining authority and duties of commission; providing per diem and expenses; and declaring an emergency.

**SB 561**—By Stansberry and Smith—An Act relating to public health; granting minors the capacity to consent to examination and treatment by a licensed physician of certain diseases; and declaring an emergency.

**SB 562**—By Murphy—An Act relating to the Oklahoma State Regents for Higher Education; making an appropriation thereto; providing legislative intent with respect to allocation.

**SJR 44**—By Garrison of the Senate and Connor of the House—A Joint Resolution directing the Secretary of State of the State of Oklahoma to refer to the people for their approval or rejection a proposed amendment to Article 7-B of the Constitution of the State of Oklahoma to provide for gubernatorial appointment of persons to fill vacancies in the offices of District Judges or Associate District Judges; prescribing for nominations of persons by the Judicial Nominating Commission; providing a ballot title; and ordering a special election.

**SJR 45**—By Hamilton—A Joint Resolution relating to professions and occupations; requesting certain agencies to study the need for additional physicians and medical personnel; stating certain particular information to be included; requesting completion within thirty days of the effective date of this Resolution; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 554**—Business Relations.

**SB 555**—Rules.

**SB 556**—Business Relations.

**SB 557**—Judiciary.

**SJR 43**—Constitutional Revisions and Regulatory Services.

**HB 1510**—Judiciary.

**HB 1609**—Judiciary.

**HB 1627**—Judiciary.

## BILL REFERRED

Senator Garrison asked unanimous consent, which was granted, that **SB 538** be ordered withdrawn from the Committee on Governmental Affairs and said Bill be referred to the Committee on Municipal Government.

Senator Smalley presiding.

## GENERAL ORDER

**SB 375** by Smith and Luton was read and considered.

Upon motion of Senator Luton, **SB 375** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 375** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 375** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Nay: Baggett.—1.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw, Phillips, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Nay: Baggett.—1.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw, Phillips, Stipe.—7.

The emergency was declared passed.

**SB 375** was referred for engrossment.

#### PENDING SENATE ACTION

**HCR 1047** by Tabor, et al, of the House and Massey of the Senate was called up for consideration.

**HCR 1047** was read at length, adopted upon motion of Senator Massey, properly signed, and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1049** by Odom (Martin), et al, of the House and Bradley of the Senate—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1330 passed by the 2nd Session of the 32nd Oklahoma Legislature.

Senator Bradley asked for immediate consideration of **HCR 1049**, which was the order.

**HCR 1049** was read at length, adopted upon his motion, properly signed, and ordered returned to the Honorable House.

#### GENERAL ORDER

**SJR 40** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SJR 40** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SJR 40** was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**SJR 40** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Crow, Dacus, Ferrell, Luton, McGraw, Murphy, Phillips, Stipe.—10.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Crow, Dacus, Ferrell, Luton, McGraw, Murphy, Phillips, Stipe.—10.

The emergency was declared passed.

**SJR 40** was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 238, 458, 473, 477, 487, 489, 494, 495, 503, and HB 1050** each correctly engrossed.

**SJR 31, SCR 48, 50, 55 and SR 48** each correctly enrolled.

Engrossed **SBs 238, 458, 473, 477, 487, 489, 494, 495 and 503** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1050**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SJR 31** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCRs 48, 50, and 55** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 48** was properly signed and ordered transmitted to the Secretary of State.

## GENERAL ORDER

**SB 507** by Martin was read and considered.

Senator Birdsong asked to be made a coauthor of **SB 507**.

By unanimous consent, upon request of Senator Birdsong, Andrews of the House was made a coauthor of **SB 507**.

Senator Hamilton moved to amend **SB 507**, page 1, line 5, by inserting after the word "stimulants" and before the word "narcotics" the language "as defined in 63 O. S. Section 465.11" which amendment was declared adopted.

Upon motion of Senator Martin, **SB 507**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **SB 507**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 507** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Boecher, Crow, Dacus, Luton, McGraw, Nichols, Phillips, Stipe.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stans-



berry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Boecher, Crow, Dacus, Luton, McGraw, Nichols, Phillips, Stipe.—9.

The emergency was declared passed.

**SB 507**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1521** by Spearman of the House and Grantham of the Senate was read and considered.

Senators Baggett and Keels asked to be made coauthors of **HB 1521** which was the order.

Upon motion of Senator Grantham **HB 1521** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1521** was placed upon third reading and final passage.

### THIRD READING

**HB 1521** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baldwin, Boecher, Crow, Dacus, Grantham, Luton, McGraw, Massey, Nichols, Phillips, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, Mc-

Spadden, Martin, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baldwin, Boecher, Crow, Dacus, Grantham, Luton, McGraw, Massey, Nichols, Phillips, Stipe.—11.

The emergency was declared passed.

**HB 1521** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HJR 1043** by Sparkman, et al, of the House and Martin, Miller, Graves and Phillips of the Senate was read and considered.

Senators Birdsong, Ham, Bradley, Medearis, Terrill, Taliaferro, Payne, Massey, Lane, Hargrave, Keels, and Luton asked to be made coauthors of **HJR 1043**, which was the order.

Upon motion of Senator Martin, **HJR 1043** was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **HJR 1043** was placed upon third reading and final passage.

### THIRD READING

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

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Nay: Inhofe.—1.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw, Phillips, Stipe.—7.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Nay: Inhofe.—1.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw, Phillips, Stipe.—7.

The emergency was declared passed.

**HJR 1043** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1416** by Bickford, et al, of the House and Martin of the Senate was read and considered.

Upon motion of Senator Martin, **HB 1416** was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **HB 1416** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1416** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Crow, Dacus, Garrison, Hargrave, McGraw, Phillips, Porter, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Crow, Dacus, Garrison, Hargrave, McGraw, Phillips, Porter, Stipe.—10.

The emergency was declared passed.

**HB 1416**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1603** by Skeith, et al, of the House and Murphy and Williams of the Senate was read and considered.

Upon motion of Senator Murphy, **HB 1603** was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **HB 1603** was placed upon third reading and final passage.

### THIRD READING

**HB 1603** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Miller, Murphy, Romang, Short, Smalley, Smith, Stansberry, Williams, Young.—30.

Nay: Baggett, Berrong, Ham, Luton, Payne, Taliaferro, Terrill.—7.

Excused: Baldwin, Boecher, Crow, Dacus, McGraw, Massey, Medearis, Nichols, Phillips, Porter, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—33.

Nay: Baggett, Luton.—2.

Excused: Baldwin, Boecher, Crow, Dacus, Horn, Lane, McGraw, Massey, Phillips, Porter, Smith, Stipe.—13.

The emergency was declared passed.

**HB 1603** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**SJR 34** by Young was read and considered.

Senator Young moved that the title be amended to conform to the body of the Resolution, which motion was declared adopted.

Upon motion of Senator Young, **SJR 34**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SJR 34**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 34** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Berrong, Boecher, Crow, Dacus, McGraw, Massey, Phillips, Porter, Stipe.—10.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Berrong, Boecher, Crow, Dacus, McGraw, Massey, Phillips, Porter, Stipe.—10.

The emergency was declared passed.

**SJR 34**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1434** by Thompson of the House and Field of the Senate was read and considered.

Senator Baggett moved to amend **HB 1434**, page 2, lines 10 through 12, by striking all of subsection (C), renumbering the succeeding subsections accordingly, and by amending the title to conform, which amendment was tabled upon motion of Senator Field.

Upon motion of Senator Inhofe, **HB 1434** was advanced to engrossment.

By unanimous consent, upon request of Senator Inhofe, **HB 1434** was placed upon third reading and final passage.

### THIRD READING

**HB 1434** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Howard, Inhofe, Keels, McCune, Martin, Miller, Murphy, Nichols, Romang, Short, Smalley, Stansberry, Williams.—22.

Nay: Atkinson, Baggett, Birdsong, Garrett, Hamilton, Hargrave, Horn, Lane,



Luton, McSpadden, Payne, Smith, Terrill, Young.—14.

Excused: Baldwin, Berrong, Boecher, Crow, Dacus, McGraw, Massey, Medearis, Phillips, Porter, Stipe, Taliaferro.—12.

The bill was declared failed of passage.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Inhofe moved to reconsider the vote by which **HB 1434** failed of passage.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned under the Rules until Monday, which motion was declared adopted.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1049**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### **BILLS RELEASED**

As provided under Rule 19-f, **HBs 1521, 1603** and **HJR 1043** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., Monday, February 9, 1970.



## Twentieth Legislative Day

Monday, February 9, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.  
—45.

Excused: Baldwin, Boecher, Dacus.—3.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend Ed Stewart, pastor of the Country Estates Baptist Church of Midwest City, and is incorporated herein, by unanimous consent, upon request of Senator Atkinson:

O God, we are prone to forget that you are concerned about the affairs of men, and that you are concerned about what is said and done here this day. Let us not foolishly think that when this prayer is said that our dependence on You and our accountability to You is ended. Rather from these moments of Soul-searching, may there come a consciousness of Your presence to guide us in all the affairs of the day.

You have told us in Your Word that not a sparrow can fall to the ground without Your knowledge. We therefore know that You are not indifferent to what men

do here. We acknowledge that You do govern in the affairs of men. Give us faith to believe that when You want us to do a particular thing or not to do a particular thing, You have a way of letting us know it. Make Your way plain to us—for You know how blind and how stubborn we can be in our own intentions.

Bless these Thy servants in this place in all things great and small. Give us now Thy Spirit to guide and direct our thinking and our decisions, so that when the days work is over we may merit Your commendation "Well done thou good and faithful servant". Through Jesus Christ Our Lord—Amen.

The Journal for the last legislative day was declared approved.

### REQUEST FOR LOBBY PERMIT

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

O. H. Lair, 5017 NW 19th Terrace, Oklahoma City, representing the Democrat, Republican, Independent Voter Education.

### CITATION

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dr. John Lelew III, Guthrie, Oklahoma for serving as Doctor of the Day on February 5, 1970.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1142**—By Derryberry, Smithey, Cole,



Andrews, Monks, Bengtson, Privett, Wixson, Sparkman, Finch, Barker and Patterson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 48; providing that compensation or benefits be nonassignable and exempt from all processes; clarifying to whom compensation or benefits may be paid; providing effective date; and declaring an emergency.

**HB 1145**—By Derryberry, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Wixson, Sparkman, Finch, Barker and Patterson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 2, as last amended by Section 1, Chapter 331, O. S. L. 1967 (85 O. S. Supp. 1969, § 2) and § 3, subsections (1) and (4); repealing 85 O. S. 1961, § 65.2; and providing for an effective date.

**HB 1146**—By Derryberry, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Wixson, Sparkman, Barker and Patterson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 102; providing for report of personal injury; providing that such report not act as toll of period of limitation within which a claim for compensation must be filed; providing penalty for noncompliance; providing effective date; and declaring an emergency.

**HB 1147**—By Derryberry, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Sparkman, Barker, Patterson and Wixson—An Act relating to workmen's compensation; providing for notification to employer by insurer of payment of claim exceeding One Thousand Dollars; providing effective date; and declaring an emergency.

**HB 1148**—By Derryberry, Lindstrom, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Sparkman, Barker, Patterson, Finch and Wixson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 22, subdivision 6; providing that a previous disability shall not preclude compensation; providing that further compensation be only for additional injury or disability; providing effective date; and declaring an emergency.

**HB 1149**—By Derryberry, Lindstrom, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Sparkman, Barker, Patterson and Wixson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 13; clarifying date on which compensation begins; providing effective date; and declaring an emergency.

**HB 1151**—By Derryberry, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Sparkman, Barker, Patterson and Wixson—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 43; providing compensation be barred after one year unless payments have been made on account of the injury or death; providing that the filing of any report, form, receipt or agreement other than a claim for compensation shall not toll the running of the one-year period; providing dismissal for want of prosecution; reopening case; limitations; providing effective date; and declaring an emergency.

**HB 1559**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the State Supreme Court and declaring an emergency)

**HB 1578**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Banking Department and declaring an emergency)

**HB 1583**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Water Resources Board and making an appropriation thereto; stating the purpose; providing that the Board shall fix the duties and compensation of employees; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**HB 1638**—By Derryberry, Barker, Patterson and Monks—An Act relating to the merit system; amending 74 O. S. 1961, § 803, as amended by Section 1, Chapter 267, O. S. L. 1968 (74 O. S. Supp. 1969, § 803); placing the employees of the De-

partment of Labor and the Commissioner of Labor, with certain exceptions, under the classified service.

**HB 1702**—By Derryberry, Smith (Norman), Smithey, Andrews, Monks, Bengtson, Barker, Patterson, Finch and Bamberger—An Act relating to occupational health and safety; creating within the Department of Labor a Board of Health and Safety Compliance and Appeals, an Occupational Health and Safety Standards Commission and a Health and Safety Education and Training Division; creating certain positions within the Department of Labor and prescribing minimum qualifications therefor; authorizing the commission to fix supplementary qualifications; prescribing the duties of employers as to places of employment; prescribing the responsibilities of employees; fixing the powers and duties of certain state agencies; providing penalties for violations; creating the Special Occupational Health and Safety Fund for the administration of this act and requiring certain contributions thereto; providing for the manner of raising, expending and administering said fund; providing that current laws and regulations shall be in full force and effect until standards are promulgated in accordance with this act; repealing all laws or parts of laws in conflict herewith; making the provisions of this Act severable; fixing the operative date; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 48, 50 and 55.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SJR 31.

The above numbered Enrolled SJR was referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1048**—By Hill, et al—A Concurrent Resolution commending and congratulating the Booker T. Washington High School Football Team and Coach Ed Lacy for their outstanding football season; directing distribution of this resolution.

President Pro Tempore Smith presiding

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 375, 507, SJRs 34 and 40, SCR 56;** and **HB 1416** each correctly engrossed.

**SB 138** and **SR 49** each correctly enrolled.

Engrossed **SBs 375, 507, SJRs 34 and 40** and **SCR 56** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1416**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 138** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 49** was properly signed and ordered transmitted to the Secretary of State.

#### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 512**—Judiciary.

**SB 517**—Agriculture.

**SB 527**—Agriculture.

DO PASS, as amended:

**SB 447**—Appropriations and Budget.

**SB 513**—Judiciary.

**HB 1387**—Agriculture—coauthored by Atkinson, Crow, Field, Lane and Williams.

**FIRST READING**

The following Bills were introduced and read the first time:

**SB 563**—By Young—An Act relating to courts; amending Section 1, Chapter 157, O. S. L. 1968 (20 O. S. Supp. 1969, § 36.1); creating a Court of Appeals; prescribing its jurisdiction and duties; providing for two divisions of said court each being comprised of three judges; providing for procedure and practice; providing weight to be accorded opinion; providing said court a clerk, quarters, and for reimbursing its judges their travel expenses; prescribing qualifications of judges, for election, and for filling of vacancies on said court; amending Sections 8 and 12, Chapter 387, O. S. L. 1968 (26 O. S. Supp. 1969, § § 162i and 162m); providing for filing of notification and declaration of candidacy and for a separate ballot without political designation; amending 26 O. S. 1961, § 227.1, as amended by Section 3, Chapter 387, O. S. L. 1968 (26 O. S. Supp. 1969, § 227.1); providing for separate ballots in general elections; amending 22 O. S. 1961, § 162, as amended by Section 7, Chapter 162, O. S. L. 1968 (22 O. S. Supp. 1969, § 162); providing who are magistrates; providing for continuation of the temporary court of appeals created by Chapter 6, O. S. L. 1969 (20 O. S. Supp. 1969, § 30.1 note), until the second day in January, 1971; providing for severability; and declaring an emergency.

**SB 564**—By Terrill—An Act relating to children; amending Section 101, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1101); defining terms used in connection with Act relating to delinquent children and children in need of supervision; and declaring an emergency.

**SB 565**—By McSpadden, Massey and Birdsong of the Senate and Sanguin of the House—An Act relating to motor vehicles; amending 47 O. S. 1961, § 14-116, as last amended by Section 1, Chapter 171, O. S. L. 1969 (47 O. S. Supp. 1969, § 14-116); amending 47 O. S. 1961, § 22.2,

as last amended by Section 2, Chapter 171, O. S. L. 1969 (47 O. S. Supp. 1969, § 22.2); providing for allocation of additional sums of money collected for overweight permits and truck registration to the Size and Weights Division of the Department of Public Safety; repealing all laws in conflict herewith; and declaring an emergency.

**SB 566**—By Baggett and Smalley—An Act relating to holidays; amending 25 O. S. 1961, § § 82.1 and 82.2; designating certain days legal holidays; and prescribing date when the Act shall become operative.

**SB 567**—By Nichols—An Act relating to the State Highway Department; making an appropriation thereto for preparing and paving certain grounds adjacent to buildings housing the State Department of Health; making appropriation nonfiscal; and declaring an emergency.

**SB 568**—By Murphy—An Act relating to agriculture; amending 2 O. S. 1961, § 3-82, as last amended by Section 1, Chapter 105, O. S. L. 1968, Section 1, Chapter 298, O. S. L. 1965, and Section 1, Chapter 509, O. S. L. 1965 (2 O. S. Supp. 1969, § 3-82, (d), (e), and (f)); relating to pesticide applicators laws; requiring surety bond for applicator; providing that no action for damages may be maintained unless certain procedures are followed; and declaring an emergency.

**SB 569**—By Grantham of the Senate and Camp, Conaghan and Boettcher of the House—An Act relating to probate procedure; amending 58 O. S. 1961, § 426, as amended by Section 17 of Chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § 426), pertaining to sales by executors or administrators; and declaring an emergency.

**SB 570**—By Terrill—An Act relating to schools; providing for application of a teacher-pupil ratio in computing state incentive aid to certain school districts; directing codification; and declaring an emergency.



**SB 571**—By Terrill of the Senate and Lindstrom of the House—An Act relating to vehicle license and registration; amending Section 1, Chapter 191, O. S. L. 1967 (47 O. S. Supp. 1969, § 22.30j); providing a special registration fee for nonresident servicemen while stationed in Oklahoma; providing that wife of serviceman may apply for and be granted vehicle registration under this Act when said serviceman is serving in Vietnam; fixing the registration fee thereof; and declaring an emergency.

**SB 572**—By Young—An Act relating to insurance; amending 36 O. S. 1961, § 1103; providing for service of process on unauthorized insurers; providing place for bringing action; and declaring an emergency.

**SB 573**—By Murphy—An Act relating to state officers and employees; amending 74 O. S. 1961, §§ 500.1, 500.2, 500.3, 500.4 and 500.5, as last amended by Section 1, Chapter 312, O. S. L. 1968, §§ 500.6, 500.7 and 500.8, as amended by Section 2, Chapter 266, O. S. L. 1965, §§ 500.10 and 500.11, as amended by Section 3, Chapter 312, O. S. L. 1968 (74 O. S. Supp. 1969, §§ 500.5, 500.8 and 500.11); providing funds for travel expenses by officials or employees traveling on state business for the state; defining reimbursable expenses; prescribing authority for travel and procedure for reimbursement; authorizing modes of travel; providing reimbursement for travel on official business by personally owned automobiles; providing for travel by leased or rented automobile; providing reimbursement for travel on official business by airplane; prescribing per diem allowance in lieu of subsistence; providing reimbursement for additional expenses; providing for subsistence expenses within the state in lieu of per diem; providing for severability; and declaring an emergency.

**SB 574**—By Stipe—An Act relating to workmen's compensation; amending 85 O. S. 1961, § 14, as amended by Section

1, Chapter 256, O. S. L. 1968 (85 O. S. Supp. 1969, § 14), to permit injured employees to select their own doctor under certain circumstances; and declaring an emergency.

**SB 575**—By Baggett—An Act relating to militia; amending 44 O. S. 1961, § 24, to provide that the Adjutant General shall not be removed except for cause; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 558**—Judiciary.

**SB 559**—Judiciary.

**SB 560**—Governmental Affairs.

**SB 561**—Public Health.

**SB 562**—Appropriations and Budget.

**SJR 44**—Constitutional Revisions and Regulatory Services.

**SJR 45**—Public Health.

**HB 1537**—Business Relations.

**HB 1541**—Revenue and Taxation.

**HB 1610**—Roads and Highways.

**HB 1626**—Conservation and Economic Development.

**HB 1663**—Roads and Highways.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Garrison, the Senate concurred in **Has** to **SJR 28**.

**SJR 28**, as amended by the Honorable House, was read at length, as follows:

**SJR 28**—By Garrison, Smalley, Keels, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Field, Grantham, Ham, Holden, Lane, Massey, Murphy, Short and Young of the Senate and Connor, et al, of the House—A Joint Resolution Directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Oklahoma Constitution by adding a new section thereto authorizing the issuance and sale of additional State Industrial Finance

Bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding and to include tourism and rural water districts for loans in limited amounts; providing for repayment; providing for ballot title; and ordering a special election.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed new section to Article X of the Constitution of the State of Oklahoma, to be designated as Section 34A.

Section 34A. The Oklahoma Industrial Finance Authority is hereby authorized to issue and sell additional state industrial finance bonds, not to exceed Ten Million Dollars (\$10,000,000.00) outstanding at any one time in such amounts as may be needed and to mature within thirty (30) years from their date for the purposes set out in Section 34, Article X of the Oklahoma Constitution pertaining to the State Industrial Finance Authority, approved by vote of the people on July 26, 1960, and for the other purposes herein-after set forth. The Legislature of the State of Oklahoma may raise the above amount of bonds to be issued by said Authority, not to exceed an additional Sixty Million Dollars (\$60,000,000.00) outstanding at any one time to mature within thirty (30) years from their date, in increments of Ten Million Dollars (\$10,000,000.00) by enactment of an appropriate resolution. Provided, further, that in addition to the purposes set forth in said Section 34, Article X of the Oklahoma Constitution, the Legislature may, by statute, authorize the said Authority to loan and reloan not to exceed One Million Dollars (\$1,000,000.00) for tourism, and not to exceed Three Million Dollars

(\$3,000,000.00) for Rural Water Districts, defining those terms. All bonds herein authorized to be issued and sold shall be backed by the full faith and credit of the State of Oklahoma. The bonds herein authorized shall be in addition to those now authorized by the above-mentioned Section 34, Article X of the Oklahoma Constitution, and enabling statutes. There shall be pledged to the payment of principal and interest of the bonds herein authorized to be issued: (1) The net proceeds from repayment of loans and interest received thereon; (2) any moneys available from other funds of the state not otherwise obligated; and (3) the proceeds of any tax other than ad valorem, which may be imposed for such purpose in the event funds available for use and pledge under (1) and (2) should be insufficient. All other provisions of said Section 34, Article X of the Oklahoma Constitution shall remain in full force and effect.

SECTION 2. The ballot title for the proposed Constitutional Amendment set forth in SECTION 1 of this Resolution shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. -----

State Question No. -----

THE GIST OF THE PROPOSITION IS  
AS FOLLOWS:

Shall a Constitutional Amendment amending Article X of the Oklahoma Constitution by adding a new section to be designated Section 34A, authorizing the issuance and sale of additional State Industrial Finance Bonds not to exceed Ten Million Dollars (\$10,000,000.00) outstanding at any one time, but authorizing the Legislature to raise the amount which may be outstanding to an amount not to exceed Sixty Million Dollars (\$60,000,000.00) additionally outstanding at any one time, providing that all such bonds shall be backed by the full faith and credit of the State of Oklahoma, and providing for repayment of the bonds

be approved by the people?

☐ YES

SHALL THE PROPOSED  
AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the above ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on March 17, 1970, or on the date of the next primary election, whichever is earlier, at which time the proposed amendment to the Constitution of the State of Oklahoma set forth in SECTION 1 of this Resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Baldwin, Boecher, Dacus, Phillips.—4.

The Resolution was declared passed.

The question being, "Shall **SJR 28**, by Garrison, Smalley, Keels, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Field, Grantham, Ham, Holden, Lane, Massey, Murphy, Short and Young of the Senate and Connor, et al, of the House, entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article X of the Okla-

homa Constitution by adding a new section thereto authorizing the issuance and sale of additional State Industrial Finance Bonds; fixing maximum amount of bonds outstanding; authorizing the Legislature to increase amounts which may be outstanding and to include tourism and rural water districts for loans in limited amounts; providing for repayment; providing for ballot title; and ordering a special election.

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on March 17, 1970, or on the date of the next primary election, whichever is earlier, as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on March 17, 1970, or on the date of the next primary election, whichever is earlier, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Boecher, Dacus, Phillips, Porter, Smalley.—6.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

House Amendments were properly signed and above numbered Resolution, as amended, was referred for enrollment.

## RESOLUTION

By unanimous consent, **SCR 57**, by Horn



of the Senate and Hargrave of the House was introduced and read as follows:

A Concurrent Resolution expressing appreciation and commendation to the Oklahoma Department of the American Legion for erecting the "Eternal Flame" dedicated to the memory of American Veterans; and directing distribution of duly authenticated copies of this resolution.

By unanimous consent, upon request of Senator Horn, all other members of the Senate were made coauthors of the Resolution.

**SCR 57**, as coauthored, was read at length, adopted upon motion of Senator Horn and ordered referred for engrossment.

### MOTION

Senator Grantham moved that the Honorable House be requested to return **HB 1521** for the purpose of correction, which motion was declared adopted.

### GENERAL ORDER

**SB 427** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 427** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 427** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 427** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Stans-

berry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Berrong, Boecher, Dacus, Payne, Phillips.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Berrong, Boecher, Dacus, Payne, Phillips.—7.

The emergency was declared passed.

**SB 427** was referred for engrossment.

### GENERAL ORDER

**SB 428** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 428** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 428** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 428** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Boecher, Dacus, Field, Porter, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Baggett, Baldwin, Boecher, Dacus, Field, Porter, Taliaferro.—7.

The emergency was declared passed.

**SB 428** was referred for engrossment.

### GENERAL ORDER

**SB 440** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 440** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 440** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 440** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baggett, Baldwin, Boecher, Dacus, Porter.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baggett, Baldwin, Boecher, Dacus, Porter.—5.

The emergency was declared passed.

**SB 440** was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SB 441** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 441** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 441** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 441** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Young.—36.

Nay: Keels, McCune, Medearis, Williams.—4.

Excused: Atkinson, Baggett, Baldwin, Boecher, Dacus, Nichols, Porter, Smith.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Young.—37.

Nay: Keels, McCune, Medearis, Williams.—4.

Excused: Baggett, Baldwin, Boecher, Dacus, Nichols, Porter, Smith.—7.

The emergency was declared passed.

**SB 441** was referred for engrossment.

### GENERAL ORDER

**SB 443** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 443** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 443** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 443** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne,

Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Boecher, Dacus, McGraw, Massey, Porter, Smith.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Boecher, Dacus, McGraw, Massey, Porter, Smith.—7.

The emergency was declared passed.

**SB 443** was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1603** and **HJR 1043**.

The above numbered Enrolled Bill and Resolution were, after fourth reading, properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1047**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

### GENERAL ORDER

**HB 1512** by Green of the House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1512** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1512** was placed upon third reading and final passage.



President Pro Tempore Smith presiding.

### THIRD READING

**HB 1512** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Bradley, Ferrell, Field, Garrett, Grantham, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Murphy, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—25.

Nay: Birdsong, Breckinridge, Crow, Garrison, Graves, Hamilton, Horn, Lane, McCune, Martin, Massey, Medearis, Miller, Nichols, Payne, Stansberry, Stipe, Terrill.—18.

Excused: Baggett, Baldwin, Boecher, Dacus, Porter.—5.

The bill was declared passed.

**HB 1512** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1525** by York, et al, of the House and Garrett of the Senate was read and considered.

Senator Garrett moved to amend **HB 1525**, page 1, by crippling the Title of said bill, which amendment was declared adopted.

Upon motion of Senator Garrett, **HB 1525**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1525**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1525** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett,

Garrison, Grantham, Graves, Ham, Hamilton, Inhofe, Lane, Luton, McCune, Miller, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—28.

Nay: Baggett, Holden, Horn, Howard, Keels, McSpadden, Martin, Murphy, Smalley.—9.

Excused: Baldwin, Boecher, Dacus, Field, Hargrave, McGraw, Massey, Medearis, Nichols, Porter, Taliaferro.—11.

The bill was declared passed.

Senator Garrett asked unanimous consent that the Emergency Section of **HB 1525** be stricken and the title amended to conform thereto, which amendment was declared adopted.

**HB 1525**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 457** by Berrong and Inhofe was read and considered.

Senator Grantham asked to be made a coauthor of **SB 457**, which was the order.

Senator Berrong moved to amend **SB 457**, page 15, line 13, by striking the words "citizens of this state".

Senator Baggett, as a substitute for the Berrong amendment, moved to amend **SB 457**, page 15, line 13, by striking the word "citizens" and substituting therefor the word "residents" which amendment was declared adopted.

Senator Romang moved to amend **SB 457**, page 9, line 2, by placing a comma (,) after the word "Commissioner" which amendment was declared adopted.

Senator Berrong moved to amend **SB 457**, page 16, line 11, by striking the words and figures "Two Hundred Dollars (\$200.-00)" and substituting therefor the words and figures "Five Hundred Dollars (\$500.-00)" which amendment was declared adopted.

Senator Berrong moved to amend **SB 457**, page 70, line 3, by inserting after the word "other" and before the word "ac-

tion" the word "legal" which amendment was declared adopted.

Upon motion of Senator Berrong, **SB 457**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SB 457**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 457** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—35.

Nay: Martin, Miller, Payne, Young.—4.

Excused: Baldwin, Boecher, Dacus, Ferrell, Field, Hargrave, Inhofe, Porter, Taliaferro.—9.

The bill was declared passed.

**SB 457**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Returning Engrossed **HB 1521** as per request by the Honorable Senate.

Consideration of the above numbered Bill was deferred for this legislative day.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

Senator Smalley presiding.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 138**.

The above numbered Enrolled Bill was referred to the Governor.

### RESOLUTION

By unanimous consent, the following Resolution was introduced and consideration deferred for this legislative day:

**SCR 58** by Garrison of the Senate and Spearman of the House—A Concurrent Resolution commending the Peace Officers of Oklahoma and the Nation; expressing appreciation and lasting gratitude for their fidelity to their public trust, selfless dedication to duty and adherence to high standards of performance under exacting and frequently extreme conditions and circumstances; and directing distribution.

### BILL RELEASED

As provided under Rule 19-f, **HB 1512** was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Twenty-first Legislative Day

Tuesday, February 10, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.  
—45.

Excused: Baldwin, Dacus, Porter.—3.

The President declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Atkinson:

Our heavenly Father, before we engage our minds and our energies in the task committed to our hands this day, we would first acknowledge our dependence on You and our need for divine direction. Though we may be experienced in the ways of men, we know all too little of the ways of God.

In your Book You have told us, "In all our ways acknowledge God." Accompanying that commandment there is a promise that if we so acknowledge You, You will direct our paths. Therefore, for this day's business, we come through prayer to seek your direction. We pray for the inspiration that comes from God. May

each significant decision this day be made in the light of its eternal worth. Give to us divine insight enabling us to see clearly the times in which we live and to faithfully do the work committed to our hands.

Bless the Members of this body and all men everywhere who humbly serve You that we may build a better society for the present and for times to come. This, we ask in the name of our Lord Jesus Christ. Amen.

The Journal for the last legislative day was declared approved.

### CITATION

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Donnie Locke, Tishomingo, Oklahoma for winning a 1969 "horticultural project" at the National 4-H Congress in Chicago, Illinois.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1141**—By Derryberry, Smithey, Cole, Andrews, Monks, Bengtson, Privett, Barker, Finch, Hill (Archibald), Patterson, Sandlin, Sanguin, Sparkman and Wixson —An Act relating to workmen's compensation; amending 85 O. S. 1961, § 22, as last amended by Section 1, Chapter 91, O. S. L. 1968, and Section 1, Chapter 145, O. S. L. 1968, and Section 1, Chapter 131, O. S. L. 1965 (85 O. S. Supp. 1969, § 22), and amending 85 O. S. 1961, § 44, providing



schedule of compensation for injuries; providing for payment of compensation benefits in event of death; providing for election of remedy; removing restriction against subrogation; repealing conflicting laws; providing for operative date of Act; making provisions of Act severable; and declaring an emergency.

**HB 1152**—By Townsend, Tabor, Hatchett, Miskelly, Williamson, Mountford, Atkins, Taggart, Trent, Monks, Bamberger, Connor and Bengtson—An Act relating to certain free-flowing rivers and streams; designating certain areas as scenic river areas; stating policy and purpose; providing for powers and duties of the Oklahoma Industrial Development and Park Department and the Wildlife Conservation Commission; prohibiting certain acts within scenic river areas and providing penalties therefor; making provisions of Act severable; and declaring an emergency.

**HB 1540**—By Bickford and Lindstrom of the House and Martin of the Senate—An Act relating to children; amending Section 1, Chapter 108, O. S. L. 1969 (10 O. S. Supp. 1969, § 1505); providing for the appointment of juvenile officers in certain counties; providing salaries, mileage and expenses; providing effective date; and declaring an emergency.

**HB 1557**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Court of Criminal Appeals and declaring an emergency)

**HB 1558**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the District Courts and declaring an emergency.)

**HB 1561**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the State Board of Education and declaring an emergency.)

**HB 1574**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma

Department of Public Safety and declaring an emergency)

**HB 1579**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act relating to the Corporation Commission and declaring an emergency)

**HB 1608**—By Privett, Willis, Miskelly, Townsend, Sanguin and Bickford—An Act relating to uniform compensation of employees in the classified service; amending 74 O. S. 1961, § 805, as amended by Section 1, Chapter 402, O. S. L. 1968 (74 O. S. Supp. 1969, § 805); prescribing certain duties of State Personnel Board; prescribing methods and procedures for maintenance of a Personnel Board Uniform Compensation Plan for each class within the classified service; amending Section 2, Chapter 402, O. S. L. 1968, as amended by Section 1, Chapter 343, O. S. L. 1969 (74 O. S. Supp. 1969, § 817.3); creating a Wage Adjustment and Salary Board and prescribing to it certain duties; providing for notice and hearing on adoption of rules and regulations by the State Personnel Board; providing for reports; amending 74 O. S. 1961, § 813, as last amended by Section 1, Chapter 314, O. S. L. 1969 (74 O. S. Supp. 1969, § 813); providing for cost of administering Merit System; making provisions of Act severable; and declaring an emergency.

**HB 1642**—By Miskelly, Clemons, Townsend, Trent, Abbott, Allard, Anderson, Andrews, Barker, Bengtson, Bernard, Bickford, Boettcher, Boren, Bradley, Briscoe, Browers, Cole, Conaghan, Converse, Deryberry, Dunn, Ferguson, Ferrell, Finch, Fine, Ford, Greenhaw, Hancock, Hatchett, Hopkins, Hutchens, Jones, Kamas, Lindstrom, McCune, McKee, Monks, Mountford, Odom (Martin), Odom (V. H.), Poulos, Raibourn, Robinson, Rogers, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Sparkman, Spearman, Stratton, Sullivan, Tabor, Tarwater, Vann, Whorton, Wiedemann, Williams, Williamson, Willis, Witt, Wolf (Leland), Wolfe (Steph-

en), York, Goodfellow, Holaday, Camp and Smithey of the House and Atkinson of the Senate—An Act relating to public health and safety; prohibiting the display of the names of persons killed in military action on placards, cards, or publications for the purpose of any antiwar, antipolice or anti-draft demonstrations on the grounds of schools, colleges, universities, state institutions or facilities, county or city institutions or facilities which are wholly or in part supported by public funds or upon property dedicated to public use, except with written consent of the parents thereof; providing that violation of provisions of act shall constitute a misdemeanor; providing punishment; providing punishment for commission of a second such offense; and declaring an emergency.

The above numbered **HBs** were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1512**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 427, 428, 441, 443, SCR 57; and HB 1525** each correctly engrossed.

**SJR 28** correctly enrolled.

Engrossed **SBs 427, 428, 441, 443** and **SCR 57** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1525**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SJR 28** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### COMMITTEE REPORTS

The following Bills and/or resolutions

were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 514**—Business Relations.

**SB 521**—Finance and Commerce.

**SB 534**—Judiciary.

**SB 537**—Judiciary.

**SB 539**—Judiciary—Coauthored by Breckinridge and Inhofe.

**SB 541**—Judiciary—Coauthored by Inhofe.

**SB 544**—Judiciary.

**SB 549**—Judiciary.

**SB 550**—Judiciary.

**HB 1527**—Business Relations—Coauthored by Payne.

**DO PASS**, as amended:

**SB 305**—Business Relations.

**SB 472**—Business Relations.

**SB 551**—Judiciary.

**SJR 41**—Judiciary.

**HB 1586**—Education—Coauthored by Lutton.

#### FIRST READING

The following Bills were introduced and read the first time:

**SB 576**—By Bradley—An Act relating to courts; providing that no justice or judge shall simultaneously be a member of more than one state funded retirement system; providing that any justice or judge who is a member of two or more systems at effective date of this act shall discontinue such membership in all but one; providing for refunds and providing time in which refunds may be made with interest; and declaring an emergency.

**SB 577**—By Nichols, Miller and Martin of the Senate and Sparkman of the House—An Act relating to health facilities; amending Section 801 of Chapter 325, Oklahoma Session Laws 1963, as amended by Section 1 of Chapter 243, Oklahoma Session Laws 1965, and amending Section 808 of Chapter 325, Oklahoma Session Laws 1963 as amended by Section 1 of Chapter

325, Oklahoma Session Laws 1963; defining the term "intermediate care facility", and making certain provisions of the Oklahoma Public Health Code applicable to such facilities; fixing certain requirements for nursing homes; creating a Health Facilities Advisory Council, fixing its membership and prescribing its duties; requiring approval of establishment of hospital and nursing homes, construction of additions to hospitals and nursing homes, and modifications as to physical plant and service capabilities of hospitals and nursing homes, and prescribing procedure therefor and making certain exceptions from such requirements; creating a Health Facilities Planning Council, fixing its membership, and prescribing its duties; repealing Sections 708 and 809 of Chapter 325, Oklahoma Session Laws 1963; specifying codification of certain Sections of Act; and declaring an emergency.

**SB 578**—By Grantham of the Senate and Boettcher of the House—An Act relating to taxation; amending Section 24312 of Section 2 of Chapter 501, O. S. L. 1965, as amended by Section 2 of Chapter 404, O. S. L. 1968 (68 O. S. Supp. 1969, § 24312), pertaining to notice of tax sale; amending Section 24313 of Section 2 of Chapter 501, O. S. L. 1965, as amended by Section 3 of Chapter 404, O. S. L. 1968 (68 O. S. Supp. 1969, § 24313), pertaining to time and place of tax sale; and declaring an emergency.

**SB 579**—By Birdsong—An Act relating to motor vehicles; amending 47 O. S. 1961, § 169, as last amended by Section 9, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 169), to provide that Corporation Commission may, under certain conditions upon proper showing, reinstate authority of motor carrier, when same has been suspended or cancelled for failure to file evidence of insurance; and declaring an emergency.

**SB 580**—By McSpadden—An Act relating to city-county planning and zoning; amending 19 O. S. 1961, § 866.30, as amend-

ed by Section 5, Chapter 212, O. S. L. 1963 (19 O. S. Supp. 1969, § 866.30); providing for exemption from zoning regulations for lands owned, leased or operated by and included within the official plan of any "port authority" created pursuant to Title 82 of the Oklahoma Statutes, Sections 1101 et seq; and declaring an emergency.

**SB 581**—By Ham of the Senate and Bamberger of the House—An Act relating to banks and trust companies; amending Section 207, Chapter 161, O. S. L. 1965 (6 O. S. Supp. 1969, § 207); prescribing terms of office of members of the Court of Bank Review; providing that the decisions of the Court of Bank Review shall set forth in writing the legal reasons for the conclusions reached and shall be subject to review in the Supreme Court by certiorari; providing that the Supreme Court shall prescribe by rule the scope of its review by certiorari and the time and manner in which a petition for certiorari shall be filed in that court; and declaring an emergency.

**SB 582**—By Stipe—An Act relating to insurance; providing insured shall have choice of practitioner and choice of where practitioner's services to be rendered; providing that limitations as to such choices are void; providing for compensation to practitioners; repealing all acts or parts of acts in conflict herewith; and declaring an emergency.

**SB 583**—By Inhofe—An Act relating to the Santa Claus Commission; providing for the Santa Claus Commission to work under the supervision and direction of the Department of Public Welfare; amending 10 O. S. 1961, §§ 361, 362, and 363.

**SB 584**—By Baggett—An Act relating to schools; providing that the Office of County Superintendent of Schools in and for each county in Oklahoma is abolished; providing for completion of present terms of said offices; making functions and duties of the Office of County Superintendent of Schools responsibility of the State Board



of Education; and repealing 70 O. S. 1961, § § 3-1 through 3-7, 35a, 35b and 35c, and Sections 1 and 2, Chapter 434, O. S. L. 1965 (70 O. S. Supp. 1969, § § 3-4.1 and 3-4.2); and declaring an emergency.

**SB 585**—By Young—An Act relating to motor vehicles; requiring public liability insurance as a condition to obtaining motor vehicle registration and tags; fixing amounts; authorizing waiver of requirements on proof of financial responsibility; and setting effective date of Act.

**SB 586**—By Grantham of the Senate and Conaghan and Boettcher of the House—An Act relating to cemeteries; providing for a lien on cemetery lots when upkeep payments are in default; providing for procedure for foreclosure; and declaring an emergency.

**SB 587**—By Terrill and Breckinridge—An Act relating to crimes and punishments; defining offenses relating to theft, use, possession, purchase, sale, retention, forgery, fraud, possession of equipment or materials, and other activities connected with credit cards; prescribing penalties; and declaring an emergency.

**SB 588**—By Grantham of the Senate and Sanguin, Conaghan and Boettcher of the House—An Act relating to motor vehicles; amending 47 O. S. 1961, § 2-107; adjusting the amount that may be paid for Department of Public Safety vehicles and the number of vehicles that may be purchased; and declaring an emergency.

**SB 589**—By Baggett—An Act relating to schools; providing basis for computing average daily attendance for kindergarten children; and directing codification.

**SB 590**—By Garrett of the Senate and McCune of the House—An Act relating to authority to pass ordinances; amending 11 O. S. 1961, § 672; providing penalty for violation of ordinances; providing conditions; providing an effective date; and declaring an emergency.

**SB 591**—By Garrett—An Act relating to municipal criminal courts of record; amending 11 O. S. 1961, § § 784, 787-790,

792, 793, 795-801, 803, and 805; amending 11 O. S. 1961, § § 781-783, 785, 786, 794, 804, and 808, as last amended by Sections 1-8, inclusive, Chapter 173, O. S. L. 1968 (11 O. S. Supp. 1969, § § 781-783, 785, 786, 794, 804, and 808); creating Municipal Courts of Record in cities of more than one hundred twenty-five thousand inhabitants; establishing jurisdiction and authority; providing for judges, court personnel and for compensation thereof; prescribing duties; prescribing procedures in said court and appeals from its judgment and sentences; providing for juries therein; providing for reporters; providing for costs, assessment and collection thereof; providing for sentencing of convicted persons; providing for enforcement of judgment and sentences; providing for appeals; providing an operative date; repealing 11 O. S. 1961, § 791; and declaring an emergency.

**SB 592**—By Berrong and Young—An Act relating to vehicles acquired by public agencies through the State Board of Public Affairs, Central Purchasing Division; providing vehicles so acquired shall not be disposed of prior to 50,000 miles or 12 months use except with written permission of Director of Central Purchasing Division; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 563**—Judiciary.

**SB 564**—Judiciary.

**SB 565**—Roads and Highways.

**SB 566**—Governmental Affairs.

**SB 567**—Roads and Highways.

Senator Nichols asked unanimous consent that the order referring **SB 567** to the Committee on Roads and Highways be rescinded and that said Bill be referred to the Committee on Appropriations and Budget, which was the order.

**SB 568**—Agriculture.

**SB 569**—Judiciary.

**SB 570**—Education.

**SB 571**—Revenue and Taxation.

**SB 572**—Judiciary.

**SB 573**—Governmental Affairs.

**SB 574**—Business Relations.

**SB 575**—Constitutional Revisions and Regulatory Services.

**HB 1142**—Business Relations.

**HB 1145**—Business Relations.

**HB 1146**—Business Relations.

**HB 1147**—Business Relations.

**HB 1148**—Business Relations.

**HB 1149**—Business Relations.

**HB 1151**—Business Relations.

**HB 1559**—Appropriations and Budget.

**HB 1578**—Appropriations and Budget.

**HB 1583**—Appropriations and Budget.

**HB 1638**—Governmental Affairs.

**HB 1702**—Business Relations.

#### PENDING SENATE ACTION

**SCR 58** by Garrison of the Senate and Spearman of the House was taken up for consideration.

Senator Birdsong asked to be made a coauthor of **SCR 58**, which was the order.

Senator Young asked that all other members of the Senate be added as coauthors of **SCR 58**, which was the order.

Senator Garrison moved to amend **SCR 58**, page 3, line 3, by inserting after the word "Police" and before the word "as" the language "and the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, Washington, D.C." which amendment was declared adopted.

**SCR 58**, as amended, was read at length, adopted upon motion of Senator Garrison, and ordered referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1050**—By Sparkman of the House and Smith of the Senate—A Concurrent Resolution recalling from the Office of

the Governor House Bill No. 1589 passed by the 2nd Session of the 32nd Oklahoma Legislature.

President Pro Tempore Smith asked for immediate consideration of **HCR 1050**, which was the order.

**HCR 1050**, was read at length, adopted upon his motion, properly signed and ordered returned to the Honorable House.

#### GENERAL ORDER

**SB 513** by Luton was read and considered.

Upon motion of Senator Luton, **SB 513** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 513** was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**SB 513** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Taliaferro, Terrill, Williams, Young.—32.

Nay: Birdsong, Boecher, Bradley, Hamilton, Keels, Lane, Martin, Smalley, Smith.—9.

Excused: Baldwin, Breckinridge, Dacus, Hargrave, Medearis, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short,

Stansberry, Taliaferro, Terrill, Williams, Young.—32.

Nay: Birdsong, Boecher, Bradley, Hamilton, Keels, Lane, Martin, Smalley, Smith.—9.

Excused: Baldwin, Breckinridge, Dacus, Hargrave, Medearis, Porter, Stipe.—7.

The emergency was declared passed.

**SB 513** was referred for engrossment.

### GENERAL ORDER

**SB 447** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 447** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 447** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Murphy, Porter, Stipe.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang,

Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Murphy, Porter, Stipe.—9.

The emergency was declared passed.

**SB 447** was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1050**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

### GENERAL ORDER

**SB 462** by Young was called up for further consideration.

Senator Grantham moved to amend **SB 462**, page 5, line 11, by adding after the word "served" and before subsection (D), the language "In every other county of the State the chief judge may authorize the appointment of a bailiff for a special judge during a jury session only. The bailiff so appointed shall be paid out of the court fund of the county the sum of Fifteen Dollars (\$15.00) per day for each day served" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 462**, page 4, beginning on line 15, by striking all of Subsection (C), which amendment was declared failed of adoption.

Senator Hamilton moved to amend **SB 462**, page 6, line 3½, by inserting a new section to read as follows: "Section 4. The Special District Judge shall be provided with a stenographer to be appointed by the presiding chief judge of the District, if the caseload of said judge so warrants, in the discretion of the appointing judge."

Senator Young raised a point of order, which was overruled, against the Hamilton amendment, stating it was not germane to the subject matter contained in the Bill.

President Pro Tempore Smith presiding.



Senator Young moved to table the Hamilton amendment, which motion was declared adopted.

Senator Smalley presiding.

Senator Luton moved to amend **SB 462**, page 4, line 15, by striking after the word "state" the remainder of line 15, all of lines 16 and 17, and line 18, down through and including the word "census"; and on page 5, by inserting after the word "district" and before the word "may" the language " , subject to the approval of the court administrator of the State," which amendment was tabled upon motion of Senator Young upon a roll call as follows:

Aye: Berrong, Birdsong, Boecher, Field, Garrett, Grantham, Ham, Horn, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Miller, Murphy, Romang, Short, Smith, Williams, Young.—22.

Nay: Bradley, Crow, Ferrell, Graves, Hamilton, Holden, Lane, Luton, Nichols, Payne, Phillips, Smalley, Stansberry.—13.

Excused: Atkinson, Baggett, Baldwin, Breckinridge, Dacus, Garrison, Hargrave, McSpadden, Medearis, Porter, Stipe, Taliaferro, Terrill.—13.

President Pro Tempore Smith presiding.

Senator Hamilton moved that **SB 462** be withdrawn from the Calendar and re-referred to the Judiciary Committee to await a report pursuant to **SB 21**, passed in the First Session of the 32nd Legislature, which motion was tabled upon motion of Senator Smalley.

Upon motion of Senator Young, **SB 462**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 462**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 462** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—30.

Nay: Boecher, Ferrell, Graves, Hamilton, Holden, Lane, Luton, Massey, Murphy, Stansberry, Stipe.—11.

Excused: Atkinson, Baldwin, Breckinridge, Dacus, Nichols, Porter, Williams.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Boecher, Graves, Hamilton, Lane.—4.

Excused: Atkinson, Baldwin, Breckinridge, Dacus, Horn, Murphy, Nichols, Porter, Short, Williams.—10.

The emergency was declared passed.

**SB 462**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SJR 28** transmitted to the Secretary of State.

### GENERAL ORDER

**SB 408** by Young and Crow was read and considered.

Senator Hamilton moved to amend **SB 408**, page 1, beginning on line 2, by striking the language "any State Commission, Board, or Officer" and substituting in lieu thereof "the State Property and Casualty Rate Board"; by adding after the word "public" on page 1, line 4, the words "or

policyholders"; striking the language on page 2, lines 3 and 4, "any State Commission, Board, or Officer" and substituting in lieu thereof the language "the State Property and Casualty Rate Board"; by adding on page 2, line 9, a comma (,) in lieu of the period (.); and by adding the language "and unless he was present during such hearing or hearings" which amendment was declared adopted.

Upon motion of Senator Young, **SB 408**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 408**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 408** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Nay: Graves.—1.

Excused: Baldwin, Breckinridge, Dacus, Field, Hargrave, Howard, Lane, McSpadden, Porter, Short, Stipe.—11.

The bill was declared passed.

**SB 408**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 450** by Hamilton was read and considered.

Senator Hamilton moved to amend **SB 450**, page 2, lines 13 and 14, by removing the brackets and reinstating the language, except by changing the words and figures "five percent (5%)" to "seven and one-

half (7½)"; and by making same amendment on lines 2 and 3 on page 3, and by amending the title to conform, which amendment was declared adopted.

Senator Hamilton moved to amend **SB 450**, page 7, line 7½, by inserting a new section to read as follows: "Section 2. It is the intent of the Legislature that the O.I.F.A. Authority give serious consideration to placing terms of redemption in any future sales of bonds under the terms of this act" and by renumbering succeeding sections accordingly and amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Hamilton, **SB 450**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 450**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 450** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Breckinridge, Dacus, Ferrell, Lane, Luton, Martin, Porter, Stansberry, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, Mc-

Spadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Breckinridge, Dacus, Ferrell, Lane, Luton, Martin, Porter, Stansberry, Stipe.—10.

The emergency was declared passed.

**SB 450**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 491** by Baggett was read and considered.

Senator Stipe moved to amend **SB 491**, page 2, line 6, by adding after the word "void" the sentence "This act shall apply to all counties with a population that exceeds 250,000, according to the last decennial census.

Senator Baggett moved to table the Stipe amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Bradley, Ferrell, Garrett, Garrison, Hargrave, Inhofe, Keels, McCune, McGraw, Murphy, Romang, Short, Smalley, Smith, Williams.—18.

Nay: Birdsong, Boecher, Crow, Field, Grantham, Ham, Hamilton, Horn, Lane, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Stipe, Taliaferro, Terrill, Young.—21.

Excused: Baldwin, Breckinridge, Dacus, Graves, Holden, Howard, Massey, Porter, Stansberry.—9.

The vote occurring upon the Stipe amendment, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Crow, Grantham, Hamilton, Holden, Horn, Lane, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Stipe, Taliaferro, Terrill, Young.—21.

Nay: Baggett, Berrong, Bradley, Ferrell, Garrett, Garrison, Ham, Hargrave, Inhofe, Keels, McCune, McGraw, Murphy,

Romang, Short, Smalley, Smith, Williams.—18.

Excused: Baldwin, Breckinridge, Dacus, Field, Graves, Howard, Massey, Porter, Stansberry.—9.

Senator Smalley moved that **SB 491** be committed to the Rules Committee, which amendment was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Garrett, Graves, Hargrave, Horn, Howard, McSpadden, Martin, Miller, Murphy, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—20.

Nay: Baggett, Berrong, Crow, Ferrell, Garrison, Grantham, Ham, Hamilton, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, Medearis, Nichols, Payne, Phillips, Short, Williams.—21.

Excused: Baldwin, Breckinridge, Dacus, Field, Massey, Porter, Stansberry.—7.

Senator Baggett moved to amend **SB 491**, page 2, line 6½ by inserting a new section to read as follows: "Section 2. Any County Assessor who willfully refuses or neglects to perform his duties under Chapter 359, 1967 Oklahoma Session Laws, shall be subject to ouster from office in any action brought in the District Court of that County by the Oklahoma Tax Commission. It shall be the duty of the Oklahoma Tax Commission to bring such action whenever they determine, either on its own motion or upon the written complaint of any citizen that such assessor is in dereliction of his duties under Chapter 359, 1967 O. S. L. This Section shall apply to all counties."—and by renumbering the following sections, and amending the title to conform thereto.

Senator Garrison moved to amend the Baggett amendment by striking the words "they determine" and substituting therefor the words "it determines" which amendment was declared adopted.

Senator Stipe moved to amend the Baggett amendment by adding after the word "counties" the language "with a popula-



tion in excess of 250,000, according to the last census."

Senator Baggett moved to table the Stipe amendment.

Senator Smalley, in lieu of all pending motions, moved to commit **SB 491**, with amendments attached thereto, to the Rules Committee, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Lane, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—28.

Nay: Baggett, Berrong, Breckinridge, Ferrell, Garrison, Grantham, Howard, Inhofe, Keels, Luton, McCune, McGraw, Nichols, Short.—14.

Excused: Baldwin, Dacus, Ham, Miller, Porter, Stansberry.—6.

### GENERAL ORDER

**SB 517** by Williams was read and considered.

As provided under Rule 8-e, upon request of Senator Williams, Representative Thornhill was added as the House Author of **SB 517**.

Upon motion of Senator Williams, **SB 517** was advanced to engrossment.

By unanimous consent, upon request of Senator Williams, **SB 517** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 517** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Inhofe, Lane, Martin, Murphy, Payne, Romang, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—24.

Nay: Baggett, Birdsong, Bradley, Garrett, Hamilton, Hargrave, Horn, Howard, Keels, Luton, McCune, McSpadden, Massey, Medearis, Phillips, Short, Smith.—17.

Excused: Baldwin, Dacus, McGraw, Miller, Nichols, Porter, Stansberry.—7.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Williams moved to reconsider the vote by which **SB 517** failed of passage.

### PENDING SENATE ACTION

Senator Grantham asked unanimous consent, which was granted, that the Rules be suspended for the purpose of lodging a motion to reconsider the vote by which **HB 1521** passed.

### MOTION TO RECONSIDER VOTE

Senator Grantham moved to reconsider the vote by which **HB 1521** passed, and asked unanimous consent for immediate consideration of his motion, which was the order.

The vote occurring upon the Grantham motion, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Dacus, McGraw, Martin, Miller, Porter, Stansberry.—7.

### THIRD READING

Upon motion of Senator Grantham, the vote was reconsidered by which **HB 1521** was considered engrossed and placed upon third reading and final passage.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Gar-  
rison, Graves, Ham, Howard, Inhofe,  
Keels, Luton, McCune, McGraw, McSpad-  
den, Martin, Murphy, Nichols, Short, Smal-  
ley, Smith, Terrill.—24.

Nay: Boecher, Crow, Field, Grantham,  
Hamilton, Holden, Horn, Lane, Miller,  
Payne, Romang, Stipe, Williams, Young.  
—14.

Excused: Baldwin, Dacus, Ferrell, Har-  
grave, Massey, Medearis, Phillips, Porter,  
Stansberry, Taliaferro.—10.

The bill was declared failed of passage.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Baggett moved to reconsider the vote by which **SB 492** failed of passage.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand ad-  
journed as provided under the Rules, which  
motion was declared adopted.

#### **RESOLUTION RELEASED**

**HCR 1036** was properly signed and or-  
dered returned to the Honorable House.

As provided under the Terrill motion,  
the Senate was declared adjourned until  
1:00 p.m., tomorrow.

## Twenty-second Legislative Day

Wednesday, February 11, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—47.

Excused: Baldwin.—1.

The President declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Atkinson:

Our Father, because we face the responsibility of this day with its compelling demands and its confusing issues and its conflicting appeals, we come to You seeking the divine touch to dilate our minds and enlarge our understanding and equip us with wisdom.

Grant now, O Lord, that these quiet moments of prayer shall not be merely a gesture to custom and convenience. Rather, make this a real experience for each of us as we look to You for guidance. We have felt Your presence near and dear to us in the sacred experience of worship in the church. Make us now to feel Your nearness in the business of this day.

Make us willing to let You show us what a difference You can make in our work, increasing our successes and diminishing our failures. Help us to work with You that it may be a good day with good things accomplished. This we ask through Jesus Christ, our Lord.—Amen

The Journal for the last legislative day was declared approved.

### CITATIONS

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Lars Holmgren from Halsingborg, Sweden, exchange student sponsored by the Rotary Club.

Upon motion of Senator Breckinridge, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Denice Marcia Shaddox, Bixby, Oklahoma upon being elected Band Queen of Bixby High School.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 418; 434-coauthored by Goodfellow; 444; 445; and 448-coauthored by Connor.

The above numbered Bills were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising that the House has reconsidered Fourth Reading and signing of Enrolled HB 1330 which was recalled from the Governor's Office and transmits here-



with said Bill with the request that the Honorable Senate rescind its action and reconsider Engrossed **HB 1330**.

### MESSAGE FROM THE HOUSE

Advising that the House has reconsidered Fourth Reading and signing of Enrolled **HB 1589**; has reconsidered the vote by which **SAs to HB 1589** were concurred in and the passage of said Bill as amended thereby. By unanimous consent, the House rejects the **SAs** and requests the Honorable Senate to rescind its action and reconsider the Bill.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1439**.

### CONFERENCE COMMITTEE REPORT

The following **CCR on HB 1439** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill. No. 1439, and Engrossed Senate Amendments thereto, by Abbott entitled:

An Act relating to schools; amending 70 O.S. 1961, § 4-7, as last amended by Section 1, Chapter 411, O. S. L. 1968 (70 O.S. Supp. 1969, § 4-7) and 70 O. S. 1961, §§ 4-9, and 4-16; providing members of boards of education of school districts; providing for change of election date for election of members; amending 70 O.S. 1961, § 4-40, as amended by Section 1, Chapter 252, O.S.L. 1963 (70 O.S. Supp. 1969, § 4-40); and providing change of election date for emergency levies; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommen-

dation that the following conference committee substitute be adopted:

**CCS for HB 1439**—By Abbott—An Act relating to schools; amending 70 O.S. 1961, § 4-7, as last amended by Section 1, Chapter 411, O.S.L. 1968 (70 O.S. Supp. 1969, § 4-7) and 70 O.S. 1961, §§ 4-9- and 4-16; providing members of Boards of Education of school districts; providing for change of election date for election of members; Amending 70 O.S. 1961, § 4-40, as amended by Section 1, Chapter 252, O.S.L. 1963 (70 O.S. Supp. 1969, § 4-40); and providing change of election date for emergency levies.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. 70 O. S. 1961, § 4-7, as last amended by Section 1, Chapter 411, O. S. L. 1968 (70 O. S. Supp. 1969, § 4-7), is amended to read as follows:

§ 4-7. (a) The board of education of an independent school district and of dependent school district maintaining a high school shall consist of five (5) members serving in offices numbered 1 to 5, inclusive. All such members shall be elected by the school district electors of the district-at-large for terms of five (5) years and until their successors have been duly elected or appointed and have qualified, except as hereinafter provided. Provided, that if there is located in an independent school district a city having four or more wards, and outlying territory, not more than one member of the board of education of the independent school district shall be a resident of the same ward; but if such city has less than four wards, or if it has only four wards and there is no outlying territory, at least one member of the board of education shall reside in each ward. Provided further, that if an independent school district having a city of four or more wards is annexed to an independent school district having no city of more than fifteen thousand (15,000) population and with four or more wards the new district comprised

of the two independent school districts shall have a board of education consisting of seven (7) members, thus creating offices numbered 6 and 7 to be filled as hereinafter provided. At least one member of such board of education shall be a resident of the combined area of Wards 1 and 2, and the other member shall be a resident of the combined area of Wards 3 and 4 which were in the annexed district. Provided, further, that Office No. 6 representing Wards 1 and 2 and Office No. 7 representing Wards 3 and 4 of the board of education shall be filled by appointment from the areas mentioned above by the board of education of the annexing district. The newly appointed board members shall serve until the next annual school election on the fourth Tuesday in **[March]** JANUARY, or such other date as may be provided by law for such district. The successor to the board member appointed to Office No. 6 shall be elected for a term of five (5) years and the successor to the board member appointed to Office No. 7 shall be elected for a term of three (3) years and thereafter their successors shall be elected for terms of five (5) years. Elections shall be held annually in such districts on the fourth Tuesday in **[March]** JANUARY to elect the successor of the member or members whose term expires during the current year. Such elections shall be held between the hours of 7 **[o'clock]** a.m. and 7 **[o'clock]** p.m. in an independent school district in which a city or cities is located, and between the hours of **[2:00 o'clock p.m.]** 12 NOON and **[6:00 o'clock]** 7 p.m. in other independent school districts and dependent school districts maintaining a high school.

(b) Persons now serving on the board of education of an independent school district in which one member is required by law to be elected annually for a term of five (5) years shall be members of and shall continue to serve on such board of education for the terms for which they were originally elected or appointed, and

on the fourth Tuesday in **[March]** JANUARY of the years in which their respective terms expire, their successors shall be elected for terms of five (5) years; provided, that the positions held by members having terms expiring in 1952, 1953, 1954, 1955 and 1956 shall be Office No. 2, Office No. 3, Office No. 4, Office No. 5 and Office No. 1, respectively, of such board of education.

(c) Persons now serving on the board of education of an independent school district in which members of the board of education are elected **[biannually]** BIENIALLY and having terms expiring in 1953, shall be members of and shall continue to serve on such board of education until the fourth Tuesday in March, 1953, at which time there shall be elected one member to serve in Office No. 1 for a term of three (3) years, and one member to serve in Office No. 2 for a term of four (4) years, and those having terms expiring in 1955 shall be members of and shall continue to serve on such board of education until the fourth Tuesday in March, 1955, at which time there shall be elected one member for Office No. 3 for a term of three (3) years, and one member for Office No. 4 for a term of four (4) years, and one member for Office No. 5 for a term of five (5) years.

(d) Persons serving on the board of education of a dependent school district maintaining a high school on July 1, 1955, shall be members of and shall continue to serve on such board of education for the terms for which they were originally elected or appointed, and on the fourth Tuesday in March of the years in which their respective terms expire, their successors shall be elected for terms of five (5) years; provided, that the board of education shall appoint qualified persons to fill the other two positions hereby created; and, provided, further, that the positions held by members having terms expiring in 1956, 1957 and 1958 shall be Office No. 1, Office No. 2 and Office No. 3, respectively, of such board of education

and the two additional members appointed hereunder shall be appointed to Office No. 4 and Office No. 5, with terms expiring in 1959 and 1960, respectively.

(e) At the annual election in 1956, and each five (5) years thereafter, one member shall be elected to Office No. 1 of any such board of education for a term of five (5) years; at the annual election in 1957, and each five (5) years thereafter, one member shall be elected to Office No. 2 for a term of five (5) years; at the annual election in 1958 and each five (5) years thereafter, one member shall be elected to Office No. 3 for a term of five (5) years; at the annual election in 1959, and each five (5) years thereafter, one member shall be elected to Office No. 4 for a term of five (5) years; and at the annual election in 1960, and each five (5) years thereafter, one member shall be elected to Office No. 5 for a term of five (5) years.

(f) If because of a failure to comply with the law or for any other reason the board of education of any school district actually has on July 1, 1955, more members than the number hereinbefore specified, such board of education shall continue to have the same number of members, serving for the same terms and elected at the same time as before, until such board of education, by resolution shown in its official minutes, signifies an acceptance of the foregoing provisions of this section.

(g) Two or more high school districts if both, or all of which, have fewer than three thousand (3,000) students in average daily attendance for the previous school year, may consolidate into a single high school district. If, through consolidation, a single high school district is so formed, the boards of education of the consolidating districts shall be deemed dissolved and a new board of education shall be appointed by the Governor. Provided, however, that if there is located within the districts being consolidated any city or town having a population of less than

fifteen thousand (15,000) and not more than four wards the new board of education shall consist of seven (7) members appointed by the Governor as follows:

1. From the district having the largest scholastic population, the Governor shall appoint an elector from each of the four wards to fill Office Numbers 1, 3, 5 and 7.

2. From the district having the second largest scholastic population, the Governor shall appoint one elector from Wards 1 and 2 to fill Office No. 2, and one elector from Wards 3 and 4 to fill Office No. 4.

3. From any other district or districts, the Governor shall appoint one elector at large, not within one of the wards above mentioned, to fill Office No. 6, or if there are no other districts, as in the case of the consolidation of only two school districts, the Governor shall appoint one elector from either such district to fill Office No. 6 and who thereafter be elected at large.

Upon expiration of the term of office of each school board member his successor shall be elected from the ward or wards from which initially appointed, or if there be no wards, such member shall be elected from the outlying area not within a ward. The terms of office of the board members shall be as provided elsewhere in this Article. The term for Office No. 6, however, shall be concurrent with Office No. 3, and the term for Office No. 7 shall be concurrent with that of Office No. 2. Provided further that subsection (g) shall not apply in counties of three hundred thousand (300,000) population or more according to the last decennial census.

SECTION 2. 70 O. S. 1961, § 4-9, is amended to read as follows:

§ 4-9. The board of education of a dependent school district not maintaining a high school shall consist of three (3) members elected by the school district electors of the district-at-large. Each member shall be elected for a term of three (3) years and until his successor is duly elected or



appointed and has qualified. Elections shall be held annually in such districts on the fourth Tuesday in [March] JANUARY between the hours of [2:00 o'clock p.m.] 12 NOON and [6:00 o'clock] 7 p.m. at such place or places as the board of education may designate, to elect the successor of the member whose term is expiring during the current year. Persons now serving on the governing board or as school district officers of any such district shall be members of such board of education for the terms for which they were originally elected or appointed, and on the fourth Tuesday in [March] JANUARY of the years in which their respective terms expire, their successors shall be elected for a term of three (3) years.

SECTION 3. 70 O. S. 1961, § 4-16, is amended to read as follows:

§ 4-16. An annual meeting of school district electors shall be held in each dependent school district and in each independent school district in which there is no city on the fourth Tuesday in [March] JANUARY between the hours of [two (2) o'clock p.m.] 12 NOON and [six (6) o'clock] 7 p.m. at such place or places as the board of education may designate. A meeting of school district electors of any school district may be called by the board of education of the district or by a majority of the school district electors upon petition filed with the clerk of the board of education for the purpose of considering or voting upon any matter or question authorized by law. Notice of the time, place and purpose of such annual or special meeting shall be given by the clerk of the board of education at least ten (10) days prior to the meeting by publication in one (1) issue of a newspaper of general circulation in the district or by posting written or printed notices of such meeting in five (5) public places in the district by the clerk of the board of education.

SECTION 4. 70 O. S. 1961, § 4-40, as amended by Section 1, Chapter 252,

O. S. L. 1963 (70 O. S. Supp. 1969, § 4-40), is amended to read as follows:

§ 4-40. No later than [March] JANUARY 10 of each year the board of education of each school district of the state shall prepare on a form prescribed by the State Board of Education a preliminary estimate of the amount or amounts of money and tax rate or rates which it then believes will be required for the district for the ensuing fiscal year; and if such preliminary estimate shows an estimated need for a levy requiring the approval of the school district electors of the district under Section 9 or Section 10, Article X, Oklahoma Constitution, as amended on April 5, 1955, such preliminary estimate shall contain a call for an election to be held on the fourth Tuesday of such month of [March] JANUARY, or on such other date as may be provided for the election of the members of the board of education, to vote on the question of making such levy or levies. In determining the eligibility of the school district to make an emergency levy under the provisions of Section 9 (d) of Article X, Oklahoma Constitution, as amended, the legal current expenses of the district shall be all the expenditures from the General Fund of the district during the preceding year, except (1) expenditures for transportation of pupils; (2) capital outlay; (3) debt service; and (4) the amount appropriated from any previous emergency levy; and the Two Hundred Fifty Dollars (\$250.00) per capita cost index fixed by said Section 9 (d) of Article X, Oklahoma Constitution, for the fiscal year ending June 30, 1956, is hereby increased to One Thousand Dollars (\$1,000.00) for the fiscal year ending June 30, 1963, and said sum of One Thousand Dollars (\$1,000.00) shall thereafter be increased or decreased by the State Board of Education in proportion to the increase or decrease in the per capita income of Oklahoma citizens. Such preliminary estimate shall be published in one issue of a newspaper having general circulation in the district, or shall be posted

in five public places in the district, at least ten (10) days before such election. Provided, that the county excise board or the board of education of any school district may call a special election for any date for the purpose of voting upon a levy authorized by Section 9 or Section 10 of Article X, Oklahoma Constitution, as amended. Notice of any election called under the provisions of this section shall be given by publication in one issue of a newspaper having general circulation in the school district, or by posting in five public places in the district, at least ten (10) days before such election.

FOR THE HOUSE: Abbott, Coffin, Stratton.

FOR THE SENATE: Miller, Williams, Howard.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 408, 440, 447, 462, 513, SCR 58; and HBs 1154 and 1521 each correctly engrossed.

Engrossed SBs 408, 440, 447, 462, 513 and SCR 58 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HBs 1154 and 1521, as amended, were properly signed and ordered returned to the Honorable House.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

SB 533—Governmental Affairs—coauthored by Townsend of the House.

SB 560—Governmental Affairs.

SB 561—Public Health.

SJR 35—Public Health.

SJR 42—Public Health.

SJR 45—Public Health.

HB 1541—Revenue and Taxation—Coauthored by Garrett, McGraw and Bradley.

HB 1616—Governmental Affairs.

DO PASS, as amended:

SB 108—Judiciary.

SB 271—Revenue and Taxation—Show Keels as principal Senate Author and coauthored by Nance of the House.

SB 480—Revenue and Taxation—Show Skeith as principal House Author.

SJR 44—Constitutional Revisions and Regulatory Services.

HB 1609—Judiciary—Coauthored by Phillips.

#### FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

SB 593—By Birdsong—An Act relating to the State Insurance Fund; amending 85 O. S. 1961, § 131b; providing that appointment of State Insurance Fund Commissioner be approved by the State Senate; fixing the salary of such commissioner; and declaring an emergency.

SB 594—By Grantham of the Senate and Boettcher of the House—An Act relating to probate procedure; amending 58 O. S. 1961, § 25, as last amended by Section 1 of Chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § 25), pertaining to notice of hearing petition for probate of will; amending 58 O. S. 1961, § 128, as last amended by Section 4 of Chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § 128), pertaining to notice of hearing petition for letters of administration; and declaring an emergency.

SB 595—By Grantham of the Senate and Boettcher and Conaghan of the House—An Act relating to the judiciary; amending Section 2, Chapter 128, O. S. L. 1968, as amended by Section 1, Chapter 328, O. S. L. 1969 (20 O. S. Supp. 1969, § 1102), providing eligibility for retirement for certain judges; and declaring an emergency.

SB 596—By Hamilton and Grantham—An Act relating to the Oklahoma Indus-

trial Development and Park Commission; making a reappropriation thereto for the Spiro Mounds and Deer Creek Mounds; providing lapse date; and declaring an emergency.

**SB 597**—By Young—An Act relating to insurance; amending 36 O. S. 1961, § 3613; providing for contents of insurance policies in general; providing that all policies specify that premiums may be paid by automatic bank draft if desired by insured; and declaring an emergency.

**SB 598**—By Young—An Act relating to motor vehicles; providing that motor vehicle liability policies shall be presumed to contain all coverage and requirements now required by our state statutes even though the parties attempt by contract to reduce coverage; directing codification; and declaring an emergency.

**SB 599**—By Hamilton—An Act relating to state officers and employees and to Oklahoma Indian Affairs; amending Section 1, Chapter 244, O. S. L. 1967, as amended by Section 3, Chapter 260, O. S. L. 1969 (74 O. S. Supp. 1969, § 1201); creating the Oklahoma Indian Affairs Commission; providing for members, appointment and terms; providing for director; providing for office; providing for meetings; providing for compensation and expenses; creating districts; providing for appointment of members from districts; providing for codification; and declaring an emergency.

**SB 600**—By Garrison of the Senate and Connor of the House—An Act relating to schools; amending Section 4, Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § 17-104); providing for prior service credit; providing authority to the Board of Trustees to modify and correct prior service credits of a retired member, in certain instances, and to grant allowances retroactively to correspond with the prior service record as modified and corrected; and declaring an emergency.

**SJR 46**—By Young—A Joint Resolution relating to highways; designating a portion of U. S. Highway 66 the "Creek Coun-

ty Expressway"; directing State Highway Department to cause markers to be placed; and dedicating such section.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 576**—Judiciary.

**SB 577**—Public Health.

**SB 578**—Revenue and Taxation.

**SB 579**—Business Relations.

**SB 580**—Municipal Government.

**SB 581**—Finance and Commerce.

**SB 582**—Business Relations.

**SB 583**—Governmental Affairs.

**SB 584**—Education.

**SB 585**—Revenue and Taxation.

President Pro Tempore Smith asked unanimous consent that the order referring **SB 585** to the Committee on Revenue and Taxation be rescinded and that said Bill be referred to the Judiciary Committee, which was the order.

**SB 586**—Finance and Commerce.

**SB 587**—Judiciary.

**SB 588**—Roads and Highways.

**SB 589**—Education.

**SB 590**—Municipal Government.

President Pro Tempore Smith asked unanimous consent that the order referring **SB 590** to the Committee on Municipal Government be rescinded and said Bill be referred to the Judiciary Committee, which was the order.

**SB 591**—Judiciary.

**SB 592**—Governmental Affairs.

**HB 1141**—Business Relations.

**HB 1152**—Conservation and Economic Development.

**HB 1540**—Judiciary.

**HB 1557**—Appropriations and Budget.

**HB 1558**—Appropriations and Budget.

**HB 1561**—Appropriations and Budget.

**HB 1574**—Appropriations and Budget.



**HB 1579**—Appropriations and Budget.

**HB 1608**—Governmental Affairs.

**HB 1642**—Public Health.

### PENDING SENATE ACTION

**HCR 1048** by Hill (Ben), et al, of the House was called up for consideration.

Senator Hargrave asked that he be shown as the principal Senate Author of **HCR 1048**, and that all other members of the Senate be made coauthors thereof, which was the order.

**HCR 1048**, as coauthored, was read at length, adopted upon motion of Senator Hargrave, properly signed, and ordered returned to the Honorable House.

### GENERAL ORDER

**HB 1586** by Odom (Martin), et al, of the House and Terrill and Luton of the Senate was read and considered.

Senator Luton asked to be made a co-author of **HB 1586**, which was the order.

Senator Holden moved to amend **HB 1586**, page 13, beginning on line 1, by striking after the word "persons" the remainder of line 1, and all of lines 2, 3 and 4, and substituting therefor the language "Interest shall be credited to each of the following funds at the close of each fiscal year based on the amount to the credit of the fund at the beginning of the fiscal year. The rate of interest for each year shall be set by the Board of Trustees on the basis of the interest earnings of the System for the preceding year and the probable earnings to be made in the judgment of the Board, during the immediate future. a. From the interest accumulated in the Interest Fund that shall be transferred and credited to the Membership Annuity Reserve Fund the amount of interest found to be due said Membership Annuity Reserve Fund. b. After the requirement of Subsection a. has been fully met and there remains a balance in the interest Fund, there would be transferred and credited to the Teacher Savings Fund and credited to the individual accounts in

said Teacher Savings Fund the amount of Interest Fund to be due the Teacher Savings Fund at a rate determined by the Board of Trustees. c. After the requirements of Subsections a. and b. have been met interest shall be credited to the Teacher Deposit Fund at a rate determined by the Board of Trustees. d. After the requirements of Subsections a., b. and c. have been met any residue remaining shall be transferred to the Expense Fund for the operation of the Teachers' Retirement System. e. After the requirements of Subsections a., b., c. and d. have been met any residue remaining in the Interest Fund shall be transferred to the Retirement Benefit Fund."

Senator Luton asked to be made a co-author of the Holden amendment, which was the order.

The vote occurring upon the Holden-Luton amendment, it was declared adopted.

Upon motion of Senator Terrill, **HB 1586**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **HB 1586** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1586** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Baldwin, Hargrave.—2.

The bill was declared passed.

**HB 1586**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Baggett motion to reconsider the vote by which **SB 492** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Porter, Short, Smalley, Smith, Stansberry, Terrill.—28.

Nay: Boecher, Crow, Dacus, Field, Grantham, Hamilton, Holden, Horn, Lane, Medearis, Miller, Payne, Phillips, Romang, Stipe, Williams, Young.—17.

Excused: Baldwin, Massey, Taliaferro.—3.

**SB 492** was considered further.

Senators Smalley and Terrill asked to be made coauthors of **SB 492**, which was the order.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Porter, Short, Smalley, Smith, Stansberry, Terrill.—28.

Nay: Boecher, Crow, Dacus, Field, Grantham, Hamilton, Holden, Horn, Lane, Medearis, Miller, Payne, Phillips, Romang, Stipe, Williams, Young.—17.

Excused: Baldwin, Massey, Taliaferro.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Ferrell, Garrett, Garrison, Graves,

Ham, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Porter, Short, Smalley, Smith, Stansberry, Terrill.—32.

Nay: Crow, Field, Grantham, Hamilton, Horn, Lane, Medearis, Miller, Phillips, Romang, Stipe, Williams, Young.—13.

Excused: Baldwin, Massey, Taliaferro.—3.

The emergency was declared passed.

**SB 492** was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Williams motion to reconsider the vote by which **SB 517** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Ham, Hargrave, Holden, Inhofe, McGraw, McSpadden, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams.—26.

Nay: Birdsong, Bradley, Garrett, Graves, Hamilton, Horn, Howard, Keels, Luton, McCune, Martin, Medearis, Miller, Short, Smith, Young.—16.

Excused: Atkinson, Baggett, Baldwin, Lane, Massey, Porter.—6.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Ham, Hargrave, Holden, Inhofe, Lane, McGraw, McSpadden, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams.—30.

Nay: Baggett, Bradley, Garrett, Graves, Hamilton, Horn, Howard, Keels, Luton, McCune, Martin, Massey, Medearis, Short, Smith, Young.—16.

Excused: Baldwin, Porter.—2.

The bill was declared passed.

**SB 517** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

The vote occurring upon the Inhofe motion to reconsider the vote by which **HB 1434** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, Murphy, Nichols, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—29.

Nay: Atkinson, Baggett, Birdsong, Garrett, Hamilton, Hargrave, Luton, McSpadden, Martin, Medearis, Miller, Payne, Porter, Smith, Stipe, Young.—16.

Excused: Baldwin, Lane, Massey.—3.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, McCune, McGraw, Massey, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro.—30.

Nay: Atkinson, Berrong, Birdsong, Garrett, Hamilton, Horn, Luton, McSpadden, Martin, Medearis, Miller, Payne, Porter, Stipe, Terrill, Young.—16.

Excused: Baldwin, Williams.—2.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—33.

Nay: Atkinson, Crow, Garrett, Hamilton, Horn, Martin, Medearis, Payne, Porter, Stipe.—11.

Excused: Baldwin, McGraw, Massey, Williams.—4.

The emergency was declared passed.

### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Hamilton moved that the vote be reconsidered by which **HB 1434** passed.

Senator Smalley presiding.

### **GENERAL ORDER**

**SB 294** by Field of the Senate and McKee, et al, of the House was read and considered.

Senator Young moved to amend **SB 294**, page 6, line 5, by striking after the word "landowners" the remainder of subsection O, and substituting therefor the language "owning property within the district" which amendment was declared adopted.

Senator Field moved to amend **SB 294**, page 6, line 13, by inserting after the word "Statutes." and before Section 4, the following subsection: "R". Provided that the provisions of this Act shall not apply to the taking, use, or disposal of salt water associated with the exploration, production, and recovery of oil and gas" which amendment was declared adopted.

Senator Field moved to amend **SB 294**, page 7, by striking all language contained on lines 8 through 15, inclusive, and substituting therefor the language "Conservation Districts for the purpose of cooperating with the Oklahoma Water Resources Board in carrying out the responsibility now imposed upon it by law to prevent the waste of ground water and to prevent the downgrading of the chemical character of any ground water. Such districts may be entirely within or partly within and partly without the judicial district in which said court is located, for all or any of these purposes;" and by renumbering paragraphs 2 through 12 to be 1 through 11.

Following discussion, Senator Field



asked unanimous consent that further consideration of **SB 294**, and attached amendments thereto, be deferred until Monday, February 16, which was the order.

### GENERAL ORDER

**SB 151** by Stipe and Phillips was read and considered.

Senator Berrong moved that **SB 151**, together with pending amendments, be referred to the Committee on Business Relations for the purpose of a public hearing, which motion was tabled upon motion of Senator Luton upon a roll call as follows:

Aye: Atkinson, Birdsong, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe.—24.

Nay: Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Inhofe, McCune, Murphy, Nichols, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—20.

Excused: Baggett, Baldwin, Bradley, Stansberry.—4.

Senator Garrett moved to amend **SB 151**, page 4, line 5, by inserting after the word "person" and before the word "who" the language "except the State of Oklahoma or any of its political subdivisions"

Senators Ham and Berrong asked to be made coauthors of the Garrett amendment, which was the order.

Senator Stipe moved to table the Garrett-Ham-Berrong amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Birdsong, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe.—18.

Nay: Atkinson, Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Inhofe, Lane, McCune, McGraw, Murphy,

Nichols, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—25.

Excused: Baggett, Baldwin, Bradley, Massey, Young.—5.

The vote occurring upon the Garrett-Ham-Berrong amendment, it was declared adopted.

By unanimous consent, upon request of Senator Stipe, further consideration of **SB 151** was deferred for this legislative day.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 450 and 457** each correctly engrossed.

Engrossed **SBs 450 and 457** were properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 514** by Berrong of the Senate and Tarwater of the House was read and considered.

Senator Grantham asked to be made a coauthor of **SB 514**, which was the order.

Senator Berrong moved to amend **SB 514**, page 2, line 17, by inserting after the word "no" and before the word "insurance" the word "life" which amendment was declared adopted.

Upon motion of Senator Berrong, **SB 514**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SB 514**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 514** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Mc-

Cune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Baldwin, Bradley, Hargrave, Nichols, Phillips, Porter, Stansberry, Stipe.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Baldwin, Bradley, Hargrave, Nichols, Phillips, Porter, Stansberry, Stipe.—9.

The emergency was declared passed.

**SB 514**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 527** by Field of the Senate and Harrison of the House was read and considered.

Upon motion of Senator Field, **SB 527** was advanced to engrossment.

By unanimous consent, upon request of Senator Field, **SB 527** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Me-

dearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, Nichols, Phillips, Porter, Stansberry, Stipe.—10.

The bill was declared passed.

**SB 527** was referred for engrossment.

Senator Hamilton presiding.

### GENERAL ORDER

**SB 550** by Romang of the Senate and Rogers of the House was read and considered.

Senators Luton, Howard and Birdsong asked to be made coauthors of **SB 550**, which was the order.

Upon motion of Senator Romang, **SB 550** was advanced to engrossment.

By unanimous consent, upon request of Senator Romang, **SB 550** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 550** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Taliaferro, Williams, Young.—34.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, McCune, Massey, Nichols, Phillips, Porter, Smith, Stansberry, Stipe, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard,

Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Taliaferro, Williams, Young.—34.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, McCune, Massey, Nichols, Phillips, Porter, Smith, Stansberry, Stipe, Terrill.—14.

The emergency was declared passed.

**SB 550** was referred for engrossment.

## GENERAL ORDER

**HB 1387** by Howard, et al, of the House and Atkinson, Crow, Field, Lane and Williams of the Senate was read and considered.

Senator Lane moved to amend **HB 1387**, page 3, by removing the brackets and restoring all presently deleted language, and by amending title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Atkinson, **HB 1387**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Atkinson, **HB 1387**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1387** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Terrill, Williams.—30.

Nay: Boecher, Holden, Payne, Stipe, Young.—5.

Excused: Baggett, Baldwin, Berrong, Bradley, Dacus, Graves, Hargrave, Massey, Nichols, Phillips, Porter, Stansberry, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, Inhofe, Luton, Massey, Nichols, Payne, Phillips, Porter, Stansberry, Stipe, Williams.—15.

The emergency was declared passed.

**HB 1387**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 551** by Young was read and considered.

Upon motion of Senator Young, **SB 551** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 551** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 551** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, Inhofe, Lane, Massey, Nichols, Phillips, Porter, Stansberry, Stipe.—13.

The bill was declared passed.



On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, Inhofe, Lane, Massey, Nichols, Phillips, Porter, Stansberry, Stipe.—13.

The emergency was declared passed.

**SB 551** was referred for engrossment.

### GENERAL ORDER

**SB 549** by Grantham of the Senate and Conaghan, et al, of the House was read and considered.

Senator Garrison asked to be made a coauthor of **SB 549**, which was the order.

Upon motion of Senator Grantham, **SB 549** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 549** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 549** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Stipe, Williams, Young.—34.

Excused: Atkinson, Baggett, Baldwin, Bradley, Dacus, Hargrave, Massey, Nichols, Phillips, Porter, Smith, Stansberry, Taliaferro, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Stipe, Williams, Young.—34.

Excused: Atkinson, Baggett, Baldwin, Bradley, Dacus, Hargrave, Massey, Nichols, Phillips, Porter, Smith, Stansberry, Taliaferro, Terrill.—14.

The emergency was declared passed.

**SB 549** was referred for engrossment.

### GENERAL ORDER

**SB 544** by Garrett was read and considered.

Senator Grantham asked to be made a coauthor of **SB 544**, which was the order.

Upon motion of Senator Garrett, **SB 544** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **SB 544** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 544** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Howard, Keels, Luton, McCune, McGraw, McSpadden, Murphy, Short, Smalley, Smith, Terrill, Williams.—22.

Nay: Boecher, Breckinridge, Garrison, Hamilton, Holden, Horn, Lane, Martin, Medearis, Miller, Payne, Young.—12.

Excused: Baggett, Baldwin, Bradley, Dacus, Hargrave, Inhofe, Massey, Nichols, Phillips, Porter, Romang, Stansberry, Stipe, Taliaferro.—14.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Garrett moved to reconsider the vote by which **SB 544** failed of passage.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### CONFERENCE COMMITTEE REPORT

The following **CCR** on **SB 341** was read and consideration deferred:

Mr. President

Mr. Speaker

The Conference Committee, to which was referred **SB 341**—By Holden, Smith and Bradley entitled:

An Act relating to credit unions; \*\*\* and declaring an emergency, together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and

do recommend to the respective Houses, as follows:

Add the following coauthor: Miskelly of the House.

No. 1. That the Engrossed House Amendment No. 1 and Engrossed House Amendment No. 3 be accepted.

No. 2. That Engrossed House Amendment No. 2 be rejected.

No. 3. That the following amendment of the Conference Committee be accepted: on page 3, line 29 after the word "employs" strike the words: "a competent and experienced auditor" and insert the words: "an auditor approved by the Bank Commissioner, a Licensed Public Accountant"

FOR THE SENATE: Holden, Murphy, Graves.

FOR THE HOUSE: Miskelly, Payne.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.





## Twenty-third Legislative Day

Thursday, February 12, 1970

Pursuant to adjournment, the Senate was called to order by Senator Crow, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present.

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—40.

Excused: Baldwin, McSpadden, Medearis, Miller, Phillips, Porter, Stipe, Terrill.—8.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Atkinson:

Our Father, we unite our hearts in prayer to ask for Your blessing on the members of this body. You have made us heirs of a great heritage and trustees of priceless things. Give unto us a true appreciation of our heritage, of great men and of great deeds in the past. On this day as our nation honors the memory of Abraham Lincoln, may we find new inspiration to imitate some of the noble principles of his life. In our hearts, may there be as there was in his, "Malice toward none and charity for all." May we be like him in his concern, not that You are on our side, but that we are on "Thy"

side. May we too be possessed with the conviction that it is a far greater privilege to serve than to be served.

Help us to know that we are not called to fill the places of those who have gone before us, but to fill our own place and do the work You have committed to us. We need Your help to do something about the problems of our world. —the problem of lying, of selfishness, of greed, of lust and of materialism. Give to us faith to seek Your direction. Help us to believe and know that You will guide us. Give to us the willingness to let You work in us, that Your will may be done. We ask this in the name, which is above every name, Jesus our Lord. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, February 12, 1970 of Enrolled:

**SB 138**—By Payne of the Senate and Bengtson, Cole, et al of the House—An Act relating to courts; amending Section 1, Chapter 333, O.S.L. 1965, as amended by Section 1, Chapter 195, O.S.L. 1967 (85 O.S. Supp. 1968, § 93), to make it unnecessary to deposit litigation fee in industrial court; and declaring an emergency.

**SJR 31**—By Crow, Lane, Martin and Miller of the Senate and Witt of the House—A Joint Resolution extending the limit of the time within which the Oklahoma State Board of Public Accountancy should consider registrations of persons otherwise qualified under Section 16 of Chapter 271,

O.S.L. 1968 (59 O.S. Supp. 1969, § 15.21), to include the balance of the month of May, 1969; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1528**—By Hutchens, York, Thompson, Hatchett, Camp and Holaday—An Act relating to crimes and punishment; making it a misdemeanor to show scenes and dialogue of a motion picture having a more restricted rating than the rating represented as being shown; fixing penalty for violation; providing effective date; and declaring an emergency.

**HB 1532**—By Camp, Holaday and Hatchett—An Act relating to crimes and punishments; amending Section 1, Chapter 257, O. S. L. 1968 (21 O. S. Supp. 1969, § 1040.-51), prohibiting the purchase, sale, barter, trafficking, delivery or transportation of certain items as newly defined; making violation of act a felony; prescribing penalties; providing for certain exceptions; making provisions of act severable; and declaring an emergency.

**HB 1575**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act making the Department of Corrections; declaring an emergency.)

**HB 1592**—By Musgrave—An Act relating to private employment agencies in Oklahoma; amending Section 2, Chapter 384, O. S. L. 1967 (40 O. S. Supp. 1969, § 53); to provide that in the case of corporation applicant for license to operate private employment agency, the person who is to be responsible for the general management of the office shall be an officer of the corporation and shall meet other requirements as to Oklahoma residence and experience; and declaring an emergency.

**HB 1612**—By Miskelly, Privett, Bengtson, Boren, York, Derryberry, Trent, Smith (E. W.), Sullivan, Wiedemann, Robinson, Clemons, Bamberger, Nance and Townsend of the House and Atkinson of the Senate—An Act relating to community ju-

nior colleges; amending Section 1408 of Section 2, Chapter 100, Oklahoma Session Laws 1967 (70 O. S. Supp. 1969, § 4408); increasing amount of state appropriated allocations to community junior colleges; fixing effective date of act; and declaring an emergency.

**HB 1653**—By Mountford—An Act relating to the Grand River Dam Authority; amending 82 O. S. 1961, § 863, as amended by Section 1, Chapter 376, O. S. L. 1965 (82 O. S. Supp. 1969, § 863); providing for members of the Board of Directors; providing for monthly salaries for directors and for payment for authorized expenditures; and declaring an emergency.

**HB 1705**—By Cate of the House and Smalley of the Senate—An Act relating to schools; amending Subsection (a), Section 1002, Chapter 396, O. S. L. 1965 (70 O. S. Supp. 1969, § 4002 (a) ); authorizing issuance of revenue bonds by institutions of higher education; providing for maximum rate of interest; making provisions of Act severable; and declaring an emergency.

**HB 1714**—By Townsend—An Act relating to the State Legislative Council; reappropriating certain funds; stating purpose; providing for lapse date; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 411** and **SJR 37**.

The above numbered Bills and/or Resolutions were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1416** and **1457**, as amended.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCRs 1036** and **1048**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

# MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 412, 413, 414, 416, 423, 431, and 449, coauthored by Boettcher, as amended.

**HA to SB 412** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Lines 19 and 20, by deleting the words and figures "One Hundred Thirty-three Thousand Six Dollars (\$133,006.00)" and inserting the words and figures "Two Hundred Thirty-three Thousand Six Dollars (\$233,006.00)".

**HAs to SB 413** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 22, by deleting the figure "\$40,132.00" and inserting in lieu thereof the figure "\$36,917.00".

Amendment No. 2. Amend Page 1, Line 23, by deleting the figure "\$13,445.00" and inserting in lieu thereof the figure "\$12,160.00".

Amendment No. 3. Amend Page 1, Line 24, by deleting the figure "\$53,577.00" and inserting in lieu thereof the figure "\$49,077.00".

Amendment No. 4. Amend Page 1, Line 33, by deleting the figure "\$7,200.00" and inserting in lieu thereof the figure "\$6,600.00".

Amendment No. 5. Amend Page 1, Line 34, by deleting the figure "\$7,200.00" and inserting in lieu thereof the figure "\$6,600.00".

Amendment No. 6. Amend the Title to read as follows: "An Act Relating to the office of the State Auditor and declaring an emergency)"

**HAs to SB 414** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1,

Line 24, by deleting the figure "\$12,898.10" and inserting in lieu thereof the figure "\$11,880.00".

Amendment No. 2. Amend Page 1, Line 26, by deleting the figure "\$14,258.10" and inserting in lieu thereof the figure "\$13,240.00".

Amendment No. 3. Amend Page 1, Line 34, by deleting the figure "\$6,000.00" and inserting in lieu thereof the figure "\$5,400.00".

Amendment No. 4. Amend Page 1, Line 35, by deleting the figure "\$5,800.00" and inserting in lieu thereof the figure "\$5,400.00".

**HAs to SB 416** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows: "(An Act relating to the Office of the State Treasurer and Declaring an emergency)"

Amendment No. 2. Amend Page 1, Line 25, by deleting the figure "\$127,450.00" and inserting in lieu thereof the figure "\$131,602.00".

Amendment No. 3. Amend Page 1, Line 27, by deleting the figure "\$39,360.00" and inserting in lieu thereof the figure "\$41,784.00".

Amendment No. 4. Amend Page 1, Line 28, by deleting the figure "\$166,810.00" and inserting in lieu thereof the figure "\$173,386.00".

**HA to SB 423** read as follows, and consideration deferred:

Amendment No. 1. Restore title to read as follows:

An Act relating to the Oklahoma Arts and Humanities Council and making an appropriation thereto; stating the purpose; providing lapse date; making the provisions of this act severable; and declaring an emergency.

**HA to SB 431** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Lines 16 and 17, delete the words and fig-



ures "Twenty-five Thousand Six Hundred Forty-eight Dollars (\$25,648.00)" and insert in lieu thereof the words and figures "Twenty-six Thousand One Hundred Sixteen Dollars (\$26,116.00)".

**HA to SB 449** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 13, by striking the language "BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:"

### CITATION

Upon motion of Senator Garrett, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Paul Marvin Bohannon, Del City, Oklahoma upon being named the 1969 "DeMolay of the Year."

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 492** and **HB 1586** each correctly engrossed.

**SBs 418, 434, 444, 445** and **448** each correctly enrolled.

Engrossed **SB 492** was properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1586**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 418, 434, 444, 445** and **448** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 565**—Roads and Highways—Coauthored by Atkinson and Medearis.

**SB 588**—Roads and Highways.

**HB 1610**—Roads and Highways.

**HB 1663**—Roads and Highways—Coauthored by Holden.

### RESOLUTION

**SCR 59** by Grantham of the Senate and Boettcher, et al, of the House was introduced and read as follows:

A Concurrent Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee to direct the Appropriate Standing Committee to make a comprehensive study as to the necessity or desirability of legislation requiring crude oil and gas purchasers to make periodic reports as to financial stability, to insure accounting for the product purchased; directing the preparation of a report and recommendations; requesting cooperation of state agencies, commissions and departments.

**SCR 59** was considered, read at length, adopted upon motion of Senator Grantham and ordered referred for engrossment.

### FIRST READING

The following Bill was introduced and read the first time:

**SB 601**—By Romang of the Senate and Rogers of the House—An Act relating to public welfare; making an appropriation to the Oklahoma Public Welfare Commission for use at the Enid State School for the construction of a paint shop; providing lapse date; making provisions of this Act severable; and declaring an emergency.

### SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 593**—Business Relations.

**SB 594**—Judiciary.

**SB 595**—Judiciary.

**SB 596**—Appropriations and Budget.

- SB 597**—Business Relations.
- SB 598**—Business Relations.
- SB 599**—Governmental Affairs.
- SB 600**—Education.
- SJR 46**—Roads and Highways.

### GENERAL ORDER

**SB 521** by Boecher of the Senate and Rogers of the House was read and considered.

Senator Boecher moved to amend **SB 521**, page 1, line 1, by inserting after the word and figure "Section 1" and before the word "The governing" the language "Chapter 310, O.S.L. 1969 (62 O.S. Supp. 1969, § 305.1), which amendment was declared adopted.

Senator Boecher moved to amend **SB 521**, page 2, beginning on line 4, by striking all of "Section 2" and by renumbering subsequent Section accordingly, which amendment was declared adopted.

Senator Boecher moved to amend **SB 521**, by rewording the Title to read as follows: "An Act relating to public finance; providing regular periodic billings of public utilities for services furnished municipalities need not as a condition to allowance and payment by a municipality be required to be upon verified and itemized claims; amending Section 1, chapter 310, O.S.L. 1969 (62 O.S. Supp. 1969, § 305.1); and declaring an emergency" which amendment was declared adopted.

Upon motion of Senator Boecher, **SB 521**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boecher, **SB 521**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 521** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Bird-

song, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—38.

Excused: Baldwin, Ferrell, McGraw, McSpadden, Medearis, Miller, Phillips, Porter, Stipe, Terrill.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—38.

Excused: Baldwin, Ferrell, McGraw, McSpadden, Medearis, Miller, Phillips, Porter, Stipe, Terrill.—10.

The emergency was declared passed.

**SB 521**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed **HCR 1051**.

**HCR 1051**—By Green—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1512 passed by the Second Session of the Thirty-Second Oklahoma Legislature.

Senator Luton asked for immediate consideration of **HCR 1051**, which was the order.

Senator Luton asked to be shown as Principal Senate Author of **HCR 1051**, which was the order.

**HCR 1051** was read at length, adopted upon motion of Senator Luton, properly signed, and ordered returned to the Honorable House.

**GENERAL ORDER**

**SB 271** by Keels, Howard and Smith of the Senate and Nance of the House was read and considered.

Following discussion, Senator Keels asked unanimous consent that **SB 271**, together with attached amendments, be deferred until some future legislative day, which was the order.

**GENERAL ORDER**

**SB 561** by Stansberry and Smith was read and considered.

Upon motion of Senator Stansberry, **SB 561** was advanced to engrossment.

By unanimous consent, upon request of Senator Stansberry, **SB 561** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 561** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Martin, Massey, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—35.

Excused: Baldwin, Berrong, Garrison, Grantham, Ham, Luton, McSpadden, Medearis, Miller, Nichols, Phillips, Stipe, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Martin, Massey, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—35.

Excused: Baldwin, Berrong, Garrison, Grantham, Ham, Luton, McSpadden, Medearis, Miller, Nichols, Phillips, Stipe, Terrill.—13.

The emergency was declared passed.

**SB 561** was referred for engrossment.

**GENERAL ORDER**

**SJR 35** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SJR 35** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SJR 35** was considered Engrossed and placed upon third reading and final passage.

Following discussion, Senator Hamilton asked unanimous consent to reconsider the vote by which **SJR 35** was advanced to engrossment, which was the order.

Senator Hamilton moved to amend **SJR 35**, page 3, line 16, by striking the words and figures "thirty (30) days" and by substituting in lieu thereof the words "six months" and by amending the Title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Hamilton, **SJR 35**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SJR 35**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SJR 35** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—34.



Excused: Baggett, Baldwin, Berrong, Ferrell, Ham, McSpadden, Massey, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Terrill.—14.

The Resolution was declared passed.

**SJR 35**, as amended, was referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1525**, requesting Conference and naming Conferees as follows: York, McCune and Bamberger.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1416**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1203**, requesting Conference and naming Conferees as follows: Atkins, Tabor and Cox.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1154**, requesting Conference and naming Conferees as follows: Sparkman, Willis and Rogers.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1051**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### GENERAL ORDER

**SB 108** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SB 108** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 108** was considered

engrossed and placed upon third reading and final passage.

#### THIRD READING

**SB 108** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—36.

Excused: Baldwin, Berrong, Ferrell, Ham, Hargrave, McSpadden, Medearis, Miller, Phillips, Porter, Stipe, Terrill.—12.

The bill was declared passed.

**SB 108** was referred for engrossment.

#### GENERAL ORDER

**HB 1616** by Mountford, et al, of the House and Smith, Nichols, Keels, McGraw, Breckinridge, McSpadden, Holden, Luton, Baggett, Massey, Horn, Payne, Young, Hargrave, Bradley, Garrett, McCune and Stipe of the Senate was read and considered.

Senators Taliaferro, Birdsong, Graves, Howard, Atkinson, Smalley, Grantham, Short and Lane asked to be made coauthors of **HB 1616**, which was the order.

Upon motion of President Pro Tempore Smith, **HB 1616** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1616** was placed upon third reading and final passage.

#### THIRD READING

**HB 1616** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—36.

Excused: Baldwin, Berrong, Ferrell, Ham, McSpadden, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Terrill.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—36.

Excused: Baldwin, Berrong, Ferrell, Ham, McSpadden, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Terrill.—12.

The emergency was declared passed.

**HB 1616** was ordered withheld pursuant to Rule 19-f.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**SB 534** by Young and Grantham of the Senate and McCune of the House was read and considered.

Upon motion of Senator Young, **SB 534** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 534** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 534** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Williams, Young.—34.

Excused: Baldwin, Ferrell, Garrett, Ham, McGraw, McSpadden, Massey, Medearis, Phillips, Porter, Stansberry, Stipe, Taliaferro, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Williams, Young.—34.

Excused: Baldwin, Ferrell, Garrett, Ham, McGraw, McSpadden, Massey, Medearis, Phillips, Porter, Stansberry, Stipe, Taliaferro, Terrill.—14.

The emergency was declared passed.

**SB 534** was referred for engrossment.

### GENERAL ORDER

**SJR 42** by Hamilton was read and considered.

Senator Hamilton moved to amend **SJR 42**, page 3, line 13½ by inserting a new section to read as follows: "Section 4. That the requested information and data be submitted to the Speaker of the House and President Pro Tempore of the Senate and to all the members of the legislature within six months from the date of adoption of this Resolution" and by renumbering the remaining section accordingly, and amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Hamilton, **SJR**

42, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SJR 42**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 42** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Williams, Young.—33.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Ferrell, Garrison, Ham, McSpadden, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Taliaferro, Terrill.—14.

The Resolution was declared passed.

Senator Hamilton asked unanimous consent that the emergency section be stricken and the title amended to conform thereto, which was the order.

**SJR 42**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 514, 517, 527, 549, 550 and 551; and HB 1387** each correctly engrossed.

Engrossed **SBs 514, 517, 527, 549, 550 and 551** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1387**, as amended, were properly signed and ordered returned to the Honorable House.

Senator Miller asked to be shown present, which was the order.

### GENERAL ORDER

**SB 512** by Grantham of the Senate and Conaghan, et al, of the House was read and considered.

Senator Baggett moved to amend **SB 512**, page 1, line 3, by inserting after the word "errors" and before the word "that" the words "in perfecting an appeal". Senator Grantham moved to table the Baggett amendment, which motion was declared failed of adoption.

The vote occurring upon the Baggett amendment, it was declared adopted.

Upon motion of Senator Grantham, **SB 512**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 512**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 512** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Horn, Inhofe, Keels, Lane, McGraw, Martin, Massey, Murphy, Nichols, Payne, Romang, Smith, Williams, Young.—28.

Nay: Hargrave: Luton, McCune, Short, Smalley.—5.

Excused: Baldwin, Crow, Ferrell, Ham, Holden, Howard, McSpadden, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Taliaferro, Terrill.—15.

The bill was declared passed.

Senator Grantham asked unanimous consent that the emergency section be stricken and the title amended to conform thereto, which was the order.



**SB 512**, as amended, was referred for engrossment.

# **REQUEST FOR INTRODUCTION OF BILL**

Senator Smalley asked unanimous consent, which was granted, that he be permitted at some future date to introduce a Bill relating to Residence Requirements of Police Force.

## **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 418, 434, 444, 445 and 448**.

The above numbered Enrolled Bills were referred to the Governor.

## **GENERAL ORDER**

**SJR 41** by Grantham of the Senate and McCune of the House was read and considered.

Senator Hamilton moved to amend **SJR 41**, page 3, lines 4 and 5, by striking after the word "involved" the remainder of line 4, and all of line 5, and substituting therefor the language "as their signatures appear on" which amendment was declared adopted.

Upon motion of Senator Grantham, **SJR 41**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SJR 41**, as amended, was considered engrossed and placed upon third reading and final passage.

## **THIRD READING**

**SJR 41** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller,

Murphy, Payne, Romang, Smalley, Smith, Williams.—33.

Excused: Baggett, Baldwin, Ferrell, Ham, McSpadden, Medearis, Nichols, Phillips, Porter, Short, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Payne, Romang, Smalley, Smith, Williams.—33.

Excused: Baggett, Baldwin, Ferrell, Ham, McSpadden, Medearis, Nichols, Phillips, Porter, Short, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The emergency was declared passed.

**SJR 41**, as amended, was referred for engrossment.

## **GENERAL ORDER**

**HB 1541** by Bickford, et al, of the House and Martin, Inhofe, Garrett, McGraw and Bradley of the Senate was read and considered.

Senators Keels, Berrong, Boecher, Field and Crow asked to be made coauthors of **HB 1541**, which was the order.

Senator Romang moved to amend **HB 1541**, page 7, line 6, by placing a period (.) after the figures "\$15.00" and striking the remainder of the sentence, which amendment was declared adopted.

Senator Romang moved to amend **HB 1541**, page 3, line 15, by placing a period (.) after the figures "\$25.00" and striking the remainder of the sentence, which amendment was declared adopted.

Senator Baggett moved to amend **HB 1541**, page 6, lines 17 and 18, striking after the words "shall be" and before the words "for each" the language contained there-

in and substituting therefor the language "Twenty-five (\$25.00) plus seventy-five cents (\$.75)" which amendment was tabled upon motion of Senator Martin.

Upon motion of Senator Martin, **HB 1541**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **HB 1541**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1541** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, G a r r i s o n, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Payne, Romang, Short, Smalley, Smith, Williams, Young.—34.

Nay: Baggett, Murphy.—2.

Excused: Baldwin, Ferrell, Ham, McSpadden, Medearis, Nichols, Phillips, Porter, Stansberry, Stipe, Taliaferro, Terrill.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, G a r r i s o n, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Payne, Romang, Short, Smalley, Smith, Williams, Young.—34.

Nay: Baggett, Murphy.—2.

Excused: Baldwin, Ferrell, Ham, McSpadden, Medearis, Nichols, Phillips, Por-

ter, Stansberry, Stipe, Taliaferro, Terrill.—12.

The emergency was declared passed.

**HB 1541**, as amended, was referred for engrossment.

### PENDING SENATE ACTION

Pursuant to the request of the Honorable House, upon motion of President Pro Tempore Smith, the Senate rescinded its signing and fourth reading of Enrolled **HB 1589**.

### MOTION TO RECONSIDER VOTE

President Pro Tempore Smith moved to reconsider the vote by which **HB 1589**, as amended, passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, Martin, Murphy, Nichols, Payne, Short, Smalley, Smith, Williams, Young.—30.

Excused: Baggett, Baldwin, Ferrell, Ham, Horn, Lane, McGraw, McSpadden, Massey, Medearis, Miller, Phillips, Porter, Romang, Stansberry, Stipe, Taliaferro, Terrill.—18.

### THIRD READING

Upon motion of President Pro Tempore Smith, the vote was reconsidered by which **HB 1589** was advanced to engrossment.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned under the Rules until Monday, which motion was declared adopted.

### BILL RELEASED

As provided under Rule 19-f, **HB 1616** was properly signed and ordered returned to the Honorable House.

As provided under the Birdsong motion, | 1:00 p.m., Monday, February 16, 1970.  
the Senate was declared adjourned until



## Twenty-fourth Legislative Day

Monday, February 16, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Dacus, Ham, Inhofe, McGraw, Nichols, Stansberry.—7.

The President declared a quorum present.

Prayer was offered by the Chaplain, the Reverend Charles A. Whitmire, Pastor of the Western Hills Church of Christ, Lawton, Oklahoma.

The Journal for the last legislative day was declared approved, except for correction ordered, which is shown on the last page of this day's Journal.

### MESSAGE FROM THE HOUSE

Advising that the House has reconsidered Fourth Reading and signing of Enrolled **HB 1512** which was recalled from the Governor's Office and transmits herewith said Bill with the request that the Honorable Senate rescind its action and reconsider Engrossed **HB 1512**.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1632**—By Sullivan and Hancock—An Act relating to mental health; providing for certain duties and authority of district attorneys; providing for codification; and providing effective date.

**HB 1644**—By Sandlin, Bradley, Wiedemann and Derryberry of the House and Birdsong of the Senate—An Act relating to motor carriers; providing for extension of time for reissuing motor carrier certificates and permits by Oklahoma Corporation Commission; directing codification; and declaring an emergency.

**HB 1656**—By Bamberger—An Act amending Section 2, Chapter 290, O. S. L. 1968 (12 O. S. Supp. 1969, § 990) by providing that the record on appeal shall be complete and ready for filing in the supreme court within the time prescribed by that court but within a period of not more than six months from the order or judgment complained of unless the supreme court, for good cause shown, shall extend the time; and fixing the effective date thereof.

**HB 1658**—By Dunn, Briscoe, Harrison, Robinson, Patterson, Kamas and Gooden of the House and Crow and Atkinson of the Senate—An Act relating to animals; defining terms; establishing procedures and requirements governing the taking up and keeping of stray animals, the determination of the ownership thereof, and the sale of such animals and disposition of the proceeds therefrom; creating estray fund in State Department of Agriculture; providing penalties for concealing estrays; authorizing State Board of Agriculture to make rules and regulations; and repealing Sections 1 through 10, inclusive, of Chapter 220, O. S. L. 1963 (4 O. S. Supp. 1969,

§§ 82.1 through 82.10), and other conflicting laws.

**HB 1666**—By Hancock—An Act relating to probate procedure; amending 58 O.S. 1961, § 419; providing for order of sale of lands for cash or for one-fourth cash and the balance on credit; providing for effective date; and declaring an emergency.

**HB 1677**—By Skeith—An Act relating to highways; amending Section 1205, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1205), to provide the acquisition policy to be followed by the Department of Highways shall include authority to pay moving costs, replacement and housing costs, dislocation allowance, or relocation expenses and expenses incidental to the transfer of property; providing for effective date; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1457 and 1616.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed SBs 419, 420, 425, 429, 430, 435, 436, 439 and 442, as amended.

**HA to SB 419** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Lines 17 and 18, by deleting the words and figures "Eight Hundred Ninety-three Thousand Six Hundred Ten Dollars (\$893,610.00)" and inserting in lieu thereof the words and figures "Nine Hundred Twelve Thousand Six Hundred Ten Dollars (\$912,610.00)".

**HAs to SB 420** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 2, Line 7, by striking "3,300" and "4,200" and

inserting in lieu thereof the figures "3,480" and "4,680".

**AMENDMENT NO. 2.** Amend Page 2, Line 8, by striking "4,200" and inserting in lieu thereof the figure "3,960".

**AMENDMENT NO. 3.** Amend Page 2, Line 9, by striking the figures "4,200" and "5,280" and inserting in lieu thereof the figures "4,440" and "5,880".

**AMENDMENT NO. 4.** Amend Page 2, Line 10, by striking the figures "3,480" and "4,400" and inserting in lieu thereof the figures "3,720" and "4,980".

**AMENDMENT NO. 5.** Amend Page 2, Line 11, by striking the figures "3,960" and "4,980" and inserting in lieu thereof the figures "4,200" and "5,580".

**AMENDMENT NO. 6.** Amend Page 2, Line 12, by striking the figures "4,200" and "5,280" and inserting in lieu thereof the figures "4,680" and "6,240".

**HAs to SB 425** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Line 25, by striking the figures "349,809.00" and inserting in lieu thereof the figures "347,394.00".

**AMENDMENT NO. 2.** Amend Page 1, Line 26, by striking the figures "134,218.00" and inserting in lieu thereof the figures "143,218.00".

**AMENDMENT NO. 3.** Amend Page 1, Line 28, by striking the figures "634,027.00" and inserting in lieu thereof the figures "640,612.00".

**HAs to SB 429** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Line 23, by striking the figure "64,575.00" and inserting in lieu thereof the figure "70,550.00".

**AMENDMENT NO. 2.** Amend Page 1, Line 24, by striking the figure "26,170.00" and inserting in lieu thereof the figure "24,345.00".

**AMENDMENT NO. 3.** Amend Page 1, Line 25, by striking the figure "90,745.00"

and inserting in lieu thereof the figure "94,895.00".

**HAs to SB 430** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Restore title to read as follows:

"AN ACT RELATING TO THE OFFICE OF THE GOVERNOR-DIVISION OF ECONOMIC OPPORTUNITY AND MAKING AN APPROPRIATION THERETO; STATING THE PURPOSE; PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF PERSONNEL; PROVIDING LAPSE DATE; MAKING PROVISIONS OF THIS ACT SEVERABLE; AND DECLARING AN EMERGENCY."

**AMENDMENT NO. 2.** Amend by striking the Enacting Clause.

**HAs to SB 435** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Line 23, by striking the figures "91,182.00" and inserting in lieu thereof the figures "21,804.00".

**AMENDMENT NO. 2.** Amend Page 1, Line 23, by striking the figures "91,182.00" and inserting in lieu thereof the figures "94,354.00".

**HA to SB 436** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Title by restoring to read as follows: "AN ACT RELATING TO THE STATE BUREAU OF INVESTIGATION AND MAKING AN APPROPRIATION THERETO; STATING THE PURPOSE; AUTHORIZING THE DIRECTOR TO CREATE POSITIONS AND FIX THE SALARIES OF NECESSARY EMPLOYEES; MAKING AN APPROPRIATION FOR THE PURCHASE OF REGULATED DRUGS AND OTHER EVIDENCE COSTS; PROVIDING LAPSE DATE; MAKING PROVISIONS OF THIS ACT SEVERABLE; AND DECLARING AN EMERGENCY."

**HA to SB 439** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1,

Lines 19 and 20, by striking the words and figures "Twelve Thousand Seven Hundred Thirty-one Dollars (\$12,731.00)" and inserting in lieu thereof the words and figures "Thirteen Thousand Three Hundred Thirty Dollars (\$13,330.00)".

**HAs to SB 442** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Line 24, by striking the figure \$176,910.00" and inserting in lieu thereof the figure "193,640.00".

**AMENDMENT NO. 2.** Amend Page 1, Line 25, by striking the figure "47,045.00" and inserting in lieu thereof the figure "50,000.00".

**AMENDMENT NO. 3.** Amend Page 1, Line 26, by striking the figure "223,955.00" and inserting in lieu thereof the figure "243,640.00".

**AMENDMENT NO. 4.** Amend Page 2, Line 9, by striking the figure "6,600" and inserting in lieu thereof the figure "6,900".

**AMENDMENT NO. 5.** Amend Page 2, Line 10, by striking the single figure "3" and inserting in lieu thereof the single figure "5" and striking the figure "4,500" and inserting in lieu thereof the figure "4,800".

**AMENDMENT NO. 6.** Amend Page 2, Line 13, by striking the figure "24" and inserting in lieu thereof the figure "26".

## COMMITTEE REPORTS

The following Committee Report on Lobby Permits was submitted, and consideration deferred for this legislative day:

Mr. President:

The Committee on Lobby Permits to which was referred requests for Lobby Permits after careful consideration recommends that the following petitioners be granted Lobby Permits:

Lair, O. H.—5017 N. W. 19th Terr., Okla. City, Democrat, Republican, Independent Voter Education.

Meyers, Leo E.—4228 N. W. 21st, Okla. City, Okla., Oil Marketers Association.



Smith, R. H. "Bob"—321 North Harvey, Oklahoma Gas & Electric Company.

Respectfully submitted,  
Bradley, Chairman.

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 203**—Business Relations—coauthored by Tarwater of the House.

**SB 558**—Judiciary.

**SB 579**—Business Relations—coauthored by Sandlin of the House.

**HB 1507**—Judiciary—coauthored by Young.

DO PASS, as amended:

**SB 421**—Appropriations and Budget—coauthored by Miller and Murphy.

**SB 426**—Appropriations and Budget.

**SB 554**—Business Relations.

WITHOUT RECOMMENDATION, as amended:

**SB 535**—Judiciary.

## FIRST READING

The followings Bills and/or Resolutions were introduced and read the first time:

**SB 602**—By Williams—An Act relating to the Board of Mental Health; amending 43A O. S. 1961, § 12; increasing the per diem allowance of members when in attendance of board meetings; and declaring an emergency.

**SB 603**—By McSpadden—An Act relating to water and water rights; amending Section 21, Chapter 382, O. S. L. 1967 (82 O. S. Supp. 1969, § 688); providing for exemption of property owned by Conservancy District from taxation; and declaring an emergency.

**SB 604**—By Howard—An Act relating to criminal procedure; providing certain remedies to persons convicted of commission

of crimes; providing procedure, for presenting evidence, for costs and for disposition; providing conditions under which relief herein afforded is waived; providing for appeals; repealing Section 1, Chapter 165, O. S. L. 1965 (22 O. S. Supp. 1969, § 1073) on the effective date of this act; providing an effective date of this act.

**SB 605**—By Baggett—An Act relating to taxation; amending Section 2, Chapter 366, O. S. L. 1963, as renumbered by Section 2, Chapter 215, O. S. L. 1965, and as amended by Section 1, Chapter 342, O. S. L. 1969 (68 O. S. Supp. 1969, § 1206); to remove exemptions of small business investment companies and real estate trusts from payment of tax on foreign corporations and business organizations; and declaring an emergency.

**SB 606**—By Baggett—An Act relating to schools; amending Section 12, Chapter 397, O. S. L. 1965 (70 O. S. Supp. 1969, § 18-12A); providing that from and after July 1, 1970, no State Aid shall be paid to any school district not maintaining twelve years of instruction; repealing all acts in conflict herewith; and making provisions of act severable.

**SB 607**—By McGraw—An Act relating to motor vehicles—Commissioner of public safety; amending 47 O. S. 1961, § 2-102, as amended by Section 1, Chapter 20, O. S. L. 1967 (47 O. S. Supp. 1969, § 2-102); increasing salary of the Commissioner of Public Safety from \$15,000.00 to \$19,500.00 per annum; and declaring an emergency.

**SB 608**—By Baggett—An Act relating to fees of Secretary of State; amending 28 O. S. 1961, § 111; providing for increase in filing fees of Secretary of State for filing Articles of Incorporation and issuing licenses; fixing formula for determining amount of authorized capital stock to be invested in Oklahoma; increasing fees on all other instruments filed or attested by Secretary of State; and declaring an emergency.

**SB 609**—By Birdsong—An Act relating to motor vehicles; repealing 47 O.S. 1961, § 95, which relates to speed limits of trucks

and other vehicles; and declaring an emergency.

**SB 610**—By Young—An Act relating to workmen's compensation; amending 85 O.S. 1961, § 25; providing for medical examination of injured employees; fixing qualification for impartial or neutral examining physician; and declaring an emergency.

**SB 611**—By Murphy—An Act relating to the Oklahoma State Regents for Higher Education; making an appropriation thereto; and providing legislative intent with respect to allocation.

**SB 612**—By McGraw—An Act relating to public health and safety; providing for licensing of medical laboratory personnel; creating Oklahoma Medical Laboratory Personnel Licensing Board; exempting personnel of certain laboratories; authorizing board to grant, renew or suspend licenses; fixing maximum annual license fees; providing penalty for violation; establishing medical laboratory personnel license account for deposit of all board revenues; fixing effective date.

**SB 613**—By McSpadden—An Act relating to the courts; amending 19 O.S. 1961, § 828, as renumbered by Section 10, Chapter 138, O. S. L. 1968 (20 O. S. Supp. 1969, § 1217); providing for transfer of moneys from the court fund of the county to the law library fund; and declaring an emergency.

**SB 614**—By Smith—An Act relating to and providing for state buildings and facilities providing for the construction, equipping, operation and financing of a state office building, service building or buildings, or facilities for the use of state and/or federal agencies and departments; creating the "Oklahoma Facilities Development Authority"; and prescribing the composition, powers and duties thereof; providing for and authorizing the financing of such office building, buildings or facilities through the issuance of self-liquidating revenue bonds, legislative appropriations or use of existing state funds, and prescribing the conditions for, and regulating the sale, issuance, approval, purchase and redemption of such

bonds; authorizing the purchase thereof by certain state agencies; restricting use of funds; empowering the authority to execute agreements with state agencies and departments and the federal government; exempting bonds from taxation; providing that provisions of the act are severable; and declaring an emergency.

**SB 615**—By Phillips—An Act making an appropriation to the Ottawa Reclamation District; stating the purpose; making the appropriation nonfiscal; and declaring an emergency.

**SB 616**—By Young—An Act relating to purchases by county commissioners; amending Section 636, Chapter 415, O.S.L. 1968 (69 O. S. Supp. 1969, § 636); providing that rental-purchase agreements made by county commissioners in excess of One Thousand Five Hundred Dollars must be under sealed bids with complete specifications; providing that agreements for periods of less than twelve months shall provide no charges for interest, insurance or other carrying charges; making violation a felony and fixing punishment therefor; and declaring an emergency.

**SB 617**—By Birdsong—An Act relating to insurance; defining terms; prohibiting the cancellation of automobile liability insurance for discriminatory reasons; requiring insurer to give advance notice of cancellation or non-renewal stating specific reasons therefor; making violations a misdemeanor; making provisions of this act severable; repealing conflicting laws; and declaring an emergency.

**SJR 47**—By Hamilton—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution repealing Article XVIII thereof pertaining to municipal corporations and adopting a new Article XVIII pertaining thereto; providing for creation of municipal corporations; providing for optional plans for organization of government of cities and towns; providing for charter and home rule; providing for res-

ervation of powers; providing for the initiative or referendum; providing for granting of franchises; providing for right to engage in business; providing for powers of taxation; providing for establishment of federations; authorizing borrowing of money; providing for ballot title; and ordering a special election.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 601**—Appropriations and Budget.

**HB 1528**—Judiciary.

**HB 1532**—Judiciary.

**HB 1575**—Appropriations and Budget.

**HB 1592**—Business Relations.

**HB 1612**—Appropriations and Budget.

**HB 1653**—Constitutional Revisions and Regulatory Services.

**HB 1705**—Education.

**HB 1714**—Appropriations and Budget.

## PENDING SENATE ACTION

Pursuant to the request of the Honorable House, upon motion of Senator Bradley, the Senate rescinded its signing and fourth reading of Enrolled **HB 1330**.

## MOTION TO RECONSIDER VOTE

Senator Bradley moved to reconsider the vote by which **HB 1330**, as amended, passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Berrong, Dacus, Ferrell, Ham, Inhofe, McGraw, Nichols, Porter, Stansberry, Stipe, Taliaferro.—13.

## THIRD READING

Upon motion of Senator Bradley, the vote was reconsidered by which **HB 1330** was advanced to engrossment.

Senator McGraw asked to be shown present, which was the order.

## GENERAL ORDER

Senator Bradley moved to amend **HB 1330**, page 2, beginning on line 5, by striking the words and figures "Two Thousand Six Hundred Dollars (\$2,600.00)" and by substituting in lieu thereof the words and figures "One Thousand Four Hundred Dollars (\$1,400.00)" which amendment was declared adopted.

Senator Bradley moved to amend **HB 1330**, page 2, beginning on line 9, by striking the words and figures "Three Thousand Two Hundred Dollars (\$3,200.00)" and by substituting in lieu thereof the words and figures "Two Thousand Dollars (\$2,000.00)" which amendment was declared adopted.

Upon motion of Senator Bradley, **HB 1330**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Bradley, **HB 1330**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1330** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Phillips, Romang, Smalley, Terrill, Williams.—27.

Nay: Boecher, Breckinridge, McCune, McGraw, Payne, Short, Young.—7.

Excused: Baldwin, Berrong, Dacus, Ferrell, Ham, Inhofe, Lane, Massey, Nichols, Porter, Smith, Stansberry, Stipe, Taliaferro.—14.

The bill was declared passed.



Senators Nichols, Stansberry and Inhofe asked to be shown present, which was the order.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams.—40.

Nay: Boecher, Payne, Taliaferro, Young.—4.

Excused: Baldwin, Dacus, Ham, Smalley.—4.

The emergency was declared passed.

**HB 1330**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 533** by Miller of the Senate and Townsend of the House was read and considered.

Senator Williams asked to be made a coauthor of **SB 533**, which was the order.

Following discussion, Senator Miller asked unanimous consent that **SB 533** be deferred for this legislative day, which was the order.

## GENERAL ORDER

**SB 537** by Holden was read and considered.

Senator Baggett moved to amend **SB 537**, page 2, line 6½, by inserting the following new section: "Section 2. This act shall not apply to transactions which are subject to Chapter 352, 1969 Oklahoma Session Laws (Title 14A Okla. Stat. 1969 Supp)" and by amending the title to conform and by renumbering succeeding sections accordingly, which amendment was declared adopted.

Upon motion of Senator Holden, **SB 537**,

as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, **SB 537**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 537** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—38.

Nay: Bradley, Howard, Keels.—3.

Excused: Atkinson, Baggett, Baldwin, Dacus, Ham, Nichols, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—38.

Nay: Bradley, Howard, Keels.—3.

Excused: Atkinson, Baggett, Baldwin, Dacus, Ham, Nichols, Taliaferro.—7.

The emergency was declared passed.

**SB 537**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 565** by McSpadden, Massey, Birdsong, Atkinson and Medearis of the Senate

and Sanguin of the House was read and considered.

Upon motion of Senator McSpadden, **SB 565** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 565** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 565** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Nay: Crow.—1.

Excused: Baldwin, Dacus, Ham.—3.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Nay: Crow.—1.

Excused: Baldwin, Dacus, Ham.—3.

The emergency was declared passed.

**SB 565** was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 108, 512, 521, 534, 561, SJRs 35, 41, 42, SCR 59; and HB 1541** each correctly engrossed.

**SB 411 and SJR 37** each correctly enrolled.

Engrossed **SBs 108, 512, 521, 534, 561, SJRs 35, 41, 42 and SCR 59** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1541**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 411 and SJR 37** were, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### GENERAL ORDER

**SJR 44** by Garrison of the Senate and Connor of the House was read and considered.

Upon motion of Senator Garrison, **SJR 44** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SJR 44** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 44**, as amended, was read for the third time at length, as follows:

**SJR 44, As Amended**—By Garrison of the Senate and Connor of the House—A Joint Resolution directing the Secretary of State of the State of Oklahoma to refer to the people for their approval or rejection a proposed amendment to Article 7-B of the Constitution of the State of Oklahoma to provide for gubernatorial appointment of persons to fill vacancies in the offices of district judges or associate district judges; prescribing for nominations of persons by the judicial nominating commission; providing a ballot title; and ordering a special election.

Be it resolved by the Senate and the House of Representatives of the Second Session of the Thirty-Second Oklahoma Legislature:

SECTION 1. The Secretary of State of the State of Oklahoma shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article 7-B of the Constitution of Oklahoma by adding a new section thereto, to be known as § 8, reading as follows:

§ 8. When a vacancy occurs, however arising, in the Offices of District Judge or Associate District Judge, the Governor shall fill the vacant office by appointment from a list of three nominees submitted by the Judicial Nominating Commission established by Section 3, Article 7-B, of the Constitution for filling certain vacancies in judicial office.

SECTION 2. The Ballot Title for the amendment proposed by Section 1 above shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. -----

State Question No. -----

#### THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment amending Article 7-B of the Oklahoma Constitution, by the addition thereto of a Section 8, to provide vacancies in the offices of district judge or associate district judge shall be filled by appointment of the Governor from a list of three nominees to be submitted by the Judicial Nominating Commission established by Section 3, Article 7-B of the Constitution for the filling of certain vacancies in judicial office be approved by the people?

☐ YES

SHALL THE PROPOSED AMENDMENT  
BE APPROVED?

☐ NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the

ballot title set forth in Section 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide **[runoff]** primary election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in Section 1 of this Resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Massey, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—30.

Nay: Garrett, Graves, Hamilton, Hargrave, Horn, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Porter, Smalley, Young.—15.

Excused: Baldwin, Dacus, Ham.—3.

The Resolution was declared passed.

The question being, "Shall **SJR 44**, by Garrison of the Senate and Connor of the House entitled:

A Joint Resolution directing the Secretary of State of the State of Oklahoma to refer to the people for their approval or rejection a proposed amendment to Article 7-B of the Constitution of the State of Oklahoma to provide for gubernatorial appointment of persons to fill vacancies in the offices of district judges or associate district judges; prescribing for nominations of persons by the Judicial Nominating Commission; providing a ballot title; and ordering a special election,

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the date of the next statewide runoff primary election as provided in Section 1 of said



Resolution, which Special Election is hereby ordered and authorized on the date of the next statewide runoff primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Massey, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—29.

Nay: Baggett, Garrett, Graves, Hamilton, Horn, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Young.—14.

Excused: Baldwin, Berrong, Dacus, Ham, Porter.—5.

The President Pro Tempore, in open session, declared the Special Election Feature, having failed to receive a constitutional two-thirds majority vote of the members elected to and constituting the Senate, failed of passage.

### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Garrison moved that the vote be reconsidered by which the Special Election Feature of **SJR 44** failed of passage.

Senator Smalley presiding.

### **GENERAL ORDER**

**HB 1522** by Skeith, et al, of the House and Stipe of the Senate was read and considered.

Senators Luton, Hamilton, Crow, Lane, and Phillips asked to be made coauthors of **HB 1522**, which was the order.

President Pro Tempore Smith moved to amend **HB 1522**, page 2, line 4, by inserting after the word "trucks" and before the word "or" the language "emergency vehicles such as wreckers, ambulances or other service vehicles".

Senator Luton asked to be made a co-

author of the Smith amendment, which was the order.

The vote occurring upon the Smith-Luton amendment, it was declared adopted.

President Pro Tempore Smith moved to amend **HB 1522**, page 3, line 3, by inserting after the word "trucks" and before the word "or" the language "emergency vehicles such as wreckers, ambulances or other service vehicles" which amendment was declared adopted.

Senator Hamilton moved to amend **HB 1522**, page 2, line 7, by adding after the word "commodities" and before the word "to" the language "or for intrastate carriers of agricultural commodities of any kind, or for livestock haulers, or haulers of any road building materials" and by adding at the end of line 3, page 3, the language "or to any haulers of agricultural commodities, processed or unprocessed, or for livestock haulers or for haulers of any road building materials" and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Stipe, **HB 1522**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1522**, as amended, was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**HB 1522** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Horn, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Young.—33.

Nay: Baggett, Bradley, Holden, Keels, McCune, Williams.—6.

Excused: Baldwin, Dacus, Ferrell, Grantham, Ham, Howard, Porter, Smith, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Horn, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Young.—33.

Nay: Baggett, Bradley, Holden, Keels, McCune, Williams.—6.

Excused: Baldwin, Dacus, Ferrell, Grantham, Ham, Howard, Porter, Smith, Taliaferro.—9.

The emergency was declared passed.

**HB 1522**, as amended, was referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 52**—coauthored by Odom (V. H.); **SCR 56**; **SCR 57**—coauthored by Entire House Membership; **SCR 58**—coauthored by Entire House Membership.

The above numbered Resolutions were referred for enrollment.

#### GENERAL ORDER

**SB 305** by Stipe was read and considered.

Upon motion of Senator Stipe, **SB 305** was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 305** was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**SB 305** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge,

Crow, Ferrell, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—37.

Nay: Graves.—1.

Excused: Baldwin, Dacus, Field, Ham, Howard, Inhofe, Miller, Porter, Stansberry, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—37.

Nay: Graves.—1.

Excused: Baldwin, Dacus, Field, Ham, Howard, Inhofe, Miller, Porter, Stansberry, Taliaferro.—10.

The emergency was declared passed.

**SB 305** was referred for engrossment.

#### GENERAL ORDER

**HB 1663** by Odom (V. H.) of the House and Medearis and Holden of the Senate was read and considered.

Upon motion of Senator Medearis, **HB 1663** was advanced to engrossment.

By unanimous consent, upon request of Senator Medearis, **HB 1663** was placed upon third reading and final passage.

#### THIRD READING

**HB 1663** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field,

Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Smalley, Smith, Stansberry, Stipe, Terrill, Young.—34.

Nay: Bradley, McCune, McGraw, Romang, Williams.—5.

Excused: Baldwin, Dacus, Ferrell, Ham, Martin, Phillips, Porter, Short, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Smalley, Smith, Stansberry, Stipe, Terrill, Young.—34.

Nay: Bradley, McCune, McGraw, Romang, Williams.—5.

Excused: Baldwin, Dacus, Ferrell, Ham, Martin, Phillips, Porter, Short, Taliaferro.—9.

The emergency was declared passed.

HB 1663 was ordered withheld pursuant to Rule 19-f.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Garrett motion to reconsider the vote by which SB 544 failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—36.

Nay: Hamilton, Horn, Stipe.—3.

Excused: Baldwin, Dacus, Ferrell, Ham,

Holden, Martin, Phillips, Porter, Taliaferro.—9.

### THIRD READING

Senator Garrett moved to reconsider the vote by which SB 544 was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

Senator Garrison moved to amend SB 544, page 12, line 11½ by inserting a new section to read as follows: "Section 8. A prosecution in a court provided for herein shall be double jeopardy to a prosecution in another court for the same or a lesser included offense", and by renumbering the remaining sections accordingly, and amending the title to conform thereto, which amendment was declared adopted.

Senator Garrett, joined by Senator Young, moved to amend SB 544, page 9, line 16, by adding after the word "charged" the sentence "Every municipality shall codify and publish its ordinances if the violation thereof exceeds a fine of \$20.00 or any confinement in jail."

President Pro Tempore Smith moved to amend the Garrett-Young amendment by inserting after the word "Municipality" and before the word "shall" the language "less than 100,000 population" which amendment was declared adopted.

Senator Stipe moved to amend the Garrett-Young amendment by striking the figure "\$20.00" and substituting therefor the figure "\$2.00" which amendment was tabled upon motion of Senator Young.

Senator Baggett, as a substitute for the Garrett-Young amendment, as amended, moved to amend SB 544, page 12, line 11½, by inserting a new section to read as follows: "Section 8. It shall be the duty of every municipality to codify and publish in a permanent form all of its effective ordinances periodically and not less often than once each ten years. At least one copy of such codified ordinances



shall be deposited free of cost by the municipality in every law library in the county which is open to the public. Notice of the publication of such codified ordinances shall be published for four consecutive weeks in a newspaper of general publication in the county in which the municipality is located. Permanent volumes of such codified ordinances shall be offered for sale to the public in such notice at a reasonable price. Annually, the municipality shall publish supplements to its codified ordinances. No ordinance shall be enforced if not reflected in such codifications or supplements if such ordinance was adopted more than two years before the date of enforcement. This section shall be effective from and after January 1, 1972" and by renumbering the remaining sections, and amending the title to conform thereto, which amendment was declared adopted.

Senator Young moved to amend **SB 544**, following the Baggett amendment, by adding the sentence "No fine of over \$20.00 or imprisonment shall be effective in cities under 100,000 until the codification is completed and published as herein required" which amendment was declared adopted.

Upon motion of Senator Garrett, **SB 544**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **SB 544**, as amended, was considered engrossed and placed upon third reading and final passage.

Senator McSpadden presiding.

### THIRD READING

**SB 544** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden,

Martin, Miller, Nichols, Payne, Romang, Short, Smalley, Terrill, Young.—25.

Nay: Boecher, Crow, Field, Hamilton, Holden, Horn, Lane, Massey, Medearis, Phillips, Stipe, Williams.—12.

Excused: Baggett, Baldwin, Berrong, Dacus, Ham, Hargrave, Murphy, Porter, Smith, Stansberry, Taliaferro.—11.

The bill was declared passed.

Senator Garrett asked unanimous consent, which was granted, that the Emergency Section of **SB 544** be stricken and the Title amended to conform thereto.

**SB 544**, as amended, was referred for engrossment.

### GENERAL ORDER

**SJR 45** by Hamilton was read and considered.

Senators Boecher, Medearis and Horn asked to be made coauthors of **SJR 45**, which was the order.

Senator Hamilton moved to amend **SJR 45**, page 3, line 4, by striking the words and figures "thirty (30) days" and substituting therefor the words "six months" which amendment was declared adopted.

Upon motion of Senator Hamilton, **SJR 45**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SJR 45**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 45** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stipe, Terrill, Williams.—35.

Excused: Baggett, Baldwin, Berrong, Dacus, Ham, Hargrave, Keels, Phillips, Porter, Smith, Stansberry, Taliaferro, Young.—13.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stipe, Terrill, Williams.—35.

Excused: Baggett, Baldwin, Berrong, Dacus, Ham, Hargrave, Keels, Phillips, Porter, Smith, Stansberry, Taliaferro, Young.—13.

The emergency was declared passed.

SJR 45, as amended, was referred for engrossment.

### GENERAL ORDER

SB 472 by Hamilton was read and considered.

Upon motion of Senator Hamilton, SB 472 was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, SB 472 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 472 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Stipe, Williams, Young.—35.

Excused: Baldwin, Berrong, Dacus, Ham, Hargrave, Howard, Miller, Phillips,

Porter, Smith, Stansberry, Taliaferro, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Stipe, Williams, Young.—35.

Excused: Baldwin, Berrong, Dacus, Ham, Hargrave, Howard, Miller, Phillips, Porter, Smith, Stansberry, Taliaferro, Terrill.—13.

The emergency was declared passed.

SB 472 was referred for engrossment.

### GENERAL ORDER

SB 460 by Young was read and considered.

Upon motion of Senator Young, SB 460 was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 460 was considered engrossed and placed upon third reading and final passage.

President Pro Tempore Smith presiding.

### THIRD READING

SB 460 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Graves, Hamilton, Holden, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Short, Smalley, Smith, Taliaferro, Young.—25.

Nay: Atkinson, Berrong, Boecher, Field, Garrison, Grantham, Horn, Inhofe, McCune, Romang, Terrill, Williams.—12.

Excused: Baggett, Baldwin, Dacus,

Ham, Hargrave, Massey, Murphy, Nichols, Porter, Stansberry, Stipe.—11.

The bill was declared passed.

Senator Young asked unanimous consent to strike the emergency section of **SB 460**, and amend the title to conform, to which Senator Berrong objected.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Keels.—2.

Nay: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Dacus, Ham, Hargrave, McSpadden, Porter, Stansberry.—7.

The emergency was declared failed of passage.

**SB 460** was referred for engrossment.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 411** and **SJR 37**.

The above numbered Enrolled Bill and Resolution were referred to the Governor.

## GENERAL ORDER

**SB 271** by Keels, Howard and Smith of the Senate and Nance of the House was called up for further consideration.

Senator Phillips asked to be made a co-author of **SB 271**, which was the order.

Senator Keels moved to amend **SB 271**, page 4, line 10, by striking after the word "fee" all remaining language on lines 10 and 11, and inserting in lieu thereof the language "for a period of ten (10) years, provided, however, the minimum fee for any motor home shall be Twenty-five Dollars (\$25.00) per year, or the fee for the eleventh (11th) year computed as above, whichever is the greater in amount" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 271**, page 7, line 6½ by inserting a new section to read as follows: "Section 3. The seller of a motor home shall designate on the bill of sale and/or the certificate of title that the vehicle is in fact a motor home to be licensed under the provisions of this Act", by renumbering the remaining sections accordingly, and amending the title to conform thereto, which amendment was declared adopted.

Senator Hamilton moved to amend **SB 271**, page 7, line 6½, by adding a new section to read as follows: "Section 4. Any person owning a motor home must license the same under the terms of this act and any violation hereof shall constitute a misdemeanor", and by renumbering the remaining sections accordingly, and amending the title to conform thereto, which amendment was declared adopted.

Senator Baggett moved to amend **SB 271**, page 6, lines 10 and 13, by striking the language "one-half (½) of" from each of said lines, which amendment was declared adopted.

Senator Baggett moved to amend **SB 271**, page 7, line 6, by substituting "1969" for "1968" which amendment was declared adopted.

Upon motion of Senator Keels, **SB 271**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keels, **SB 271**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 271** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Terrill, Young.—35.



Excused: Atkinson, Baldwin, Dacus, Garrison, Ham, Hargrave, Inhofe, Medearis, Porter, Smalley, Stansberry, Taliaferro, Williams.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Terrill, Young.—35.

Excused: Atkinson, Baldwin, Dacus, Garrison, Ham, Hargrave, Inhofe, Medearis, Porter, Smalley, Stansberry, Taliaferro, Williams.—13.

The emergency was declared passed.

**SB 271**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1610** by Skeith, et al, of the House and Murphy of the Senate was read and considered.

Senator Young moved to amend **HB 1610**, page 2, line 7, after the word "person." and before the word "Any" by inserting the sentence "Any public agency receiving such notice shall mail a copy of this statute requiring action within 20 days to the party making such claim" which amendment was declared adopted.

Senator Hamilton moved to amend **HB 1610**, page 4, line 6½ by inserting a new section to read as follows: "Section 2. Any contractor doing business in this State shall be presumed to have consented to the jurisdiction of any court of this State where the work is being done and service may be obtained upon any agent or employee of said contractor. The court may assess all costs and a reasonable attorney fee to the plaintiff, if he is successful in his suit" which amendment was declared adopted.

Senator Stipe moved to amend **HB 1610**, page 3, line 12, after word "days" by

striking the remainder of the section, and substituting therefor the language "said contractor may institute an action for a judgment and the court may determine the rights of the parties to the funds" which amendment was tabled upon motion of Senator Murphy.

Senator Young moved to amend **HB 1610**, page 3, line 12, by striking the words and figure "said twenty (20)" and substituting therefor the word and figure "sixty (60)" which amendment was declared adopted.

Upon motion of Senator Murphy **HB 1610** was advanced to engrossment.

Senator Murphy asked unanimous consent that **HB 1610**, as amended, be considered engrossed and placed upon third reading and final passage, to which Senator Stipe objected.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1586**, requesting Conference and naming Conferees as follows: Odom (Martin), Abbott, Allard, Willis and Musgrave.

Upon motion of Senator Terrill, the request of the Honorable House for a conference on **HB 1586** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1586**: Terrill, Hamilton, Massey, Short and Baldwin, and Miller (Alternate).

## RESOLUTION

By unanimous consent, the following Resolution was introduced:

**SCR 60** by Baggett, Garrison, Boecher, Luton, Lane, Payne, Bradley, Graves, Medearis, Keels, Howard, Birdsong, Murphy, Atkinson, Martin, Miller, Stipe and Young —A Concurrent Resolution directing state officers and agencies to desist from using public monies to publish and mail Christmas cards and holiday greetings; and directing distribution and publication of resolution.

**SCR 60** was considered, read at length,

adopted upon motion of Senator Baggett, and ordered referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1521**, requesting Conference and referring said Bill to the General Conference Committee on Appropriations.

Upon motion of Senator Terrill, the request of the Honorable House for a conference on **HB 1521** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

### PENDING CONSIDERATION OF HAS

Senator Massey moved that the Senate refuse to concur in **HAs** to **SB 416** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 423**, and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HAs** to **SB 413** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 412** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HAs** to **SB 414** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 449** and request a conference thereon, said Bill to be

referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Upon motion of Senator Massey, the Senate concurred in **HA** to Engrossed **SB 431**.

**SB 431**, as amended by the Honorable House, was read at length.

On question of passage of bill, as

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—36.

Excused: Baldwin, Dacus, Ferrell, Graves, Ham, Hargrave, Inhofe, Phillips, Porter, Stansberry, Taliaferro, Williams.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—36.

Excused: Baldwin, Dacus, Ferrell, Graves, Ham, Hargrave, Inhofe, Phillips, Porter, Stansberry, Taliaferro, Williams.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

**BILL RELEASED**

As provided under Rule 19-f, **HB 1663** was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.



## Twenty-fifth Legislative Day

Tuesday, February 17, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Baggett, Baldwin, Dacus, Ham, Inhofe, Payne, Phillips, Porter, Taliaferro.—9.

The President Pro Tempore declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### CITATIONS

Upon motion of Senator Bradley, pursuant to Rule 8-b, a citation of Congratulations was ordered issued to Sister Beatrice Merrigan, retired Director of the Radiology Department at St. Anthony Hospital for her many achievements in the nursing profession.

Upon motion of Senator Crow, joined by Senators Grantham and Field, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to D. L. Jones upon his retirement after many years of unselfish service while in the Oklahoma State Legislature and Oklahoma Corporation Commission.

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the 1969 Stroud High School Football Team upon winning the Class B State Championship.

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Chandler High School Track Team upon winning the Class B State Championship.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1247**—By Clemons, Boren, Hesser, Monks, Ford, Patterson, Cox, Trent and Holaday—An Act relating to cities and towns; stating purpose; defining terms, creating the Commission for Training for Municipal Clerks, Treasurers and Finance Officers; providing for qualifications, appointment, and reimbursement of necessary expenses of members; providing for powers and duties of Commission; providing for certification of municipal clerks, treasurers and finance officers; prescribing fees; establishing the "Clerks' and Treasurers' Training Fund"; providing for deposits therein and expenditures therefrom; authorizing Commission to promulgate rules and regulations; repealing all Acts or parts of Acts in conflict herewith; making provisions of Act severable; and declaring an emergency.

**HB 1509**—By McCune and Bamberger—An Act relating to fees and costs in criminal cases; amending 28 O.S. 1961, § 101, as

last amended by Section 3, Chapter 202, O.S.L. 1969 (28 O.S. Supp. 1969, § 101); providing certain clerks' and sheriffs' fees and costs in criminal actions, in case of conviction of the defendant, be part of imprisonment penalty; prescribing for credits thereon; and declaring an emergency.

**HB 1590**—By Allard, Abbott, Sandlin, Tabor, Sparkman, Lindstrom and Monks of the House and Terrill and Miller of the Senate—An Act relating to the public schools of Oklahoma; establishing a code for the public school system of the state; prescribing the powers, duties and functions of the State Board of Education, the State Department of Education, State Superintendent of Public Instruction, State Textbook Committee, State Department of Vocational and Technical Education, County Superintendent of Schools, school districts and boards of education, and local textbook committees; providing for and dealing with teachers, textbooks, curriculum, bonds, enumeration and school attendance of children, annexations, consolidations of school districts, transfer and transportation of school children, audiovisual education, special education for exceptional children, education of physically-handicapped children, vocational and technical education, driver's education and other educational courses, classes and programs; providing for financial aid to schools and school districts; fixing salary of State Superintendent of Public Instruction, Deputy State Superintendent of Public Instruction, County Superintendent of Schools and Deputy County Superintendent of Schools; providing for the Oklahoma Education Television Authority and prescribing its powers, duties and authority; fixing requirements for operation of business colleges; providing for per diem payments; providing for reserve for delinquent taxes used in computing tax levies for school districts; providing for certain safety equipment and facilities for pupils; repealing Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

and 18 of Title 70 of the Oklahoma Statutes 1961, as amended; Sections 1 through 8, inclusive, and Sections 10 through 12, inclusive, of S.J.R. No. 24 of the 1963 Oklahoma Legislature (70 O.S. Supp. 1969, §§ 1210.21-1210.28, inclusive, and §§ 1210.30-1210.32, inclusive); 70 O.S. 1961, §§ 1441-1443, inclusive, §§ 1601-1605, inclusive; Sections 1 through 13, inclusive, Chapter 47, O.S.L. 1967, as amended (70 O.S. Supp. 1969, §§ 505.1-505.13 inclusive); 70 O.S. 1961, §§ 2141-2165, inclusive; 70 O.S. 1961, §§ 20-1 through 20-5, inclusive; Sections 1, 2 and 3 of Chapter 28, O.S.L. 1965 (70 O.S. Supp. 1969, §§ 20-6, 20-7 and 20-8); Sections 1, 2 and 3 of Chapter 228, O.S.L. 1969 (70 O.S. Supp. 1969, §§ 20-9, 20-10 and 20-11); 70 O.S. 1961, §§ 1209 and 1210.1 Section 1 of Chapter 191, O.S.L. 1963 (70 O.S. Supp. 1969, § 1926); Section 1 of Chapter 82, O.S.L. 1965 (70 O.S. Supp. 1969, § 599); Section 1 of Chapter 521, O.S.L. 1965 (70 O.S. Supp. 1969, § 600); Section 1 of Chapter 329, O.S.L. 1967 (70 O.S. Supp. 1969, § 688.1); Section 1 of Chapter 133, O.S.L. 1968 (70 O.S. Supp. 1969, § 630); and Section 1 of Chapter 223, O.S.L. 1968 (70 O.S. Supp. 1969, § 629), and all laws and parts of laws in conflict with the provisions of this Act, but only to the extent same are in conflict herewith; providing for severability; and fixing effective date.

**HB 1645**—By McCune—An Act relating to courts; amending Section 1, Chapter 294, O.S.L. 1968 (20 O.S. Supp. 1969, § 50); authorizing Court of Criminal Appeals to appoint two referees; fixing salaries; authorizing said court to prescribe duties; authorizing the payment of mileage and per diem to referees in performing official duties while away from the seat of said court; prescribing qualifications of referees; providing for an effective date; and declaring an emergency.

**HB 1650**—By McCune—An Act relating to the Court Fund; amending Section 9, Chapter 412, O.S.L. 1968 (20 O.S. Supp. 1969, § 1308); providing the manner for computing the amount court clerks must

transfer to State Judicial Fund in making the annual report; and declaring an emergency.

**HB 1652**—By Converse of the House and Crow of the Senate—An Act relating to agriculture; providing for the repeal of Sections 1 through 19, Chapter 277, O.S.L. 1963 (2 O.S. Supp. 1969, § § 1001-1019); Oklahoma Wheat Resources Act, 1963; and declaring an emergency.

**HB 1665**—By McCune—An Act relating to public funds; providing for disposition of monies received from fines and forfeitures for violations of game and fish laws; prescribing procedure therefor; amending 29 O.S. 1961, § 504; fixing effective date thereof; and declaring an emergency.

**HB 1675**—By McCune—An Act pertaining to the destruction of misdemeanor and traffic records in the office of the District Attorney; and prescribing effective date.

**HB 1692**—By Wolfe (Stephen) and Sandlin—An Act relating to jurors; amending 38 O.S. 1961, § 28; providing qualifications of jurors in this state; providing certain exemptions; providing for effective date; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 437**, as amended.

**HA** to **SB 437** read as follows, and consideration deferred:

Amendment No. 1. Restore title to read as follows: "An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; making an appropriation for capital outlay expenditures at Camp Gruber; making an appropriation for repairs to Armories; providing for appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1052**—By Monks, et al of the House—A Concurrent Resolution memorializing the Congress of the United States to submit to the State Legislatures an amendment to the Constitution of the United States.

**HCR 1053**—By Thompson, et al of the House and Nichols of the Senate—A Concurrent Resolution expressing deep sorrow and regret on behalf of the people of Oklahoma upon the death of the Honorable William J. Holloway; and directing that authenticated copies be sent to members of his family.

Consideration of the Resolutions was deferred for this Legislative day.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1541**, as amended.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 305, 472, 537, 565, SJR 45, SCR 60;** and **HB 1330** each correctly engrossed.

**SB 431, SCR 52, 56, 57** and **58** each correctly enrolled.

Engrossed **SBs 305, 472, 537, 565, SJR 45** and **SCR 60** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1330**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 431** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

**SCR 52, 56, 57** and **58** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.



**COMMITTEE REPORT**

The Committee Report on Lobby Permits, submitted on February 16, 1970, was declared adopted upon motion of Senator Bradley, who stated such Permits would be issued by the Office of the President Pro Tempore.

**COMMITTEE REPORTS**

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 392**—Education.

**SB 519**—Appropriations and Budget—To Revenue and Taxation by reporting committee.

**SB 581**—Finance and Commerce.

**SB 589**—Education—Coauthored by Smith, McGraw and Howard.

**SB 596**—Appropriations and Budget.

**HB 1499**—Conservation and Economic Development.

**HB 1549**—Appropriations and Budget.

**HB 1550**—Appropriations and Budget.

**HB 1552**—Appropriations and Budget.

**HB 1565**—Appropriations and Budget.

**HB 1572**—Appropriations and Budget.

**HB 1626**—Conservation and Economic Development—Coauthored by Hamilton.

DO PASS, as amended:

**SB 506**—Constitutional Revisions and Regulatory Services.

**SB 510**—Appropriations and Budget.

**SB 547**—Judiciary—To Appropriations and Budget by reporting committee.

**SB 553**—Conservation and Economic Development.

**SB 557**—Judiciary.

**SB 559**—Judiciary.

**SB 562**—Appropriations and Budget.

**SB 567**—Appropriations and Budget.

**SB 586**—Finance and Commerce.

**SB 600**—Education.

**HB 1551**—Appropriations and Budget.

**HB 1584**—Appropriations and Budget.

**FIRST READING**

The following Bills were introduced and read the first time:

**SB 618**—By Bradley of the Senate and Odom (Martin) of the House—An Act relating to professions and occupations; providing for certification of barber assistant by the Board of Barber Examiners; providing for collection of fees and penalties for delinquency; providing for registration, collection of a fee, and examination for registered barber instructors; providing for renewals and collection of fees; providing for codification; and declaring an emergency.

**SB 619**—By Hamilton—An Act relating to revenue and taxation; amending Section 2, Chapter 250, O.S.L. 1965, as amended by Section 1, Chapter 171, O.S.L. 1968 (68 O.S. Supp. 1969, § 807); defining value of gross estate; including certain life insurance proceeds in the gross estate; and declaring an emergency.

**SB 620**—By Hamilton—An Act relating to revenue and taxation; amending Section 2, Chapter 250, O.S.L. 1965, as amended by Section 1, Chapter 171, O.S.L. 1968 (68 O.S. Supp. 1969, § 807); defining value of gross estate; including under certain circumstances property in the gross estate the consideration for which is claimed to have been community property in another jurisdiction; and declaring an emergency.

**SB 621**—By Young—An Act relating to motor vehicles; amending 47 O. S. 1961, §§ 7-204, 7-302, 7-316, 7-324, 7-330 and 8-104; increasing limits of proof for financial responsibility.

**SB 622**—By Young—An Act relating to roads and highways; amending Section 2 of Chapter 237, O. S. L. 1968 (69 O. S. Supp. 1969, § 654); providing for designation of County primary road system; defining duties of the Board of County Commissioners; prescribing criteria for such designation; and declaring an emergency.

**SB 623**—By Smalley and Hamilton of the Senate and Cate of the House—An Act pro-

viding for the creation of an archeological survey for the State of Oklahoma; making it a responsibility of the Regents of the University of Oklahoma; fixing the duties of the Archeological Survey; giving the employees of the Archeological Survey the right to enter upon any lands in the State; and declaring an emergency.

**SB 624**—By Howard of the Senate and Poulos of the House—An Act relating to schools; prohibiting changes in school attendance boundaries by a Board of Education except in compliance with certain conditions; prescribing for public hearing after notice published; prescribing notice; and declaring an emergency.

**SB 625**—By Baggett—An Act relating to schools; amending Section 8, Chapter 397, O.S.L. 1965, as amended by Section 3, Chapter 48, O.S.L. 1968 (70 O.S. Supp. 1969, § 18-8A); providing incentive aid flat grant to school districts; providing for disallowing credit in computing the amounts for classes in the elementary grades exceeding 25 in average daily attendance; and declaring an emergency.

**SB 626**—By Smalley—An Act relating to officers; amending 11 O.S. 1961, § 571, as amended by Section 1, Chapter 56, O.S.L. 1968 (11 O.S. Supp. 1969, § 571); providing officers of cities and school boards shall be residents of the ward for which they are appointed or elected; providing removal of certain officers therefrom shall constitute vacancy in office; providing procedure for filling vacancies; excepting police officers and firemen from provisions of this Act; and declaring an emergency.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 602**—Public Health.

**SB 603**—Conservation and Economic Development.

**SB 604**—Judiciary.

**SB 605**—Revenue and Taxation.

**SB 606**—Education.

**SB 607**—Appropriations and Budget.

**SB 608**—Governmental Affairs.

**SB 609**—Judiciary.

Senator Bradley asked unanimous consent that the order referring **SB 609** to the Committee on Judiciary be rescinded and said Bill be referred to the Committee on Roads and Highways, which was the order.

**SB 610**—Judiciary.

**SB 611**—Appropriations and Budget.

**SB 612**—Public Health.

**SB 613**—Judiciary.

**SB 614**—Governmental Affairs.

**SB 615**—Appropriations and Budget.

**SB 616**—Roads and Highways.

**SB 617**—Business Relations.

**SJR 47**—Constitutional Revisions and Regulatory Services.

**HB 1632**—Public Health.

**HB 1644**—Roads and Highways.

**HB 1656**—Judiciary.

**HB 1658**—Agriculture.

**HB 1666**—Judiciary.

**HB 1677**—Roads and Highways.

## GENERAL ORDER

**SB 554** by Birdsong of the Senate and Mountford of the House was read and considered.

Upon motion of Senator Birdsong, **SB 554** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 554** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 554** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels,

Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—33.

Excused: Atkinson, Baggett, Baldwin, Dacus, Ferrell, Ham, Inhofe, Lane, Nichols, Payne, Phillips, Porter, Stansberry, Taliaferro, Young.—15.

The bill was declared passed.

**SB 554** was referred for engrossment.

Senator Baggett asked to be shown present, which was the order.

### GENERAL ORDER

**SB 294** by Field of the Senate and McKee, et al, of the House was read and considered.

Following discussion, Senator Field asked unanimous consent, which was granted, that **SB 294**, with all amendments attached, be referred to the Judiciary Committee.

**SB 421** by McSpadden, Massey, Smalley, Miller and Murphy of the Senate and Willis, et al, of the House was read and considered.

Senators Berrong and Field asked to be made coauthors of **SB 421**, which was the order.

Upon motion of Senator McSpadden, **SB 421** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 421** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 421** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nich-

ols, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Atkinson, Baldwin, Birdsong, Dacus, Ferrell, Field, Ham, Inhofe, Payne, Phillips, Porter, Stansberry, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Atkinson, Baldwin, Birdsong, Dacus, Ferrell, Field, Ham, Inhofe, Payne, Phillips, Porter, Stansberry, Taliaferro.—13.

The emergency was declared passed.

**SB 421** was referred for engrossment.

### GENERAL ORDER

**SB 423** by McSpadden and Massey of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 426** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 426** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 426** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley,



Smith, Stansberry, Stipe, Terrill, Williams, Young.—37.

Excused: Atkinson, Baldwin, Dacus, Graves, Ham, Howard, Inhofe, Payne, Phillips, Porter, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—37.

Excused: Atkinson, Baldwin, Dacus, Graves, Ham, Howard, Inhofe, Payne, Phillips, Porter, Taliaferro.—11.

The emergency was declared passed.

SB 426 was referred for engrossment.

### GENERAL ORDER

SB 535 by Terrill and Taliaferro of the Senate and Beauchamp of the House was read and considered.

Senator Berrong moved to amend SB 535, page 1, line 5, by inserting after the word "fifteen (15)" and before the word "years" the word "continuous" and after the word "longer" add the language, "next preceding application for disability retirement," which amendment was declared adopted.

Upon motion of Senator Stipe, SB 535, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 535, as amended was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 535 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Birdsong, Boecher, Crow, Garrison, Grantham, Hamilton, Hargrave, Holden, Howard, Lane, Luton, Murphy, Nichols, Romang, Smalley, Smith, Stipe, Terrill, Young.—19.

Nay: Baggett, Berrong, Breckinridge, Ferrell, Field, Garrett, Graves, Horn, Keels, McCune, McGraw, Martin, Medearis, Short, Stansberry, Williams.—16.

Excused: Atkinson, Baldwin, Bradley, Dacus, Ham, Inhofe, McSpadden, Massey, Miller, Payne, Phillips, Porter, Taliaferro.—13.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Stipe moved that the vote be reconsidered by which SB 535, as amended, failed of passage.

Senator Porter asked to be shown present, which was the order.

### GENERAL ORDER

SB 558 by Stipe and Young was read and considered.

As provided under Rule 8-e, upon request of Senator Stipe, Representative Finch was added as the House Author of SB 558.

Upon motion of Senator Stipe, SB 558 was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 558 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 558 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Porter, Romang, Short,

Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Nay: Baggett, Field, Keels.—3.

Excused: Baldwin, Bradley, Dacus, Garrison, Ham, Hargrave, Inhofe, McSpadden, Payne, Phillips, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Nay: Baggett, Field, Keels.—3.

Excused: Baldwin, Bradley, Dacus, Garrison, Ham, Hargrave, Inhofe, McSpadden, Payne, Phillips, Taliaferro.—11.

The emergency was declared passed.

**SB 558** was referred for engrossment.

Senator Smalley presiding.

### PENDING SENATE ACTION

Pursuant to the request of the Honorable House, upon motion of Senator Luton, the Senate rescinded its signing and fourth reading of Enrolled **HB 1512**.

### MOTION TO RECONSIDER VOTE

Senator Luton moved to reconsider the vote by which **HB 1512** passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Luton, McCune, McGraw, Massey, Medearis, Murphy, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—31.

Excused: Baldwin, Boecher, Crow, Dacus, Garrison, Ham, Inhofe, Keels, Lane,

McSpadden, Martin, Miller, Nichols, Payne, Phillips, Taliaferro, Young.—17.

### THIRD READING

Upon motion of Senator Luton, the vote was reconsidered by which **HB 1512** was advanced to engrossment.

Senator Inhofe asked to be shown present, which was the order.

### GENERAL ORDER

**SB 579** by Birdsong of the Senate and Sandlin of the House was read and considered.

Senators Bradley, Grantham and Berrong asked to be made coauthors of **SB 579**, which was the order.

Senator Birdsong moved to amend **SB 579**, page 4, line 4, by striking after the word "except" and before the word "that" on line 7, all the language contained therein and by changing the word "may" to the word "shall" on line 7, which amendment was declared adopted.

Senator Birdsong moved to amend **SB 579**, page 4, line 13, by striking the word "its" and inserting in lieu thereof the words "the motor carriers" which amendment was declared adopted.

Upon motion of Senator Birdsong, **SB 579**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 579**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 579** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nich-

ols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—35.

Excused: Baldwin, Berrong, Breckinridge, Crow, Dacus, Ham, Lane, McSpadden, Payne, Phillips, Porter, Taliaferro, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—35.

Excused: Baldwin, Berrong, Breckinridge, Crow, Dacus, Ham, Lane, McSpadden, Payne, Phillips, Porter, Taliaferro, Terrill.—13.

The emergency was declared passed.

**SB 579**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1507** by Finch of the House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1507** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1507** was placed upon third reading and final passage.

### THIRD READING

**HB 1507** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Nay: Crow, Smalley.—2.

Excused: Baldwin, Berrong, Breckinridge, Dacus, Graves, Ham, Howard, McSpadden, Payne, Phillips, Porter, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—33.

Excused: Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ham, McSpadden, Miller, Murphy, Payne, Phillips, Porter, Taliaferro.—15.

The emergency was declared passed.

**HB 1507** was ordered withheld pursuant to Rule 19-f.

### THIRD READING

By unanimous consent, upon request of Senator Murphy, **HB 1610** was considered engrossed.

**HB 1610** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Baldwin, Berrong, Birdsong, Breckinridge, Dacus, Ham, Lane, Luton, McSpadden, Payne, Phillips, Porter, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:



Aye: Atkinson, Baggett, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Baldwin, Berrong, Birdsong, Breckinridge, Dacus, Ham, Lane, Luton, McSpadden, Payne, Phillips, Porter, Taliaferro.—13.

The emergency was declared passed.

**HB 1610**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1589** by Sparkman, et al, of the House and Smith of the Senate was called up for further consideration.

President Pro Tempore Smith moved to amend **HB 1589**, page 7, line 10½, by inserting a new section to read as follows: "Section 4. The provisions of this act are severable and any decision holding any part hereof void shall not affect or impair any of the remaining parts or provisions of this act", and by renumbering the remaining section accordingly, and amending the title to conform thereto, which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **HB 1589**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1589**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1589** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Har-

grave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Atkinson, Baldwin, Berrong, Breckinridge, Dacus, Ham, Inhofe, McSpadden, Payne, Phillips, Porter, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Atkinson, Baldwin, Berrong, Breckinridge, Dacus, Ham, Inhofe, McSpadden, Payne, Phillips, Porter, Taliaferro.—12.

The emergency was declared passed.

**HB 1589**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 203** by Field of the Senate and Tarwater of the House was read and considered.

Senator Field moved to amend **SB 203**, page 1, line 1, after "Section 1" by striking the remainder of line 1, and substituting therefor the language, "The State, any county or any city may insure for workmens compensation with any insurance carrier, certified by the State Insurance Commissioner to be solvent and sufficiently indemnified to protect the carrier or any of its employees, provided that the rates of said company are equal to or below the rates charged by the State Insurance Fund" and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Field, **SB 203**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, **SB 203**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 203** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Murphy, Nichols, Romang, Smalley, Smith, Stansberry, Terrill, Williams, Young.—34.

Nay: Stipe.—1.

Excused: Baldwin, Berrong, Breckinridge, Dacus, Ham, McGraw, McSpadden, Miller, Payne, Phillips, Porter, Short, Taliaferro.—13.

The bill was declared passed.

**SB 203**, as amended, was referred for engrossment.

### PENDING SENATE ACTION

**HCR 1046** by Privett of the House and Smith of the Senate was called up for consideration, read at length as follows, and adopted upon motion of President Pro Tempore Smith:

**HCR 1046**—By Privett of the House and Smith of the Senate—A Concurrent Resolution memorializing Congress to enact, and the President to sign into law, S. 1232, which confirms in the several states primary authority over Fish and Wildlife; expressing opposition to a concept that the Federal Government has authority or control over fish and resident wildlife on all federally owned lands; and directing distribution.

WHEREAS, by law, history, and tradition, in the United States the ownership of wildlife has been separated from ownership of the land; and

WHEREAS, all species of fish and resident wildlife are held in trust for the people of each state by the individual states through their official agencies; and

WHEREAS, S. 1232, pending in Congress, seeks confirmation of such concept; and

WHEREAS, a threat to the authority of the several states' control over fish and wildlife on all federally owned lands is apparent in a holding by a solicitor of the Department of the Interior that the Federal Government has exclusive power and control over fish and resident wildlife on all federally owned lands; and

WHEREAS, authority of the Federal Government for the management of wildlife relates to migratory species which are subject to international treaties and to wildlife on lands over which the states have ceded jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. That Congress be memorialized to enact, and the President sign into law, S. 1232.

SECTION 2. That Congress enact no law opposing the right, duty or power of state governments to conserve, manage and regulate fish and resident species of wildlife on all lands and waters within their boundaries, except where such authority has been specifically ceded to the Federal Government.

SECTION 3. That authenticated copies of this Resolution be distributed to the members of the Oklahoma Congressional Delegation.

**HCR 1046** was properly signed and ordered returned to the Honorable House.

Senator Baggett raised the question of "no quorum".

The Presiding Officer ordered the roll taken and declared a quorum was present.

## PENDING SENATE ACTION

Upon motion of Senator Holden, the Conference Committee Report on **SB 341** was declared adopted.

**SB 341**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Medearis, Murphy, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—29.

Nay: Hamilton, Luton.—2.

Excused: Atkinson, Baldwin, Berrong, Breckinridge, Dacus, Ham, Horn, Lane, McSpadden, Miller, Nichols, Payne, Phillips, Porter, Stansberry, Taliaferro, Terrill.—17.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Berrong, Breckinridge, Dacus, Ferrell, Ham, Inhofe, McSpadden, Payne, Phillips, Porter, Taliaferro.—13.

The emergency was declared passed.

**SB 341**, together with Conference Committee Report thereon, was ordered withheld pursuant to Rule 19-f.

## MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SBs 412, 413, 414, 416, 423, and 449**, and

referring said Bills to the General Conference Committee on Appropriations.

## MOTION TO RECONSIDER VOTE

Senator Hamilton asked for an extension of one day for consideration of his motion to reconsider the vote by which **HB 1434** passed.

President Pro Tempore Smith presiding.

## PENDING SENATE ACTION

Upon motion of Senator Miller, the Conference Committee Report on **HB 1439** was declared adopted.

Senator Williams asked that he be made a coauthor of **HB 1439**, which was the order.

**HB 1439**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—32.

Nay: Baggett, Boecher, Romang.—3.

Excused: Baldwin, Breckinridge, Crow, Dacus, Ham, Inhofe, McSpadden, Medearis, Payne, Phillips, Porter, Stansberry, Taliaferro.—13.

The Bill, as amended in Conference, was declared passed.

**HB 1439**, together with Conference Committee Report thereon, was ordered withheld pursuant to Rule 19-f.

## PENDING CONSIDERATION OF HAS

Senator Massey moved that the Senate refuse to concur in **HAs** to **SB 425** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate



refuse to concur in **HAS** to **SB 420** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 419** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HAS** to **SB 429** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HAS** to **SB 435** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 430** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Massey moved that the Senate refuse to concur in **HA** to **SB 436** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Upon motion of Senator Massey, the Senate concurred in **HA** to **SB 439**.

**SB 439**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—32.

Excused: Baldwin, Birdsong, Breckinridge, Crow, Dacus, Ham, Horn, Howard, Inhofe, McSpadden, Payne, Phillips, Porter, Stansberry, Taliaferro, Young.—16.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—32.

Excused: Baldwin, Birdsong, Breckinridge, Crow, Dacus, Ham, Horn, Howard, Inhofe, McSpadden, Payne, Phillips, Porter, Stansberry, Taliaferro, Young.—16.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Massey moved that the Senate refuse to concur in **HAS** to **SB 442** and request a conference thereon, said Bill to be referred to General Conference Committee on Appropriations, which motion was declared adopted.

## PENDING SENATE ACTION

Upon motion of Senator Garrett, the request of the Honorable House for a conference on **HB 1525** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1525**: Garrett, Short, and Birdsong.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 431**.

The above numbered Enrolled Bill was referred to the Governor.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 52, 56, 57 and 58**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, February 17, 1970, of Enrolled **SBs 418, 434, 444, 445 and 448**, entitled:

**SB 418**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Court of Tax Review and making appropriation thereto; stating the purpose; providing lapse date; making provisions of this act severable; and declaring an emergency.

**SB 434**—By McSpadden and Massey of the Senate and Willis, Miskelly and Goodfellow of the House—An Act relating to the Western Plains Indians Arts and Crafts Commission and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this act severable; and declaring an emergency.

**SB 444**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of

the Securities Commission and making appropriations thereto; \*\*\* and declaring an emergency.

**SB 445**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Commission on Consumer Affairs and making an appropriation thereto; stating the purpose; providing for the appointment of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 448**—By McSpadden, Massey and Garrison of the Senate and Willis, Miskelly and Connor of the House—An Act relating to the Petroleum Experiment Station and making an appropriation thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

### BILLS RELEASED

As provided under Rule 19-f **HB 1507** was properly signed and ordered returned to the Honorable House.

**HB 1439**, together with the **CCR** thereon, was ordered returned to the Honorable House.

**SB 341**, together with the **CCR** thereon, was ordered transmitted to the Honorable House for consideration.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Twenty-sixth Legislative Day

Wednesday, February 18, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—43.

Excused: Baldwin, Dacus, Inhofe, Stipe, Taliaferro.—5.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1445, as amended.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SBs 419, 420, 425, 429, 430, 435, 436, and 442 and referring said Bills to General Conference Committee on Appropriations.

### MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1330, as amended.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1240**—By Stratton, Bernard, Townsend, Patterson and Robinson of the House and Holden of the Senate — An Act relating to motor vehicles; amending 47 O. S. 1961, § § 1-125, 22.3, and 22.6, as amended by section 1, chapter 137, O. S. L. 1963 (47 O. S. Supp. 1969, § 22.6); defining term “implement of husbandry” to also include farm trailers; providing for applications and registration of vehicles; providing for exceptions; prohibiting false statements and prescribing penalty therefor; providing for cancellation of registration; fixing license fees for trucks and trailers used in farming and forestry; providing for exceptions; and declaring an emergency.

**HB 1508**—By McCune and Sandlin of the House and Grantham, Romang and Young of the Senate — An Act relating to commencement of civil actions; amending 12 O. S. 1961, § 151, as amended by section 1, chapter 24, O. S. L. 1969 (12 O. S. Supp. 1969, § 151); providing when action is commenced; and providing for an effective date.

**HB 1622**—By Thompson and Bickford — An Act relating to probate procedure; amending 58 O. S. 1961, § § 25 and 352, as last amended by sections 1 and 10, chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § § 25 and 352); providing for notices to be given in various stages of probate proceedings; and declaring an emergency.

**HB 1625**—By Dunn, Barker, Murphy,



and Monks of the House and Holden of the Senate — An Act relating to motor vehicles; amending 47 O. S. 1961, § 12-301, as amended by section 5, chapter 140, O. S. L. 1967; providing brake equipment requirements; limiting the trailers subject to the requirements herein to those of ten thousand pounds or more; and declaring an emergency.

**HB 1637**—By Bickford of the House and Nichols of the Senate — An Act relating to higher education; amending section 509, chapter 396, O. S. L. 1965 (70 O. S. Supp. 1969, § 3509); providing the Board of Regents of Oklahoma colleges shall be a body corporate; prescribing organizational requirements of the Board of Regents of Oklahoma colleges; providing for the office space of the Board of Regents to be provided for from funds allocated to it or to be located in space provided by the State Board of Public Affairs.

**HB 1678**—By McCune—An Act providing procedure for destruction of juvenile records; and providing for an effective date.

**HB 1696**—By Abbott and Murphy of the House and Miller of the Senate —An Act relating to motor vehicles; amending 47 O. S. 1961, § 11-801, as amended by section 1, chapter 200, O. S. L. 1969 (47 O. S. Supp. 1969, § 11-801); prescribing the basic rule for maximum and minimum speed; setting maximum lawful speeds; providing for state highway department regulations; requiring the marking of certain school zones including marking exits and entrances to controlled access highways within school zones; and declaring an emergency.

**HB 1703**—By Sandlin—An Act relating to civil procedure; amending section 7, chapter 322, O. S. L. 1968 (12 O. S. Supp. 1969, § 1757); providing procedure in transferring small claims; providing effective date; and declaring an emergency.

**HB 1740**—By Spearman and Conaghan

—An Act relating to revenue and taxation; amending sections 24304, 24305, 24306 and 24308 of section 2, chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24304, 24305, 24306 and 24308); providing taxes on real property shall be a lien thereon for fifteen years; providing for personal property tax lien record; providing personal property tax lien record be supplement to district court judgment docket; providing for collection of delinquent personal property tax including penalty and costs; providing for release of personal property tax lien; repealing sections 24307, 24309 and 24310 of section 2, chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24307, 24309 and 24310); and declaring an emergency.

**HB 1741**—By McCune—An Act pertaining to destruction of court records; prescribing method of destruction; providing for microfilming and the procuring of viewerscopes; repealing 19 O. S. 1961, § 232 through 235; and providing effective date.

**HB 1743**—By McCune—An Act relating to civil procedure; providing for appeal from certain interlocutory orders; requiring an undertaking to stay certain interlocutory orders pending appeal; repealing 12 O. S. 1961, § 983, as amended by section 1, chapter 28, O. S. L. 1969 (12 O. S. Supp. 1969, § 983) and 12 O. S. 1961, § 1558; and declaring an emergency.

**HB 1749**—By McCune of the House and Grantham of the Senate — An Act relating to the trial of actions before an agreed upon attorney acting as a special judge; repealing 22 O. S. 1961, § 572.

The above numbered HBs were read for the first time.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 59.

The above numbered Resolution was referred for enrollment.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1439, 1445, 1507, 1541 and 1663.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## REQUEST FOR LOBBY PERMIT

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

Hal Cousins, 506 Fleetwood, Norman, Oklahoma, representing the Automobile Manufacturers Association, Inc.

## CONCURRENT CITATION

Upon motion of Senator Payne and Representative Ed Cole, a Citation of Congratulations was ordered issued to Charles Cruce, Head Coach at Okmulgee High School who led his team to the Class AA Boys State Football championship.

Message was ordered sent advising the Honorable House of Senate action pursuant to Senate Concurrent Citation No. 1.

## CITATION

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to David Wakefield, Bill Smith, Larry Edgmon, Kim Hatfield, Max Mansur, Randy Earles, John Lasater and Jim Barnette, members of the Durant High School Band and were selected for All-State Band.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

## COMMITTEE REPORT

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

## DO PASS:

SB 566—Governmental Affairs.

HB 1566—Appropriations and Budget—coauthored by Inhofe.

HB 1608—Governmental Affairs—coauthored by Keels and Smith of the Senate.

DO PASS, as amended:

SB 320—Governmental Affairs.

SB 463—Business Relations.

SB 592—Governmental Affairs.

HB 1403—Education — coauthored by Hamilton.

## RESOLUTION

SCR 61 by Graves of the Senate and Wayland of the House was introduced and read as follows:

SCR 61—By Graves of the Senate and Wayland of the House—A Concurrent Resolution expressing the respect and admiration of the Oklahoma Legislature for Mr. C. C. Davidson and extending best wishes on the occasion of his one hundredth birthday; and directing distribution.

WHEREAS, on Monday, February 23, 1970, Mr. C. C. Davidson of Shawnee, Oklahoma, a citizen of the Pottawatomie County area for more than sixty years, will reach the age of one hundred years; and

WHEREAS, Mr. C. C. Davidson, known to his close friends as "Lum," has witnessed and been a part of much of the history of Oklahoma and of the settlement of the West, having made the Cherokee Strip Run, having made covered wagon trips throughout the West in the gold mining days and having been a farmer, dairyman, and pioneer horse and mule dealer in Oklahoma since before Statehood; and

WHEREAS, Mr. C. C. Davidson shortly after marrying his beloved wife, Maud Scott Davidson of Van Buren, Arkansas, moved to the Pottawatomie County area where he settled and made his home as

husband and father of three sons and three daughters; and

WHEREAS, Mr. C. C. Davidson has exemplified the individualism and frontier spirit which has been a vital part of our proud heritage and which has contributed so greatly to the building and strengthening of our Nation and State, having always been self-sufficient and never dependent upon his fellowman or government for his livelihood; and

WHEREAS, Mr. C. C. Davidson, always an ardent fisherman and hunter, has continued his full and active life proving that quickness of mind and physical activeness can be maintained for long after the ordinary life span by persevering in a courageous and independent way of life; and

WHEREAS, it is fitting and proper that the representatives of the people of Oklahoma pay tribute to this true pioneer citizen who has contributed so much to the history and development of our beloved State and of whom this Legislature is truly proud.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. That we, the members of the Oklahoma Legislature, do hereby express our great respect and admiration for Mr. C. C. Davidson of Shawnee, Oklahoma, and extend our best wishes and many happy returns on the occasion of his one hundredth birthday.

SECTION 2. That duly authenticated copies of this resolution be delivered to Mr. C. C. Davidson and the members of his family as a token of the esteem held for this outstanding Oklahoman.

SCR 61 was considered, read at length, adopted upon motion of Senator Graves and ordered referred for engrossment.

### PENDING SENATE ACTION

HCR 1053 by Thompson, et al, of the House and Nichols of the Senate was called up for consideration.

Senator Nichols asked that all other members of the Senate be added as co-authors of the Resolution, which was the order.

HCR 1053, as coauthored, was read at length as follows, and adopted upon motion of Senator Nichols:

HCR 1053—By Thompson, Boren, Abbott, Allard, Anderson, Andrews, Atkins, Bamberger, Barker, Bean, Beauchamp, Bengtson, Bernard, Bickford, Boettcher, Bradley, Briscoe, Browers, Camp, Cate, Clemmons, Coffin, Cole, Conaghan, Connor, Converse, Cox, Derryberry, Doornbos, Dunn, Ferguson, Ferrell, Finch, Fine, Ford, Gooden, Goodfellow, Green, Greenhaw, Hancock, Hargrave, Harrison, Hatchett, Hesser, Hill (Archibald), Hill (Ben), Holaday, Hopkins, Howard, Hutchens, Johnson, Jones, Kamas, Lindstrom, McCune, McKee, Miskelly, Monks, Mountford, Murphy, Musgrave, Nance, Odom (Martin), Odom (V. H.), Patterson, Payne, Poulos, Privett, Raibourn, Robinson, Rogers, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Smithey, Sparkman, Spearman, Stratton, Sullivan, Tabor, Taggart, Tarwater, Thornhill, Townsend, Trent, Vann, Wayland, Whorton, Wiedemann, Williams, Williamson, Willis, Witt, Wixson, Wolf (Leland), Wolfe (Stephen) and York of the House and Nichols, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Ter-



rill, Williams and Young of the Senate—A Concurrent Resolution expressing deep sorrow and regret on behalf of the people of Oklahoma upon the death of the Honorable William J. Holloway; and directing that authenticated copies be sent to members of his family.

WHEREAS, on the 28th day of January, 1970, God in his infinite wisdom ended the temporal life of the Honorable William J. Holloway; and

WHEREAS, the Honorable William J. Holloway was one of the most eminent personages in the history of the State of Oklahoma; and

WHEREAS, the Honorable William J. Holloway devoted his life to serving the people of this State, having served as school principal and County Attorney in Choctaw County, State Senator, Lieutenant Governor, and ultimately as the Eighth Governor of the State of Oklahoma from 1929 to 1931; and

WHEREAS, Governor Holloway, since serving as Governor, continued to contribute to the highest state decision-making through the many state leaders who sought his advice and counsel; and

WHEREAS, Governor Holloway persevered in his practice of law and life of public service until the very day of God's call; and

WHEREAS, Governor Holloway was a man of unquestionable integrity, unending energy, and an unsurpassed sense of justice; and

WHEREAS, Governor Holloway's death has created an eternal vacuum in the public life of this State; and

WHEREAS, the exemplary life of Governor Holloway will sustain and guide those who are entrusted with the responsibility of discharging the duties of government; and

WHEREAS, the profound sense of loss felt by the people of Oklahoma is such

that it cannot be adequately expressed; and

WHEREAS, it is proper that we, the members of the Legislature, take this means of attempting to express our deep sorrow and regret upon the passing of one who will always stand as one of the greatest Statesmen in the history of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. That this Legislature hereby officially notes the life and achievements of the Honorable William J. Holloway.

SECTION 2. That this Legislature on behalf of its members and the people of the State of Oklahoma does hereby express deep sorrow and regret upon the passing of the Honorable William J. Holloway.

SECTION 3. That duly authenticated copies of this resolution be delivered to the members of his family as a token of the esteem held for the Honorable William J. Holloway by the members of this Legislature.

HCR 1053 was properly signed and ordered returned to the Honorable House.

## FIRST READING

The following Bills were introduced and read the first time:

**SB 627**—By Grantham of the Senate and McCune of the House—An Act relating to court reporters; amending chapter 262, sections 3, 7 & 4, O. S. L. 1968 (20 O. S. Supp. 1969 § § 106.3, 106.7 and 106.4) prescribing qualifications for eligibility to perform reporting services within certain classifications; providing salaries and compensation of reporters; describing functions and fixing fees for transcribing record; establishing effective date thereof; and declaring an emergency.

**SB 628**—By Hamilton—An Act re-

lating to revenue and taxation; amending section 901 of section 2, chapter 364, O. S. L. 1963, as renumbered by section 2, chapter 215, O. S. L. 1965 (68 O. S. Supp. 1969, §901); levying a tax on a transfer by gift; providing that such tax applies to a transfer of an interest alleged to have previously vested in the transferee under the community property laws of another jurisdiction under certain circumstances; deleting obsolete provisions; and declaring an emergency.

**SB 629**—By Hamilton—An Act relating to poultry products; establishing the Oklahoma Poultry Products Act; providing for short title; stating purpose and declaring policy; defining terms; providing for cooperation with the federal government; providing for duties and authority of the State Board of Agriculture; providing for ante-mortem and post-mortem inspection: providing for reinspection; providing for quarantine; authorizing state board of agriculture to promulgate and adopt rules and regulations; prohibiting certain acts in the slaughter, marking and sale of poultry and poultry products; providing for records; prescribing penalties; providing for reporting of violations; prescribing standards; providing for hearings and appeals; prescribing procedure; making provisions of act severable; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 618**—Constitutional Revisions and Regulatory Services.

**SB 619**—Revenue and Taxation.

**SB 620**—Revenue and Taxation.

**SB 621**—Business Relations.

Senator Murphy asked unanimous consent that the order referring **SB 621** to the Committee on Business Relations be rescinded and said Bill be referred to Committee on Roads and Highways, which was the order.

**SB 622**—Roads and Highways.

**SB 623**—Education.

**SB 624**—Education.

**SB 625**—Education.

**SB 626**—Municipal Government.

**HB 1247**—Municipal Government.

**HB 1509**—Judiciary.

**HB 1590**—Education.

**HB 1645**—Judiciary.

**HB 1650**—Judiciary.

**HB 1652**—Agriculture.

**HB 1665**—Agriculture.

**HB 1675**—Judiciary.

**HB 1692**—Judiciary.

## ANNOUNCEMENT

Senator Terrill announced that the cutoff date for consideration of **SBs** and **SJR**s in Senate Committees would be on Thursday of next week, February 26, 1970.

## BILL RECALLED

Senator Field asked unanimous consent, which was granted, that **SB 203** be ordered withdrawn from the Engrossing and Enrolling Department for further consideration.

## MOTION TO RECONSIDER VOTE

Senator Field moved to reconsider the vote by which **SB 203** passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Stansberry, Terrill, Williams, Young.—39.

Excused: Baldwin, Dacus, Graves, Inhofe, McSpadden, Smalley, Smith, Stipe, Taliaferro.—9.

**THIRD READING**

Upon motion of Senator Field, the vote was reconsidered by which **SB 203** was advanced to engrossment.

**GENERAL ORDER**

**SB 203** was considered further.

Senator Field moved to amend **SB 203**, page 1, line 1, in lieu of the Field amendment of February 17, 1970, by striking Section 1 and by inserting in lieu thereof the following: "Section 1. 85 O. S. 1961, § 149, is hereby amended to read as follows: § 149. The State and all departments thereof must insure against their liability for compensation with the State Insurance Fund except as otherwise provided for herein and every municipal corporation within the State, including counties, cities, towns and townships may each insure against their liability for compensation with the State Insurance Fund, and may not insure with any other insurance carrier unless the State Insurance Fund refuses to accept the risk when the application for insurance is made, except as otherwise provided for herein, but any county, city, town or township may carry its own insurance; provided, such municipality shall have made an appropriation of funds to take care of such claims, and provided further that the State, any county or any city may insure for workmen's compensation with any insurance carrier, certified by the State Insurance Commissioner to be solvent and sufficiently indemnified to protect the carrier or any of its employees, provided that the rates of said company are equal to or below the rates charged by the State Insurance Fund," and by amending the title by changing the word "repealing" on the second line to read "amending" before the citation "85 O. S. 1961, § 149." which amendment was declared adopted.

Upon motion of Senator Field, **SB 203**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, **SB 203**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 203** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Williams.—34.

Nay: Romang, Young.—2.

Excused: Baggett, Baldwin, Dacus, Hargrave, Holden, Inhofe, Miller, Smith, Stansberry, Stipe, Taliaferro, Terrill.—12.

The bill was declared passed.

**SB 203**, as amended, was referred for engrossment.

Senator Taliaferro asked to be shown present, which was the order.

**GENERAL ORDER**

**SB 600** by Garrison of the Senate and Connor of the House was read and considered.

Senator Terrill asked to be made a co-author of **SB 600**, which was the order.

As provided under Rule 8-e, upon request of Senator Garrison, Representative Doornbos was added as the House Author of **SB 600**.

Upon motion of Senator Garrison, **SB 600** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SB 600** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 600** was read for the third time at length.



On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Hargrave, Inhofe, McGraw, Stansberry, Stipe.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Hargrave, Inhofe, McGraw, Stansberry, Stipe.—8.

The emergency was declared passed.

**SB 600** was referred for engrossment.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 559** by Garrison, Grantham, Smalley and Smith of the Senate and Mountford, et al, of the House was read and considered.

Senator Murphy asked to be made a coauthor of **SB 559**, which was the order.

Upon motion of Senator Garrison, **SB 559** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SB 559** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 559** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Baldwin, Crow, Dacus, Garrett, Inhofe, Keels, Porter, Stipe.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Baldwin, Crow, Dacus, Garrett, Inhofe, Keels, Porter, Stipe.—9.

The emergency was declared passed.

**SB 559** was referred for engrossment.

## MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 455**, as amended.

**HA** to **SB 455** read as follows, and concurred in upon motion of Senator Luton:

Amendment No. 1. Strike the Title, Enactment Clause and Entire Bill and substitute the following:

"An Act relating to State Institutions; transferring jurisdiction of Taft State Hospital to Oklahoma Public Welfare Commission and Department of Public

Welfare and designating use of institution and buildings thereof; transferring property and funds of Taft State Hospital; establishing Oklahoma Children's Center, and providing for operation thereof; providing institutions under jurisdiction of Oklahoma Public Welfare Commission or Department of Public Welfare may be used for any program of commission or department; defining powers and duties of Oklahoma Public Welfare Commission and Department of Public Welfare; repealing Section 22, Chapter 261, Oklahoma Session Laws 1967, as amended by Section 1, Chapter 137, Oklahoma Session Laws 1968 (57 O. S. Supp. 1969, § 522); fixing effective date of act; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. (a) The institution known as the Taft State Hospital is hereby transferred from the jurisdiction of the Department of Mental Health to the jurisdiction of the Oklahoma Public Welfare Commission and the Department of Public Welfare; and the ownership of all real property, furniture, fixtures, and equipment, including automotive, agricultural, industrial, and domestic, and all other property and assets now owned by or being used at such institution, except records of the Department of Mental Health, shall be transferred to the Department of Public Welfare and the Oklahoma Public Welfare Commission. All unexpended funds to the credit of the Taft State Hospital, including revolving funds, and all unexpended appropriations for the Taft State Hospital shall be deposited in the Fund for Mentally Retarded created by Section 4, Chapter 37, Oklahoma Session Laws 1963 (56 O. S. Supp. 1969, § 304). All funds and moneys derived or to be derived from sales of bonds issued in pursuance of Sections 37 and 38 of Article X, Oklahoma Constitution, for expenditure at or for the Taft State Hospital shall be expended at or for the

Oklahoma Children's Center. All such expenditures shall be subject to the approval of the Oklahoma Public Welfare Commission and the Department of Public Welfare, and shall be for purposes and in amounts designated by the Commission and the Department. One Hundred and Seventy-three Thousand Dollars (\$173,000.00) of the amount appropriated by Section 4 of Chapter 9, Oklahoma Session Laws 1969, and One Hundred Thousand Dollars (\$100,000.00) of the amount appropriated by Section 7, Chapter 315, Oklahoma Session Laws 1969, shall be expended by the Department of Mental Health for remodeling, modernizing, or repairing buildings at the Oklahoma Children's Center, or purchase of equipment and furnishings therefor, as requested, specified and approved by the Commission and the Department. In addition thereto, a total of Three Hundred and Forty Thousand Dollars (\$340,000.00) of amounts hereafter appropriated from the proceeds of sales of bonds issued in pursuance of Section 38 of Article X, Oklahoma Constitution, shall be expended at and for the Oklahoma Children's Center for such purposes and in such amounts as may be designated, specified and approved by the Commission and the Department. All debts and obligations due or owing to the Taft State Hospital or Superintendent thereof, including unpaid amounts for the care and treatment of patients, shall be payable to the Oklahoma Children's Center. All outstanding obligations of the Taft State Hospital shall be payable from appropriations made for the maintenance and operation of the Hospital.

(b) Such institution and buildings thereof shall be used by the Oklahoma Public Welfare Commission and the Department of Public Welfare for the care and treatment of mentally retarded persons in accordance with laws applicable to the operation of State schools for mentally retarded persons, or for any other program or programs administered by the

Commission or the Department; and shall be under the supervision, management and control of the Commission and the Department, under rules and regulations adopted by the Commission. Costs of maintaining and operating the institution may be paid from the State Assistance Fund. The institution shall be known as the Oklahoma Children's Center, or such other name or names as may be designated by the Commission.

(c) The term "mentally retarded person" as used in this section means a person afflicted with mental defectiveness from birth or from an early age to such an extent that he is incapable of managing himself or his affairs, who for his own welfare or the welfare of others or of the community requires supervision, control, or care, and who is not mentally ill or of unsound mind to such an extent as to require his certification to an institution for the mentally ill as provided under the Mental Health Law.

SECTION 2. Any part or parts of the aforesaid institution or buildings thereof may, in the discretion of the Oklahoma Public Welfare Commission or the Department of Public Welfare, be used by the Commission and the Department for any program or programs administered by the Commission and the Department, and persons may be transferred thereto by the Commission or the Department from other institutions under the jurisdiction of the Department or the Commission, when it has been determined that such transfer would inure to the benefit of the individual and is consistent with the requirements of Federal Law and Rules and Regulations promulgated by the Secretary of Health, Education, and Welfare or is necessary for continued approval of existing Federal-State Plans. The Commission and the Department are authorized and directed to develop such programs for the care and treatment of children to meet the requirements of Federal Laws and Rules

and Regulations of the Secretary. The Commission shall maintain such standards of money payments in the categories of Old Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children, as will earn the maximum Federal Funds available to the State, within the availability of State matching funds, and shall budget such other State funds as may be necessary to earn the maximum of Federal matching funds in the Child Welfare Program, Crippled Children's Program and other Federal-State Programs. Any institution under the jurisdiction of the Commission or the Department may be used by the Commission or the Department for any program administered by the Commission or the Department.

SECTION 3. Section 22 of Chapter 261, Oklahoma Session Laws 1967, as amended by Section 1 of Chapter 137, Oklahoma Session Laws 1968 (57 O. S. Supp. 1969, § 522), is hereby repealed.

SECTION 4. This Act shall become operative forty-five (45) days after the passage and approval of this Act.

SECTION 5. The provisions of this Act are severable, and if any section, part or provision hereof shall be adjudged invalid, such adjudication shall not affect or impair any of the remaining sections, parts or provisions of this Act.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval."

**SB 455**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Ham-



ilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Birdsong, Crow, Dacus, Inhofe, Porter, Stipe.—8.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Birdsong, Crow, Dacus, Inhofe, Porter, Stipe.—8.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

### GENERAL ORDER

**SB 567** by Nichols was read and considered.

Upon motion of Senator Nichols, **SB 567** was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **SB 567** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 567** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell,

Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—39.

Excused: Baggett, Baldwin, Berrong, Dacus, Inhofe, Murphy, Porter, Stipe, Williams.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—39.

Excused: Baggett, Baldwin, Berrong, Dacus, Inhofe, Murphy, Porter, Stipe, Williams.—9.

The emergency was declared passed.

**SB 567** was referred for engrossment.

### GENERAL ORDER

**HB 1550** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1550** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1550** was placed upon third reading and final passage.

### THIRD READING

**HB 1550** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison,

Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Excused: Atkinson, Baggett, Baldwin, Dacus, Ferrell, Garrett, Hamilton, Inhofe, Murphy, Nichols, Porter, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Excused: Atkinson, Baggett, Baldwin, Dacus, Ferrell, Garrett, Hamilton, Inhofe, Murphy, Nichols, Porter, Stipe.—12.

The emergency was declared passed.

**HB 1550** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1551** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1551** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1551** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1551** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Fer-

rell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, Miller, Porter, Stipe.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, Miller, Porter, Stipe.—8.

The emergency was declared passed.

**HB 1551**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1552** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1552** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1552** was placed upon third reading and final passage.

### THIRD READING

**HB 1552** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn,

Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, McGraw, Massey, Miller, Porter, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, McGraw, Massey, Miller, Porter, Stipe.—10.

The emergency was declared passed.

**HB 1552** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1565** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1565** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1565** was placed upon third reading and final passage.

### THIRD READING

**HB 1565** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Mil-

ler, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Holden, Inhofe, McGraw, Porter, Stipe.—8.

The bill was declared passed.

On the question of passage of emergency the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Holden, Inhofe, McGraw, Porter, Stipe.—8.

The emergency was declared passed.

**HB 1565** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1572** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1572** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1572** was placed upon third reading and final passage.

### THIRD READING

**HB 1572** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.



Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, McGraw, Porter, Stipe.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, McGraw, Porter, Stipe.—8.

The emergency was declared passed.

**HB 1572** was ordered withheld pursuant to Rule 19-f.

## GENERAL ORDER

**HB 1584** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1584** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1584** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1584** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Berrong, Breckinridge, Dacus, Inhofe, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Berrong, Breckinridge, Dacus, Inhofe, Porter, Stipe.—7.

The emergency was declared passed.

**HB 1584**, as amended, was referred for engrossment.

Senator Inhofe asked to be shown present, which was the order.

## GENERAL ORDER

**SB 510** by Hamilton of the Senate and Sullivan of the House was read and considered.

Upon motion of Senator McSpadden, **SB 510** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 510** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

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

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Berrong, Dacus, Grantham, Murphy, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luten, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Baldwin, Berrong, Dacus, Grantham, Murphy, Porter, Stipe.—7.

The emergency was declared passed.

SB 510 was referred for engrossment.

### GENERAL ORDER

SB 596 by Hamilton and Grantham was read and considered.

Upon motion of Senator McSpadden, SB 596 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, SB 596 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 596 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luten, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Berrong, Dacus, Payne, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luten, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Berrong, Dacus, Payne, Porter, Stipe.—6.

The emergency was declared passed.

SB 596 was referred for engrossment.

### PENDING SENATE ACTION

Senator McSpadden moved that the Senate refuse to concur in HA to SB 437 and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations.

### GENERAL ORDER

SB 539 by Garrison, Breckinridge and Inhofe was read and considered.

Senator Breckinridge moved to amend SB 539, on page one, the title thereof, by striking after the word "system" the remaining language contained in the title and by striking the enacting clause, which amendment was declared adopted.

Senator Hamilton moved to amend SB 539, pages 3 and 4, by striking all of Section 5, which amendment was declared adopted.

Upon motion of Senator Garrison, SB 539, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, SB 539, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 539 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—39.

Excused: Baldwin, Berrong, Dacus, Ferrell, Hargrave, Howard, Porter, Stipe, Taliaferro.—9.

The bill was declared passed.

**SB 539**, as amended, was referred for engrossment.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 271, 426, 460, 544, 558, 579**, and **HBs 1522, 1589, and 1610** each correctly engrossed.

**SB 455** correctly enrolled.

Engrossed **SBs 271, 426, 460, 544, 558, and 579** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1522, 1589 and 1610**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 455** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### **GENERAL ORDER**

**SB 541** by Garrison and Inhofe of the Senate and Connor of the House was read and considered.

Senator Breckinridge moved to amend **SB 541**, page 1, by striking after the word "safety", in line 2 if the title, all remaining language, contained in the title, and by striking the enacting clause, which amendment was declared adopted.

Upon motion of Senator Garrison, **SB**

**541**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SB 541**, as amended, was considered engrossed and placed upon third reading and final passage.

#### **THIRD READING**

**SB 541** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—33.

Nay: Atkinson, Boecher, Lane, McCune, Martin, Medearis, Payne.—7.

Excused: Baldwin, Berrong, Dacus, Ham, Howard, Stansberry, Stipe, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—33.

Nay: Atkinson, Boecher, Lane, McCune, Martin, Medearis, Payne.—7.

Excused: Baldwin, Berrong, Dacus, Ham, Howard, Stansberry, Stipe, Taliaferro.—8.

The emergency was declared passed.

**SB 541**, as amended, was referred for engrossment.

#### **GENERAL ORDER**

**SB 589** by Baggett, Smith, McGraw and Howard was read and considered.



Upon motion of Senator Baggett, **SB 589** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 589** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 589** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Berrong, Dacus, Ham, Hargrave, Stipe.—6.

The bill was declared passed.

**SB 589** was referred for engrossment.

Senator Smalley presiding.

### MOTION TO RECONSIDER VOTE

Senator Hamilton asked for consideration of his motion to reconsider the vote by which **HB 1434** passed.

Senator Field moved to table the Hamilton motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Holden, Keels, McCune, McGraw, Massey, Payne, Romang, Smalley, Stansberry, Williams.—16.

Nay: Atkinson, Baggett, Birdsong, Bradley, Crow, Grantham, Graves, Hamilton, Hargrave, Howard, Lane, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Short, Smith, Terrill, Young.—24.

Excused: Baldwin, Berrong, Dacus, Ham, Horn, Stipe, Taliaferro.—7.

Excused from voting: Inhofe.—1 (Art. 5, Sec. 24, Okla. Const.)

The vote occurring upon the Hamilton motion it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Garrett, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Lane, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Phillips, Porter, Short, Smith, Terrill, Young.—26.

Nay: Boecher, Breckinridge, Ferrell, Field, Garrison, Holden, Keels, McCune, McGraw, Massey, Nichols, Payne, Romang, Smalley, Williams.—15.

Excused: Baldwin, Dacus, Ham, Stansberry, Stipe, Taliaferro.—6.

Excused from voting: Inhofe.—1. (Art. 5, Sec. 24, Okla. Const.)

### THIRD READING

Senator Hamilton moved to reconsider the vote by which **HB 1434** was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

**HB 1609** by Mountford of the House and Phillips of the Senate was read and considered.

Senator Phillips moved to amend **HB 1609**, page 2, lines 10 and 14, by correcting the spelling of "Quapaw" which amendment was declared adopted.

Upon motion of Senator Phillips, **HB 1609**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1609**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1609** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—39.

Excused: Baldwin, Dacus, Garrett, Ham, Hargrave, Inhofe, Keels, Stipe, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—39.

Excused: Baldwin, Dacus, Garrett, Ham, Hargrave, Inhofe, Keels, Stipe, Taliaferro.—9.

The emergency was declared passed.

**HB 1609**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 392** by Terrill was read and considered.

Senator Baggett moved to amend **SB 392**, page 3, line 10, by inserting after the word "insurer" the language "or in any bonds issued by the State of Oklahoma or any agency thereof," which amendment was declared adopted.

Upon motion of Senator Terrill, **SB 392**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **SB 392**, as amended, was

considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 392** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baldwin, Dacus, Ham, Massey, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baldwin, Dacus, Ham, Massey, Stipe.—5.

The emergency was declared passed.

**SB 392**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Garrison motion to reconsider the vote by which the Special Election Feature of **SJR 44** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Hamil-

ton, Holden, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—33.

Nay: Young.—1.

Excused: Baldwin, Boecher, Dacus, Field, Garrett, Ham, Hargrave, Horn, Inhofe, McGraw, Murphy, Stansberry, Stipe, Taliaferro.—14.

On the question of the passage of the Special Election Feature of **SJR 44**, the roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, H a r g r a v e, Holden, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams.—37.

Nay: Young.—1.

Excused: Baldwin, Dacus, Garrett, Ham, Horn, Inhofe, McGraw, Massey, Stipe, Taliaferro.—10.

The Presiding Officer, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**SJR 44** was ordered referred for engrossment.

### PENDING SENATE ACTION

Upon motion of Senator Phillips, the request of the Honorable House for a conference on **HB 1203** was ordered granted.

Upon motion of Senator McSpadden, the request of the Honorable House for a conference on **HB 1154** was ordered granted.

### CC APPOINTMENTS

As provided under Rule 3-d, President Pro Tempore Smith announced the ap-

pointment of the following Senate Conferees under **HBs 1203** and **1154**:

**HB 1203**: Phillips, Crow and Smalley.

**HB 1154**: McSpadden, Massey and Field.

### PENDING SENATE ACTION

**HCR 1052** was called up for consideration.

Senator Luton asked to be shown as the Senate Author of **HCR 1052**, which was the order.

Following discussion, further consideration of **HCR 1052** was deferred temporarily.

### GENERAL ORDER

**SB 586** by Grantham of the Senate and Conaghan and Boettcher of the House was read and considered.

Senator Berrong moved to amend **SB 586**, page 1, line 7, by adding after the word "years" the language"; provided that in instances in which more than one lot has been purchased in a group of lots, and at least one of such lots has been used in such group of lots, this act shall not then apply" which amendment was declared adopted.

Upon motion of Senator Grantham, **SB 586**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 586**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 586** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith,



Stansberry, Terrill, Williams, Young.—36.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Graves, Ham, Howard, McSpadden, Martin, Porter, Stipe, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luten, McCune, McGraw, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—36.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Graves, Ham, Howard, McSpadden, Martin, Porter, Stipe, Taliaferro.—12.

The emergency was declared passed.

**SB 586**, as amended, was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 61** correctly engrossed.

Engrossed **SCR 61** was properly signed and ordered transmitted to the Honorable House for consideration.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 455**.

The above numbered Enrolled Bill was referred to the Governor.

## MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1046**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

Senator Hamilton presiding.

## GENERAL ORDER

**SB 557** by Grantham of the Senate and

McCune, et al, of the House was read and considered.

Senator Ham asked to be made a co-author of **SB 557**, which was the order.

Senator McSpadden, joined by Senator Payne, moved to amend **SB 557**, page 7, line 4, by deleting the figure "1968" and inserting in lieu thereof the figure "1969" which amendment was tabled upon motion of Senator Grantham upon a roll call as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Garrett, Garrison, Grantham, Hargrave, Howard, Inhofe, Keels, Luten, McCune, McGraw, Miller, Nichols, Smalley, Smith, Williams, Young.—20.

Nay: Atkinson, Boecher, Bradley, Crow, Ferrell, Hamilton, Holden, Horn, Lane, McSpadden, Massey, Murphy, Payne, Phillips, Romang, Short, Stansberry, Terrill.—18.

Excused: Baldwin, Dacus, Field, Graves, Ham, Martin, Medearis, Porter, Stipe, Taliaferro.—10.

Senator Baggett moved to amend **SB 557**, page 8, line 10 by striking after the words "in the State" the remainder of lines 10, 11, 12 and 13 through the word "expenses" and by substituting the language "Court Reporters' Fund in the State Treasury which is hereby created. All expenses of the Board shall be paid from appropriations made by the Legislature from such Fund." which amendment was declared failed of adoption.

Senator Garrett moved to amend **SB 557**, page 6, line 15, by inserting after the word "stenotype" and before the word "or" the word "stenomask" which amendment was tabled upon motion of Senator Grantham.

Upon motion of Senator Grantham, **SB 557** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 557** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 557** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—31.

Nay: Baggett, Bradley, Hamilton, Medearis.—4.

Excused: Atkinson, Baldwin, Breckinridge, Dacus, Graves, Howard, McGraw, Massey, Murphy, Porter, Stansberry, Stipe, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Excused: Baldwin, Birdsong, Breckinridge, Dacus, Garrett, Graves, Howard, McGraw, Murphy, Porter, Stansberry, Stipe, Taliaferro, Young.—14.

The emergency was declared passed.

**SB 557** was referred for engrossment.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

\*

The Senate reassembled in open session, with Senator Hamilton presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Hargrave, ad-

vised and consented to the confirmation of the executive nomination of WALDO E. JONES II, Tulsa, as member of the Commission on Consumer Affairs, to serve a two (2) year term ending January 1, 1971, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator McSpadden, advised and consented to the confirmation of the executive nomination of NELLIE STOVER, Grove, as member of the Nursing Home Board, to serve a three (3) year term ending April 30, 1970, and effective upon Senate confirmation. Mrs. Stover will fill the unexpired term of Mrs. Louella Porter, who is deceased.

The Senate, in executive session and upon motion of Senator Berrong, in the absence of Senator Dacus, advised and consented to the confirmation of the executive nomination of LEONARD GRAUMANN, Granite, as member of the Soil Conservation Board, to serve a five (5) year term ending June 30, 1974, and effective upon Senate confirmation. Mr. Graumann succeeds himself.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of the executive nomination of E. R. PATTERSON, Tulsa, as member of the Employment Security Commission, to serve a six (6) year term ending July 2, 1975, and effective upon Senate confirmation. Mr. Patterson succeeds himself.

The Senate, in executive session and upon motion of Senator Martin, advised and consented to the confirmation of the executive nomination of JERRY WESTHEIMER, Ardmore, as member of the Arts and Humanities Council, to serve a three (3) year term ending July 1, 1972, and effective upon Senate confirmation. Mr. Westheimer succeeds Mrs. John Palmer.

The Senate, in executive session and upon motion of Senator Terrill, advised and consented to the confirmation of the

executive nomination of CHESTER WELLS, Lawton, to serve as member of the Arts and Humanities Council, filling an unexpired term of three (3) years, ending July 1, 1972, and effective upon Senate confirmation. Mr. Wells will serve the unexpired term of Mrs. Haller, Jr.

The Senate, in executive session and upon motion of Senator Martin, advised and consented to the confirmation of the executive nomination of JOSEPH CULP, Ardmore, as member of the Alcoholic Beverage Control Board, to serve a seven (7) year term ending June 23, 1976, and effective upon Senate confirmation. Mr. Culp fills the membership held by Hewey Rozzell.

The Senate, in executive session and upon motion of Senator Terrill, advised and consented to the confirmation of JIM DAMBOLD, Lawton, to serve as a member of the Governor's Commission on Alcoholism for a four (4) year term ending April 30, 1972, and effective upon Senate confirmation. Mr. Dambold will serve the unexpired term of Mr. Clifton.

The Senate, in executive session and upon motion of Senator Hargrave, advised and consented to the confirmation of the executive nomination of E. S. HAWKINS, Tulsa, as member of the State Fire Marshal's Commission, to serve a five (5) year term ending July 1, 1974, and effective upon Senate confirmation. Mr. Hawkins succeeds himself.

The Senate, in executive session and upon motion of Senator Field, advised and consented to the confirmation of the executive nomination of W. L. MCCLURE, Alva, as member of the Oklahoma Aeronautics Commission, to serve an unexpired six (6) year term ending December 31, 1970, and effective upon Senate confirmation. Mr. McClure replaces Mr. Tirey.

The Senate, in executive session and upon motion of Senator Romang, advised and consented to the confirmation

of the executive nomination of HARRY E. CUMMINS, Jr., Enid, to serve as member of the Oklahoma Board of Corrections for a six (6) year term ending March 15, 1975, and effective upon Senate confirmation. Mr. Cummins replaces Mr. Graham.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of WILLIAM A. KOHL, Tulsa, as member of the Board of Trustees of the Teachers' Retirement System, to serve a two (2) year term ending September 1, 1971, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Hargrave, advised and consented to the confirmation of the executive nomination of T. OSCAR CHAPPELE, Tulsa, as member of the Board of Regents, Tulsa Junior College, to serve a four (4) year term ending June 30, 1972, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Williams, advised and consented to the confirmation of the executive nomination of ART BOWER, Fairview, as member of the Board of Regents, Oklahoma College of Liberal Arts and Sciences, to serve a seven (7) year term ending July 1, 1976, and effective upon Senate confirmation. Mr. Bower succeeds himself.

Senate, in executive session and upon motion of Senator Martin, advised and consented to the confirmation of the executive nomination of R. RHYS EVANS, Ardmore, as member of the Board of Vocational and Technical Education, to serve an unexpired term of six (6) years, ending April 1, 1971, and effective upon Senate confirmation. Mr. Evans will fill the unexpired term of Mr. Clyde A. Ford.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation



of EARL FISHER, Picher, as member of the Ottawa County Reclamation Authority, to serve a five (5) year term ending January 8, 1974, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of PAUL THOMAS, Picher, as member of the Ottawa County Reclamation Authority, to serve a four (4) year term ending January 9, 1973, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of MERLE CARLIN, Picher, as member of the Ottawa County Reclamation Authority, to serve a three (3) year term ending January 10, 1972, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of JAMES COBLE, Picher, as member of the Ottawa County Reclamation Authority, to serve a two (2) year term ending January 11, 1971, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of CLARENCE HOUSTON, Picher, to serve as member of the Ottawa County Reclamation Authority for a five (5) year term ending January 13, 1975, and effective upon Senate confirmation. Mr. Houston succeeds himself.

The Senate, in executive session and upon motion of Senator Berrong, advised and consented to the confirmation of the executive nomination of DR. L. V. BAKER, Jr., Elk City, as a member of the Arts and Humanities Council, to serve a three (3) year term, ending July 1, 1972, and effective upon Senate confirmation. Dr. Baker succeeds himself.

The Senate, in executive session and upon motion of Senator Murphy, advised and consented to the confirmation of Mrs. JACK BERRY, Stillwater, as member of the Oklahoma Arts and Humanities Council, to serve a three (3) year term ending July 1, 1972, and effective upon Senate confirmation. Mrs. Berry succeeds Mrs. Wm. Kirberger of Bartlesville.

The Senate, in executive session and upon motion of Senator Murphy, advised and consented to the confirmation of Dr. OLIVER WILHAM, Stillwater, as member of the Board of Vocational and Technical Education, to serve a six (6) year term ending April 9, 1975, and effective upon Senate confirmation. Dr. Wilham succeeds himself.

The Senate, in executive session and upon motion of Senator Smalley, advised and consented to the confirmation of Dr. RAYMOND MILL, Stillwater, as a member of the Air Pollution Council to serve a seven (7) year term ending June 15, 1976, and effective upon Senate confirmation. Dr. Mill succeeds himself.

The Senate, in executive session and upon motion of Senator Nichols, advised and consented to the confirmation of the executive nomination of Mrs. JOHN B. TOWNES, Seminole, to serve on the Arts and Humanities Council for an unexpired three (3) year term ending July 1, 1972, and effective upon Senate confirmation. Mrs. Townes fills the unexpired term of Mrs. Ferguson.

The Senate, in executive session and upon motion of Senator Bradley, advised and consented to the confirmation of the executive nomination of PETER C. KING, Tulsa, as member of the Oklahoma Arts and Humanities Council, to serve a three (3) year term ending July 1, 1972, and effective upon Senate confirmation. Mr. King succeeds himself.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of JOSEPH W. MORRIS, Tulsa to serve on

the Board of Regents for Higher Education, for an unexpired nine (9) year term, ending May 16, 1973, and effective upon Senate confirmation. Mr. Morris fills the unexpired term of Clyde Wheeler. This term is effective February 1, 1970.

The Senate, in executive session and upon motion of Senator Miller, advised and consented to the confirmation of the executive nomination of VERDO HOOKER, Ada, as member of the State Board of Registration for Foresters, to serve a five (5) year term ending June 1, 1974, and effective upon Senate confirmation. Mr. Hooker succeeds himself.

The Senate, in executive session and upon motion of Senator Stipe, advised and consented to the confirmation of the executive nomination of Dr. WILLA STRONG, McAlester, as member of the Human Rights Commission to serve a three (3) year term ending July 15, 1972, and effective upon Senate confirmation. Dr. Strong succeeds herself.

The Senate, in executive session and upon motion of Senator Murphy, advised and consented to the confirmation of the executive nomination of WILLIAM MAD-DUX, Stillwater, as member of the State Fire Marshal's Commission, to serve an unexpired five (5) year term ending July 1, 1972, and effective upon Senate confirmation. Mr. Maddux succeeds J. F. Southell.

The Senate, in executive session and upon motion of Senator Martin, advised and consented to the confirmation of the executive nomination of WILLIAM A. McGALLIARD, Ardmore, as member of the Library Board, to serve a six (6) year term ending July 1, 1974, and effective upon Senate confirmation. Mr. McGalliard succeeds Walter Neustadt, Jr.

The Senate, in executive session and upon motion of Senator Bradley, advised and consented to the confirmation of the executive nomination of HARRIS BATEMAN, Tulsa, as a member of the Board of Registration for Professional Engineers

and Land Surveyors, to serve a five (5) year term ending June 28, 1974, and effective upon Senate confirmation. Harris Bateman succeeds himself.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of WILLIE R. WILLIAMS, Tulsa, as member of the Oklahoma State Board of Public Accountancy, to serve a five (5) year term ending June 30, 1974, and effective upon Senate confirmation. Mr. Williams succeeds Presley Ford, Jr.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of the executive nomination of JOHN BENNETT SHAW, Tulsa, as member of the Oklahoma State Library Board, to serve a six (6) year term, ending July 1, 1975, and effective upon Senate confirmation. Mr. Shaw will succeed himself.

The Senate, in executive session and upon motion of Senator Field, advised and consented to the confirmation of the executive nomination of Mrs. GRESTER LaMAR, Guymon, as member of the Oklahoma State Library Board, to serve a six (6) year term, ending July 1, 1975, and effective upon Senate confirmation. Mrs. LaMar will succeed herself.

The Senate, in executive session and upon motion of Senator Field, advised and consented to the confirmation of the executive nomination of FRANK GRUVER, Guymon, as member of the Oklahoma Liquefied Petroleum Gas Board, to serve a four (4) year term ending June 30, 1972, and effective upon Senate confirmation. Mr. Gruver succeeds Mr. Perkins.

The Senate, in executive session and upon motion of Senator McCune, advised and consented to the confirmation of the executive nomination of ROBERT A. MACKLANBURG, Jr., Oklahoma City, as member of the Oklahoma Wildlife Conservation Commission, to serve an eight (8) year term ending July 1, 1977, and effective upon Senate confirmation. Mr.

Macklanburg succeeds Mr. Harold Cooksey.

### PENDING SENATE ACTION

**HCR 1052** By Monks et al of the House and Luton of the Senate was considered further.

The Resolution, as coauthored, was read at length as follows and adopted upon motion of Senator Luton:

**HCR 1052**—By Monks, et al, of the House, and Luton of the Senate—A Concurrent Resolution memorializing the Congress of the United States to submit to the state legislatures an amendment to the Constitution of the United States.

Be it resolved by the House of Representatives of the 2nd session of the 32nd Oklahoma Legislature, the Senate concurring therein:

**SECTION 1.** That the Congress of the United States be and is hereby respectfully petitioned by the Oklahoma House of Representatives and Senate to submit to the state legislatures the following article as an amendment to the Constitution of the United States:

“Article-----

Section 1. Nothing contained in this Constitution shall prohibit the authority administering any school, school system,

educational institution or other public building supported in whole or in part through the expenditure of public funds from providing for or permitting the voluntary participation by students or others in prayer.”

**SECTION 2.** That duly attested copies of this resolution be immediately transmitted by the Chief Clerk of the Oklahoma House of Representatives, to the Secretary of State of the United States, the Clerk of the House of Representatives of the United States, and each member of the Congressional Delegation from Oklahoma.

The President presiding.

**HCR 1052** was properly signed and ordered returned to the Honorable House.

Senator Smalley presiding.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m. tomorrow, which motion was declared adopted.

### BILLS RELEASED

As provided under Rule 19-f, **HBs 1550, 1552, 1565 and 1572** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 11:00 a.m., tomorrow.





## Twenty-seventh Legislative Day

Thursday, February 19, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baldwin, Ferrell, Graves, Inhofe, Murphy, Stansberry.—6.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, February 19, 1970, of Enrolled **SB 455**.

**SB 455**—By Luton and Garrison of the Senate and Odom (V. H.) and Conner of the House—An Act relating to state institutions; transferring jurisdiction of Taft State Hospital to Oklahoma Public Welfare Commission and Department of Public Welfare and designating use of institution and buildings thereof; transferring property and funds of Taft State Hospital; \* \* \* \* \* fixing effective

date of act; making provisions of act severable; and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising the name Coffin (Alternate) be added to the list of Conferees on Engrossed **HB 1586** reported on message February 16, 1970.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 403**-coauthored by Willis, Miskelly, Williamson, Sullivan, Townsend, McKee, Rogers, Raibourn, Kamas, Gooden, Cate, Atkins, Greenhaw, York, Bickford, Derryberry, Fine, Tarwater, Goodfellow, Tabor, Browers, Wixson, Poulos, Green, Hutchens, Hopkins and Monks; **SB 424**-coauthored by Townsend, Williamson, Sullivan and Thornhill; **SB 432**-coauthored by Bernard, Bickford and Bradley; and **SB 446**, each as amended.

**HA** to **SB 403** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

“(An act relating to special education and providing for effective date of amendments).”

**HA** to **SB 424** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 14, by striking the following language: “Be it enacted by the people of the State of Oklahoma.”.

**HAs** to **SB 432** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 27, by striking the figures “498,-

459.00" and inserting in lieu thereof the figures "503,175.00".

Amendment No. 2. Amend Page 2, Line 11, by striking the figures "586,446.00" and inserting in lieu thereof the figures "628,571.00".

Amendment No. 3. Amend Page 2, Line 13, by striking the figures "252,579.00" and inserting in lieu thereof the figures "279,920.00".

**HA to SB 446** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 22, by striking "101,690.00" and insert "106,067.00"

Page 1, Line 24, by striking "516,253.00" and insert "512,754.00"

Page 1, Line 25, by striking "454,212.00" and insert "460,718.00"

Page 1, Line 26, by striking "39,613.00" and insert "44,964.00"

Page 1, Line 27, by striking "92,353.00" and insert "109,724.00"

Page 1, Line 30, by striking "130,525.00" and insert "133,134.00"

Page 2, Line 4, by striking \$575,250.00" and insert "580,581.00"

Page 2, Line 6, by striking "10,000.00" and insert "8,000.00"

Page 2, Line 10, by striking "20,000.00" and insert "18,000.00"

Page 2, Line 14, by striking "115,180.00" and insert "115,817.00"

Page 2, Line 15, by striking "30,000.00" and insert "10,000.00"

Page 2, Line 16, by striking "2,075,076.00" and insert "2,091,759.00".

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 438 and 443.

The above numbered Bills were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1547**—By Sandlin and Tabor of the House and Garrett of the Senate—(An Act relating to the Office of District Attorney and Declaring an Emergency).

**HB 1639**—By Camp, Hatchett, Andrews, Monks, Smith (E. W.), Spearman and Williams—An Act relating to schools; providing for enrollment and attendance of a child in school provided for the attendance area of the school district in which he lives, and according him the privilege of transferring if the transferee school will accept him; providing for public hearings; and declaring an emergency.

**HB 1721**—By Smith (E. W.), Bamberger, York, Nance, Johnson, Atkins, Miskelly, Spearman, Camp, Thompson, Clemons, Trent, Andrews, Ford, Taggart, Wixson, Poulos, Ferguson and McCune—An Act relating to schools; amending 70 O. S. 1961, § 4-23, as amended by Section 1, Chapter 201, O. S. L. 1967 (70 O. S. Supp. 1969, § 4-23); providing for compensation of members of boards of education of school districts having an average daily attendance in excess of Forty Thousand the preceding school year; repealing 70 O. S. 1961, § 4-23, as amended by Section 1, Chapter 283, O. S. L. 1967 (70 O. S. Supp. 1969, § 4-23); and declaring an emergency.

**HB 1726**—By York, Nance, Hatchett and Holaday—An Act relating to crimes and punishments; making it a misdemeanor to show at an outdoor theater certain motion pictures under certain circumstances; providing for punishment for violation thereof; and declaring an emergency.

**HB 1747**—By Connor of the House and Garrison of the Senate—An Act relating to the information and management services division of the State Board of Public Affairs; amending Section 5, Chapter 42, O. S. L. 1968, as amended by Section 1, Chapter 125, O. S. L. 1969 (74 O. S. Supp. 1969, § 117.5); creating the "state information and management



services revolving fund"; providing for expenditure therefrom; providing for assessments; providing for deposit of assessments and proceeds from sale of equipment into said fund; and declaring an emergency.

**HB 1760**—By Wiedemann—An Act relating to service of civil process on the first day of the week; repealing 21 O. S. 1961, §910; providing for an effective date; and declaring an emergency.

**HB 1782**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—(An Act making appropriations from designated state funds and declaring an emergency)

**HJR 1052**—By Connor—A joint resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of Oklahoma amending Section 35, Article X of the Oklahoma Constitution, by providing the rate of interest the bonds authorized by said provision shall bear shall be six percent per annum or such rate as the Legislature shall prescribe by law; providing for a ballot title; and ordering a special election.

The above numbered HBs and HR were read for the first time.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 61**—coauthored by Townsend.

The above numbered Resolution was referred for enrollment.

## MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 437**, and referring said Bill to General Conference Committee on Appropriations.

## COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 575**—Constitutional Revisions and Regulatory Services.

**SB 609**—Roads and Highways.

**SB 622**—Roads and Highways.

**SJR 46**—Roads and Highways.

**HB 1560**—Appropriations and Budget.

**HB 1564**—Appropriations and Budget.

**HB 1569**—Appropriations and Budget.

**HB 1573**—Appropriations and Budget—Coauthored by Hamilton and Atkinson.

**HB 1582**—Appropriations and Budget.

**HB 1644**—Roads and Highways—Coauthored by Grantham, Boecher, Atkinson, Holden and Medearis.

**HB 1677**—Roads and Highways—Coauthored by Grantham.

DO PASS, as amended:

**SJR 6**—Constitutional Revisions and Regulatory Services.

**SJR 39**—Constitutional Revisions and Regulatory Services.

**HB 1542**—Appropriations and Budget—Coauthored by Smalley.

**HB 1556**—Appropriations and Budget.

**HB 1570**—Appropriations and Budget.

**HB 1576**—Appropriations and Budget.

**HB 1585**—Appropriations and Budget.

## FIRST READING

The following Bill was introduced and read the first time:

**SB 630**—By Stipe—An Act relating to Labor; amending 40 O. S. 1961, §§ 81, 82, 83 and 84; providing for regulation of hours of employment for employees; providing compensation for overtime; providing for exemptions; providing for proper facilities; providing penalty; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 627**—Judiciary.

**SB 628**—Revenue and Taxation.

**SB 629**—Agriculture.

**HB 1240**—Roads and Highways.

**HB 1508**—Judiciary.

**HB 1622**—Judiciary.

**HB 1625**—Roads and Highways.

**HB 1637**—Education.

**HB 1678**—Judiciary.

**HB 1696**—Roads and Highways.

**HB 1703**—Judiciary.

**HB 1740**—Revenue and Taxation.

**HB 1741**—Judiciary.

**HB 1743**—Judiciary.

**HB 1749**—Judiciary.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**SB 566** by Baggett and Smalley was read and considered.

Upon motion of Senator Baggett, **SB 566** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 566** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 566** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Horn, Keels, Luton, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe.—28.

Nay: Boecher, Dacus, Hamilton, Lane, McCune, Medearis, Romang, Taliaferro, Terrill, Williams, Young.—11.

Excused: Baldwin, Ferrell, Graves, Holden, Howard, Inhofe, Murphy, Porter, Stansberry.—9.

The bill was declared passed.

**SB 566** was referred for engrossment.

### GENERAL ORDER

**SB 581** by Ham of the Senate and Bamberger of the House was read and considered.

Senator Garrison asked to be made a co-author of **SB 581**, which was the order.

Upon motion of Senator Ham, **SB 581** was advanced to engrossment.

By unanimous consent, upon request of Senator Ham, **SB 581** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 581** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Ham, Holden, Horn, Lane, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—27.

Nay: Baggett, Birdsong, Grantham, Hamilton, Hargrave, Howard, Keels, Luton, McCune, McSpadden, Short, Smalley.—12.

Excused: Baldwin, Bradley, Ferrell, Graves, Inhofe, McGraw, Murphy, Porter, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—35.

Nay: Baggett, Birdsong, Hamilton, Short, Smalley.—5.

Excused: Baldwin, Bradley, Ferrell, berry.—8.

The emergency was declared passed. Graves, Inhofe, Murphy, Porter, Stans-

**SB 581** was referred for engrossment.

Senators Ferrell and Stansberry asked to be shown present, which was the order.

## GENERAL ORDER

**SB 592** by Berrong and Young was read and considered.

Senator Hamilton moved to amend **SB 592**, page 1, beginning on line 3, by striking after the word "of" the language "by any school district" which amendment was declared adopted.

Senator Williams moved to amend **SB 592**, page 2, line 1, by inserting after the comma (,) and before the word "unless" the language "unless the automotive unit has damage of \$1,000 or more, or" which amendment was declared adopted.

Senator Baggett moved to amend **SB 592**, page 1, beginning on line 4, by striking the words and figures "forty-two thousand (42,000)" and by substituting therefor the words and figures "twenty thousand (20,000)" which amendment was tabled upon motion of Senator Berrong.

Senator Garrison moved to amend **SB 592**, page 2, line 2, by adding after the word "the" and before the word "purchasing" the word "state" which amendment was declared adopted.

Senator Crow moved to amend **SB 592**, page 2, line 2, by adding after the word "director" the words "It shall be the policy of the State of Oklahoma that no vehicle which comes under provisions of this Act and is in the hands of the first title holder shall be disposed of until public written notice has been submitted by said title holder. Disposal of said vehicle shall be conducted on sealed bid basis or auction" which amendment was tabled upon motion of Senator Berrong.

Senator Baggett moved to amend **SB 592**, page 2, line 2, by adding after the word

"director" the words "provided that vehicles may be traded in as a part of the purchase price of a replacement vehicle without regard to the foregoing restrictions" which amendment was tabled upon motion of Senator Berrong.

Senator Berrong moved to amend **SB 592**, page 1, by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator Berrong, **SB 592**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SB 592**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 592** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Nay: Crow, Smalley, Stipe.—3.

Excused: Baldwin, Birdsong, Bradley, Graves, Inhofe, Lane, Massey, Murphy.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Nay: Crow, Smalley, Stipe.—3.

Excused: Baldwin, Birdsong, Bradley, Graves, Inhofe, Lane, Massey, Murphy.—8.



The emergency was declared passed.

**SB 592**, as amended, was referred for engrossment.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 203, 392, 421, 510, 539, 541, 554, 557, 559, 567, 586, 589, 596, 600; SJR 44; and HBs 1551, 1584 and 1609** each correctly engrossed.

**SB 439, SCRs 59 and 61** each correctly enrolled.

Engrossed **SBs 203, 392, 421, 510, 539, 541, 554, 557, 559, 567, 586, 589, 596, 600; and SJR 44** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1551, 1584 and 1609**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 439** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCRs 59 and 61** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting Enrolled **HB 1330** for signature.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1053**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### **GENERAL ORDER**

**SB 151** by Stipe and Phillips was called up for further consideration.

Senator Horn moved to amend **SB 151**, page 4, line 11, by adding after the word

"fact" the sentence "Except this act shall not apply to employers engaged in the retail trade only" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 151**, page 4, line 6, by striking after the word "of" and before the word "and" the words "an employee", and substitute in lieu thereof the language "not less than 10 or more employees in Oklahoma" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 151**, page 4, line 11, by inserting after the word "fact" a comma and the language "but shall not include persons engaged in the growing or harvesting of agricultural products" which amendment was declared adopted.

Senator Stipe moved that the rules be suspended for the purpose of reconsidering the Garrett amendment to **SB 151**, page 4, line 5, which was adopted February 11, 1970.

The roll on the Stipe motion was ordered taken and resulted as follows:

Aye: Baggett, Crow, Garrett, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe, Young.—21.

Nay: Atkinson, Berrong, Boecher, Breckinridge, Dacus, Ferrell, Field, Grantham, Ham, McCune, Nichols, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—18.

Excused: Baldwin, Birdsong, Bradley, Garrison, Graves, Inhofe, McGraw, Massey, Murphy.—9.

The President Pro Tempore declared the Stipe motion failed of adoption, same having failed to receive the 2/3 majority required for the suspension of the rules.

Senator Baggett moved to amend **SB 151**, page 4, lines 13 and 14 by striking the words "for another for hire" and substituting therefor the language "for hire in the State of Oklahoma for an employer who has ten (10) or more em-

ployees, exclusive of executives or supervisors, working for hire" which amendment was declared adopted.

Senator Field, joined by Senator Hamilton moved to amend **SB 151**, page 4, line 11, by adding after the word "fact" the language "and shall not include any person engaged in any form of agriculture, livestock, or poultry operation" and by amending the title to conform, which amendment was declared adopted.

Senator Baggett moved to amend **SB 151**, page 12, line 3½, by inserting a new section to read as follows: "Section 6. Public employees as herein defined shall not have the right to strike. In the event of a strike by public employees the recognition of their representatives for collective bargaining shall automatically terminate and the same representatives may not be recognized again as the representatives of such public employees until one year has elapsed. 'Public employee' as used herein means employees of the State, any of its agencies, the subdivisions of State government, any of their agencies, and all agencies supported in whole or in part by taxes. 'Strike' as used in this section means any concerted work stoppage without regard as to whether a strike has been formally called. Employers of and public employees may not refer disputes to arbitration, but by mutual agreement may use mediation to assist the parties to resolve issues and reach agreement" and by renumbering succeeding sections accordingly, and amending the title to conform thereto.

Senators Nichols and Terrill asked to be made coauthors of the Baggett amendment, which was the order.

The vote occurring upon the Baggett-Nichols-Terrill amendment, it was declared adopted.

Senator Berrong moved to amend **SB 151**, page 20, line 17, by adding after the word "termination" the language "No dues or assessments deducted from an employee's earnings shall be used direct-

ly or indirectly for the benefit of any political candidate, political party or the providing of goods, services or anything of value to any political candidate, political party or political organization"

Senator Baggett moved to amend the Berrong amendment, by inserting after the word "earnings" and before the word "shall" the words "or employer's funds".

Senator Smalley moved to table the Baggett amendment to the Berrong amendment, which motion was declared failed of adoption.

The vote occurring upon the Baggett amendment it was declared adopted.

Senator Smalley moved to table the Berrong amendment, as amended by the Baggett amendment, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Garrett, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Smalley, Smith, Stipe, Terrill, Young.—26.

Nay: Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Ham, McCune, McGraw, Romang, Short, Stansberry, Taliaferro, Williams.—17.

Excused: Baldwin, Bradley, Graves, Inhofe, Murphy.—5.

Senator Stipe moved to amend **SB 151**, page 4, line 5, by adding at the end of the Garrett amendment the language "having ten or fewer employees."

Senator Smalley raised a point of order, which was overruled, against the Stipe amendment, stating that the Garrett amendment had been adopted previously by the Senate and cannot be amended at this time.

Senator Graves asked to be shown present, which was the order.

The vote occurring upon the Stipe amendment, it was declared adopted upon a roll call as follows:

Aye: Baggett, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey Medearis, Miller, Nichols, Payne, Phillips, Porter, Short, Smith, Stipe, Young.—26.

Nay: Atkinson, Berrong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrison, Grantham, Ham, McCune, Romang, Smalley, Stansberry, Taliaferro, Terrill, Williams.—17.

Excused: Baldwin, Birdsong, Bradley, Inhofe, Murphy.—5.

Senator Smalley moved to amend **SB 151**, page 21, line 14½, by inserting a new subsection (2) to read as follows: "To coerce or intimidate an employer or his family by picketing his domicile, or by injury or threatening to injure the person or property of the employer or his family" and by renumbering the succeeding subsections accordingly, which amendment was declared adopted.

Senator Hamilton moved to amend **SB 151**, page 40, line 1½, by inserting a new section to read as follows: "Section 17. Any employer covered by the National Labor Relations Act shall be exempt from the provisions of this Act" and by renumbering the succeeding sections accordingly.

Senator Baggett moved to amend the Hamilton amendment to **SB 151**, by adding after the word "employer" the words "or employees" which amendment was declared adopted.

The vote occurring upon the Hamilton amendment, as amended by the Baggett amendment, it was declared adopted.

Senator Grantham, joined by Senator Berrong, moved to amend **SB 151**, page 40, line 1½, by inserting a new section to read as follows: "Section 17. The provisions of this act shall not apply to colleges, universities and school districts of the State of Oklahoma or the employees thereof" and by renumbering the succeeding sections accordingly.

Senator Stipe moved to table the Grant-ham-Berrong amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Birdsong, Breckinridge, Garrett, Graves, Hargrave, Holden, Howard, Keels, Luton, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Short, Smalley, Smith, Stipe.—21.

Nay: Berrong, Boecher, Crow, Dacus, Ferrell, Garrison, Grantham, Ham, Hamilton, Horn, Lane, McCune, McGraw, Massey, Nichols, Romang, Stansberry, Taliaferro, Terrill, Williams, Young.—21.

Excused: Baggett, Baldwin, Bradley, Field, Inhofe, Murphy.—6.

The vote occurring upon the Grantham amendment, it was declared adopted upon a roll call as follows:

Aye: Berrong, Boecher, Crow, Dacus, Ferrell, Garrison, Grantham, Ham, Hamilton, Horn, Lane, McCune, McGraw, Massey, Nichols, Romang, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—22.

Nay: Atkinson, Birdsong, Breckinridge, Garrett, Graves, Hargrave, Holden, Howard, Keels, Luton, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Short, Smith, Stipe.—20.

Excused: Baggett, Baldwin, Bradley, Field, Inhofe, Murphy.—6.

Upon motion of Senator Stipe, **SB 151**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 151**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 151** was read for the third time at length.

On the question of passage of the Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Garrett, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, Mc-



Graw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe.—23.

Nay: Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Ham, Holden, McCune, Nichols, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—20.

Excused: Baggett, Baldwin, Bradley, Inhofe, Murphy.—5.

The bill was declared failed of passage.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Stipe moved to reconsider the vote by which **SB 151** failed of passage.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 439**.

The above numbered Enrolled Bill was referred to the Governor.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCRs 59** and **61**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1550, 1552, 1565** and **1572**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1052**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### **GENERAL ORDER**

**HB 1566** by Willis, et al, of the House and McSpadden, Massey and Inhofe of the Senate was read and considered.

Upon motion of Senator Massey, **HB 1566** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **HB 1566** was placed upon third reading and final passage.

#### **THIRD READING**

**HB 1566** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Baldwin, Bradley, Crow, Dacus, Inhofe, McCune, McGraw, McSpadden, Murphy, Phillips.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Baldwin, Bradley, Crow, Dacus, Inhofe, McCune, McGraw, McSpadden, Murphy, Phillips.—11.

The emergency was declared passed.

**HB 1566** was ordered withheld pursuant to Rule 19-f.

#### **GENERAL ORDER**

**HB 1549** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator Massey, **HB 1549** was advanced to engrossment.

By unanimous consent, upon request of Senator Massey, **HB 1549** was placed upon third reading and final passage.

### THIRD READING

**HB 1549** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Miller, Payne, Porter, Romang, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Bradley, Crow, Holden, Inhofe, McGraw, McSpadden, Medearis, Murphy, Nichols, Phillips, Short, Smalley.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Miller, Payne, Porter, Romang, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Bradley, Crow, Holden, Inhofe, McGraw, McSpadden, Medearis, Murphy, Nichols, Phillips, Short, Smalley.—14.

The emergency was declared passed.

**HB 1549** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**SB 533** by Miller of the Senate and Townsend of the House was called up for further consideration.

Upon motion of Senator Miller, **SB 533** was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **SB 533** was considered

engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 533** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, Martin, Massey, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—33.

Excused: Baggett, Baldwin, Bradley, Ferrell, Ham, Howard, Inhofe, McGraw, McSpadden, Medearis, Murphy, Phillips, Porter, Stansberry, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, Martin, Massey, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—33.

Excused: Baggett, Baldwin, Bradley, Ferrell, Ham, Howard, Inhofe, McGraw, McSpadden, Medearis, Murphy, Phillips, Porter, Stansberry, Taliaferro.—15.

The emergency was declared passed.

**SB 533** was referred for engrossment.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until Monday, as provided under the Rules, which motion was declared adopted.

### BILLS RELEASED

As provided under Rule 19-f, **HBs 1549** and **1566** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion,  
the Senate was declared adjourned un-  
til 1:00 p.m., Monday, February 23, 1970.





# Twenty-eighth Legislative Day

Monday, February 23, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Berrong, Breckinridge, Dacus, Phillips, Porter, Stansberry.—6.

The President declared a quorum present.

Prayer was offered by the Chaplain, the Reverend Jim Struthers, Pastor of the First Presbyterian Church, Stillwater, Oklahoma.

The Journal for the last legislative day was declared approved.

## ANNOUNCEMENTS

President Pro Tempore Smith announced that the regular proceedings of the Senate would be interrupted at 2:30 p.m., today, at which time Senate Resolution 50, memorializing the late Jake Reinhardt would be presented and thereafter a Memorial Service would be held in his honor, and that of others lost by the Senate during the past year. He advised that Governor Bartlett had been invited to attend the Service.

## UNANIMOUS CONSENT REQUEST

The President Pro Tempore asked unanimous consent, which was granted, that Jake's family, present upon invitation of the Senate, be granted access to the Senate Floor.

## ANNOUNCEMENT

President Pro Tempore Smith announced the birth of Lance Christian Lenhart at 11:42, last night, February 22, 1970, son of the proud parents, Mr. and Mrs. Lowell Lenhart (Mrs. Sharon Lenhart being the Secretary of Senator Baggett) and asked unanimous consent, which was granted that Lance Christian be made Honorary Chief Page for this legislative day.

## RESOLUTION

**SR 51** by Baggett, Smith, Garrison, Terrill, Smalley, Nichols, Breckinridge, Keels, Howard and Stansberry was introduced and considered; and, by unanimous consent, upon request of Senator Baggett, all other members of the Senate were made coauthors of the Resolution.

**SR 51**, as coauthored, was read at length as follows, adopted upon motion of Senator Baggett, and ordered referred for enrollment:

**SR 51**—By Baggett, Smith, Garrison, Terrill, Smalley, Nichols, Breckinridge, Keels, Howard, Stansberry, Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Stipe, Talia-

ferro, Williams and Young.—A Resolution welcoming Lance Christian Lenhart and congratulating Mr. and Mrs. Lowell Lenhart.

WHEREAS, Lance Christian Lenhart arrived in our midst on February 22, 1970, being born shortly before midnight; and

WHEREAS, his parents, Mr. and Mrs. Lowell Lenhart, are near and dear to the hearts of all of us who work together in the State Senate; and

WHEREAS, the birth of a child is a poignant reminder of the wonder of life, the magnificence of the Creator, and reaffirms faith in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The members and staff of the State Senate extend their hearty congratulations to Mr. and Mrs. Lowell Lenhart on the birth of Lance Christian Lenhart, their firstborn son.

SECTION 2. The members of the State Senate shall take pause from the affairs of government to mark the birth of this child, using the occasion to reflect upon the meaning and significance of the births of more than forty thousand children in the State of Oklahoma this year; to pause with awe at the continuing wonder of life; to acknowledge the magnificence of the Creator; to recognize that for our young people to bring children into this world is a basic reaffirmation of their faith, faith in themselves, faith in the future and faith in their Creator; and to rededicate ourselves to the work entrusted to us to make Oklahoma a better place and the future a better time for all of these children.

SECTION 3. Authenticated copies of this Resolution shall be delivered to Lance Christian Lenhart, Mr. and Mrs. Lowell Lenhart, and the Resolution permanently recorded at Page 339 of the 1970 Journal of the State Senate of the State of Oklahoma.

## MESSAGE FROM THE GOVERNOR

Advising approval by him, February 20, 1970, of enrolled **SB 411** and **SJR 37** entitled:

**SB 411**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Governor and making appropriations thereto; stating the purpose; providing that the Governor shall fix the duties and compensation of employees; providing for the transfer of items of appropriations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SJR 37**—By Berrong of the Senate and Stratton of the House—A Joint Resolution authorizing Vera M. Hoffman to bring suit against the State of Oklahoma for damages as a result of injuries sustained while operating a flatwork ironer as an employee of the Western Oklahoma Tuberculosis Sanatorium; providing for service of summons; providing for venue; directing the Attorney General of the State of Oklahoma to defend such action; and declaring an emergency.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1050**.

## MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1609**, as amended.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1522**, requesting Conference and naming Conferees as follows: Skeith, Barker and Rogers.

## MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1291**.



**CONFERENCE COMMITTEE REPORT**

The following CCR on **HB 1291** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1291, and Engrossed Senate Amendments thereto, by Clemons entitled:

An Act relating to schools; prescribing methods for negotiating between school employees and employing school district;

\*\*\* and prohibiting discrimination, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation, that the following conference committee substitute be adopted, as co-authored by Luton, Howard, Keels, McGraw, Miller, Murphy, Short, Smalley and Smith of the Senate:

**CCS for HB 1291**—By Clemons of the House and Luton, Howard, Keels, McGraw, Miller, Murphy, Short, Smalley and Smith of the Senate.

An Act relating to schools; prescribing methods for negotiating between school employees and employing school districts; stating purpose of Act; providing that local Boards of Education shall recognize representatives selected by a majority of professional educators and prescribing procedure for selecting such representatives; providing in event of impasse matters of disagreement shall be submitted to a three-member committee; providing for selection of such committee; providing if impasse continues it shall be referred to State Board of Education and its decision shall be binding; providing that in event of strike, school districts shall be relieved of duty to negotiate.

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:**

**SECTION 1.** It is the purpose of this act to strengthen methods of administering employer - employee relations

through the establishment of an orderly process of communications between school employees and the school district.

**SECTION 2.** The local Board of Education shall recognize a professional organization that secures authorization signed by a majority of the professional educators designating said organization as their representative for negotiations. The members of the professional organization shall be professional educators employed by and serving in the district they propose to represent and no other person shall be authorized to represent the professional educators. The members of the professional organization shall be elected by a majority of the professional educators of the district they are to represent at an election called after proper notice is given to all the professional educators of the district. Any person who desires not to be represented by any organization, as provided for herein, may so state in writing to his Board of Education.

**SECTION 3.** Professional educators shall be defined as certified public school teachers.

**SECTION 4.** Once the organization has been determined, the Board of Education or its duly designated representative must meet with the duly designated representative of the organization and within sixty (60) days shall complete an agreement outlining negotiation procedures. The Board of Education and the representatives of the organization must negotiate in good faith on items affecting the performance of professional services.

**SECTION 5.** A procedure for resolving impasses will be developed by the Board of Education and the representatives of the professional organization; if agreement cannot be reached, the items causing the impasse shall be referred to a three-member committee. This committee shall consist of one member selected by the representatives of the professional organization, one member selected by the

local Board of Education and the third member selected by the first two members and this third member shall serve as chairman of the committee. This committee shall meet with the Board of Education or its duly designated representative and the duly designated representative of the professional organization for the purpose of fact finding. Subsequently, this committee shall make recommendations to each of the above parties. If an impasse continues to exist, the items causing the impasse shall be referred to the State Board of Education, and its decision thereon shall be final and binding on the parties thereto.

**SECTION 6.** The procedure provided for herein for resolving impasses shall be the exclusive recourse of the professional organization. It shall be illegal for the professional organization to strike or threaten to strike as a means of resolving differences with the Board of Education. Any member of the professional organization engaging in a strike may be denied the full amount of his wages during the period of such violation. If the professional organization or its members engage in a strike, then the organization shall cease to be recognized as representative of the professional educators and the school district shall be relieved of the duty to negotiate with such organization or its representatives.

**SECTION 7.** No employee shall be discriminated against by the Board of Education, superintendent, or any other administrative officer of a district or by the professional organization, its officers, or any member thereof because of his exercise or nonexercise of right under this act.

**SECTION 8.** Nothing in this law shall be construed to annul or modify or to preclude the renewal or continuation of any lawful agreement heretofore entered into between any school district and any representative of its employees.

**FOR THE HOUSE:** Abbott, Clemons.

**FOR THE SENATE:** Luton, Miller, Terrill.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed:

**HB 1660**—By Boren, Sandlin, Thompson and Bickford—An Act relating to bail bondsmen; amending Section 24, Chapter 184, O. S. L. 1965 (59 O. S. Supp. 1969, § 1324); providing for property bonds; providing the method of valuation of property used for bond; providing that any property located within the state that is subject to execution shall be accepted for security on a property bond for the market value of the property; and declaring an emergency.

**HB 1722**—By Murphy—An Act relating to state officers and employees; amending 74 O. S. 1961, § 500.3; amending 74 O. S. 1961, § 500.8, as amended by Section 2 of Chapter 266, O. S. L. 1965 (74 O. S. Supp. 1969, § 500.8); and declaring an emergency.

**HB 1767**—By Ford and Bamberger—An Act relating to cities and towns; amending 11 O. S. 1961, § 423; providing that in cities having a population of more than Two Hundred Thousand, Planning Commissioners shall receive a per diem of Twenty-five Dollars; and declaring an emergency.

The above numbered HBs were read for the first time.

### **MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SB 458**.

The above numbered Bills and/or Resolutions were referred for enrollment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SBs 440, 441 and 451**, as amended.

**HAs to SB 440** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1,

Line 15, by striking the language "Be it enacted by the people of the State of Oklahoma:"

Amendment No. 2. Amend Page 2, Lines 26 and 27, by striking the words and figures "Ten Million Nine Hundred Thirty-two Thousand Four Hundred Fifty-three Dollars (\$10,932,453.00)" and insert the following: "Nine Million Nine Hundred Thirty-two Thousand Four Hundred Fifty-three Dollars (\$9,932,453.00)".

**HAs to SB 441** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 14, by deleting the "Enactment Clause."

Amendment No. 2. Amend Page 1, Line 23, by deleting "\$83,006.00" and insert "\$69,758.00".

Page 1, Line 24, after the word "Expenses" insert "(Including Miner Training)" and delete "26,250.00" and insert "26,020.00".

Page 1, Line 25, by deleting "\$109,256.00" and insert "\$95,778.00".

Page 1, Line 34, by deleting "20,000" and "20,000" and insert "15,000" and "15,000".

Page 1, Line 36, by deleting "7,800" and "9,600" and insert "7,200" and "9000".

Page 2, Line 4, by deleting "2" and insert "1".

Page 2, Line 5, by deleting "7,800" and "9,600" and insert "7,200" and "9,000".

Page 2, Line 6, by deleting "5,700" and "7,200" and insert "5,400" and "6,960".

Page 2, Line 8, by deleting "9" and insert "8".

**HA to SB 451** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 13, by deleting the following language: "Be it enacted by the people of the State of Oklahoma".

## REQUEST FOR LOBBY PERMIT

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

Robert F. Mason, 1909 Rulane, Midwest City, Oklahoma, representing the United Auto Workers.

## CITATION

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mr. and Mrs. Henry Clark, Jr., of Madill, parents of the first baby of 1970 born at Marshall Memorial Hospital.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

## COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 569**—Judiciary.

**SB 574**—Business Relations.

**SB 582**—Business Relations.

**SB 597**—Business Relations.

**HB 1555**—Appropriations and Budget.

**HB 1583**—Appropriations and Budget.

DO PASS, as amended:

**SB 525**—Agriculture—Coauthored by Atkinson and Luton.

**SB 529**—Agriculture.

**SB 591**—Judiciary.

**SB 598**—Business Relations.

**SB 629**—Agriculture.

**HB 1553**—Appropriations and Budget.

## FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 631**—By Williams—An Act relating to the Commissioners of the Land Office; amending Section 2, Chapter 90, O. S. L. 1963, as last amended by Section 1, Chapter 340, O. S. L. 1969 (64 O. S. Supp. 1969, § 52), increasing the amount of interest to be charged on farm loans from six per-



cent per annum to seven percent per annum.

**SB 632**—By McSpadden—An Act relating to the profession of dentistry; stating the object and purpose; defining certain terms; creating the Registered Dentists of Oklahoma; designating power and authority of the organization; providing qualifications of its membership; providing that present legally licensed dentists shall be members; creating the Board of Governors of the Registered Dentists of Oklahoma; providing for nomination and election of board members, qualifications, and compensation; providing for their removal from office; providing officers of said Board of Governors, their duties and compensation; providing for annual and special meetings; providing for filling vacancies on the board; granting authority to hire employees and determine their salaries and duties; providing appointive power of Board of Governors; providing that the Registered Dentists of Oklahoma shall be governed by the Board of Governors of the Registered Dentists of Oklahoma; authorizing the Board of Governors to appoint committees and examining boards for dental specialists and dental hygienists and persons who operate dental laboratories; providing for its appointment of representatives of such groups to sit with the Board of Governors and prescribing method of their selection; defining the practice of dentistry; providing practice of dentistry includes dental hygiene; requiring dentists to furnish written work orders to dental laboratories or dental technicians; requiring a license to practice dentistry; providing for examinations, fees and qualifications; prohibiting the beginning of the practice of dentistry or dental hygiene without being, respectively, licensed or certificated and prescribing qualifications, procedure, and fee therefor; providing for specialization and requiring special license, examination and fee; providing for licensing of dentists from other states without examination under certain conditions; provid-

ing for issuance of certificates to dental hygienists from outside this state under certain conditions; providing for issuance of temporary certificates to dental hygienists under certain conditions; providing for the training of interns and a one year permit therefor; providing for the revocation of intern permits under certain conditions; providing for annual permits to staff members of dental schools in this state under certain conditions; providing rules of professional conduct, prohibiting certain practices; providing penalties for violations of this act; making the writ of injunction without bond available to the Board of Governors for enforcement of this act; requiring dentists and dental hygienists to register license or certificate with County Clerk, under certain conditions and to display said license or certificate and annual renewal certificate at place of employment; prohibiting practice of dentistry or dental hygiene by corporations; prohibiting the hiring of unlicensed or unregistered persons; prohibiting advertising or soliciting dental patronage; prohibiting ownership or managing of offices for practice of dentistry with employed dentist except by licensed practicing dentist except pursuant to the Professional Corporation Act, Title 18 of the Oklahoma Statutes, § § 801-819; providing the Board of Governors shall have power to revoke or suspend the license of any dentist or dental hygienist under certain conditions and providing procedure therefor; defining dental laboratory and dental laboratory technician; providing for issuing of permits to dental laboratories in existence on effective date of this act, under certain conditions; granting Board of Governors of Registered Dentists authority to issue permits to dental laboratories under certain conditions; prohibiting the beginning of operation of dental laboratory after effective date of the act, without permit; providing a fee for permits; requiring an annual permit; requiring notification of Board of Governors of change of ownership or location;

providing rules of conduct for dental laboratories and dental laboratory technicians and prohibiting certain practices, providing penalty for violation thereof; requiring dental laboratory or dental laboratory technician to have written work order from licensed dentist before performing dental laboratory technology and forms and procedures therefor; allowing Board of Governors or its agent to inspect such work orders and laboratories, and providing penalties for violation; providing for annual registration fee for dentists and dental hygienists under certain conditions and providing for cancellation of license for failure to register and prescribing procedure for annual registration; providing for deposit and uses of all funds collected by Board of Governors; providing for appeals to District Court and Supreme Court and the procedure therefor; providing for hearings before the Board of Governors of Registered Dentists for suspension or revocation of license, permits or certificates and providing the procedure therefor; granting the Board of Governors authority to conduct investigations under certain conditions and to enforce the provisions of this act; members of Board of Governors of Registered Dentists shall have power to administer oaths and issue subpoenas as provided in this act; providing for notice to persons complained against before Board of Governors and prescribing type and method of said notice, and granting certain rights of defense; requiring a record of all hearings to be preserved; granting Board of Governors authority to make rules of procedure subject to limitation of this act; prohibiting the practice of dentistry or dental hygiene except in compliance with this act and making a violation thereof unlawful; prescribing penalties; granting injunctive remedies; prohibiting persons other than those whose acts are hereby regulated from advertising, soliciting for sale to, or selling to the general public dentures, appliances or products to be used as substitutes for natural teeth, or

services in connection therewith; providing for severability; providing an effective date; and repealing 59 O. S. 1961, § § 327.1-327.52, inclusive.

**SB 633**—By Keels—An Act relating to county jails; amending 57 O. S. 1961, § 43, to provide that in making rules for the regulation of county jails, such rules shall provide that bail bondsmen shall have equal access with attorneys to the jails of the several judicial districts of this state; and declaring an emergency.

**SB 634**—By Hamilton—An Act relating to motor carriers; providing for issuance of certificate or permit for carriers in intrastate commerce of all road building materials and any kind of agricultural commodities and livestock without public hearing or proof of convenience and necessity; providing Corporation Commission shall prescribe application forms to establish that such carriers have liability insurance and have complied with Safety Inspection Act; directing codification; and declaring an emergency.

**SB 635**—By Baggett—An Act relating to interstate agreements; accepting and agreeing to the terms of the interstate agreement on qualification of educational personnel; providing that the State Superintendent of Public Instruction and the State Board of Education shall perform certain functions; providing for filing and publishing of contracts; and providing an effective date.

**SB 636**—By Young—An Act relating to game and fish; amending 29 O. S. 1961, § 520, as last amended by Section 4, Chapter 348, O. S. L. 1969 (29 O. S. Supp. 1969, § 520); providing powers of Oklahoma Wildlife Conservation Commission regarding open season on game; repealing 29 O. S. 1961, § § 305 and 306; providing open quail season; and declaring an emergency.

**SB 637**—By Terrill—An Act relating to probate procedure; amending 58 O. S. 1961, § 241, to provide for summary administration where the value of the whole

estate does not exceed Five Thousand Dollars; and declaring an emergency.

**SB 638**—By Baggett—An Act relating to schools; amending Section 6, Chapter 397, O. S. L. 1965 (70 O. S. Supp. 1969, § 18-6A); providing classifications of programs for state aid to school districts; prohibiting payment of state aid to districts which do not provide and offer twelve grades of instruction; and declaring an emergency.

**SB 639**—By Baggett—An Act relating to schools and school transfer fees; amending 70 O. S. 1961, §§ 8-1 and 8-11, as amended by Sections 17 and 18, Chapter 397, O. S. L. 1965 (70 O. S. Supp. 1969, §§ 8-1 and 8-11); providing for payment of transfer fees by school districts in which a child resides to school districts in which such child attends school; providing for credit upon transfer fees for State Foundation Aid and Incentive Aid, auto license and farm truck tax and gross production tax received by district in which child attends school; providing that in the event of failure to appropriate and pay transfer fees owed by a school district the State Board of Education shall deduct same from state aid payable to such district and pay same to district where child attends school; repealing provisions for state payment of transfer fees; providing for transfer fees as to children in state institutions; directing codification; and repealing inconsistent acts.

**SB 640**—By Baggett—An Act relating to elections; amending portions of the Act (26 O. S. 1961, § 103.1 through § 103.21) which govern voter registration in counties of more than 400,000 population; designating the County Registrar as responsible officer for executing registration laws; permitting use of data processing equipment; amending 26 O. S. 1961, §§ 103.16, 274 and 277; directing codification; reducing time to retain poll signature book; permitting use of colors to distinguish ballots on voting machines; prohibiting use of party levers on voting ma-

chines in elections where nonpartisan or noncompetitive candidates are on the ballot; providing severability; and declaring an emergency.

**SB 641**—By Luton—An Act relating to legislative districts; defining area to be included in Representative District Number Twelve; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

**SB 642**—By McGraw—An Act relating to motor vehicles; amending 47 O. S. 1961, § 10-108, as amended by Section 1, Chapter 99, O. S. L. 1968 (47 O. S. Supp. 1969, § 10-108); requiring a written report to be forwarded to the Department of Public Safety after an accident with property damage in excess of Two Hundred Dollars and declaring an emergency.

**SB 643**—By Grantham of the Senate and Conaghan of the House—An Act relating to motor vehicles; amending Section 6, Chapter 86, O. S. L. 1967 (47 O. S. Supp. 1969, § 756); providing that in evidence of amount of alcohol in person's blood as shown by chemical analysis of blood or breath alcohol content must be measured by weight or volume; and declaring an emergency.

**SB 644**—By Ferrell—An Act relating to militia; amending 44 O. S. 1961, §§ 195.5 and 195.6; providing for awarding of Oklahoma National Guard Recruiting Medal, the Long Service Medal, an Oklahoma Star of Valor Medal, an Oklahoma Commendation Medal, an Oklahoma Exceptional Service Medal, an Oklahoma Good Conduct Ribbon, the Governor's Distinguished Unit Award, a One Hundred Percent Drill Attendance Badge, and an Oklahoma medal for any other award for which United States medals are awarded; prescribing qualifications for such awards; repealing 44 O. S. 1961, § 191; and declaring an emergency.

**SJR 48**—By Baggett—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection, a proposed amendment to the Okla-



homa Constitution; repealing Article X of the Oklahoma Constitution and establishing in lieu thereof a new Article known as Article X; providing for the fiscal year, taxes to defray state expenses and apportionment of revenue by the Legislature; providing for the retention of the power of taxation and the uniformity of taxes; making certain property exempt from taxation; making certain property exempt from ad valorem or other taxes; permitting authorization of assessments for local improvements; providing for the valuation of property and the amount of ad valorem tax; permitting an additional county ad valorem tax levy for the Department of Health; providing for tax levy for area school districts; permitting increased rates for public buildings or for building fund for school districts; providing tax levy for libraries; providing for special forms of taxation and independence of state taxation; requiring taxes to be levied by general laws and for public purposes; precluding the state from giving, pledging or loaning its credit to another; requiring laws authorizing state indebtedness to state purpose; precluding state taxes for local governmental purposes; providing for a State Board of Equalization; permitting classification of property; providing for estimate and allocation of revenue, deficiency certificates and the creation or payment of deficits; authorizing debts in case of insurrection or war; providing requirements of laws authorizing state debts; regulating the incurring of debt by state subdivisions and providing for an annual tax; permitting municipal indebtedness for purchase, construction or repair of public utilities; permitting municipal indebtedness for water or water facilities and sewer or sewer facilities; authorizing creation of a State Industrial Finance Authority; permitting municipal indebtedness for securing and developing industry; providing for capital improvement at state institutions; providing a ballot title; and ordering a special election.

**SJR 49**—By Hamilton—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by repealing Article XVII thereof relating to counties and by adopting a new Article XVII relating to counties; providing that counties be bodies politic and corporate; providing for county offices and making same subject to change by Legislature; providing for joining of counties and changing of county seats and boundary lines; providing for powers of taxation; authorizing County Home Rule charter; providing for reservation of powers; providing for initiative or referendum; providing for ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 630**—Business Relations.

**HJR 1052**—Constitutional Revisions and Regulatory Services.

**HB 1547**—Judiciary.

**HB 1639**—Education.

**HB 1721**—Education.

**HB 1726**—Judiciary.

**HB 1747**—Public Affairs.

**HB 1760**—Judiciary.

**HB 1782**—Appropriations and Budget.

## GENERAL ORDER

**SB 609** by Birdsong was read and considered.

Upon motion of Senator Birdsong, **SB 609** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 609** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 609** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Lutton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Bradley, Field, Hamilton, Horn, Short, Stipe.—6.

Excused: Berrong, Breckinridge, Dacus, Keels, McSpadden, Phillips, Porter, Stansberry.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Lutton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Bradley, Field, Hamilton, Horn, Short, Stipe.—6.

Excused: Berrong, Breckinridge, Dacus, Keels, McSpadden, Phillips, Porter, Stansberry.—8.

The emergency was declared passed.

**SB 609** was referred for engrossment.

Senators Phillips, Berrong, and Stansberry asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**SB 506** by McGraw was read and considered.

Senator Short moved to amend **SB 506**, page 2, line 3, by inserting after the word "shall" and before the word "consist" the language "be composed of seven (7) members" and by changing the word "consist"

to "consisting" which amendment was declared adopted.

Senator Crow moved to amend **SB 506**, page 2, line 14, by adding after the word "Governor" and before the word "the" the language "with the advice and consent of the Senate" which amendment was declared adopted.

Senator Crow moved to amend **SB 506**, page 3, line 3, by striking after the word "of" and before the word "per" the words and figures "One Thousand Dollars (\$1,000.00) and inserting in lieu thereof the words and figures "Two Hundred Fifty Dollars (\$250.00)" which amendment was declared failed of adoption.

Senator McGraw moved to amend **SB 506**, page 4, line 1½ by adding a new sub-section "E" to read as follows: "E. The Attorney General shall advise and represent the Board on legal matters" which amendment was declared adopted.

Senator Crow moved to amend **SB 506**, page 4, line 8, by adding after the word "qualifying" and before the word "examinations" the words "objective, written, practical," which amendment was declared adopted.

Senator McGraw moved to amend **SB 506**, page 7, line 9, by adding after the word "after" and before the word "unless" the word and figures "January 1, 1971" which amendment was declared adopted.

Senator Crow moved to amend **SB 506**, page 13, line 16, by adding after the word "and" and before the word "practical" on line 17, the word "objective" which amendment was declared adopted.

Senator Baggett moved to amend **SB 506**, page 11, beginning on line 6, by striking after the word "fitter" and before the word "immediately" the language contained therein and substituting therefor the language "for twelve (12) consecutive months" which amendment was declared adopted.

Senator Crow moved to amend **SB 506**,

page 15, line 13, by striking after the word "written" and before the word "examination" the words "and oral" which amendment was declared adopted.

Senator Stipe moved to amend **SB 506**, page 24, preceding line 1, by inserting a new section as follows: "Section 17. Nothing in this act shall apply to the sale or trade of a used hearing aid" and by re-numbering remaining sections accordingly, which amendment was declared adopted.

Upon motion of Senator McGraw, **SB 506**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McGraw, **SB 506**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 506** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Bradley, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—28.

Nay: Baldwin, Berrong, Birdsong, Boecher, Crow, Field, Hamilton, Horn, Keels, Lane, Massey, Medearis, Short, Young.—14.

Excused: Breckinridge, Dacus, Ferrell, Miller, Porter, Stipe.—6.

The bill was declared passed.

Senator McGraw asked unanimous consent that the emergency section be stricken and the title amended to conform thereto, which was the order.

**SB 506**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and trans-

mitting for signature Enrolled **HBs 1549 and 1566**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 533, 566 and 581** each correctly engrossed.

**SBs 438 and 443** each correctly enrolled.

Engrossed **SBs 533, 566 and 581** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 438 and 443** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Breckinridge asked to be shown present, which was the order.

### GENERAL ORDER

**SB 480** by Nichols, Garrison, McSpadden, Baggett, Field, Grantham, Breckinridge, Massey, Bradley and Boecher of the Senate and Bickford, et al, of the House was read and considered.

Senator Grantham moved to amend **SB 480**, page 1, line 1, by adding after the word and figure "Section 1" and before the word "chapter" the words and figures "Section 2, Chapter 530 O.S.L. 1965, as amended by" and in the title after the word and figure "Section 1" and before the word "chapter" add the words and figures "Section 2, Chapter 530 O.S.L. 1965, as amended by" which amendment was declared adopted.

Upon motion of Senator Nichols, **SB 480**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **SB 480**, as amended, was considered engrossed and placed upon third reading and final passage.



**THIRD READING**

**SB 480** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Nay: Birdsong, Garrett, Ham, Keels, Miller, Phillips, Short, Smalley, Young.—9.

Excused: Dacus, Ferrell, Horn, Luton, Porter.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Nay: Birdsong, Garrett, Ham, Keels, Miller, Phillips, Short, Smalley, Young.—9.

Excused: Dacus, Ferrell, Horn, Luton, Porter.—5.

The emergency was declared passed.

**MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Garrett moved to reconsider the vote by which **SB 480** passed.

Senator Porter asked to be shown present, which was the order.

The hour of 2:30 p.m. having arrived, the time set for the Memorial Service, Senator Terrill asked unanimous consent, which was granted, that the President Pro Tempore be authorized to appoint a Committee to escort His Excellency, the Governor, into the Senate Chamber. President Pro Tempore Smith appointed Senators Garrison, Grantham, and Williams as such Committee.

Upon motion of Senator Terrill, the President Pro Tempore appointed Senators Hamilton, McSpadden and Bradley as a Committee to escort Mrs. Jake Reinhardt and Family into the Senate Chamber.

Upon motion of Senator Terrill, the Senate was declared at ease awaiting the arrival of the Governor.

The Senate was called to order by President Nigh.

Governor Bartlett was escorted to the President's desk by the Committee appointed so to do.

The Committee, lead by Senator Hamilton, escorted the Reinhardt Family into the Senate Chamber.

**RESOLUTION**

**SR 50** by Smith was introduced and, by unanimous consent, upon his request, all other members of the Senate were added as coauthors.

The Resolution, as coauthored was read at length as follows, adopted upon motion of President Pro Tempore Smith, and ordered referred for enrollment:

**SR 50**—By Smith, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, and Young.

—A Senate Resolution expressing profound regret and sorrow upon the passing of Joseph R. "Jake" Reinhardt; commending his exemplary life and work; citing his loyalty, dedication, and outstanding services to the State Senate and his illustrious military record as a Frogman in the United States Navy during World War II; extending sympathy and condolences to his family; directing that an authenticated copy of this Resolution be presented to members of the family and that a copy thereof be spread upon the pages of the Permanent Journal of the Senate as an indelible memorial of the appreciation and esteem of this Body for Jake Reinhardt.

WHEREAS, the bond of Senatorial fraternalism is ever present, yet its pervasive warmth is most pronounced during times of tragedy when death removes a member of the official family; and

WHEREAS, in the untimely passing of Joseph R. Reinhardt, known affectionately as "Jake" to his colleagues and many friends, the State of Oklahoma has lost an outstanding citizen and the Senate has been deprived of a friend and able staff member who served with fidelity and devotion—a stalwart defender of the highest and best traditions of the Senate who respected this body as an institution and who loved its members; and

WHEREAS, in the pang of remembrance and the realization of the place left empty that once he filled, we sorely miss his refreshing candor, his dedicated determination, his unquestioned loyalty, and his wise counsel, his sound and commonsense judgment and unique perception of the legislative way of life, and his firm resolve never to seek personal favor by adulation or the sacrificing of his own best judgment; and

WHEREAS, a man of courage who flinched before no foe, Jake served with distinction in the United States Navy during World War II and was one of the five original members of the Navy's un-

derwater demolition team (UDT) and, as such, made a significant contribution in the development of underwater demolition techniques; and

WHEREAS, never covetous of honor and reluctant to discuss his personal accomplishments, Jake won fame as a member of the "frogmen" team, with the vitally important mission of preparing the way for the United States invasion of Japanese-held islands by clearing minefields and other explosive ordnances; and

WHEREAS, Jake, by personal courage and valor, won his place among that small band of men who prove their virtue in action, and by action to be honored for it, including awarding the Purple Heart and Bronze Star Medals for meritorious service in World War II; and

WHEREAS, Jake was a devoted family man who possessed in full measure the human qualities of kindness, sympathy and a willingness to help others; whose generous hand and heart were open to all; who surmounted difficulties and brightened the path for many of his "ole podners"; and

WHEREAS, a man of character whose faith in God never wavered, he was a loyal member of John Calvin Presbyterian Church in Tulsa and the Nowata Masonic Lodge; and

WHEREAS, in his public services as Secretary of the Tulsa County Election Board, State Senate Comptroller, and in other positions of public trust, he was the good steward and achieved success without conceit, disavowing personal aggrandizement; and

WHEREAS, Jake lived the philosophy that the "gentle virtues have their place" and that friendship, to be meaningful, requires unbounded faith in one's fellowmen; and

WHEREAS, to be truly great, one must be truly good and how well he merited this rare distinction; how faithful were the labors of himself; and

WHEREAS, few men could so completely win the hearts, friendship and loyalties of others; and

WHEREAS, among his many friends and colleagues his passing leaves an emptiness that will be partially filled with memories—but never a replacement; and

WHEREAS, while each of us miss the wonderful blessing of daily association with such a trusted and loyal friend and colleague, we are thankful for the worthy example that his life and service sets for us all. His memory will long live in these halls and will be an enduring pride in those he loved so deeply.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. That this Senate, which he faithfully served and loved, hereby expresses profound regret and sorrow upon the passing of Jake Reinhardt and extends its deepest sympathy and condolences to his gracious wife, Evelyn, to his son Joe, to his daughter, Sandra, and to all other members of the family.

SECTION 2. Be it further resolved that authenticated copies of this Resolution be presented to each member of the immediate family and that a copy thereof be spread upon the pages of the permanent Journal of the Senate as an indelible memorial of appreciation and esteem for the great life and work of our "ole podner" and outstanding Oklahoman, Jake Reinhardt.

#### IN MEMORIAM

President Nigh called upon the Senate Chaplain, the Reverend Joe Dickens, to conduct the Memorial Service and his remarks, which are as follows, are incorporated herein upon request of Senator Terrill:

We gather for all too brief a moment to remember friends who are no longer with us. We gather, especially, to remember a

mother of one of you, the father of another, and one who was a friend, father, and mother to us all.

Mrs. Verdie Miller passed from this life on July 22, 1969. She left a proud legacy of service to mankind through her dedication to the Church. She was an evangelist and educator, a molder of the spirits of youth. She served the Church of the Nazarene at Missouri Holiness College at Pasadena College. She did pioneer service in radio and among the black people in temperance work.

She left a legacy in the person of her son, Senator George Miller, who serves well in this body.

Mr. J. Don Garrison died on December 30, 1969. In the words of Dr. D. D. Creech, "He gave his life to education in Oklahoma." At his death a member of the State Board of Education, he served 40 years in the school system in Norman, 27 years as Superintendent. He also gave of his services in World War I, World War II, and in other civic enterprises. He was a Christian, a Mason, a soldier, an educator, a father. His son, Senator Denzil Garrison, continues to honor his father by serving in the Oklahoma Senate.

When he left us on November 15, 1969, Jake Reinhardt left a place in all of us which will be permanently void, yet filled with fond memories. Your memory was refreshed about Jake's tremendous contributions in the beautiful and moving tribute which was just paid to him. May I add some words from his funeral service:

"At first I worried about Jake. He was too subservient, too reluctant to receive honor, too willing to be in the shadows. It took me some years to learn that he was a true servant; his life was serving; he found joy in serving. The day Jake joined my church he stood in the aisle serving as an usher and greeter. He served those who helped him; he also served those who could not return the favor. He did favors for me I could not return, and for most of you.

"Jake was humble about his lack of for-



mal education. He was suspicious of, and a little afraid, of big words. But he could handle big ideas, and he was loved by big people. He had a big heart.

"Jake was human, and he had his weaknesses. First, he was intolerant. He was intolerant of people who were not sold on what they were doing. He was intolerant of pettiness among people. He was intolerant of all who did not give their best to their work. He was willing to serve, but he was intolerant of people who tried to use him or walk over him. He was proud, with the dignity of a man. He was intolerant, most of all, of disloyalty. If I had to choose one word to describe Jake, I would, without hesitation, choose 'loyalty'.

"Jake was intolerant, and he was impatient. Impatient with laziness, indifference, disloyalty."

In the 11th chapter of Hebrews, the author draws up a veritable "Faith's Hall of Fame" as he describes our spiritual fathers and their pilgrimage of faith. At his conclusion he draws an analogy of a sports arena. We, the living, are preparing for the race. Those who have gone before us are seen as spectators. They have done their part, they have finished their course, they have handed the baton to us. Now it is our turn to run.

We honor the dead by resolutions in their memory, by memorial services. But we must also honor them by carrying on the race.

Look up in the gallery. There see Governor W. J. (Bill) Holloway. There sits Senator Kerr. There is Senator Clem Hamilton. There is Mrs. H. B. Atkinson. There see Joanna and Jamie Peterson and Senator Joe Smalley. Now they have been joined by Mrs. Miller, by Don Garrison, by Jake Reinhardt.

"Seeing we are compassed about by so great a cloud of witnesses, let us lay aside every weight, and the sin which doth so easily beset us, and let us run with patience the race that is set before us."

Let us pray:

Oh God, who is our only hope and strength, we ask your comfort for us who grieve. Strengthen our faith in Your promises, our hope of life eternal, our love of one another. Draw the family and friends close together, to comfort one another in their sorrow. And may their giving up of a loved one to You, draw them closer to You. You are our salvation from every trouble.

God, we thank You for these lives which were lived among us, and for the ways in which our lives were enriched by them. We thank You for the friends who are gathered here, from the comfort of Your word.

Strengthen those who grieve. Grant the comfort of Your promises to us all. Help us to dedicate ourselves to a life of service. Amen.

Upon request of President Nigh, the respective Committees escorted the Governor, and the Reinhardt Family, from the Senate Chamber.

President Pro Tempore Smith presiding.

## BILL RECALLED

Senator Berrong asked unanimous consent that **SB 592** be withdrawn from the Engrossing and Enrolling Department for further consideration, which was the order.

## MOTION TO RECONSIDER VOTE

Senator Berrong moved to reconsider the vote by which **SB 592**, as amended, passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Birdsong, Crow, Dacus, Hargrave, Horn, Massey, Murphy, Nichols.—9.

### THIRD READING

Senator Berrong moved that the vote be reconsidered by which **SB 592** was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

By unanimous consent, upon request of Senator Berrong, the Hamilton amendment to **SB 592**, page 1, beginning on line 3, adopted on the last legislative day, was ordered withdrawn.

Upon motion of Senator Berrong, **SB 592**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SB 592**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 592** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Smalley.—1.

Excused: Baggett, Baldwin, Birdsong, Dacus, Hargrave, Lane, Luton, Massey, Murphy, Phillips, Porter.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols,

Payne, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Smalley.—1.

Excused: Baggett, Baldwin, Birdsong, Dacus, Hargrave, Lane, Luton, Massey, Murphy, Phillips, Porter.—11.

The emergency was declared passed.

**SB 592**, as amended, was referred for engrossment.

### GENERAL ORDER

Senator Terrill, on behalf of Senator Young, asked unanimous consent that **HB 1512** be withdrawn from the Calendar and returned to the Judiciary Committee, which was the order.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Stipe motion to reconsider the vote by which **SB 535** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stipe, Taliaferro, Terrill.—31.

Nay: Graves, Horn, Keels, Medearis, Smalley, Williams, Young.—7.

Excused: Baggett, Baldwin, Berrong, Dacus, Field, Garrett, McGraw, Massey, Phillips, Stansberry.—10.

### THIRD READING

**SB 535** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Smalley,

Smith, Stipe, Taliaferro, Terrill, Young.—31.

Nay: Garrett, Graves, Horn, Keels, McCune, Medearis, Short, Williams.—8.

Excused: Baggett, Baldwin, Berrong, Dacus, Field, McGraw, Massey, Phillips, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Nay: Horn, Keels, Medearis.—3.

Excused: Baggett, Baldwin, Berrong, Dacus, Ferrell, Field, Phillips, Stansberry.—8.

The emergency was declared passed.

**SB 535**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 438 and 443.

The above numbered Enrolled Bills were referred to the Governor.

### GENERAL ORDER

**SB 560** by Murphy was read and considered.

Senators Keels, Birdsong and Terrill asked to be made coauthors of **SB 560**, which was the order.

Senator Hamilton moved to amend **SB 560**, page 6, line 5, after the word "governments" by changing the period to a comma (,) and adding the language "and nothing herein shall be binding upon said municipal or county governments and commission action shall be deemed advisory only" which amendment was declared adopted.

Upon motion of Senator Murphy, **SB 560**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 560**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 560** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Berrong, Dacus, Ferrell, Field, Howard, McGraw, Phillips, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Berrong, Dacus, Ferrell, Field, Howard, McGraw, Phillips, Stansberry.—9.

The emergency was declared passed.

**SB 560**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 562** by Murphy was read and considered.

Upon motion of Senator Murphy, **SB 562** was advanced to engrossment.



By unanimous consent, upon request of Senator Murphy, **SB 562** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 562** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Romang, Smith, Stipe, Terrill, Williams, Young.—30.

Nay: Breckinridge, Horn, Keels, McCune, Short, Smalley.—6.

Excused: Baldwin, Berrong, Crow, Dacus, Ferrell, Howard, Lane, Nichols, Phillips, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

**SB 562** was referred for engrossment.

### GENERAL ORDER

**SB 622** by Young was read and considered.

Following discussion, Senator Young asked that **SB 622**, together with pending amendments, be deferred for this legislative day, which was the order.

**SJR 46** by Young was read and considered.

Senator Stipe, joined by Senators Terrill, Taliaferro, Smalley, Massey and McSpadden, moved to amend **SJR 46**, page 1, line 5, by striking after the word "the" and before the word "and" the words "Creek County" and by substituting in lieu thereof the words "John Young" and by amending the title to conform thereto, which amendment was declared adopted.

Senator Stipe asked to be made Principal Senate Author of **SJR 46**, which was the order.

Senators Smith and Garrison asked to

be made coauthors of **SJR 46**, which was the order.

Upon motion of Senator Garrison, **SJR 46** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **SJR 46** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 46** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Keels, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—35.

Nay: Birdsong, Bradley, Holden, Luton, McCune, Young.—6.

Excused: Baldwin, Dacus, Ferrell, Howard, Inhofe, Lane, Stansberry.—7.

The Resolution was declared passed.

**SJR 46**, as amended, was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SB 467** by Murphy of the Senate and Skeith of the House was read and considered.

Senator Stipe moved to amend **SB 467**, page 4, line 14, by removing the brackets from the word "to" and striking the words "for the benefit of"

Senator Hamilton moved that **SB 467** be stricken from the Calendar.

Senator Murphy moved to table the Hamilton motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Bradley, Breckinridge, Garrison, Grantham,

Graves, Ham, Howard, McCune, McGraw, Miller, Murphy, Romang, Short, Smalley, Terrill.—18.

Nay: Birdsong, Boecher, Crow, Field, Garrett, Hamilton, Holden, Horn, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Stipe, Taliaferro, Williams, Young.—21.

Excused: Baldwin, Dacus, Ferrell, Hargrave, Inhofe, Phillips, Porter, Smith, Stansberry.—9.

Senator Ham, as a substitute for the Hamilton motion, moved that **SB 467** be withdrawn from the Calendar and re-referred to the Committee on Roads and Highways for further consideration.

Senator Payne, in lieu of all pending motions, moved that **SB 467** be withdrawn from the Calendar and referred to the Committee on Appropriations and Budget, which motion was declared failed of adoption upon a roll call as follows:

Aye: Boecher, Crow, Field, Hamilton, Holden, Horn, Lane, McSpadden, Massey, Medearis, Nichols, Payne, Smalley, Stipe, Taliaferro, Williams.—16.

Nay: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garison, Grantham, Graves, Ham, Howard, Keels, Luton, McCune, McGraw, Martin, Miller, Murphy, Romang, Short, Terrill, Young.—23.

Excused: Baldwin, Dacus, Ferrell, Hargrave, Inhofe, Phillips, Porter, Smith, Stansberry.—9.

The vote occurring upon the Ham motion, it was declared adopted.

## ANNOUNCEMENT

Senator Terrill, calling attention to his

announcement of February 18, relative to the cut-off date for consideration of **SBs** and **SJR**s in Senate Committees, amended same by setting March 5, 1970, as a tentative cut-off date for consideration of **SBs** and **SJR**s in Senate Committees.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules 1:00 p.m. tomorrow, which motion was declared adopted.

## MESSAGE FROM THE GOVERNOR

Advising approval by him, February 23, 1970, of Enrolled **SB 431** entitled:

**SB 431**—By McSpadden, Massey and Inhofe of the Senate and Willis and Miskelly of the House—An Act relating to the Governor's Committee on Employment of the Handicapped and making an appropriation thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making provisions of this Act severable; and declaring an emergency.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HBs 1551** and **1584** requesting Conference and referring said Bills to the General Conference Committee on Appropriations.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1610**, requesting Conference and naming Conferees as follows: Skeith, Dunn and Payne.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m. tomorrow.

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...

...the ... of ...  
...the ... of ...  
...the ... of ...  
...the ... of ...



## Twenty-ninth Legislative Day

Tuesday, February 24, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—41.

Excused: Breckinridge, Dacus, Ferrell, Garrison, Ham, Murphy, Young.—7.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### ANNOUNCEMENT

President Pro Tempore Smith announced the adoption of a daughter, Marjorie Elizabeth Jones, by Mr. and Mrs. Charles E. Jones, and asked that Marjorie Elizabeth be made Honorary Journal Clerk for this Legislative day, which was the order.

By unanimous consent, upon request of President Pro Tempore Smith, the above is incorporated herein.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, February 24, 1970, of Enrolled SBs 438, 439 and 443 entitled:

**SB 438**—By McSpadden, Massey and Birdsong of the Senate and Willis and Miskelly of the House—An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto; stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

**SB 439**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Pardon and Parole Board and making an appropriation thereto; stating the purpose; providing lapse date; making the provisions of this Act severable; and declaring an emergency.

**SB 443**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Mining Board and making appropriations thereto; stating the purpose; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1488**—By Privett and Connor of the House and Smith of the Senate—An Act relating to business development corporations; providing for organization thereof; providing for short title; defining terms; stating purposes for which such corporations may be organized; providing for corporate powers; prescribing minimum capital stock; providing for members; providing for acceptance of loans from members; providing for directors; providing for voting rights of stockholders and

members; providing for certain retentions of earnings; providing for deposit of funds; providing for amendments to articles of incorporation; providing for audits and reports; making provisions of Act severable; and declaring an emergency.

**HB 1615**—By Mountford, Privett, Hopkins, Monks, Barker, Nance, Tabor, Allard, Hutchens, McCune, Smithy, Hatchett, Miskelly, Atkins, Sanguin, Wiedemann, Smith (E. W.), Spearman, Cole, Finch, Odom (Martin), Wolf (Leland), Poulos, York, Andrews, Briscoe, Bamberger, Hesser, Odom (V. H.) and Townsend of the House and Smith, Nichols, Keels, McGraw, Breckinridge, McSpadden, Holden, Massey, Horn, Birdsong, Payne, Young, Hargrave, Bradley and Stipe of the Senate—An Act relating to firefighters and policemen; establishing the "Firefighters' and Policemen's Arbitration Law"; stating public policy; prohibiting paid firefighters and policemen from striking, engaging in work stoppage or slowdowns; defining terms; providing for collective bargaining; providing for recognition of bargaining agent; making it obligation of city to bargain; providing that unsolved issues be submitted to arbitration; providing for arbitration board; providing for hearings; authorizing city to adopt majority opinion of arbitration board; prescribing factors to be considered by arbitration board; providing for fees and expenses of arbitration; providing for collective bargaining agreement; providing for requests for collective bargaining; making it unlawful for collective bargaining representative or member of paid fire department or police department to strike; making it unlawful for city authorities to fail to bargain in good faith; prescribing penalties; making provisions of Act severable; and declaring an emergency.

**HB 1723**—By Allard and Privett of the House and Holden of the Senate—An Act relating to revenue and taxation; amending 68 O. S. 1961, § 32.7, as renumbered

by Section 1, Chapter 291, O. S. L. 1965, and as last amended by Section 1, Chapter 40, O. S. L. 1967 (68 O. S. Supp. 1969, § 50001); providing for a percentage of gross fire premiums to be placed in Fire Marshal Fund; prescribing salary range brackets for Fire Marshal and Assistant Fire Marshal; providing salary schedule for other employees to be commensurate with State Merit System; making provisions of Act severable; and declaring an emergency.

**HB 1764**—By Finch—An Act relating to public health and safety; the purpose of which is to protect the consumer and encourage the highest standards of construction safety by requiring the use of safety glazing materials in hazardous locations in residential, commercial or public buildings; and declaring an emergency.

**HB 1772**—By Sanguin and Skeith of the House and Stipe of the Senate—An Act relating to motor vehicles; amending Section 2 of Chapter 527, O. S. L. 1965 (47 O. S. Supp. 1969, § 22.4, Subsection (g)), to authorize use of funds derived from manufacturing of reflectorized license plates for other industries at penitentiaries as determined by the Board of Corrections; and declaring an emergency.

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1609**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 362, 415 and 428, as amended.

**HA to SB 362** read as follows, and consideration deferred:

Amendment No. 1. Amend by striking the Title, Enactment Clause and entire Bill, and inserting in lieu thereof the following:

"An Act relating to salaries of elective state officers; amending Section 2, Chapter 502, O. S. L. 1965 (74 O. S. Supp. 1969, § 250.4); providing rates at which certain elective officers shall be compensated in term of office commencing in or after January, 1971; repealing 74 O. S. 1961, § 250 and § 1, Chapter 68, O. S. L. 1969 (74 O. S. Supp. 1969, § 250.5); providing statement of legislative intent, and specifying certain limits and conditions upon expenditures for salaries and expense allowances; amending Section 4, Chapter 398, O. S. L. 1965, as amended by Section 1, Chapter 303, O.S.L. 1967 (74 O.S. Supp. 1969, § 1104), to delete provision therein for payment of compensation to Lieutenant Governor as Chairman of Industrial Development and Park Commission; and making the provisions of this Act severable.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. Section 2, Chapter 502, O.S.L. 1965 (74 O.S. Supp. 1969, § 250.4), is amended to read as follows:

§ 250.4. **[Notwithstanding any]** PURSUANT TO provisions of **[law to the contrary, effective with]** the CONSTITUTION OF THE STATE OF OKLAHOMA FROM AND AFTER THE BEGINNING DATE OF A term of office **[commencing]** WHICH COMMENCES in, OR AFTER January, **[1967]** 1971, the following **[named]** elective officers of the State of Oklahoma shall **[receive]** BE annually COMPENSATED for their services, payable monthly, the following sums:

GOVERNOR	\$35,000.00
LIEUTENANT GOVERNOR	18,000.00
JUSTICES OF SUPREME COURT	25,000.00
JUDGES OF THE COURT OF CRIM- INAL APPEALS	25,000.00
Attorney General	<b>[\$16,500.00]</b> 22,500.00
CHAIRMAN, COR-	

PORATION COM- MISSION		\$19,500.00
EACH MEMBER OF THE CORPORA- TION COMMISSION		19,000.00
State Treasurer	<b>[\$12,600.00]</b>	18,000.00
Examiner and Inspector	<b>[ 12,600.00]</b>	18,000.00
State Superintendent of <b>[Education]</b> PUBLIC INSTRUCTION	<b>[ 16,500.00]</b>	25,000.00
State Auditor	<b>[ 9,200.00]</b>	15,000.00
Secretary of State	<b>[ 12,600.00]</b>	15,000.00
STATE INSURANCE COMMISSIONER		20,000.00
Commissioner of Charities and Corrections	<b>[ 9,200.00]</b>	15,000.00
Commissioner of Labor	<b>[ 9,200.00]</b>	15,000.00
<b>[Clerk of Supreme Court]</b>	<b>[ 9,200.00]</b>	
Chief Mine In- specter	<b>[ 9,200.00]</b>	15,000.00
<b>[District Mine In- spectors (3)]</b>	<b>[ 7,200.00]</b>	

Provided, however, that on its effective date the provisions of this Act shall be applicable to all justices of the Supreme Court and all judges of the Court of Criminal Appeals, whether or not their term of office shall have begun in January, 1971.

Section 2. 74 O. S. 1961, § 250 and § 1, Chapter 68, O. S. L. 1969 (74 O. S. Supp. 1969, § 250.5), are hereby repealed.

Section 3. (a) It is the intent of the Legislature that the Oklahoma State Regents for Higher Education establish a maximum annual salary for the Chancellor for Higher Education and presidents of universities and colleges. The maximum salary and expense allowance should not exceed the salary and maintenance of Governor's Mansion established for the



Governor of the State of Oklahoma.

(b) State officers and employees shall not be paid any salary, fee, wage, remuneration, expense allowance, or other compensation on warrants issued by the State Auditor except when claim for payment is made on the prescribed payroll form of the agency for which services are performed. Except, reimbursement for travel expenses incurred on official state business shall be made as provided by statute on approved travel claims.

Nothing in this Section is intended to keep a state agency from being reimbursed for services performed by employees of one agency for another.

Nothing in this Section shall effect the method of payment of any expense allowance to any state officer or employee specifically authorized by statute, or the payment to uniformed employees for maintenance and cleaning of uniforms.

Section 4. Section 4, Chapter 398, O. S. L. 1965, as amended by Section 1, Chapter 303, O. S. L. 1967 (74 O. S. Supp. 1969, § 1104), is amended to read as follows:

§ 1104. (a) The Commission shall consist of one member from each of the six Congressional Districts, as said districts are now constituted or as hereinafter defined, who shall be a resident and qualified elector in the district from which he is appointed. The Lieutenant Governor shall serve ex officio as a member and chairman of the Commission. Appointive Commission members shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall serve at the pleasure of the Governor. Of the members first appointed, the member from District One shall be appointed for a term of one year; the member from District Two shall be appointed for a term of two years; the member from District Three shall be appointed for a term of three years; the member from District Four shall be appointed for a term of four years; the member from District Five shall be appointed for a term of five

years; and the member from District Six shall be appointed for a term of six years. At the expiration of the term of each member and of each succeeding member, the Governor shall appoint a successor who shall serve for a term of six years. Whenever a vacancy on the Commission shall occur by death, resignation, or otherwise, the Governor shall fill the same by appointment, with the advice and consent of the Senate, and the appointee shall hold office during the unexpired term. Each member shall hold office until his successor has been appointed and qualified.

(b) The Lieutenant Governor of the State of Oklahoma, as Chairman of the Commission, shall be reimbursed for official travel on behalf of the Commission for actual and necessary expenses **[, and shall be paid compensation in the amount of Six Thousand Dollars (\$6,000.00) annually, payable monthly, for services rendered as Chairman,]** from monies appropriated to the Commission.

(c) Each appointive member of the Commission, before entering upon his duties, shall take and subscribe to the constitutional and statutory oaths of office and file the same with the Secretary of State. Members of the Commission, including the Chairman, shall receive as compensation for their services the sum of Twenty Dollars (\$20.00) per day for each day actually spent in the attendance of said Commission meetings and appointive members shall be reimbursed for travel expenses as provided in the general travel law for State officers and employees and shall be reimbursed for their necessary living and travel expenses resulting from trips approved by the Commission outside the State of Oklahoma in the performance of their duties in accordance with the general travel laws of the State, to be paid on approval of the Chairman of the Commission by warrant properly drawn by the State, from appropriations made for such purpose.

(d) Within three days after appointment of the Commission, or as soon there-

after as is convenient, the Governor shall call said Commission to meet at Oklahoma City, and said Commission shall be organized by the Governor who shall appoint from the Commission the Vice-Chairman and the Secretary. The Commission is hereby authorized and directed to adopt rules and regulations for conducting its proceedings; provided, that any four members thereof shall constitute a quorum for transacting business. The Commission shall meet at least monthly and may meet at such other times as it may deem necessary for effectively carrying out its duties and responsibilities. Special meetings may be called by the Chairman or by any three members of the Commission.

Section 5. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act."

**HAs to SB 415** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 23, by striking "69,765.00" and insert "73,350.00"

Page 1, Line 24, by striking "46,563.00" and insert "60,794.00"

Page 1, Line 25, by striking "30,393.00" and insert "29,452.00"

Page 1, Line 26, by striking "639,288.00" and insert "646,381.00"

Page 1, Line 29, by striking "358,141.00" and insert "347,808.00"

Page 1, Line 31, by striking "85,292.00" and insert "81,186.00"

Page 1, Line 32, by striking "2,500.00" and insert "5,000.00"

Page 1, Line 34, by striking "1,291,942.00" and insert "1,303,971.00"

Amendment No. 2. Amend Page 2, Line 5, by striking the old "Section 3" and insert a new "Section 3" to read:

"Section 3. There is hereby appropri-

ated to the State Board of Public Affairs from any monies in the Public Building Fund for the fiscal year ending June 30, 1971, not otherwise appropriated, the following amounts or so much thereof as may be necessary for the purposes specified:

For renovation and repair of State Capitol buildings and equipment, landscape planning and other capital outlay pertaining to the State Capitol buildings and grounds. -----\$100,000.00

For renovation, carpeting and other capital improvements of the Court of Criminal Appeals Chambers and Courtroom, and to provide additional office space for the Court Referee -----14,132.00  
Total ----- \$114,132.00"

**HAs to SB 428** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 24, by striking "166,249.00" and insert "172,025.00"

Page 1, Line 27, by striking "190,000.00" and insert "197,937.00"

Page 1, Line 28, by striking "364,249.00" and insert "377,962.00"

Page 1, Line 30, by striking "4,759,301.00" and insert "4,659,301.00"

Page 1, Line 31, by striking "2,520,121.00" and insert "2,620,121.00"

Page 1, Line 32, by striking "14,060,056.00" and insert "14,073,769.00".

Amendment No. 2. Amend Page 1, after Line 32, insert new Sections 2, 3 and 4 as follows:

"Section 2. There is hereby appropriated to the Department of Mental Health from any monies in the General Revenue Fund of the State Treasury, not otherwise appropriated, for the fiscal year ending June 30, 1971, the sum of One

Hundred Thousand Dollars (\$100,000.00) for the purpose of paying necessary expenses in carrying out the statutory duties and responsibilities of "The Oklahoma Community Mental Health Services Act", provided by Chapter 129, O. S. L. 1969 (43A O. S. Supp. 1969, § § 601 to 609, inclusive).

Section 3. The Department of Mental Health shall provide outpatient services within the county in which Taft State Hospital was located, for former patients of the Taft State Hospital and mentally ill persons residing in the area formerly served by the Taft State Hospital.

Section 4. 43A O. S. 1961, § 16, is amended to read as follows:

§ 16. The principal office of the department, with all records and files of same, shall be maintained in *[the State Capitol Building.]* OKLAHOMA CITY, OKLAHOMA. Names of all personnel employed in each institution in the department; all essential and important data; statistical information and correspondence relative to the department and its institutions shall be filed in the office of the Director and by his supervision."

Renumber succeeding sections to conform.

## CITATIONS

Upon motion of Senator Martin, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Dr. Lloyd E. Harris, Dean of the University of Oklahoma College of Pharmacy for his many achievements and upon his retirement this year.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dean Allen Baker, installed as Master Councilor of the East Tulsa DeMolay Chapter.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

## COMMITTEE REPORTS

The following Bills and-or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

SB 532—Education.

SB 536—Judiciary.

SB 604—Judiciary.

SB 610—Judiciary.

SJR 29—Judiciary.

DO PASS, as amended:

SB 111—Municipal Government - Coauthored by Smalley and Howard.

SB 202—Agriculture-Coauthored by Murphy.

SB 390—Municipal Government.

SB 391—Judiciary.

SB 528—Finance and Commerce-Coauthored by Inhofe.

SB 543—Judiciary.

SB 556—Business Relations.

SB 563—Judiciary.

SB 594—Judiciary-Coauthored by Garrison.

SB 616—Roads and Highways.

SB 626—Municipal Government - Coauthored by Birdsong, McCune, and Howard.

HB 1554—Appropriations and Budget.

HB 1557—Appropriations and Budget.

HB 1577—Appropriations and Budget.

HB 1581—Appropriations and Budget.

## RESOLUTION

Senator Horn introduced the following Resolution which was read at length, adopted upon his motion, and ordered referred for enrollment:

SR 52—By Horn—A Resolution authorizing the President Pro Tempore of the Senate of the Second Session of the Thirty-second Oklahoma Legislature to appoint a committee from the members of the



Senate to attend the President's Committee on Employment of the Handicapped; and authorizing reimbursement to committee members for travel and expenses.

WHEREAS, the President's Committee on Employment of the Handicapped will be held April 23 and April 24, 1970, in Washington, D. C.; and

WHEREAS, the problems and topics which will be considered and discussed at such meeting are of significance to the progress and development of this state and of interest to the Senate.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The President Pro Tempore is hereby authorized to appoint a committee of the Senate to proceed to Washington, D. C., for the purpose of attending the President's Committee on Employment of the Handicapped to be held April 23 and April 24, 1970. Upon return from the meeting the committee shall report to the Senate material presented, matters discussed, and conclusions reached concerning recommended legislation.

SECTION 2. Reimbursement for necessary travel and expenses shall be paid by the Senate, as provided by resolution of the Second Session of the Thirty-second Oklahoma Legislature.

### FIRST READING

The following Bills were introduced and read the first time:

SB 645—By Phillips—An Act relating to the Oklahoma Turnpike Authority employees; establishing the Oklahoma Turnpike Employees Arbitration Law; stating public policy; prohibiting paid Oklahoma Turnpike employees from striking, engaging in work stoppage or slowdowns; defining terms; providing for collective bargaining; providing for recognition of bargaining agent; making it the obligation

of the Oklahoma Turnpike Authority to bargain; providing that unsolved issues be submitted to arbitration; providing for Arbitration Board; providing for hearings; authorizing the Oklahoma Turnpike Authority to adopt majority opinion of Arbitration Board; prescribing factors to be considered by Arbitration Board; providing for fees and expenses of arbitration; providing for collective bargaining agreement; providing for requests for collective bargaining; making it unlawful for collective bargaining representative or member of paid Oklahoma Turnpike employees to strike; making it unlawful for the Oklahoma Turnpike Authority to fail to bargain in good faith; prescribing penalties; making provisions of Act severable; and declaring an emergency.

SB 646—By Phillips—An Act to establish a framework of employer-employee relations by providing uniform and orderly methods for dealings between employees and organizations thereof and employing public agencies and for related purposes; making provisions of Act severable; and providing for an effective date.

### SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

SB 631—Agriculture.

SB 632—Public Health.

SB 633—Governmental Affairs.

SB 634—Roads and Highways.

SB 635—Education.

SB 636—Agriculture.

SB 637—Judiciary.

SB 638—Education.

SB 639—Education.

SB 640—Rules.

SB 641—Rules.

SB 642—Roads and Highways.

SB 643—Judiciary.

SB 644—Governmental Affairs.

**SJR 48**—Constitutional Revisions and Regulatory Services.

**SJR 49**—Constitutional Revisions and Regulatory Services.

**HB 1660**—Judiciary.

**HB 1722**—Governmental Affairs.

**HB 1767**—Municipal Government.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**HB 1542** by Mountford of the House and Smalley of the Senate was read and considered.

Upon motion of Senator Smalley, **HB 1542** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1542** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1542** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Field, Garrett, Grantham, Graves, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill.—34.

Nay: Baldwin, Berrong, Bradley, Crow, Holden, Williams.—6.

Excused: Breckinridge, Dacus, Ferrell, Garrison, Ham, Hargrave, Murphy, Young.—8.

The bill was declared passed.

**HB 1542**, as amended, was referred for engrossment.

## PENDING CONSIDERATION OF CCR

Upon motion of Senator Luton, the Conference Committee Report on **HB 1291** was declared adopted.

**HB 1291**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Garrett, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Porter, Short, Smalley, Smith, Stipe, Terrill.—27.

Nay: Baldwin, Berrong, Boecher, Field, Grantham, Inhofe, McCune, Medearis, Romang, Stansberry, Williams.—11.

Excused: Baggett, Breckinridge, Dacus, Ferrell, Garrison, Ham, Hargrave, Murphy, Taliaferro, Young.—10.

The Bill, as amended in Conference, was declared passed.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baldwin moved that the vote be reconsidered by which **HB 1291**, as amended in conference, passed.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 506, 535, 562, 592, 609** and **SJR 46** each correctly engrossed.

**SB 458** and **SR 50** each correctly enrolled.

Engrossed **SBs 506, 535, 562, 592, 609** and **SJR 46** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SB 458** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 50** was properly signed and ordered transmitted to the Secretary of State.

## GENERAL ORDER

**HB 1644** by Sandlin, et al, of the House and Birdsong, Grantham, Boecher, Atkin-

son, Holden and Medearis of the Senate was read and considered.

Senators Berrong, Field, Bradley and Lane asked to be made coauthors of **HB 1644**, which was the order.

Upon motion of Senator Birdsong, **HB 1644** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **HB 1644** was placed upon third reading and final passage.

### THIRD READING

**HB 1644** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—37.

Excused: Baggett, Breckinridge, Dacus, Ferrell, Garrison, Ham, Howard, Massey, Murphy, Nichols, Young.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—37.

Excused: Baggett, Breckinridge, Dacus, Ferrell, Garrison, Ham, Howard, Massey, Murphy, Nichols, Young.—11.

The emergency was declared passed.

**HB 1644** was ordered withheld pursuant to Rule 19-f.

Senator Breckinridge asked to be shown present, which was the order.

### GENERAL ORDER

**SB 525** by Stipe, Atkinson and Luton was read and considered.

Senator McSpadden moved to amend **SB 525**, page 2, line 11, by adding after the word "Okmulgee" and before the word "Pittsburg" the word "Delaware" which amendment was declared adopted.

Senator Smalley moved to amend **SB 525**, page 2, line 12, by adding after the word "counties" the language "in the discretion of the Oklahoma Wildlife Conservation Commission."

Senator Baggett, as a substitute for the Smalley amendment, moved to amend **SB 525**, page 2, line 12, by adding after the word "counties" the language "The deer season in any such county shall be subject to such terms and limitations as the Oklahoma Wildlife Commission may provide by resolution".

Senator Smalley asked to be made a coauthor of the Baggett amendment, which was the order.

The vote occurring upon the Baggett-Smalley amendment, it was declared adopted.

Senator Miller moved to amend **SB 525**, page 2, line 11, by adding after the word "Pittsburg" and before the word "and" the word "Pontotoc" which amendment was declared adopted.

Upon motion of Senator Stipe, **SB 525**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 525**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 525** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—35.

Nay: Boecher, Hamilton, Keels, Romang.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Lane, McCune, Murphy, Porter, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—35.

Nay: Boecher, Hamilton, Keels, Romang.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Lane, McCune, Murphy, Porter, Young.—9.

The emergency was declared passed.

**SB 525**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1553** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1553** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1553** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1553** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Baggett, Dacus, Ferrell, Field, Garrison, Grantham, Ham, Murphy, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Baggett, Dacus, Ferrell, Field, Garrison, Grantham, Ham, Murphy, Young.—9.

The emergency was declared passed.

**HB 1553**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1555** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1555** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1555** was placed upon third reading and final passage.

### THIRD READING

**HB 1555** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—40.

Excused: Dacus, Ferrell, Field, Garrison, Grantham, Ham, Murphy, Young.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—40.

Excused: Dacus, Ferrell, Field, Garrison, Grantham, Ham, Murphy, Young.—8.

The emergency was declared passed.

**HB 1555** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1556** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1556** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1556** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1556** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Bradley, Dacus, Ferrell, Garrison, Ham, Keels, Murphy, Smalley, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Bradley, Dacus, Ferrell, Garrison, Ham, Keels, Murphy, Smalley, Young.—9.

The emergency was declared passed.

**HB 1556**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1560** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1560** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1560** was placed upon third reading and final passage.

### THIRD READING

**HB 1560** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Boecher, Bradley, Dacus, Ferrell, Garrison, Ham, Keels, Murphy, Taliaferro, Young.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Boecher, Bradley, Dacus, Ferrell, Garrison, Ham, Keels, Murphy, Taliaferro, Young.—10.

The emergency was declared passed.

**HB 1560** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1564** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1564** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1564** was placed upon third reading and final passage.

### THIRD READING

**HB 1564** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Field,

Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—36.

Excused: Berrong, Bradley, Dacus, Ferrell, Garrison, Grantham, Ham, Martin, Massey, Murphy, Taliaferro, Young.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—36.

Excused: Berrong, Bradley, Dacus, Ferrell, Garrison, Grantham, Ham, Martin, Massey, Murphy, Taliaferro, Young.—12.

The emergency was declared passed.

**HB 1564** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1569** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1569** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1569** was placed upon third reading and final passage.

### THIRD READING

**HB 1569** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge,



Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Bradley, Dacus, Ferrell, Garrison, Ham, Martin, Murphy, Short, Taliaferro, Young.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Bradley, Dacus, Ferrell, Garrison, Ham, Martin, Murphy, Short, Taliaferro, Young.—10.

The emergency was declared passed.

**HB 1569** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1570** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Senator Short moved to amend **HB 1570**, page 2, beginning on line 12, by striking all of Section 3, and renumbering subsequent sections accordingly, which amendment was tabled upon motion of Senator McSpadden.

Upon motion of Senator McSpadden, **HB 1570** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1570** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1570** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Terrill, Williams.—32.

Nay: Baldwin, Breckinridge, McCune, McGraw, Porter, Short.—6.

Excused: Baggett, Dacus, Ferrell, Garrison, Ham, Lane, Murphy, Stipe, Taliaferro, Young.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Terrill, Williams.—32.

Nay: Baldwin, Breckinridge, McCune, McGraw, Porter, Short.—6.

Excused: Baggett, Dacus, Ferrell, Garrison, Ham, Lane, Murphy, Stipe, Taliaferro, Young.—10.

The emergency was declared passed.

**HB 1570**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1573** by Willis, et al, of the House and McSpadden, Massey, Atkinson and Hamilton of the Senate was read and considered.

Senators Birdsong and Smalley asked to be made coauthors of **HB 1573**, which was the order.

Upon motion of Senator McSpadden, **HB 1573** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1573** was placed upon third reading and final passage.

### THIRD READING

**HB 1573** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams.—39.

Excused: Dacus, Ferrell, Garrison, Ham, Lane, Murphy, Stipe, Taliaferro, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams.—39.

Excused: Dacus, Ferrell, Garrison, Ham, Lane, Murphy, Stipe, Taliaferro, Young.—9.

The emergency was declared passed.

**HB 1573** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1576** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1576** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1576** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1576** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—35.

Nay: Baldwin, Crow, Hargrave, Keels.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Massey, Murphy, Porter, Taliaferro, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—35.

Nay: Baldwin, Crow, Hargrave, Keels.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Massey, Murphy, Porter, Taliaferro, Young.—9.

The emergency was declared passed.

**HB 1576**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1582** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1582** was advanced to engrossment.

By unanimous consent, upon request of

Senator McSpadden, **HB 1582** was placed upon third reading and final passage.

### THIRD READING

**HB 1582** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Grantham, Graves, H a m i l t o n, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Lu-ton, McCune, McGraw, McSpadden, Mas-sey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—39.

Excused: Dacus, F e r r e l l, Garrison, Ham, Martin, Murphy, Porter, Taliaferro, Young.—9.

The bill was declared passed.

On the question of passage of emer-gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Grantham, Graves, H a m i l t o n, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Lu-ton, McCune, McGraw, McSpadden, Mas-sey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—39.

Excused: Dacus, F e r r e l l, Garrison, Ham, Martin, Murphy, Porter, Taliaferro, Young.—9.

The emergency was declared passed.

**HB 1582** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1583** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1583** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1583** was placed upon third reading and final passage.

### THIRD READING

**HB 1583** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, How-ard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Dacus, F e r r e l l, Garrison, Ham, Horn, Martin, Murphy, Porter, Tal-iaferro, Young.—10.

The bill was declared passed.

On the question of passage of emer-gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, How-ard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Excused: Dacus, F e r r e l l, Garrison, Ham, Horn, Martin, Murphy, Porter, Tal-iaferro, Young.—10.

The emergency was declared passed.

**HB 1583** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1585** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1585** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1585** was consid-ered engrossed and placed upon third read-ing and final passage.



**THIRD READING**

**HB 1585** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—37.

Excused: Dacus, Ferrell, Garrison, Ham, Horn, Murphy, Phillips, Porter, Stansberry, Taliaferro, Young.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—37.

Excused: Dacus, Ferrell, Garrison, Ham, Horn, Murphy, Phillips, Porter, Stansberry, Taliaferro, Young.—11.

The emergency was declared passed.

**HB 1585**, as amended, was referred for engrossment.

**GENERAL ORDER**

**HB 1608** by Privett, et al, of the House and Keels and Smith of the Senate was read and considered.

Senators Bradley, Atkinson, Luton, Graves and Smalley asked to be made coauthors of **HB 1608**, which was the order.

Senator Smalley, joined by Senator Baggett, moved to amend **HB 1608**, page 12, line 6, by inserting after the word

"Oklahoma" and before the word "shall" the language "whether they are in the classified service or not"

Senator Hamilton, joined by Senator Smalley, moved to amend the Smalley-Baggett amendment by adding at the end thereof the language "which would not include part-time employees"

Senator Short moved to table the Hamilton-Smalley amendment, which motion was declared failed of adoption.

The vote occurring upon the Hamilton-Smalley amendment to the Smalley-Baggett amendment, it was declared adopted.

Senator Keels moved to table the Smalley-Baggett amendment, as amended, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Field, Holden, Keels, Payne, Smith, Terrill.—9.

Nay: Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Garrett, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Stipe, Williams.—30.

Excused: Dacus, Ferrell, Garrison, Ham, Murphy, Porter, Stansberry, Taliaferro, Young.—9.

The vote occurring upon the Smalley-Baggett amendment, as amended by the Hamilton-Smalley amendment, it was declared adopted.

Senator Miller moved to amend **HB 1608**, page 9, line 8, by inserting after the word "Senate." and before the word "The" the sentence "No meeting of the Board shall be held unless proper notice is given to each member of the Board" which amendment was declared adopted.

Senator McCune moved to amend **HB 1608**, page 12, line 6, by inserting after the word "any" and before the word "employee" the word "full-time" which amendment was declared adopted.

Upon motion of Senator Keels, **HB 1608**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keels, **HB 1608**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1608** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Nay: Baldwin, Crow, Grantham.—3.

Excused: Dacus, Ferrell, Garrison, Ham, Murphy, Taliaferro, Young.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Nay: Baldwin, Crow, Grantham.—3.

Excused: Dacus, Ferrell, Garrison, Ham, Murphy, Taliaferro, Young.—7.

The emergency was declared passed.

**HB 1608**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 458**.

The above numbered Enrolled Bill was referred to the Governor.

### GENERAL ORDER

**HB 1403** by Allard of the House and Hamilton of the Senate was read and considered.

Senators Grantham, Berrong and McCune asked to be made coauthors of **HB 1403**, which was the order.

Senator Baggett moved to amend **HB 1403**, page 3, line 4, by striking the word "certified" and substituting therefor the word "accredited" and on page 3, line 5, by striking the period (.) and adding the language "or the State Board of Regents for Higher Education" which amendment was declared adopted.

Senator Crow moved to amend **HB 1403**, page 3, line 17, by striking the word and figure "Four (4)" and substituting therefor the word and figure "Three (3)"; and on page 4, line 4, by striking the word and figure "Two (2)" and substituting therefor the word and figure "Three (3)" which amendment was tabled upon motion of Senator Hamilton upon a roll call as follows:

Aye: Berrong, Bradley, Breckinridge, Field, Grantham, Hamilton, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Phillips, Porter, Smalley, Smith, Stansberry, Williams.—19.

Nay: Atkinson, Baggett, Boecher, Crow, Garrett, Graves, Holden, Lane, McGraw, Miller, Nichols, Payne, Romang, Short, Stipe.—15.

Excused: Baldwin, Birdsong, Dacus, Ferrell, Garrison, Ham, Hargrave, Horn, Massey, Medearis, Murphy, Taliaferro, Terrill, Young.—14.

Upon motion of Senator Hamilton, **HB 1403**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **HB 1403**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1403** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—36.

Nay: Crow, Lane, Payne, Short.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Howard, Murphy, Taliaferro, Young.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Porter, Romang, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—36.

Nay: Crow, Lane, Payne, Short.—4.

Excused: Dacus, Ferrell, Garrison, Ham, Howard, Murphy, Taliaferro, Young.—8.

The emergency was declared passed.

**HB 1403**, as amended, was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**HB 1626** by Sullivan of the House and Hamilton of the Senate was read and considered.

Upon motion of Senator Hamilton, **HB 1626** was advanced to engrossment.

By unanimous consent, upon request of

Senator Hamilton, **HB 1626** was placed upon third reading and final passage.

### THIRD READING

**HB 1626** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Atkinson, Dacus, Ferrell, Garrison, Ham, Howard, Keels, Murphy, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—39.

Excused: Atkinson, Dacus, Ferrell, Garrison, Ham, Howard, Keels, Murphy, Young.—9.

The emergency was declared passed.

**HB 1626** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**SB 629** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SB 629** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 629** was considered engrossed and placed upon third reading and final passage.



### THIRD READING

**SB 629** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Boecher, Breckinridge,  
Crow, Field, Garrett, Grantham, Graves,  
Hamilton, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McCune, McGraw,  
McSpadden, Martin, Medearis, Miller,  
Nichols, Payne, Phillips, Porter, Romang,  
Smalley, Stipe, Terrill, Williams.—35.

Nay: Short.—1.

Excused: Bradley, Dacus, Ferrell, Gar-  
rison, Ham, Hargrave, Massey, Murphy,  
Smith, Stansberry, Taliaferro, Young.—12.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Boecher, Breckinridge,  
Crow, Field, Garrett, Grantham, Graves,  
Hamilton, Holden, Horn, Howard, Inhofe,  
Keels, Lane, Luton, McCune, McGraw,  
McSpadden, Martin, Medearis, Miller,  
Nichols, Payne, Phillips, Porter, Romang,  
Smalley, Stipe, Terrill, Williams.—35.

Nay: Short.—1.

Excused: Bradley, Dacus, Ferrell, Gar-  
rison, Ham, Hargrave, Massey, Murphy,  
Smith, Stansberry, Taliaferro, Young.—12.

The emergency was declared passed.

**SB 629** was referred for engrossment.

Senator Baggett presiding.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SR 51** correctly enrolled.

Enrolled **SR 51** was properly signed  
and ordered transmitted to the Secretary  
of State.

Senator Smalley presiding.

### GENERAL ORDER

**SB 575** by Baggett was read and con-  
sidered.

Upon motion of Senator Baggett, **SB**  
**575** was advanced to engrossment.

Senator Terrill moved, when the Clerk's  
desk is cleared, the Senate stand ad-  
journed as provided under the rules, 1:00  
p.m., tomorrow, which motion was de-  
clared adopted.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 560** correctly engrossed.

Engrossed **SB 560** was properly signed  
and ordered transmitted to the Honorable  
House for consideration.

### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and pas-  
sage of Engrossed **HB 1589**, as amend-  
ed.

### MESSAGE FROM THE HOUSE

Returning following Bill, together with  
Conference Committee Report thereon,  
advising adoption of Conference Commit-  
tee Report and passage of Measure as  
amended: Engrossed **SB 341**.

The above numbered Bill, as amended  
in Conference was referred for enroll-  
ment.

### BILLS RELEASED

As provided under Rule 19-f, **HBs 1555**,  
**1560**, **1564**, **1569**, **1573**, **1582**, **1583**, **1626** and  
**1644** were properly signed and ordered  
returned to the Honorable House.

As provided under the Terrill motion,  
the Senate was declared adjourned until  
1:00 p.m., tomorrow.

52 575 by Baggett was  
attached

AND  
BILLS

MESSAGE FROM THE  
Senate to House  
relating to the  
amendment to the  
bill

MESSAGE

Relating to the  
amendment to the  
bill

BILLS

As provided under  
the bill  
the Senate was declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

On the question  
of the amendment  
to the bill  
the Senate  
declared adjourned

## Thirtieth Legislative Day

Wednesday, February 25, 1970

Pursuant to adjournment, the Senate was called to order by Senator Baldwin, designated by the President Pro Tempore so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Dacus, Ferrell, Garrison, Inhofe, Keels, Murphy.—6.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Grantham:

Our Father, as we meet this day, may we be reminded that we readily turn to Thee for reasons of health. May we as readily turn to Thee for reasons of wisdom.

We are aware that we can vote by the flipping of a switch, but in turns of our relations with Thee and each other, this will not do. It is true we turn each other on and off but we long for a more lasting relationship. As we scramble to coauthor bills and motions may we resolve to coauthor with Thee a new sense of relations with each other. We ask this in Christs' name. Amen.

The Journal for the last legislative day was declared approved.

President Pro Tempore Smith presiding.

### COMMUNICATION

The following communication was read and is incorporated herein upon the unanimous consent request of Senator Short:

Mr. Basil R. Wilson  
Secretary, Oklahoma State Senate  
Oklahoma City, Oklahoma

Dear Mr. Wilson:

On behalf of President Nixon, I am replying to your letter of February 5, 1970 enclosing a copy of Senate Concurrent Resolution No. 51 of the Oklahoma State Senate, which opposes the prejudging of trials of American servicemen for alleged actions in Vietnam.

The Department of Defense shares the views of the Oklahoma Legislature regarding due process of law for American servicemen accused of criminal acts. Particularly abhorrent are statements, actions or publicity which might indicate that guilt has been pre-judged in any case. Applicable laws and policies are designed to protect individual rights and to insure all judicial processes are fair in every respect.

When members of the military are accused or suspected of offenses, scrupulous efforts are made to insure that they are afforded every protection provided by law. In fact, the Uniform Code of Military Justice provides investigative, trial, and review procedures which are generally recognized by eminent authorities as being as fair and comprehensive in the protection of individual rights as the laws generally in effect in civil jurisdictions



in the United States. Upon its enactment, the Military Justice Act of 1968 further enhanced the legal protections accorded to military personnel. In fact, in several important respects, military practices are recognized as affording more legal protection than those generally found in civilian criminal court proceedings. Moreover, some of the Supreme Court rules for protecting suspects established in recent years were adopted into civilian law from the military system. Long ago we adopted the practice of providing free military legal counsel to accused servicemen at the pre-trial, trial and review levels as well as affording them the right to employ civilian counsel at their own expense. Review procedures provided under the Uniform Code of Military Justice are automatic and thorough. Review agencies include the Courts of Military Review and the United States Court of Military Appeals in Washington, D. C. Further review may be obtained in appropriate circumstances by Federal civilian courts.

With respect to prefatory language in the resolution the following observations are offered. Military personnel of all the services are trained to perform their duties in a manner which comports with the highest virtues of the military profession. As you realize, in a combat environment military personnel are called upon to conduct themselves and to perform their duties under the most arduous circumstances. The military services are not only responsible for adequately training their personnel to skillfully perform their combat mission, but also for imposing that degree of discipline which distinguishes a military force from an armed mob. For example, to permit an unjustified homicide, even in a combat situation, would be regression to barbarism and a failure by the military service concerned to perform its legal responsibility and to uphold the high ideals and moral standards of this nation. When the facts and circumstances surrounding a particular killing indicate that a serviceman may have act-

ed unlawfully, an investigation is made. If, as a result of the investigation, responsible military authorities conclude that the homicide was unjustified, they have a moral and legal duty to initiate appropriate legal proceedings.

There is no policy which would require every serviceman who finds himself in situations such as those referred to in the resolution to be punished for his action. On the other hand, every killing of a human being is not justified simply because it occurs in a combat zone. Whether or not a serviceman would be punished in a particular instance would depend upon the facts and circumstances of the case in question.

Your courtesy in forwarding Resolution No. 51 and your interest in this matter are appreciated.

Sincerely,

Leo E. Benade, Brigadier General, USA  
Deputy Assistant Secretary of Defense

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 433.

The above numbered Bill was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1292**—By Bengtson and Hutchens—An Act relating to children; amending Section 109, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1109); pertaining to the questioning of children by law enforcement officers and others.

**HB 1613**—By Poulos, Privett, Wolf (Leland), Willis, Wixson, Andrews, Barker, Bean, Bernard, Bickford, Bradley, Briscoe, Coffin, Cole, Conaghan, Converse, Dunn, Finch, Fine, Goodfellow, Greenhaw, Harrison, Hill (Archibald), Holaday, Hutchens, Johnson, Jones, Kamas, McKee, Murphy, Odom (Martin), Odom (V. H.), Patterson, Payne, Raibourn, Robinson, Rogers, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Spearman,

Stratton, Sullivan, Tarwater, Vann, Wayland, Whorton, Wiedemann, Williamson, York, Cate and Mountford—An Act relating to junior colleges; amending Section 4, Chapter 278, O. S. L. 1968 (70 O. S. Supp. 1969, § 4413); to provide for a two-year multi-campus junior college system in Tulsa county; and defining "suitable sites for a multi-campus junior college system".

**HB 1659**—By Witt of the House and Hamilton of the Senate—An Act relating to poultry products; establishing the Oklahoma Poultry Products Act; providing for short title; stating purpose and declaring policy; defining terms; providing for cooperation with the federal government; providing for duties and authority of the State Board of Agriculture; providing for antemortem and postmortem inspection; providing for reinspection; providing for quarantine; authorizing State Board of Agriculture to promulgate and adopt rules and regulations; prohibiting certain acts in the slaughter, marking and sale of poultry and poultry products; providing for records; prescribing penalties; providing for reporting of violations; prescribing standards; providing for hearings and appeals; prescribing procedure; making provisions of Act severable and declaring an emergency.

**HB 1664**—By Smithey of the House and Howard of the Senate—An Act relating to schools; amending 70 O. S. 1961, § 9-1; providing for transportation of school children; and declaring an emergency.

**HB 1742**—By McCune—An Act pertaining to public trust; providing limitation upon engaging and functioning other than that which is organized; directing codification; and declaring an emergency.

**HB 1753**—By Connor, Thompson and Monks—(An Act relating to motor vehicles; and declaring an emergency)

**HB 1784**—By Sparkman of the House and Nichols, Miller and Martin of the Senate—An Act relating to health facilities; amending Section 801 of Chapter 325,

Oklahoma Session Laws 1963, as amended by Section 1 of Chapter 243, Oklahoma Session Laws 1965 (63 O. S. Supp. 1969, § 1-801); amending Section 808 of Chapter 325, Oklahoma Session Laws 1963, as amended by Section 1 of Chapter 325, Oklahoma Session Laws 1969 (63 O. S. Supp. 1969, § 1-808); defining the term "intermediate care facility", and making certain provisions of the Oklahoma Public Health Code applicable to such facilities; fixing certain requirements for nursing homes; and declaring an emergency.

The above numbered HBs were read for the first time.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1555, 1560, 1564, 1569, 1573, 1582, 1583, 1589, 1626 and 1644.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## COMMITTEE REPORT

Senator Baldwin submitted the following Committee Report and asked that consideration be deferred for this legislative day.

MR. PRESIDENT:

WE, your COMMITTEE ON RULES, beg leave to report that we had under further consideration the ELECTRIC VOTING MACHINE now being used in the SENATE. The members of the RULES COMMITTEE have unanimously adopted the following additions to the rules previously submitted on Page 128 of the Journal under the date of January 28, 1970, by striking the first paragraph thereof and rewriting same as follows:

**RULE 1 (a)** "The ELECTRIC VOTING MACHINE shall be used to record the vote whenever the yeas and nays are taken on any question unless a majority of the Senate directs the same to be taken by voice vote. The machine shall also be used to determine the presence or ab-

sence of a quorum. In the event the machine is not operating properly, all votes and determinations of quorums may be taken by calling the roll. If the member's electric button is inoperative, he shall arise and so announce to the Chair and cast his vote orally prior to the Chair declaring the result of the roll call."

The Committee had under consideration SENATE RULE 7 and offer herewith the following amendment in the form of an addition to SENATE RULE 7, as follows:

**AMENDMENT** By adding at the end of Rule 7(m) the following: "No standing committee shall meet on Monday through Thursday between the hours of Nine O'clock A.M. and One O'clock P.M. except in accordance with the adopted Committee Meeting Schedule which is published on Page 50 of the 1969 Journal of the State Senate."

The Committee had under consideration the AMENDMENTS OF BILL TITLES and offer herewith a new rule, to be properly designated in the SENATE RULES, as follows:

**RULE NO. .... AMENDMENTS OF BILL TITLES** "When any measure is amended in Committee or upon the Floor of the Senate, the title thereof, when required, shall be deemed to have been amended to conform thereto; and it shall be the duty of the principal author of the measure to forthwith prepare any necessary amendment to the title, and furnish the title amendment over his signature to either the Secretary of the Committee, or to the Engrossing Department, as the case may be."

BALDWIN, Chairman

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

SBs 525, 575; HBs 1403, 1542, 1553, 1556, 1570, 1576, 1585 and 1608 each correctly engrossed.

SB 341 and SR 52 each correctly enrolled.

Engrossed SB 525 was properly signed

and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HBs 1403, 1542, 1553, 1556, 1570, 1576, 1585 and 1608, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SB 341 was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled SR 52 was properly signed and ordered transmitted to the Secretary of State.

#### **COMMITTEE REPORTS**

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

##### **DO PASS:**

SB 515—Revenue and Taxation.

SB 516—Revenue and Taxation.

SB 519—Revenue and Taxation.

SB 531—Revenue and Taxation—Coauthored by Grantham.

SB 546—Governmental Affairs.

SB 583—Governmental Affairs.

SB 599—Governmental Affairs.

SB 602—Public Health.

SB 614—Governmental Affairs.

SB 640—Rules.

SB 641—Rules.

SJR 36—Revenue and Taxation.

HB 1638—Governmental Affairs—Coauthored by Luton.

HB 1642—Public Health—Coauthored by Martin, McCune, Payne, Nichols, Porter, Graves and Stansberry.

##### **DO PASS, as amended:**

SB 190—Judiciary.

SB 518—Public Health.

SB 526—Education.

SB 530—Revenue and Taxation.

SB 548—Governmental Affairs.

SB 587—Judiciary—Coauthored by Rogers of the House.

SB 590—Judiciary.

SB 608—Governmental Affairs.

SB 613—Judiciary.



**SB 618**—Constitutional Revisions and Regulatory Services—Coauthored by Nichols.

**SB 627**—Judiciary.

**SB 632**—Public Health—Coauthored by Payne and Stansberry.

**SJR 18**—Constitutional Revisions and Regulatory Services.

WITHOUT RECOMMENDATION:

**SB 485**—Judiciary.

## RESOLUTIONS

The following Resolution was introduced and consideration deferred for this legislative day:

**SCR 62** by Miller of the Senate and Abbott of the House—A Concurrent Resolution expressing appreciation to Dr. Stanley P. Wagner, President of East Central State College for removing architectural barriers at East Central State College; and directing distribution.

**SCR 63** by Berrong and Smith of the Senate and Willis of the House was introduced and read as follows:

A Concurrent Resolution requesting the State Regents for Higher Education to establish certain uniform accounting and reporting procedures for the State System of Higher Education.

As provided under Rule 8-e, upon request of Senator Berrong, Representative Willis was added as the House Author of **SCR 63**.

**SCR 63**, as coauthored, was read at length, adopted upon motion of Senator Berrong and ordered referred for engrossment.

## FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 647**—By Baggett of the Senate and Spearman of the House—An Act relating to corporations and public service companies; authorizing construction of certain public service company lines and connections; requiring receipt of cars, tonnage and passengers from other lines; provid-

ing for regulation of oil pipeline companies; requiring telephone and telegraph companies to exchange messages and make connections; declaring railroads to be public highways and providing for inspection, meetings, reports and penalties; declaring certain property to be personal property and making certain property subject to execution; prohibiting certain consolidation and office holding; permitting railroads to sell or acquire property of like companies upon consent of the commission; denying certain corporations the benefit of certain future legislation; prohibiting a railroad company from transporting goods manufactured or owned by it; stating those to whom free railroad transportation may be given; providing for powers and duties of the commission; providing procedures and reserving authority to the legislature and to municipalities; providing for organization and procedure of the commission; defining the term "company"; granting commission powers of court of record and providing penalties; providing for appeals; providing for suspension bonds, accounts, refunds and precedence of appeals; requiring statement of reasons and providing for exclusion of certain evidence; providing that certain rights of action shall not be affected by penalties and prohibiting questioning of commission actions in certain proceedings; providing for reports and recommendations; providing for depots and depot buildings; providing for safety devices at railroad crossings at grade; providing for inspections of books and papers; providing for examinations of officers, agents and employees and providing penalties; prohibiting certain rate discrimination; prescribing requirements for the right of eminent domain; providing for investigating and reporting of violations of the Interstate Commerce Law; providing for switches to certain industries; abrogating as to certain companies the fellow servant doctrine; providing restrictions on the issuance of stock; prohibiting certain influencing of elections or of-

ficial duty; prohibiting certain companies from holding or controlling stock of competitors; providing for service agent of foreign corporations, service and venue; prohibiting certain price discrimination; invalidating certain charters and privileges; making this Act effective upon amendment of the Oklahoma Constitution; making provisions hereof severable; and declaring an emergency.

**SB 648**—By Baggett—An Act relating to contracts; defining terms “loan of money” and “interest”; directing codification; repealing 15 O. S. 1961, §§ 266 and 271; and declaring an emergency.

**SB 649**—By Garrett, Birdsong, Atkinson, Porter and Keels—An Act relating to county employees; amending Section 2, Chapter 182, O. S. L. 1963, as last amended by Section 1, Chapter 332, O. S. L. 1969 and 19 O. S. 1961, § 960, as last amended by Section 5, Chapter 222, O. S. L. 1967 (19 O. S. Supp. 1969, §§ 956 and 960); providing county employees’ eligibility for retirement benefits shall not begin until attainment of age sixty-two and fifteen years in county’s service, the last two of which shall have been consecutive immediately preceding retirement and cessation of such service; specifying conditions; providing basis for calculation of retirement and disability benefits to retiree or his, or her, surviving spouse; providing for disability benefits and prescribing conditions of eligibility therefor; providing for, in certain situations, allowance for military service; prescribing limit of benefits a surviving spouse shall receive upon death of county employee receiving, or eligible for, retirement benefits; providing for payment of certain employer’s contributions from court fund to Employees’ Retirement System Fund; providing exceptions; providing for severability; and declaring an emergency.

**SJR 50**—By Baggett of the Senate and Spearman of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or re-

jection a proposed amendment to the Oklahoma Constitution; repealing Article IX of the Oklahoma Constitution and establishing in lieu thereof a new Article known as Article IX; providing for an Oklahoma Public Service Commission; providing for the powers, duties, authority and jurisdiction of said commission; providing qualifications of commissioners; providing certain powers and duties of the Legislature; providing an effective date; providing a ballot title; and ordering a special election.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 645**—Business Relations.

**SB 646**—Business Relations.

**HB 1488**—Finance and Commerce.

**HB 1615**—Municipal Government.

**HB 1723**—Revenue and Taxation.

**HB 1764**—Business Relations.

**HB 1772**—Business Relations.

## GENERAL ORDER

**SB 528** by Boecher and Inhofe was read and considered.

Upon motion of Senator Boecher, **SB 528** was advanced to engrossment.

By unanimous consent, upon request of Senator Boecher, **SB 528** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 528** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Holden, Horn, Howard, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Ro-

mang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—33.

Nay: Hamilton, Hargrave, Luton, Short, Stipe.—5.

Excused: Baldwin, Dacus, Ferrell, Garrison, Ham, Inhofe, Keels, Murphy, Payne, Porter.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Nay: Hamilton.—1.

Excused: Baldwin, Bradley, Dacus, Ferrell, Garrison, Inhofe, Keels, Murphy, Porter.—9.

The emergency was declared passed.

SB 528 was referred for engrossment.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Hamilton moved that the vote be reconsidered by which SB 528 passed.

### GENERAL ORDER

Senator Hamilton asked unanimous consent that SB 463 be ordered withdrawn from the Calendar and re-referred to the Business Relations Committee, which was the order.

SB 588 by Grantham of the Senate and Sanguin, et al, of the House was read and considered.

Following discussion, Senator Grantham asked that SB 588, together with pending amendments, be deferred for this legislative day, which was the order.

SB 626 by Smalley, Birdsong, McCune and Howard was read and considered.

Senator Luton asked to be made a co-author of SB 626, which was the order.

Senator Baggett moved to amend SB 626, page 2, line 17, by adding after the word "firemen" the words "or other employees" which amendment was declared adopted.

Upon motion of Senator Smalley, SB 626, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, SB 626, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 626 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Boecher, Crow, Dacus, Ferrell, Garrison, Inhofe, Keels, Lane, Murphy, Payne.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Boecher, Crow, Dacus, Ferrell, Garrison, Inhofe, Keels, Lane, Murphy, Payne.—10.

The emergency was declared passed.

SB 626, as amended, was referred for engrossment.



## GENERAL ORDER

**SB 543** by Smalley was read and considered.

Senator Short asked to be made a co-author of **SB 543**, which was the order.

Senator Stipe moved to amend **SB 543**, page 3, line 3, by striking the word "second" and by removing the brackets from the word "third" which amendment was declared adopted.

Upon motion of Senator Smalley, **SB 543** as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SB 543**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 543** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Howard, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Nay: Boecher, Crow, Field, Hamilton, Horn, Lane, Medearis, Nichols.—8.

Excused: Dacus, Ferrell, Garrison, Inhofe, Keels, Murphy, Payne, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Howard, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Nay: Boecher, Crow, Field, Hamilton, Horn, Lane, Medearis, Nichols.—8.

Excused: Dacus, Ferrell, Garrison, Inhofe, Keels, Murphy, Payne, Taliaferro.—8.

The emergency was declared passed.

**SB 543**, as amended, was referred for engrossment.

Senator Inhofe asked to be shown present, which was the order.

Senator Smalley presiding.

## MOTION TO RECONSIDER VOTE

Senator Stipe asked for consideration of his motion to reconsider the vote by which **SB 151** failed of passage.

President Pro Tempore Smith presiding.

Senator Smalley moved to table the Stipe motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baldwin, Berrong, Boecher, Breckinridge, Crow, Field, Ham, Holden, Inhofe, McCune, Nichols, Romang, Short, Smalley, Stansberry, Terrill, Williams.—17.

Nay: Atkinson, Baggett, Birdsong, Garrett, Grantham, Graves, Hamilton, Hargrave, Howard, Luton, McSpadden, Massey, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe, Young.—20.

Excused: Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, McGraw, Martin, Murphy, Taliaferro.—11.

The vote occurring upon the Stipe motion, it was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Garrett, Grantham, Graves, Hamilton, Hargrave, Howard, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Smith, Stipe, Young.—22.

Nay: Baldwin, Berrong, Boecher, Breckinridge, Crow, Field, Ham, Holden, Inhofe, McCune, Nichols, Romang, Short, Smalley, Stansberry, Terrill, Williams.—17.

Excused: Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Murphy, Taliaferro.—9.

### PENDING SENATE ACTION ON HAS

Senator McSpadden moved that the Senate refuse to concur in **HAs** to **SB 432** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HAs** to **SB 415** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HA** to **SB 424** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HAs** to **SB 428** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HAs** to **SB 440** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HAs** to **SB 441** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate refuse to concur in **HA** to **SB 446** and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

### GENERAL ORDER

**HB 1554** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Senator McSpadden moved to amend **HB 1554**, by crippling the Title thereto, which amendment was declared adopted.

Upon motion of Senator McSpadden, **HB 1554**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1554** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1554** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—32.

Excused: Baldwin, Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, McGraw, Murphy, Nichols, Phillips, Porter, Stansberry, Taliaferro, Young.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—32.

Excused: Baldwin, Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, McGraw, Murphy, Nichols, Phillips, Porter, Stansberry, Taliaferro, Young.—16.

The emergency was declared passed.

**HB 1554**, as amended, was referred for engrossment.

### PENDING SENATE ACTION

Upon motion of Senator Stipe, the request of the Honorable House for a conference on **HB 1522** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferencees under **HB 1522**: Stipe, Bradley, and Terrill.

### GENERAL ORDER

**HB 1557** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1557** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1557** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1557** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Williams.—33.

Excused: Baldwin, Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Murphy, Nichols, Phillips, Stansberry, Taliaferro, Terrill, Young.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Bird-

song, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Williams.—33.

Excused: Baldwin, Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Murphy, Nichols, Phillips, Stansberry, Taliaferro, Terrill, Young.—15.

The emergency was declared passed.

**HB 1557**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1581** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1581** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1581** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1581** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Field, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Romang, Short, Smith, Taliaferro, Terrill, Williams.—23.

Nay: Baggett, Breckinridge, Crow, Garrett, Holden, Howard, McCune, Medearis, Payne, Porter, Smalley, Young.—12.

Excused: Berrong, Bradley, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Luton, Murphy, Phillips, Stansberry, Stipe.—13.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator



McSpadden moved to reconsider the vote by which **HB 1581** failed of passage.

### GENERAL ORDER

**HB 1577** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1577** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1577** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1577** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Excused: Berrong, Bradley, Crow, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Murphy, Nichols, Phillips, Porter, Stansberry, Stipe, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Excused: Berrong, Bradley, Crow, Dacus, Ferrell, Garrison, Horn, Keels, Lane, Murphy, Nichols, Phillips, Porter, Stansberry, Stipe, Taliaferro.—16.

The emergency was declared passed.

**HB 1577**, as amended, was referred for engrossment.

### PENDING SENATE ACTION

Upon motion of Senator McSpadden, the request of the Honorable House for a conference on **HB 1551** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a conference on **HB 1584** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1054** by Anderson, et al, of the House and Romang, Williams, Crow, Ferrell and Field of the Senate—A Concurrent Resolution memorializing the United States Department of Agriculture to grant an extension of the grazing period for wheat pasturing acreage within the support program of the Agriculture Stabilization and Conservation Service as to this State; and directing distribution.

Upon request of Senator Romang, **HCR 1054** was taken up for immediate consideration, and adopted upon his motion.

**HCR 1054** was properly signed and ordered returned to the Honorable House.

### RESOLUTION

By unanimous consent **SR 53** by Smith was introduced, read at length as follows, adopted upon his motion, and ordered referred for enrollment:

**SR 53**—By Smith—A Resolution authorizing and directing the President Pro Tempore of the Senate to provide for the attendance of a representative of the Oklahoma State Senate to the Council of State Governments committee meetings and the Southern Conference of the Council of State Governments committee meetings for 1970; authorizing reimbursement for necessary travel and other expenses.

WHEREAS, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives, have appointed Senator Phil Smalley as one of the Oklahoma Representatives of the Council of State Governments Southern Conference Executive Committee; and

WHEREAS, the Southern Conference Executive Committee of the Council of State Governments have elected Senator Phil Smalley as the Southern Regional Representative to the National Conference of the Council of State Governments; and

WHEREAS, the Southern Conference of State Governments and the National Conference of State Governments conduct meetings of legislative interest and of value to the legislature of the State of Oklahoma and it is desirable that the Oklahoma member attend said meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the President Pro Tempore of the Senate be, and he is, hereby authorized to appoint Senator Phil Smalley to attend the committee meetings of the Southern Conference of the Council of State Governments and the National Conference of the Council of State Governments.

SECTION 2. That Senator Phil Smalley be reimbursed for necessary travel and other expense for his attendance at such meetings as provided for by resolution of the Senate.

#### COMMITTEE APPOINTMENT

President Pro Tempore Smith, having been authorized so to do, appointed the following committee member pursuant to SR 53: Smalley.

#### RESOLUTION

By unanimous consent SCR 64 was introduced and read as follows:

SCR 64 by Medearis of the Senate and Willis of the House—A Concurrent Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee to direct the appropriate Standing Committee to make a comprehensive study as to the necessity or desirability of legislation permitting the organization and chartering of permanent stock or capital stock savings and loan associations in Oklahoma and to make a comparative study of such permanent stock or capital stock savings and loan associations with presently existing mutual savings and loan associations; directing the preparation of a report and recommendations; and requesting the cooperation of the Division of Savings and Loan of the Oklahoma Banking Department.

Senators Payne and Graves asked to be made coauthors of the Resolution.

SCR 64, as coauthored, was read at length, adopted upon motion of Senator Medearis, and ordered referred for engrossment.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m., tomorrow, which motion was declared adopted.

Senator Smalley presiding.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 341.

The above numbered Enrolled Bill was referred to the Governor.

As provided under the Terrill motion, the Senate was declared adjourned until 11:00 a.m., tomorrow.

## Thirty-first Legislative Day

Thursday, February 26, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Baggett, Dacus, Garrison, McGraw, Murphy, Phillips.—6.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Grantham:

O God, we are aware of many things, but this day we are aware that we shall soon be joined with our loved ones and friends. We would ask Thy blessing upon these men who have been elected not to sainthood, but to serve a public made up of good and bad, selfish and generous, lost and found.

We have accomplished much this week, but make us aware that without Thee we shall discuss more and more and settle less and less. Guide and direct us that we shall not only be men of strength, but of wisdom. In the name of Christ. Amen.

The Journal for the last legislative day was declared approved.

### COMMUNICATION

The following Telegram was read and is incorporated herein upon the unanimous consent request of President Pro Tempore Smith:

To the Members and Staff  
of the Oklahoma State Senate  
Care President Pro Tem Finis Smith  
State Capitol Bldg Ok City

For the honors bestowed upon me and the lovely thoughtfulness displayed by the members of the Senate, Senate Secretaries and Staff, I would like to convey my deep-sest gratitude.

Lance Christian Lenhart.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1641**—By Allard, Sandlin and Hutchens—An Act relating to civil procedure; amending Section 2, Chapter 322, O. S. L. 1968 (12 O. S. Supp. 1969, § 1752), by providing that an action under the Small Claims Procedure Act may be brought in the county in which any defendant resides; providing for making nonresident party defendant so long as one defendant is a resident; by providing venue in small claims brought against foreign and domestic corporations; amending 12 O. S. 1961, § 134, by providing that a domestic corporation may be sued in any county where a codefendant may be sued; and providing for an effective date.

**HB 1646**—By McCune, Sandlin, Thompson and Green—An Act authorizing ap-



pointment of public defenders for Municipal Courts of Record; providing for appointment of public defenders; setting forth duties of public defenders; providing for effective date; and declaring an emergency.

**HB 1655**—By Barker, Coffin and Murphy of the House and Nichols of the Senate—An Act relating to professions and occupations; amending 59 O. S. 1961, § 199.2, as amended by Section 2, Chapter 313, O. S. L. 1968 (59 O. S. Supp. 1969, § 199.2); creating the State Board of Cosmetology; providing for qualifications, appointment, compensation and expenses of members; and authorizing expenditure of funds for suitable office space.

**HB 1674**—By Bernard—An Act relating to roads and highways; providing for a County Purchasing Division in each of the several counties in the state; providing exceptions; defining qualified vendor; providing for method of receiving bids; providing for guarantee of performance by successful bidders; providing for specifications for materials and supplies purchased; providing penalty for violation of Act; making provisions of Act severable; repealing Sections 636 and 637, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § § 636 and 637); and declaring an emergency.

**HB 1701**—By Boren, Payne, Monks, Sullivan, Bean and Gooden—An Act relating to public finance; amending 62 O. S. 1961, § 348.1, as last amended by Section 1, Chapter 356, O. S. L. 1967 (62 O. S. Supp. 1969, § 348.1); authorizing investment of funds by County Treasurer in interest bearing deposits in state and national banks in Oklahoma; providing for disposition of income; and declaring an emergency.

**HB 1762**—By McCune of the House and Grantham of the Senate—An Act relating to crimes and punishments; amending 21 O. S. 1961, § 11; providing that if the laws of the State of Oklahoma make a specific act or omission criminal and establish

punishment therefor and there is a general provision in the Penal Code making the same act or omission a criminal offense and prescribing punishment therefor, the special provisions shall govern; repealing 21 O. S. 1961, § 23; and declaring an emergency.

**HB 1774**—By Wolfe (Stephen)—An Act relating to civil procedure; amending Section 10, Chapter 322, O. S. L. 1968 (12 O. S. Supp. 1969, § 1760); providing for attachment and garnishment; providing for taking of depositions; and prohibiting new parties or intervention.

**HB 1797**—By Connor, Privett, Murphy, Sullivan, Kamas, Gooden, Thornhill, Sanguin, Greenhaw, Williamson, Cole, Boren and Jones of the House and Garrison of the Senate—An Act establishing the Oklahoma Rural Medical Education Loan and Scholarship Fund; stating purpose; creating the Board of Trustees therefor; authorizing board to adopt rules and regulations; providing for loans and scholarships; providing for repayment; providing for credit against loans and scholarships for practice in small communities; providing for eligibility; providing for contracts; making provisions severable; and declaring an emergency.

**HB 1798**—By Connor and Privett of the House and Garrison of the Senate—(An Act relating to the Board of Trustees of the Oklahoma Medical Education Loan and emergency)

The above numbered HBs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1054**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SBs 415, 424, 428, 432, 440, 441 and 446**,

and referring said Bills to the General Conference on Appropriations.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1055**—By Anderson, et al of the House and Romang of the Senate—A Concurrent Resolution taking note of the national recognition of John MacKenzie being named by the Distributive Education Clubs of America (DECA) as National DECA President in the United States of America for the school year 1969-70; commending Mr. MacKenzie on the personal qualities which were necessary for him in receiving this signal honor; and directing that copies of this resolution be mailed to interested persons.

**HCR 1056**—By Stratton of the House and Berrong of the Senate—A Concurrent Resolution expressing congratulations to the 1969-70 Clinton Chapter of the Future Farmers of America; and directing distribution.

Consideration of the Resolutions was deferred for this Legislative day.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1154**.

### CONFERENCE COMMITTEE REPORT

The following CCR on **HB 1154** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1154, and Engrossed Senate Amendments thereto, by Sparkman, et al of the House and McSpadden of the Senate entitled:

An Act relating to elections; amending  
\*\*\* emergency

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute, as coauthored by Bamberger of the House, be adopted:

**CCS for HB 1154**—By Sparkman, et al of the House and McSpadden of the Senate—An Act relating to elections; amending 26 O. S. 1961, § 556a, as last amended by Section 1, Chapter 53, O. S. L. 1968 (26 O. S. Supp. 1969, § 556a); providing increased compensation for precinct officials; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. 26 O. S. 1961, § 556a, as last amended by Section 1, Chapter 53, O. S. L. 1968 (26 O. S. Supp. 1969, § 556a), is amended to read as follows:

§ 556a. The compensation of all election officers, acting in and for election precincts of counties in the State of Oklahoma, shall be as follows, to wit:

The inspector of election shall be allowed the sum of **[Ten Dollars (\$10.00)]** TWELVE DOLLARS AND FIFTY CENTS (\$12.50) per day, for not to exceed two (2) days in holding each election, and nine cents (\$0.09) a mile each way in going to the county seat for the election supplies and books and returning the same to the election board.

The judges and clerks of such election shall receive the sum of **[Seven Dollars and fifty cents (\$7.50)]** TEN DOLLARS (\$10.00) each, for their services in holding such elections.

Counters shall be allowed the sum of **[Seven Dollars and fifty cents (\$7.50)]** TEN DOLLARS (\$10.00) each for holding each election. In case of an emergency in counties having a population in excess **[forty five thousand (45,000)]** TWENTY THOUSAND (20,000), as shown by the last Federal Decennial Census, **[or any subsequent Federal Decennial Census,]** due to an unusually heavy vote in any precinct at any statewide primary, general or spe-

cial election, the secretary of the county election board may, upon written request of any two (2) election officers of the precinct, grant written authority to said precinct election board to select not more than four (4) additional counters at not to exceed [Seven Dollars and fifty cents (7.50)] TEN DOLLARS (\$10.00) each for such election. The additional counters herein authorized shall not be a charge against the state, but shall be paid from the appropriation of the county for election expenses.

Provided, that in counties having a population of two hundred twenty-five thousand (225,000) or more, according to the last [or any subsequent] Federal Decennial Census, the inspectors, judges, clerks and counters shall be paid an additional Two Dollars (\$2.00) each for every election held in said counties in each and every precinct therein. Said additional amount shall be paid from the appropriation of the county for election expenses. In all other counties such additional compensation, to wit: Two Dollars (\$2.00) may be paid such precinct election officials from the funds of the county upon the written request of the county election board to the board of county commissioners and the approval of such request by the board of county commissioners.

The above fees shall be allowed for services rendered in all state and county elections. For services rendered in municipal and school elections, the inspectors, judges, clerks and counters shall be paid the same compensation they receive for state and county elections, said compensation to be a charge against the municipality or school district holding the election.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Respectfully submitted,

FOR THE SENATE: McSpadden, Massey.

FOR THE HOUSE: Sparkman, Rogers.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 417, 427 and 565, as amended.

HA to SB 417 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 23, by striking "36,020.00" and inserting "45,000.00".

Page 1, after Line 23, insert a new line to read as follows: "Law Enforcement Assistance Administration 12,500".

Page 1, Line 24, strike "\$354,467.00" and insert "\$375,947.00".

HAs to SB 427 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 14, by striking the following: "Be it enacted by the people of the State of Oklahoma."

Amendment No. 2. Amend Page 1, Line 15, by striking all of the present "Section 1" and inserting a new "Section 1" to read as follows:

"Section 1. There is hereby appropriated to the Board of Trustees of the Oklahoma Teachers' Retirement System from any monies in the funds indicated, not otherwise appropriated, the following amounts to assist in financing the Teachers' Retirement System of Oklahoma, provided in Chapter 157, O.S.L. 1969 (70 O.S. Supp. 1969, § § 17-101 to 17-119, inclusive):

	Fiscal Year Ending June 30, 1971
1965 Building Bonds	
Sinking Fund	\$789,750.59
State of Oklahoma Building	
Bonds of 1961 Sinking Fund	320,727.50
Building Bonds of 1961	
Reserve Sinking Fund	834,449.34
State of Oklahoma Institutional	
Building Bonds of 1965	
Sinking Fund	2,555,072.57
Total	\$4,500,000.00"



**HA to SB 565** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, by striking the Title and inserting the following: "(An Act relating to motor vehicles; and declaring an emergency.)"

### REQUEST FOR LOBBY PERMIT

Request for Lobby Permit was filed by the following person and ordered referred to the Committee on Lobby Permits:

Ed Stout, 1108 Larchmont Lane, Oklahoma City, representing the Mid America Gasoline Dealers Association.

### CITATION

Upon motion of Senator Short, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Elizabeth Daniel, R.N. for serving as Nurse of the Day on February 26, 1970.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 543, 626, 629, SCR 63; and HBs 1554, 1557 and 1577** each correctly engrossed.

**SR 53** correctly enrolled.

Engrossed **SBs 543, 626, 629** and **SCR 63** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1554, 1557 and 1577**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SR 53** was properly signed and ordered transmitted to the Secretary of State.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 578**—Revenue and Taxation.

**SB 619**—Revenue and Taxation.

**HB 1740**—Revenue and Taxation—Coauthored by Garrett.

**DO PASS**, as amended:

**SB 509**—Appropriations and Budget—Coauthored by Inhofe.

**SB 595**—Judiciary.

**SB 601**—Appropriations and Budget.

**SB 615**—Appropriations and Budget.

**HB 1562**—Appropriations and Budget.

**HB 1563**—Appropriations and Budget.

**HB 1578**—Appropriations and Budget.

**HB 1580**—Appropriations and Budget.

**HB 1782**—Appropriations and Budget.

### FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 650**—By Inhofe—An Act relating to the Industrial Development and Park Department; stating purpose; providing for the establishment of a Maritime Advisory Board for said department; providing duties thereof; authorizing said board to acquire, transport, berth, renovate, equip and maintain the submarine USS Piranha as a memorial park; vesting said board with certain powers subject to supervision of the Industrial Development and Park Department; establishing a revolving fund in the State Treasury for said Maritime Advisory Board, subject to control and expenditures by the Industrial Development and Park Department, the same to be for the development and maintenance of said memorial park; providing for reports, audits of receipts from gifts, grants, admission charges, and other income; providing for exemption from the levy of certain taxes; providing obligations incurred for the act's purposes shall not create a debt of the state or any county or municipality; providing for severability; and declaring an emergency.

**SB 651**—By Baggett—An Act relating to

schools; amending 70 O. S. 1961, § § 8-2 and 8-3, as amended by Section 1, Chapter 167, O. S. L. 1963 (70 O. S. Supp. 1969, § 8-3); providing that a pupil transfer from one school district to another shall be granted upon application of the parent or guardian; and making provisions severable.

**SB 652**—By Inhofe—An Act relating to elections; providing procedure for recounts in elections which do not involve a candidate or candidates for office; declaring legislative intent; providing for civil liability of contestant alleging fraud in certain cases; and declaring an emergency.

**SJR 51**—By Baggett—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article XXIV of the Constitution of the State of Oklahoma; providing that in all elections on measures referred to the people involving constitutional amendments the majority of votes cast by the people voting on the measure shall determine the approval or rejection of the measure; authorizing an entire article to be proposed as a single amendment to the Constitution; removing prohibition against submission of proposals containing more than one general subject; providing for ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 647**—Business Relations.

**SB 648**—Finance and Commerce.

**SB 649**—Municipal Government.

**SJR 50**—Constitutional Revisions and Regulatory Services.

**HB 1292**—Judiciary.

**HB 1613**—Rules—then to Education.

**HB 1659**—Agriculture.

**HB 1664**—Education.

**HB 1742**—Finance and Commerce.

**HB 1753**—Roads and Highways.

**HB 1784**—Public Health.

## PENDING SENATE ACTION

**SCR 62** by Miller of the Senate and Abbott of the House was called up for consideration, read at length, adopted upon motion of Senator Miller, and ordered referred for engrossment.

## GENERAL ORDER

**SB 553** by Holden was read and considered.

Senator Field moved to amend **SB 553**, page 5, line 16 by inserting after the word "bond" and before the word "in" the language "or other bond as may be approved by the Corporation Commission but in no event shall the security pledged in said bond be personal property" which amendment was tabled upon motion of Senator Holden.

Senator McSpadden, joined by Senator Murphy, moved to amend **SB 553**, page 5, line 16, by inserting after the word "bond" and before the word "in" the language "or other bond as may be approved by the Corporation Commission" which amendment was tabled upon motion of Senator Holden.

Senator Field moved to amend **SB 553**, page 5, line 18, by inserting after the word "each" and before the word "bond" the words "corporate surety" which amendment was declared adopted.

Senator Holden moved to amend **SB 553**, page 7, line 6, by adding after the period (.) the language "Upon reasonable proof satisfactory to the Commission that a person is unable to obtain a corporate surety bond herein required, the Commission may accept, in lieu thereof, a deposit of cash or negotiable securities of the state or federal government in not less than the amounts above required, together with his agreement in writing that upon determination by the Commission that such person has failed to drill, produce and plug all wells covered by such agreement, in com-

pliance with the rules and regulations of the Commission, that such cash or securities are forfeited to the Commission. Any moneys accruing to the State Treasury by reason of the forfeitures under this provision shall be credited to the Conservation Fund"

Senator Short moved to amend the Holden amendment by striking the language: "Upon reasonable proof satisfactory to the Commission that a person is unable to obtain a corporate surety bond herein required" which amendment was tabled upon motion of Senator Holden upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Ferrell, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Martin, Massey, Miller, Payne, Romang, Smith, Stansberry, Taliaferro, Williams.—25.

Nay: Bradley, Breckinridge, Field, Garrett, Hargrave, Inhofe, Luton, McCune, McSpadden, Nichols, Short, Smalley, Stipe, Terrill, Young.—15.

Excused: Baggett, Dacus, Garrison, McGraw, Medearis, Murphy, Phillips, Porter.—8.

The vote occurring upon the Holden amendment, it was declared adopted.

Senator Horn, joined by Senator Crow, moved to amend **SB 553**, page 7, line 12, by adding a new Section 6 to read as follows: "The effective day of this Act shall be January 1, 1971" which amendment was declared adopted.

Senator Baggett asked to be shown present, which was the order.

Upon motion of Senator Holden, **SB 553**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, **SB 553**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 553** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn Howard, Inhofe, Keels, Lane, Luton, McCune, Massey, Miller, Nichols, Payne, Porter, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—36.

Nay: McSpadden, Short, Young.—3.

Excused: Dacus, Garrison, Hargrave, McGraw, Martin, Medearis, Murphy, Phillips, Stipe.—9.

The bill was declared passed.

**SB 553**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 641** by Luton was read and considered.

As provided, under Rule 8-e, upon request of Senator Luton, Representative Odom (V. H.) was added as the House Author of **SB 641**.

Upon motion of Senator Luton, **SB 641** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 641** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 641** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Crow, Dacus, Garrett, Garrison, Ham, McGraw, Medearis, Murphy,



Phillips, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Crow, Dacus, Garrett, Garrison, Ham, McGraw, Medearis, Murphy, Phillips, Porter, Stansberry, Taliaferro.—12.

The emergency was declared passed.

**SB 641** was referred for engrossment.

Senator Smalley presiding.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 64** correctly engrossed.

**SB 433** correctly enrolled.

Engrossed **SCR 64** was properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SB 433** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### GENERAL ORDER

**SB 604** by Howard was read and considered.

Senator Bradley raised the question of "no quorum".

The Presiding Officer ordered the roll taken and declared a quorum was present.

Senator Baggett, joined by Senator Birdsong, moved to amend **SB 604**, page 4, line 1, by adding after the word "claims" the language "If an attorney is appointed to represent such an applicant then the fees

and expenses of such attorney shall be paid from the court fund" which amendment was declared adopted.

President Pro Tempore Smith presiding.

Upon motion of Senator Howard, **SB 604**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **SB 604**, as amended, was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**SB 604** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McCune, Martin, Massey, Nichols, Payne, Short, Smalley, Smith, Stipe, Terrill.—29.

Nay: Field, Lane, Romang, Taliaferro, Williams.—5.

Excused: Dacus, Ferrell, Garrison, Ham, Holden, McGraw, McSpadden, Medearis, Miller, Murphy, Phillips, Porter, Stansberry, Young.—14.

The bill was declared passed.

**SB 604**, as amended, was referred for engrossment.

#### PENDING CONSIDERATION OF HAS

Senator Baggett moved that the Senate refuse to concur in **HA** to **SB 403** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 403**: Smith, Baggett and Miller.

#### GENERAL ORDER

**SJR 29** by Howard was read and considered.

Upon motion of Senator Howard, **SJR 29** was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **SJR 29** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 29** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Payne, Romang, Short, Smith, Terrill, Williams, Young.—27.

Nay: Baggett, Baldwin, Field, McCune, Nichols.—5.

Excused: Birdsong, Dacus, Garrison, Ham, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Phillips, Porter, Smalley, Stansberry, Stipe, Taliaferro.—16.

The Resolution was declared passed.

**SJR 29** was referred for engrossment.

### GENERAL ORDER

**SB 594** by Grantham and Garrison of the Senate and Boettcher of the House was read and considered.

Upon motion of Senator Grantham, **SB 594** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 594** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Martin, Mill-

er, Nichols, Payne, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—32.

Nay: Boecher, Luton, McCune.—3.

Excused: Dacus, Garrison, Ham, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Porter, Smalley, Stipe, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Martin, Miller, Nichols, Payne, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—32.

Nay: Boecher, Luton, McCune.—3.

Excused: Dacus, Garrison, Ham, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Porter, Smalley, Stipe, Taliaferro.—13.

The emergency was declared passed.

**SB 594** was referred for engrossment.

### GENERAL ORDER

**SB 602** by Williams was read and considered.

As provided under Rule 8-e, upon request of Senator Williams, Representative Kamas was added as House Author of **SB 602**.

Upon motion of Senator Williams, **SB 602** was advanced to engrossment.

By unanimous consent, upon request of Senator Williams, **SB 602** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 602** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Graves, Hamilton,

Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—34.

Nay: Baldwin, Bradley.—2.

Excused: Dacus, Garrison, Grantham, Ham, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—34.

Nay: Baldwin, Bradley.—2.

Excused: Dacus, Garrison, Grantham, Ham, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—12.

The emergency was declared passed.

**SB 602** was referred for engrossment.

## GENERAL ORDER

**HB 1231** by Tabor of the House and Ham of the Senate was read and considered.

Upon motion of Senator Ham, **HB 1231** was advanced to engrossment.

By unanimous consent, upon request of Senator Ham, **HB 1231** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1231** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge,

Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—37.

Excused: Baggett, Dacus, Garrison, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—37.

Excused: Baggett, Dacus, Garrison, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—11.

The emergency was declared passed.

**HB 1231**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1499** by Sanguin, et al, of the House and Lane of the Senate was read and considered.

Senators Ferrell and Boecher asked to be made coauthors of **HB 1499**, which was the order.

Senator Howard, joined by Senator Smalley, moved to amend **HB 1499**, page 11, line 13, by inserting after the word "permit required" and before the word "no" the language "after adoption of the rules and regulations as provided in Section 9 hereof and a reasonable time fixed by the Board of Health for compliance therewith" which amendment was declared adopted.

Senator Howard, joined by Senators Smalley and Williams, moved to amend **HB 1499**, page 12, line 14, by inserting



after the word "statutes)." the language "Notice of such rules and regulations shall be given to the chief executive officer of the governing body of each incorporated city and town and each county with an opportunity to appear and be heard thereon before the adoption of such rules and regulations" which amendment was declared adopted.

Upon motion of Senator Lane, **HB 1499**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, **HB 1499**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1499** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—35.

Nay: Crow.—1.

Excused: Atkinson, Baldwin, Dacus, Garrison, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—36.

Nay: Crow.—1.

Excused: Baldwin, Dacus, Garrison,

McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—11.

The emergency was declared passed.

**HB 1499**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

Senator Garrett asked for an extension of one day for consideration of his motion to reconsider the vote by which **SB 480**, as amended, passed, which was the order.

### GENERAL ORDER

**SB 569** by Grantham of the Senate and Camp, et al, of the House was read and considered.

Upon motion of Senator Grantham, **SB 569** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 569** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 569** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—36.

Excused: Baldwin, Boecher, Dacus, Garrison, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn,

Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—36.

Excused: Baldwin, Boecher, Dacus, Garrison, McGraw, McSpadden, Massey, Medearis, Murphy, Phillips, Stipe, Taliaferro.—12.

The emergency was declared passed.

**SB 569** was referred for engrossment.

## GENERAL ORDER

**SB 190** by Porter was read and considered.

Senator Luton asked to be made a coauthor of **SB 190**, which was the order.

Senator Lane moved to amend **SB 190**, page 1, line 6, by striking after the figures “(\$12,500.00)” the remainder of page 1, which amendment was tabled upon motion of Senator Grantham, upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Field, Garrett, Grantham, Ham, Hargrave, Howard, Inhofe, Miller, Nichols, Porter, Short, Smalley, Smith, Taliaferro, Terrill, Young.—19.

Nay: Baggett, Berrong, Crow, Ferrell, Graves, Hamilton, Horn, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Payne, Romang, Stipe, Williams.—18.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Garrison, Holden, McGraw, Medearis, Murphy, Phillips, Stansberry.—11.

Senator Romang moved to amend **SB 190**, page 1, lines 6 and 7, by striking the words and figures “Five Thousand Dollars (\$5,000.00)” and substituting therefor the words and figures “Ten Thousand Dollars (\$10,000.00)”.

Senator Grantham moved to table the Romang amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Bradley, Field, Garrett, Grantham, Ham, Hargrave, Horn, Howard, Inhofe, Luton, McSpadden, Miller, Nichols,

Porter, Short, Smalley, Smith, Young.—18.

Nay: Atkinson, Baggett, Berrong, Breckinridge, Crow, Ferrell, Graves, Hamilton, Lane, McCune, Martin, Massey, Payne, Romang, Stipe, Taliaferro, Terrill, Williams.—18.

Excused: Baldwin, Birdsong, Boecher, Dacus, Garrison, Holden, Keels, McGraw, Medearis, Murphy, Phillips, Stansberry.—12.

The vote occurring upon the Romang amendment, it was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Breckinridge, Crow, Ferrell, Graves, Hamilton, Horn, Keels, Lane, McCune, Martin, Massey, Payne, Romang, Stipe, Williams.—18.

Nay: Birdsong, Bradley, Field, Garrett, Grantham, Ham, Hargrave, Howard, Inhofe, Luton, McSpadden, Miller, Nichols, Porter, Short, Smalley, Smith, Taliaferro, Terrill, Young.—20.

Excused: Baldwin, Boecher, Dacus, Garrison, Holden, McGraw, Medearis, Murphy, Phillips, Stansberry.—10.

Senator Lane moved to amend **SB 190**, page 1, lines 6 and 7, by striking the words and figures “Five Thousand Dollars (\$5,000.00)” and substituting therefor the words and figures “Eight Thousand Five Hundred Dollars (\$8,500.00)” which amendment was declared adopted.

Senator Smalley moved to amend **SB 190**, page 2, line 1, by striking after the word “state” the remaining language contained in Section 1, and by amending the title to conform thereto.

Senators Smith, Young, Hamilton, Crow, Massey, Stipe, Graves, Martin, Miller, Horn and Short asked to be made coauthors of the Smalley amendment, which was the order.

The vote occurring upon the Smalley-Smith - Young - Hamilton - Crow - Massey - Stipe - Graves - Martin - Miller - Horn - Short amendment, it was declared adopted.

Senator Baggett moved that **SB 190**, as amended, be advanced to engrossment, which motion was tabled upon motion of Senator Smalley.

Senator Luton moved to amend **SB 190**, page 1, lines 5 and 6, by striking the words and figures "Twelve Thousand Five Hundred Dollars (\$12,500.00)" and substituting therefor the words and figures "Fifteen Thousand Dollars (\$15,000.00)" which amendment was declared failed of adoption.

Senator Baggett moved to amend **SB 190**, page 1, lines 5 and 6, by striking the words and figures "Twelve Thousand Five Hundred Dollars (\$12,500.00)" and substituting therefor the words and figures "Fourteen Thousand Four Hundred Dollars (\$14,400.00)".

Senator Smalley moved that **SB 190**, as amended, be advanced to engrossment, which motion was tabled upon motion of Senator Baggett.

The vote occurring upon the Baggett amendment, it was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Birdsong, Bradley, Field, Garrett, Hargrave, Howard, Luton, McCune, Martin, Porter, Romang, Young.—13.

Nay: Atkinson, Berrong, Breckinridge, Crow, Ferrell, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, McSpadden, Massey, Miller, Nichols, Payne, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—27.

Excused: Baldwin, Boecher, Dacus, Garrison, McGraw, Medearis, Murphy, Phillips.—8.

Senator Young moved that **SB 190**, as amended, be withdrawn from the Calendar and referred to the Committee on Appropriations and Budget.

Senator Terrill, as a substitute for the Young motion, moved that **SB 190**, as amended, be advanced to engrossment, which motion was declared adopted.

## MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 403**, and naming House Conferencees as follows: Willis, Miskelly and Sullivan.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HBs 1553, 1556, 1570 and 1576**, and referring said Bills to General Conference Committee on Appropriations.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 63**.

The above numbered Resolution was referred for enrollment.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 433**.

The above numbered Enrolled Bill was referred to the Governor.

## GENERAL ORDER

**HB 1638** by Derryberry, et al, of the House and Luton of the Senate was read and considered.

Upon motion of Senator Luton, **HB 1638** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **HB 1638** was placed upon third reading and final passage.

## THIRD READING

**HB 1638** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Breckinridge, Garrett, Grantham, Inhofe, Keels, Luton, Romang, Short, Smalley, Williams.—10.

Nay: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Martin, Massey, Miller, Nichols, Payne, Porter, Smith,



Stansberry, Stipe, Taliaferro, Terrill, Young.—28.

Excused: Baldwin, Boecher, Dacus, Garrison, McCune, McGraw, McSpadden, Medearis, Murphy, Phillips.—10.

The bill was declared failed of passage.

### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Luton moved that the vote be reconsidered by which **HB 1638** failed of passage.

### **GENERAL ORDER**

**SB 610** by Young was read and considered.

Senator Berrong moved to amend **SB 610**, page 2, line 7, by inserting after the word "company" and before the word "exceeded" the language "or at the expense or in behalf of clients represented by claimant attorneys" which amendment was declared adopted.

Upon motion of Senator Young, **SB 610**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 610**, as amended, was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**SB 610** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, McSpadden, Miller, Payne, Porter, Romang, Smalley, Smith, Stipe, Terrill, Young.—26.

Nay: Bradley, Breckinridge, Grantham, McCune, Short, Stansberry, Williams.—7.

Excused: Baldwin, Berrong, Boecher, Dacus, Garrison, Inhofe, Luton, McGraw, Martin, Massey, Medearis, Murphy, Nichols, Phillips, Taliaferro.—15.

The bill was declared passed.

Senator Young asked unanimous consent

that the Emergency Section of **SB 610** be stricken and the title amended to conform thereto, which was the order.

**SB 610**, as amended, was referred for engrossment.

Senator Smalley presiding.

### **MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HB 1585**, as amended.

### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1608**, requesting Conference and naming Conferees as follows: Willis, Boren and Nance.

Upon motion of Senator Keels, the request of the Honorable House for a conference on **HB 1608** was ordered granted.

### **CC APPOINTMENT**

As provided under Rule 3-d, Senator Smalley, authorized by the President Pro Tempore so to do, announced the appointment of the following Senate Conferees under **HB 1608**: Keels, Garrett and Berrong.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, 1:00 p.m., Monday, which motion was declared adopted.

### **MESSAGE FROM THE HOUSE**

Advising adoption of and returning Engrossed **SCR 64**.

The above numbered Resolution was referred for enrollment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SJR 27**—Coauthored by Atkins, Boren and Wixson; **SJR 40**—Coauthored by Sullivan; and **SJR 42**—Coauthored by Sullivan.

The above numbered Resolutions were referred for enrollment.

As provided under the Terrill motion, | as provided under the Rules, 1:00 p.m.,  
the Senate was declared adjourned to meet, | Monday, March 2, 1970.





## Thirty-second Legislative Day

Monday, March 2, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Lutton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Ferrell, Horn, Nichols, Stipe.—5.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend John Downs, pastor of the First Christian Church of Blackwell, Oklahoma, and is incorporated herein, by unanimous consent, upon request of Senator Grantham:

Our Father, as we debate these issues that affect the lives of the people of Oklahoma whom we serve, make us sensitive to the needs of each person involved. Make us sensitive to our own human limitations and biases so that we may be more willing to follow the ways of your love through Christ, our Lord, who has revealed your love to us. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 2, 1970, of Enrolled SB 458 entitled:

**SB 458**—By Young and Birdsong—An Act relating to the organization of the Supreme Court of Oklahoma; amending Section 2, Chapter 379, O. S. L. 1968 (20 O. S. Supp. 1969, § 16.2); fixing compensation for administrative director of the courts; providing an effective date; and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 421, 426 and 447, as amended.

**HA to SB 421** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Lines 21 and 22, by striking the words and figures "Sixty-six Million Seven Hundred Forty-two Thousand One Hundred Thirty-three Dollars (\$66,742,133.00)" and inserting in lieu thereof the following: "Sixty-eight Million Seven Hundred Forty-two Thousand One Hundred Thirty-three Dollars (\$68,742,133.00)".

**HAs to SB 426** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 1, Line 27, by striking the figures "3,024,659.00" and inserting the figures "3,087,159.00".

**AMENDMENT NO. 2.** After Line 27, insert a new line to read as follows: "The sum of Sixty-two Thousand Five Hundred Dollars (\$62,500.00) of the amount appropriated in this Section is hereby dedicated to the operation of the Ouachita Vocational Technical Camp."

**HAs to SB 447** read as follows, and consideration deferred:

**Amendment No. 1.** Amend Page 2, Line 11, by striking the figures "2,507,777.00" and inserting the figures "2,286,548.00".

**Amendment No. 2.** Amend Page 2, Line 19, by striking the figures "373,691.00" and inserting the figures "425,486.00".

**Amendment No. 3.** Amend Page 2, Line 29, by striking the figures "670,000.00" and inserting the figures "691,674.00".

**Amendment No. 4.** Amend Page 3, Line 10, by striking the figures "85,000.00" and inserting the figures "87,578.00".

**Amendment No. 5.** Amend Page 3, Line 17, by striking the figures "358,000.00" and inserting the figures "326,241.00".

**Amendment No. 6.** Amend Page 4, Line 7, by striking the figures "493,844.00" and inserting the figures "487,394.00".

**Amendment No. 7.** Amend Page 4, Line 12, by striking the figures "44,997.00" and inserting the figures "45,908.00".

**Amendment No. 8.** Amend Page 4, Line 13, by striking the figures "4,533,309.00" and inserting the figures "4,350,829.00".

#### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed:

**HB 1780**—By Atkins, Clemons, Miskelly, York, Nance and Trent—(An Act relating to the Oklahoma Historical Society and making an emergency).

**HB 1803**—By Derryberry and Hatchett—An Act relating to the legislative council; making a reappropriation of certain funds thereto; stating purpose; providing lapse date; and declaring an emergency.

**HJR 1032**—By Robinson and Monks—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma; amending Article X, Section 9, as amended by State Question No. 430, Referendum Petition No. 151, adopted September 14, 1965; providing for ad valorem

taxes to be apportioned among county, city, town, school district and hospital district; providing levies for school purposes; providing for filing of estimates of needs for school districts; providing for ballot title; and ordering special election.

**HJR 1033**—By Robinson—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma; adding a new Section to Article X thereof to be designated as Article X, Section 38; authorizing a duly organized and authorized hospital district to issue bonds in sums provided by majority of taxpaying voters in a hospital district for purpose of building, operating, and maintaining district hospital; providing for interest on bonds; providing procedure for sale of bonds; authorizing special annual recurring ad valorem tax upon approval by majority of electors in the hospital district at election called for that purpose; providing for exchange, payment, maturity and maximum amount of bonds; providing for appropriate legislation; providing a ballot title; and ordering a special election.

**HJR 1044**—By Briscoe of the House and McSpadden of the Senate—A Joint Resolution authorizing Richard Burdyn and his wife of Rogers County, Oklahoma, to bring suit against the State of Oklahoma to determine the amount of damages, if any, sustained by them in an automobile accident on account of a raised ledge in the highway approximately one and nine-tenths miles south of Claremore, Rogers County, Oklahoma; providing for service of summons; providing for venue; directing the payment of any judgment rendered in said suit out of the State Highway Construction and Maintenance Fund; and declaring an emergency.

**HJR 1049**—By Spearman and Holaday—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed

amendment to Section 5 of Article I of the Oklahoma Constitution; providing that segregation of children in public schools of the State of Oklahoma on account of race, creed, color or national origin is prohibited; providing for ballot title; and ordering a special election.

**HJR 1053**—By Converse of the House and Miller of the Senate—(A Joint Resolution relating to deaf persons; providing for)

**HJR 1055**—By Wolfe (Stephen)—A Joint Resolution authorizing Edwin E. Wright to bring suit in the District Court of Tulsa County against Independent School District No. 1, Tulsa, Oklahoma, for damages as a result of injuries sustained while employed by said school district; expressing legislative intent; and declaring an emergency.

**HJR 1056**—By Smithey of the House and Hargrave of the Senate—A Joint Resolution authorizing J. Calvin Meek and Ella Mae Meek to bring suit against the State of Oklahoma to determine the amount of damage, if any, sustained by them on account of highway construction near their property; directing payment of any judgment rendered in said suit from the State Highway Maintenance and Construction Fund.

The above numbered **HBs** and/or **HRs** were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1585**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 490**—Judiciary—Coauthored by Nichols, Smalley and Young.

**SB 621**—Roads and Highways—Cauthored by Grantham.

**HB 1625**—Roads and Highways.

**HB 1652**—Agriculture.

DO PASS, as amended:

**SB 568**—Agriculture.

**SB 620**—Revenue and Taxation.

**SB 628**—Revenue and Taxation.

**SB 634**—Roads and Highways.

**SB 642**—Roads and Highways—Coauthored by Birdsong and Atkinson.

**SJR 30**—Public Affairs—Coauthored by McCune.

**SJR 50**—Constitutional Revisions and Regulatory Services—Coauthored by Breckinridge and Short.

WITHOUT RECOMMENDATION:

**SB 631**—Agriculture.

#### RESOLUTION

**SCR 65** by Williams of the Senate and Kamas, et al, of the House was introduced and read as follows:

A Resolution requesting the State Highway Commission to name the bridge on Oklahoma State Highway No. 50 the "Omer Schnoebelen Bridge"; and directing distribution.

**SCR 65** was considered, read at length, adopted upon motion of Senator Williams and ordered referred for engrossment.

#### BILL RE-REFERRED

President Pro Tempore Smith asked unanimous consent, which was granted, that **SB 647** be ordered withdrawn from the Committee on Business Relations and said Bill be referred to the Committee on Constitutional Revisions and Regulatory Services.

#### FIRST READING

The following Bills and/or Resolutions were introduced and read the first time:

**SB 653**—By Murphy—An Act relating to the financing of residential housing for persons and families of lower income and



creating the Oklahoma State Residential Housing Authority; defining its duties, powers and responsibilities; setting out legislative findings and purposes; authorizing the issuance of bonds not in excess of Two Hundred Million Dollars to assist in the financing of such housing; creating the Housing Development Fund and authorizing the issuance of fund notes, with fund notes of not more than Five Million Dollars to be outstanding at any one time, to provide development cost, construction cost and down payment moneys; providing for the terms, security, payment and taxation status of all such bonds and notes; and declaring an emergency.

**SB 654**—By Murphy—An Act relating to oil and gas; providing that the use of potable water shall be prohibited in water flooding operations for the development of a common source of supply of oil and gas; providing that such prohibition shall be set out in any order entered by the Corporation Commission; authorizing the unitized management, operation and development of oil and gas properties; directing codification; and declaring an emergency.

**SB 655**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House—An Act authorizing and directing the State of Oklahoma Building Bonds Commission to sell and issue Series B of the State Oklahoma Building Bonds of 1968 in the principal sum of Twenty-Five Million Three Hundred Seventy-eight Thousand Dollars under the terms and conditions of Chapter 339, O. S. L. 1969 (62 O. S. Supp. 1969 § § 57.121-57.136); prescribing the schedule for payments into the sinking fund for payment of interest and principal of such Series B Bonds; prescribing the schedule of repayment of the principal sum of such Series B bonds; providing severability; and declaring an emergency.

**SB 656**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House—An Act appropriating from the

proceeds of the sale of bonds authorized by Section 38, Article X of the Oklahoma Constitution; declaring purpose of act; appropriating Fifteen Million Six Hundred Fifty Thousand Dollars to the Oklahoma State Regents for Higher Education for expenditure at the constituent institutions of the Oklahoma State System of Higher Education, the Medical Center of the University of Oklahoma, the new Tulsa Junior College and the new Midwest City Junior College and existing community junior colleges; appropriating Eight Million Five Hundred Twenty-eight Thousand Dollars to the State Board of Public Affairs for the use of various departments and agencies at designated institutions and for other specified purposes; appropriating to the Regents for Higher Education Seven Hundred Fifty Thousand Dollars for Oklahoma State University School of Technical Training at Okmulgee and Five Hundred Thousand Dollars for Oklahoma State University Technical Institute at Oklahoma City from Item 10 in Section 38, Article X of the Oklahoma Constitution; appropriating One Million Two Hundred Thousand Dollars to the State Military Department; specifying the purposes for which such appropriations are to be expended and providing restrictions and limitations on expenditures; designating the respective contracting agencies and authorizing them to contract for expenditures hereunder; authorizing and directing coordination and cooperation with federal granting agencies; appropriating to the Building Bonds Commission Seven Thousand Five Hundred Dollars for the expenses of issuing such bonds and Fifteen Thousand Dollars for legal services in connection with such bonds; making appropriations nonfiscal; specifying effective date; making provisions of this Act severable; and declaring an emergency.

**SJR 52**—By Baggett—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment of Section 3 of Article V of the Constitution of the

State of Oklahoma; providing that in all elections on measures referred to the people either by initiative or referendum, involving legislation or constitutional amendments, the majority of votes cast by the people voting on the measure shall determine the approval or rejection of the measure; providing for a ballot title; and ordering a special election.

## SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 650**—Governmental Affairs.

Senator Terrill asked unanimous consent, which was granted, that the order referring **SB 650** to the Committee on Governmental Affairs be rescinded and that said Bill be referred to the Committee on Conservation and Economic Development.

**SB 651**—Education.

**SB 652**—Rules.

**SJR 51**—Constitutional Revisions and Regulatory Services.

**HB 1641**—Judiciary.

**HB 1646**—Judiciary.

**HB 1655**—Constitutional Revisions and Regulatory Services.

**HB 1674**—Roads and Highways.

**HB 1701**—Finance and Commerce.

**HB 1762**—Judiciary.

**HB 1774**—Judiciary.

**HB 1797**—Education.

**HB 1798**—Education.

## THIRD READING

Senator Terrill moved to reconsider the vote by which **SB 190** was advanced to engrossment, which motion was declared adopted.

## GENERAL ORDER

**SB 518** by Baldwin was read and considered.

Senators Baggett and Medearis asked

to be made coauthors of **SB 518**, which was the order.

Upon motion of Senator Baldwin, **SB 518** was advanced to engrossment.

By unanimous consent, upon request of Senator Baldwin, **SB 518** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 518** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Nay: Breckinridge, Keels, Stansberry.—3.

Excused: Dacus, Ferrell, Horn, Nichols, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Nay: Breckinridge, Keels, Stansberry.—3.

Excused: Dacus, Ferrell, Horn, Nichols, Stipe.—5.

The emergency was declared passed.

**SB 518** was referred for engrossment.

**MOTION TO RECONSIDER VOTE**

Senator Baldwin asked for consideration of his motion to reconsider the vote by which **HB 1291**, as amended in conference, passed.

Senator Smalley moved to table the Baldwin motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Graves, Hamilton, Howard, Keels, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Porter, Short, Smalley, Smith, Terrill.—21.

Nay: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Inhofe, Lane, McCune, Massey, Medearis, Romang, Stansberry, Taliaferro, Williams, Young.—22.

Excused: Dacus, Ferrell, Horn, Nichols, Stipe.—5.

Senators Horn and Nichols asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

The vote occurring upon the Baldwin motion, it was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Field, Garrison, Grantham, Ham, Inhofe, McCune, McGraw, Massey, Medearis, Nichols, Romang, Stansberry, Williams, Young.—19.

Nay: Atkinson, Bradley, Crow, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Short, Smalley, Smith, Taliaferro, Terrill.—23.

Excused: Birdsong, Dacus, Ferrell, Lane, Porter, Stipe.—6.

**HB 1291**, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

**GENERAL ORDER**

**SB 391** by McCune was read and considered.

Senator McCune moved to amend **SB 391**, page 2, beginning on line 13, by deleting after the word "years" and before the period (.) on line 17, all language contained therein, which amendment was declared adopted.

Upon motion of Senator McCune, **SB 391**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, **SB 391**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 391** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Nay: Ham, Hamilton.—2.

Excused: Dacus, Ferrell, Grantham, Lane, Nichols, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Nay: Ham, Hamilton.—2.

Excused: Dacus, Ferrell, Grantham, Lane, Nichols, Porter, Stipe.—7.

The emergency was declared passed.



SB 391, as amended, was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 553, 569, 594, 602, 604, 610, 641, SJR 29, SCR 62, 65; and HBs 1231 and 1499 each correctly engrossed.

SJR 27, 40, 42, SCR 63 and 64 each correctly enrolled.

Engrossed SBs 553, 569, 594, 602, 604, 610, 641, SJR 29, SCR 62 and 65 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HBs 1231 and 1499, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SJRs 27, 40 and 42 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled SCR 63 and 64 were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## DECLARATION OF VOTE

Senator Birdsong asked that the record show, had he been in the Chamber at the time the vote was taken upon HB 1291, as amended in conference, he would have voted NAY, which was the order.

## GENERAL ORDER

SB 519 by Field of the Senate and Harrison of the House was read and considered.

Upon motion of Senator Field, SB 519 was advanced to engrossment.

By unanimous consent, upon request of Senator Field, SB 519 was considered engrossed and placed upon third reading and final passage.

## THIRD READING

SB 519 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—39.

Nay: Breckinridge, Howard, Young.—3.

Excused: Dacus, Ferrell, Ham, Massey, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—39.

Nay: Breckinridge, Howard, Young.—3.

Excused: Dacus, Ferrell, Ham, Massey, Porter, Stipe.—6.

The emergency was declared passed.

SB 519 was referred for engrossment.

Senator Ferrell asked to be shown present, which was the order.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 65.

The above numbered Resolution was referred for enrollment.

## GENERAL ORDER

SB 526 by Taliaferro and Berrong of the Senate and Sparkman of the House was read and considered.

Senator Nichols asked to be made a coauthor of SB 526, which was the order.

Senator Breckinridge moved that SB 526,

together with all amendments, be referred to the Committee on Constitutional Revisions and Regulatory Services.

Senator Terrill moved to table the Breckinridge motion.

Senator Baggett, in lieu of all pending motions, moved that **SB 526** be referred to the Committee on Public Health, which motion was tabled upon motion of Senator Terrill.

Senator Berrong moved to amend **SB 526**, page 15, line 11, by inserting after the word "therefrom" and before the word "The" on line 14, the language "It is the intent of the Legislature that the standards be in accordance with those recognized by the National Accrediting Agency for Licensed Practical Nursing" which amendment was declared adopted.

Senator Berrong moved to amend **SB 526**, page 16, line 10, by inserting after the word "country" and before the word "if" the language "or to an applicant who has been duly licensed in another state, provided that said applicant had not had her license revoked for any reasons set forth in Section 4 of this act," which amendment was declared adopted.

Senator Crow moved to amend **SB 526**, page 17, line 10, by deleting all language contained therein, which amendment was declared adopted.

Senator Berrong moved to amend **SB 526**, page 28, lines 4 and 9, by removing the brackets before the word "which" on line 4, and after the word "nursing" on line 9, which amendment was declared adopted.

Senator Breckinridge moved to amend **SB 526**, page 30, lines 14 and 15, by deleting the language "State supported and which are not private colleges and universities" and substituting therefor the language "accredited by the National League of Nursing".

Senator Hamilton moved to table the Breckinridge amendment, which motion

was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Berrong, Crow, Grantham, Hamilton, Horn, Inhofe, Keels, Lane, Martin, Massey, Medearis, Miller, Nichols, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—21.

Nay: Baggett, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Graves, Ham, Hargrave, Holden, Howard, Luton, McCune, McGraw, McSpadden, Murphy, Payne, Phillips, Smalley, Stansberry.—22.

Excused: Baldwin, Dacus, Garrison, Porter, Stipe.—5.

The vote occurring upon the Breckinridge amendment, it was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Graves, Ham, Hargrave, Howard, Luton, McCune, McGraw, McSpadden, Murphy, Payne, Phillips, Short, Smalley, Stansberry, Young.—21.

Nay: Atkinson, Berrong, Boecher, Crow, Field, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Martin, Massey, Medearis, Miller, Nichols, Romang, Smith, Taliaferro, Terrill, Williams.—22.

Excused: Baldwin, Dacus, Garrison, Porter, Stipe.—5.

Senator Hamilton presiding.

Senator Smalley, joined by Senator Baggett moved to amend **SB 526**, page 11, beginning on line 11, by striking the language "or in the case of a State funded school or private college or university, approved by the Oklahoma State Regents for Higher Education".

Senator Taliaferro moved to table the Smalley-Baggett amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Crow, Field, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Massey, Medearis, Miller, Nichols, Smith, Taliaferro, Terrill, Williams.—21.

Nay: Baggett, Bradley, Breckinridge, Ferrell, Garrison, Graves, Ham, Hargrave, Howard, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry.—21.

Excused: Baldwin, Dacus, Garrett, Porter, Stipe, Young.—6.

The vote occurring upon the Smalley-Baggett amendment, it was declared adopted upon a roll call as follows:

Aye: Baggett, Boecher, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Howard, McCune, McGraw, McSpadden, Martin, Murphy, Payne, Phillips, Romang, Smalley, Stansberry.—21.

Nay: Atkinson, Berrong, Birdsong, Crow, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Massey, Medearis, Miller, Nichols, Smith, Taliaferro, Terrill, Williams.—19.

Excused: Baldwin, Dacus, Field, Luton, Porter, Short, Stipe, Young.—8.

Senator Luton moved to amend **SB 526**, page 12, beginning on line 10, by striking the language "as prescribed by the National League for Nursing, said examination to" and inserting in lieu thereof the language "used nationally for Registered Nurse Licensure which shall" which amendment was declared adopted.

Senator Berrong moved to amend **SB 526**, page 33, line 10, by inserting after the word "Education" and before the word "prescribe" the language, "the State Department of Vocational and Technical Education and the Oklahoma Board of Nurse Registration and Nursing Education" which amendment was declared adopted.

Senator Luton moved to amend **SB 526**, pages 15 and 16, lines 18 and 1, respectively, the language "as prescribed by the National League for Nursing" and substituting therefor the language "used nationally for Licensed Practical Nurse Licensure" which amendment was declared adopted.

Senator Smalley moved to amend **SB**

**526**, page 27, lines 6 through 10, by striking the sentence contained thereon.

Senator Baggett, as a substitute for the Smalley amendment, moved to amend **SB 526**, page 26, beginning on line 14, by striking all of subsection (b), and by relettering the succeeding subsection accordingly, which amendment was tabled upon motion of Senator Taliaferro.

The vote occurring upon the Smalley amendment, it was declared adopted upon a roll call as follows:

Aye: Baggett, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Howard, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Payne, Phillips, Romang, Smalley, Young.—22.

Nay: Atkinson, Berrong, Birdsong, Boecher, Crow, Field, Grantham, Hamilton, Horn, Inhofe, Keels, Lane, Massey, Medearis, Miller, Nichols, Short, Smith, Taliaferro, Terrill, Williams.—21.

Excused: Baldwin, Dacus, Porter, Stansberry, Stipe.—5.

Senator Smalley moved to amend **SB 526**, page 25, beginning on line 6, by striking the language "or if it be a State-supported school or private college or university meet the standards fixed by the Oklahoma State Regents for Higher Education" which amendment was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Bradley, Breckinridge, Ferrell, Garrett, Graves, Ham, Hargrave, Howard, Luton, McCune, McGraw, McSpadden, Murphy, Payne, Phillips, Romang, Short, Smalley.—19.

Nay: Atkinson, Berrong, Birdsong, Boecher, Crow, Field, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Massey, Miller, Nichols, Smith, Taliaferro, Terrill, Williams, Young.—21.

Excused: Baldwin, Dacus, Garrison, Martin, Medearis, Porter, Stansberry, Stipe.—8.

Senator Baggett moved to amend **SB**



**526**, page 2 through page 11, by striking all of Section 1, and substituting therefor the following: "Section 1. 59 O.S. 1961, § 567.4, as amended, is hereby repealed. Section 2. The Oklahoma State Board of Nurse Registration and Nursing Education is hereby established. The Board shall consist of eight members to be appointed by the Governor with the advice and consent of the State Senate. Five members shall be registered nurses and three members shall be licensed practical nurses, all of whom must have five (5) years experience in nursing. The terms of members shall be three years staggered as to expiration" and by renumbering the succeeding sections accordingly.

Senator Crow moved to amend the Baggett amendment to **SB 526**, by striking all of the Baggett amendment after words that abolish Board, which amendment was tabled upon motion of Senator McGraw upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Nay: Crow, Holden, Lane, Young.—4.

Excused: Baldwin, Dacus, Field, Martin, Murphy, Payne, Porter, Stansberry, Stipe, Taliaferro.—10.

The vote occurring upon the Baggett amendment, it was declared adopted.

Senator Taliaferro moved to amend **SB 526**, by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Senator Terrill moved that **SB 526**, as amended, be advanced to engrossment, which motion was declared adopted.

By unanimous consent, upon request of Senator Terrill, **SB 526**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 526** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Crow, Ferrell, Grantham, Hamilton, Horn, Inhofe, Keels, Lane, McGraw, Massey, Medearis, Nichols, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—23.

Nay: Boecher, Bradley, Breckinridge, Garrett, Garrison, Graves, Ham, Holden, Howard, Luton, McCune, McSpadden, Murphy, Payne, Phillips, Smalley.—16.

Excused: Baldwin, Dacus, Field, Hargrave, Martin, Miller, Porter, Stansberry, Stipe.—9.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baggett moved that the vote be reconsidered by which **SB 526**, as amended, failed of passage.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 65** correctly enrolled.

Enrolled **SCR 65** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### PENDING SENATE ACTION

Upon motion of Senator Murphy, the request of the Honorable House for a conference on **HB 1610** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1610**: Murphy, Stipe and Atkinson.

Senator Smalley presiding.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SJR**s 40 and 42.

The above numbered Enrolled Resolutions were referred to the Governor.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR**s 63 and 64.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand ad-

journed as provided under the Rules, 1:00 p.m., tomorrow, which motion was declared adopted.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR** 65.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

RECEIVED

1912

Section

1912

Section

1912

Section

Section



## Thirty-third Legislative Day

Tuesday, March 3, 1970

Pursuant to adjournment, the Senate was called to order by Senator Baldwin, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—42.

Excused: Dacus, Ferrell, Ham, Phillips, Stansberry, Stipe.—6.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Field:

Our Father, we are grateful that You have created us in Your image and given us the joy of laughing and crying, the power of loving and hating, and the privilege of struggling with good and evil, with destructive and constructive forces in life.

Make us aware of Your love and forgiveness for us so that we may recognize You in this struggle for often we must choose between the lesser of two evils, through Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 3, 1970, of Enrolled SBs 341 and 433 entitled:

**SB 341**—By Holden, Smith and Bradley of the Senate and Miskelly of the House—An Act relating to credit unions; amending 6 O. S. 1961, § 395.9, subsection (E), \*\*\* and declaring an emergency.

**SB 433**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the state employees group health plan and making an appropriation for administrative costs \*\*\* and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1388**—By Peterson, Boettcher, Barker and Smithey of the House and Grantham and Miller of the Senate—An Act relating to toll expressways constructed under trusts for furtherance of public functions; amending 60 O. S. 1961, § 176, defining functions of a beneficiary; amending 60 O. S. 1961, § 178, relating to selection of trustees; providing procedure for financing and constructing toll expressways; requiring conformity with minimum standards of Highway Department or Turnpike Authority; providing for performance bond; providing procedure for selection of trustees; specifying requirements for construction contracts; providing for disposition of surplus revenues; providing for establishment of tolls; pro-

viding procedure for construction of connecting or feeder roads and streets and payment therefor; authorizing contracts between trust and counties or municipalities; authorizing projects where federal matching funds are approved, and procedure therefor; providing that counties may be trust beneficiaries; requiring consent of governing body of city or town before entering into contracts; exempting county, beneficiary or municipality from liability for damage or injury; providing for connections and crossings of existing streets or roads, and temporary closing thereof; making Sections 11-1401 to 11-1405 of Title 47 of the Oklahoma Statutes and Section 1718 of Title 69 of the Oklahoma Statutes applicable; defining "toll expressway"; vesting jurisdiction in district courts; making provisions of act inapplicable in counties having population of four hundred thousand or more; prescribing punishment for trustees or employees of public trust having financial interest in contracts; repealing Section 1733, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1733); and acts in conflict; providing for severability; and declaring an emergency.

**HB 1492**—By Bamberger, Nance, York, Spearman, Cate, Thompson, Hancock, McCune, Wayland, Finch, Beauchamp, Bickford, Sullivan, Stratton, Smith (Norman), Hill (Archibald), Murphy, Johnson, Mountford and Wolfe (Stephen).—An Act relating to courts; amending Sections 2 and 3 of Chapter 378, O. S. L. 1968 (74 O. S. Supp. 1969, §§ 295 and 296); increasing the salaries of special judges and associate district judges of the district court; providing for an effective date; and declaring an emergency.

**HB 1636**—By Abbott, Sandlin, Bickford and Clemons.—An Act relating to crimes and punishments; providing that any person not a student, officer or employee who shall refuse to leave the school grounds, buildings or other facilities of any public school of this state upon request is guilty of a misdemeanor; and declaring an emergency.

**HB 1647**—By Skeith and Patterson.—An Act relating to the merit system of personnel administration; amending 74 O. S. 1961, § 831; providing for promotional and entrance examinations; making department heads final judges of the contents of examinations given; and declaring an emergency.

**HB 1676**—By Hancock, Jones, Sandlin, Spearman and Wolfe (Stephen).—An Act relating to condemnation; amending 66 O. S. 1961, § 55; providing for giving of notice of commissioners report; and declaring an emergency.

**HB 1680**—By Hill (Ben).—(An Act relating to elections; and declaring an emergency.)

**HB 1682**—By Barker, Townsend, Wayland, Coffin, Murphy, Cole, Monks, Whorton, Patterson, Converse, Bamberger and Rogers of the House and Luton of the Senate.—An Act relating to property; prohibiting an offer to sell goods, wares, or merchandise which includes unsolicited sending of such goods; providing that receipt under such circumstances shall be deemed a gift; making exceptions; deeming a gift unsolicited goods sent as a retail sale by an organization to its members under certain conditions; providing for injunctive relief and attorneys' fees; and declaring an emergency.

**HB 1735**—By Bickford, Andrews, Bradley, Converse, Derryberry, Ferrell, Fine, Ford, Hargrave, Harrison, Hesser, Howard, Hutchens, Jones, McKee, Mountford, Murphy, Musgrave, Odom (V. H.), Rogers, Sandlin, Skeith, Sullivan, Townsend, Trent, Wayland, Williamson, York, Green, McCune, Wolfe (Stephen), Hancock, Tabor and Goodfellow of the House and Grantham, Birdsong, Bradley, Breckinridge, Crow, Field, Graves, Hargrave, Horn, Inhofe, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Smalley, Taliaferro, Terrill, Young and Baldwin of the Senate.—An Act relating to motor vehicles; amending 47 O. S. 1961 § 561, as amended by Section 1 of Chapter 241,

O. S. L. 1969 (47 O. S. Supp. 1969, § 561), 47 O. S. 1961, § 562, as amended by Sections 1 and 2 of Chapter 251, O. S. L. 1967 (47 O. S. Supp. 1969, § 562), 47 O. S. 1961, § § 563 and 565, as amended by Sections 2 and 4, respectively, Chapter 241, O. S. L. 1969 (47 O. S. Supp. 1969, § § 563 and 565) and 47 O. S. 1961, § 567; defining terms; providing qualifications and term of office for executive director of Oklahoma Motor Vehicle Commission; providing grounds for denying, revoking and suspending licenses provided for in act; making certain acts unlawful and authorizing injunctive relief against violations; requiring certain agreements to be in writing; prohibiting unfair competition or use of coercion or threats in certain dealings; providing venue in damage actions; providing that Act shall be liberally construed; making provisions of act cumulative to existing law; providing for severability; and declaring an emergency.

**HB 1756**—By Sullivan of the House and Hamilton of the Senate—An Act relating to crimes; amending 21 O. S. 1961, § 1214, as amended by Section 1, Chapter 134, O. S. L. 1965 (21 O. S. Supp. 1969, § 1214), making it unlawful for persons other than police or those engaged in wrecking services to operate a mobile radio on a frequency used by police or other law enforcement agencies within the state; providing certain exceptions; making violations a felony; fixing penalties; and declaring an emergency.

**HB 1768**—By Boren, Boettcher, Cate, Thompson and Gooden—An Act relating to criminal procedure; providing that person held as material witness in criminal investigation or proceeding shall be taken before a judge of the district court and informed of his constitutional rights; providing for the affording of certain rights; and declaring an emergency.

**HB 1773**—By Ford and Taggart—An Act relating to cities and towns; amending 11 O. S. 1961, § 407, as amended by Section 1, Chapter 320, O. S. L. 1969 (11 O. S.

Supp. 1969, § 407); providing per diem for members of Boards of Adjustment in cities having population in excess of two hundred thousand; providing variances and exceptions may be allowed by vote of three members of board; providing notice of hearings may be given by posting notice on affected property; providing no notice required on hearings for minor variances and exceptions; and declaring an emergency.

**HB 1783**—By Holaday—An Act relating to revenue and taxation; amending Section 2104 of Section 2, Chapter 361, O. S. L. 1963, as renumbered by Section 3, Chapter 215, O. S. L. 1965 (68 O. S. Supp. 1969, § 2104) so as to authorize the Oklahoma Tax Commission to allow credit on vehicle excise tax on vehicles registered by persons formerly residents of another state who become residents of Oklahoma if laws of such other state contain reciprocal provisions granting like credit for excise tax paid by an Oklahoma resident before moving to such other state.

The above numbered HBs were read for the first time.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SJR 27**.

The above numbered Enrolled Resolution was referred to the Governor.

## CITATIONS

Upon motion of Senator Hargrave, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Don R. Foshee, Tulsa, Oklahoma upon being appointed a National aide-de-camp to the Commander-in-Chief of the Veterans of Foreign Wars.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Erika Stoner, Tulsa, Oklahoma upon her being crowned Homecoming Queen of Oklahoma City Southwestern College.



The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 637**—Judiciary.

**SB 648**—Finance and Commerce.

**SB 651**—Education.

**HB 1247**—Municipal Government—Coauthored by Garrett, Birdsong, Graves, Holden, Howard, Luton, McCune, Murphy and Young.

**HB 1488**—Finance and Commerce—Coauthored by Medearis and Graves.

**HB 1742**—Finance and Commerce—Coauthored by Birdsong.

DO PASS, as amended:

**SB 552**—Education—Coauthored by Garrett and Birdsong.

**SB 603**—Conservation and Economic Development—Coauthored by Lane and Holden.

**SB 649**—Municipal Government—Coauthored by Howard.

**SB 650**—Conservation and Economic Development—Coauthored by Luton and Garrison.

**SJR 51**—Constitutional Revisions and Regulatory Services.

**HB 1152**—Conservation and Economic Development—Coauthored by Smith, Luton, Lane, Boecher, Field and Holden.

**HB 1514**—Public Affairs—Remove Martin as Senate Author and substitute Hamilton.

WITHOUT RECOMMENDATION:

**SB 606**—Education—Coauthored by McGraw.

### SECOND READING

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**SB 653**—Governmental Affairs.

**SB 654**—Conservation and Economic Development.

**SB 655**—Constitutional Revisions and Regulatory Services, then to Appropriations and Budget.

**SB 656**—Constitutional Revisions and Regulatory Services, then to Appropriations and Budget.

**SJR 52**—Constitutional Revisions and Regulatory Services.

**HB 1780**—Constitutional Revisions and Regulatory Services.

**HB 1803**—Appropriations and Budget.

**HJR 1032**—Constitutional Revisions and Regulatory Services.

**HJR 1033**—Constitutional Revisions and Regulatory Services.

**HJR 1044**—Judiciary.

**HJR 1049**—Constitutional Revisions and Regulatory Services.

**HJR 1053**—Education.

**HJR 1055**—Judiciary.

**HJR 1056**—Judiciary.

President Pro Tempore Smith presiding.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1291**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

### GENERAL ORDER

**SB 632**—by McSpadden, Payne and Stansberry was read and considered.

Senator McSpadden moved to amend **SB 632**, page 84, line 11, by striking after the word "act" the remainder of line 11 through line 16, and by substituting in lieu thereof the language "shall be deemed guilty of a misdemeanor and upon conviction therefor shall be punished by imprisonment in the county jail for a period of not less than sixty (60) days, and a fine of not less than Five Hundred Dol-

lars (\$500.00), and not exceeding One Thousand Five Hundred Dollars (\$1,500.00)" which amendment was declared adopted.

Senator Baggett moved to amend **SB 632**, page 11, line 17, through page 13, line 6, by striking all of Section 7 of the printed bill and restoring Section 7 to the original language as it was introduced by Senator McSpadden and approved by the State Dental Association which is as follows: "Section 7. There is hereby constituted a Board of Governors of the organization to be known as "The Board of Governors of the Registered Dentists of Oklahoma," consisting of ten (10) members. One member shall be elected from each of the eight (8) districts with the exception of a second and fifth districts which shall elect two (2) board members. Each member shall hold office for a period of three (3) years and until his term expires and/or his successor is elected and qualified. Board members shall not serve for more than three (3) consecutive terms. However, upon this act becoming effective, the present members of the Board of Governors shall hold office until their terms expire and/or their successors are elected and qualified as hereinafter provided. The members of the Board of Governors shall receive as compensation, Forty Dollars (\$40.00) per day for the time necessarily spent in attending regular and called meetings of the Board of Governors or when performing duties authorized by the Board of Governors plus travel and subsistence, as provided by law. The Board of Governors, at its discretion, may affiliate with the American Association of Dental Examiners as an active member and pay regular dues to said association and may send no more than two (2) board members as delegates to regular meetings thereof. Such delegates may, upon filing sworn itemized claims therefor, receive said per diem for the time necessarily spent in attending such meetings, plus travel and subsistence as

provided by law." and by amending title to conform thereto, which amendment was tabled upon motion of Senator Payne, upon a roll call as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McSpadden, Nichols, Payne, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—26.

Nay: Atkinson, Baggett, Breckinridge, Garrett, Howard, Keels, McCune, McGraw, Martin, Medearis, Smith, Young.—12.

Excused: Dacus, Ferrell, Ham, Massey, Miller, Murphy, Phillips, Porter, Stansberry, Stipe.—10.

Senator Phillips asked to be shown present, which was the order.

Senator Berrong moved to amend **SB 632**, page 82, line 18; page 83, line 15; page 84, line 18, by substituting the word "respectively" for the word "respectfully" on all above mentioned lines, which amendment was declared adopted.

Upon motion of Senator McSpadden, **SB 632**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 632**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 632** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Taliaferro, Terrill, Williams.—35.

Nay: Hamilton, Lane, Short, Young.—4.

Excused: Baggett, Dacus, Ferrell, Field, Ham, Howard, Massey, Stansberry, Stipe.—9.

The bill was declared passed.

**SB 632**, as amended, was referred for engrossment.

Senator Stansberry asked to be shown present, which was the order.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 391, 480, 518, and 519** each correctly engrossed.

Engrossed **SBs 391, 480, 518 and 519** were properly signed and ordered transmitted to the Honorable House for consideration.

## GENERAL ORDER

**SB 613** by McSpadden was read and considered.

Senator Smalley moved to amend **SB 613**, page 2, line 12, by adding after the word "county" the language "Provided further, that said funds may be used to purchase law books for use in the judges offices" and by amending title to conform thereto, which amendment was declared adopted.

Upon motion of Senator McSpadden, **SB 613**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 613**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 613** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Boecher, Bradley, Crow, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Terrill, Williams, Young.—29.

Nay: Birdsong, Breckinridge, Garrett, Howard, Keels, McCune, Smith, Stansberry.—8.

Excused: Atkinson, Baggett, Berrong, Dacus, Ferrell, Ham, Hargrave, McGraw, Massey, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Boecher, Bradley, Breckinridge, Crow, Field, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—34.

Nay: Birdsong, Garrett, Keels.—3.

Excused: Baggett, Berrong, Dacus, Ferrell, Garrison, Ham, Hargrave, Massey, Porter, Stipe, Terrill.—11.

The emergency was declared passed.

**SB 613**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 202** by Luton, Inhofe and Murphy was read and considered.

Senators Horn, Stansberry and Birdsong asked to be made coauthors of **SB 202**, which was the order.

Senator Berrong moved to amend **SB 202**, page 16, lines 6 and 7, by striking the language "full-time regular employee" and substituting therefor the words "helper or helpers"

Senator McSpadden moved to amend the Berrong amendment, by adding after the word "helpers" the language "with or without compensation" which amendment was declared adopted.

The vote occurring upon the Berrong amendment, as amended, it was declared adopted.

Senator Crow moved to amend **SB 202**, page 6, line 1, by inserting after the word "appointed." and before the word "A"



the sentence "No more than one member of said Board shall be appointed from any one Congressional District" which amendment was declared adopted.

Senator Grantham moved to amend **SB 202**, page 21, line 5½, by inserting a new section to read as follows: "Section 13. The Board may issue a license to any person who holds a valid license to practice veterinary medicine in another state provided said state honors such licenses issued by the State of Oklahoma" and by renumbering the subsequent sections accordingly, which amendment was declared adopted.

Senator Murphy presiding.

Senator Young, joined by Senators Baggett, McSpadden and Taliaferro, moved to amend **SB 202**, page 16, line 10½ by inserting the following new subsection: "6. Any feed lot operator, stockyard operator, or livestock sales barn operator treating an animal in his possession, or the employees of such persons," and by renumbering the succeeding subsections accordingly, which amendment was declared adopted.

Senator Phillips moved to amend **SB 202**, page 16, line 17½ by inserting a new subsection to read as follows: "8. Nothing in this act shall prohibit or restrict the activities of persons lawfully engaged in the business of boarding or caring for animals under an agreement with the owner," which amendment was declared adopted.

Senator Romang presiding.

Senator Young moved to amend **SB 202**, page 30, line 11½, by inserting a new subsection to read as follows: "A license to practice veterinary medicine shall not be required to do the following: 1. Castration; 2. Dehorning; 3. Branding, ear tagging or notching ears; 4. Artificial insemination; 5. vaccination for the prevention of diseases except bangs; 6. Administration of shots containing antibiotics; 7. Pregnancy testing of beef animals.

Senator Hamilton raised a point of order, which was overruled, against consideration of the Young amendment, stating that it, in effect, contained the same provisions contained in the Berrong amendment previously adopted.

Senator Luton moved to table the Young amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Field, Garrison, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Murphy, Phillips, Short, Smith, Stansberry.—17.

Nay: Atkinson, Boecher, Bradley, Crow, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Martin, Massey, Medearis, Miller, Payne, Porter, Romang, Smalley, Taliaferro, Terrill, Williams, Young.—25.

Excused: Breckinridge, Dacus, Ferrell, Ham, Nichols, Stipe.—6.

The vote occurring upon the Young amendment, it was declared adopted.

Upon motion of Senator Luton, **SB 202**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 202**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 202** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—38.

Nay: Williams.—1.

Excused: Baggett, Berrong, Dacus, Ferrell, Ham, Miller, Nichols, Porter, Stipe.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Young.—38.

Nay: Williams.—1.

Excused: Baggett, Berrong, Dacus, Ferrell, Ham, Miller, Nichols, Porter, Stipe.—9.

The emergency was declared passed.

**SB 202**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 591** by Garrett was read and considered.

Upon motion of Senator Garrett, **SB 591** was advanced to engrossment.

**SB 530** by Smith was read and considered.

Senators Bradley and Hargrave asked to be made coauthors of **SB 530**, which was the order.

Upon motion of President Pro Tempore Smith, **SB 530** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SB 530** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 530** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge,

Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—31.

Nay: Baggett, Keels.—2.

Excused: Atkinson, Baldwin, Berrong, Boecher, Dacus, Ferrell, Grantham, Ham, Howard, Massey, Medearis, Miller, Stansberry, Stipe, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Grantham, Ham, Horn, Massey, Medearis, Miller, Murphy, Phillips, Stansberry, Stipe, Taliaferro.—16.

The emergency was declared passed.

**SB 530** was referred for engrossment.

## MOTION TO STRIKE SENATE MEASURES IN COMMITTEE

Senator Terrill moved that all Senate Measures pending in Committee at the close of business Thursday, March 5, 1970, be stricken, with the exception of those in the Judiciary and Appropriations and Budget Committees, which Committees would be permitted to hold a meeting the following week for consideration of measures pending therein, which motion was declared adopted.

## GENERAL ORDER

**SB 531** by Smith and Grantham was read and considered.

Senator Hamilton moved to amend **SB 531**, page 4, by inserting after line 11, the following new sections: "Section 2. All

property, both real and personal, of any rural water or sewer district, as defined in the "Rural Water and Sewer Districts Act" contained in Chapter 266, Oklahoma Session Laws 1963, as amended (Chapter 18, Title 82, O. S. Supp. 1969), and created and organized for the purposes therein described, but which Districts are incorporated as nonprofit corporations under the provisions of Chapter 13, Oklahoma Session Laws 1968 (Chapter 19, Title 18, O. S. Supp. 1969) shall be exempt from all ad valorem taxation. The motor vehicles or other vehicles of any such District shall be registered and licensed each year for a license fee of One Dollar (\$1.00), and said Districts shall be exempt from sales and use taxes. Section 3. Section 1 of this Act may be codified Section 2405.1 of Title 68 of the Oklahoma Statutes." and by amending the Title of **SB 531** by adding the language "providing an exemption from ad valorem taxation of real and personal property of districts created for purposes authorized by 'Rural Water and Sewer Districts Act', Ch. 266, O. S. L. 1963, but organized as 'nonprofit corporations' under Ch. 13, O. S. L. 1968; and providing for codification" which amendment was declared adopted.

Senator Baggett moved to amend **SB 531**, page 4, line 2½, by inserting the sentence "The public agency acquiring the property shall deduct the amount of such taxes from the purchase price payable to the private owner and remit the same to the County Treasurer in satisfaction of such taxes" which amendment was declared adopted.

President Pro Tempore Smith moved to amend **SB 531**, page 2, line 13, by inserting after the bracket following the syllable "ning" and before the word "with" the word "beginning" which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **SB 531**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SB 531**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 531** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Terrill, Williams.—33.

Nay: Howard, Keels, Smalley, Young.—4.

Excused: Baldwin, Birdsong, Dacus, Ferrell, Field, Ham, Hargrave, Massey, Phillips, Stansberry, Stipe.—11.

The bill was declared passed.

**SB 531**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 532** by Smith was read and considered.

Senator Grantham asked to be made a coauthor of **SB 532**, which was the order.

Senator Hamilton moved to amend **SB 532**, page 2 line 17, by adding after the figures "8-2" a semicolon (;) in lieu of the period (.) and adding the language "provided however any receiving district may object to a proposed transfer on the grounds that said district does not have the physical facilities or the teaching personnel to accommodate the student or students proposed to be transferred" and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **SB 532**, as amended, was advanced to engrossment.



By unanimous consent, upon request of President Pro Tempore Smith, **SB 532**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 532** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—39.

Excused: Baldwin, Dacus, Ferrell, Ham, Hargrave, Phillips, Stansberry, Stipe, Williams.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—39.

Excused: Baldwin, Dacus, Ferrell, Ham, Hargrave, Phillips, Stansberry, Stipe, Williams.—9.

The emergency was declared passed.

**SB 532**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**HB 1562** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1562** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1562** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1562** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Young.—33.

Excused: Baggett, Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Massey, Murphy, Nichols, Phillips, Stansberry, Stipe, Taliaferro, Williams.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Young.—33.

Excused: Baggett, Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Massey, Murphy, Nichols, Phillips, Stansberry, Stipe, Taliaferro, Williams.—15.

The emergency was declared passed.

**HB 1562**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1563** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1563** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1563** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1563** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Young.—33.

Nay: McCune.—1.

Excused: Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Massey, Murphy, Nichols, Phillips, Stansberry, Stipe, Taliaferro, Williams.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Young.—33.

Nay: McCune.—1.

Excused: Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Massey, Murphy, Nichols, Phillips, Stansberry, Stipe, Taliaferro, Williams.—14.

The emergency was declared passed.

**HB 1563**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1578** by Willis, et al of the House

and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1578** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1578** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1578** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—35.

Excused: Baggett, Baldwin, Dacus, Ferrell, Ham, McSpadden, Murphy, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—35.

Excused: Baggett, Baldwin, Dacus, Ferrell, Ham, McSpadden, Murphy, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—13.

The emergency was declared passed.

**HB 1578**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1580** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1580** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1580** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1580** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—36.

Excused: Baldwin, Dacus, Ferrell, Ham, Massey, Murphy, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—36.

Excused: Baldwin, Dacus, Ferrell, Ham, Massey, Murphy, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—12.

The emergency was declared passed.

**HB 1580**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1782** by Willis, et al, of the House

and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1782** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1782** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1782** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—37.

Excused: Baldwin, Dacus, Ferrell, Ham, Miller, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Young.—37.

Excused: Baldwin, Dacus, Ferrell, Ham, Miller, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—11.

The emergency was declared passed.

**HB 1782**, as amended, was referred for engrossment.

## MOTION TO RECONSIDER VOTE

The vote occurring upon the McSpadden motion to reconsider the vote by



which **HB 1581**, as amended, failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill.—36.

Nay:—Young.—1.

Excused: Baldwin, Dacus, Ferrell, Ham, Miller, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—11.

### GENERAL ORDER

**HB 1652** by Converse of the House and Crow of the Senate was read and considered.

Upon motion of Senator Crow, **HB 1652** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **HB 1652** was placed upon third reading and final passage.

### THIRD READING

**HB 1652** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smith, Terrill, Young.—35.

Excused: Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Nichols, Phillips, Smalley, Stansberry, Stipe, Taliaferro, Williams.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smith, Terrill, Young.—35.

Excused: Baldwin, Dacus, Ferrell, Ham, Hamilton, Hargrave, Nichols, Phillips, Smalley, Stansberry, Stipe, Taliaferro, Williams.—13.

The emergency was declared passed.

**HB 1652** was ordered withheld pursuant to Rule 19-f.

### PENDING SENATE ACTION

**HCR 1055** by Anderson, et al, of the House and Romang of the Senate was called up for consideration.

Senator Romang asked that all other members of the Senate be made coauthors of **HCR 1055**, which was the order.

**HCR 1055**, as coauthored, was read at length, adopted upon motion of Senator Romang, properly signed and ordered returned to the Honorable House.

**HCR 1056** by Stratton of the House and Berrong of the Senate was called up for consideration, read at length, adopted upon motion of Senator Berrong, properly signed and ordered returned to the Honorable House.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, 1:00 p.m., tomorrow, which motion was declared adopted.

Senator Keels presiding.

### BILL RELEASED

As provided under Rule 19-f, **HB 1652** was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, | 1:00 p.m., tomorrow.  
the Senate was declared adjourned until |

## Thirty-fourth Legislative Day

Wednesday, March 4, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Ferrell, Howard, Inhofe, Phillips, Porter, Stansberry, Stipe.—8.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein upon request of Senator Grantham:

Our Father, we pause to acknowledge our need of Your love for us, for we are lonely men who often stand in the minority for what we believe to be right—and we sometimes are uncertain men for often we must choose between the lesser of two evils,—and sometimes we are frightened men for the pressures and responsibilities upon us are great so give us the strength that comes from knowing that You love us and lead us so that we may be true to ourselves, true to the people we serve, and above all, true to Your eternal love revealed to us in the life of Jesus. Amen.

The Journal for the last legislative day was declared approved.

### CITATION

Upon motion of Senator Hargrave, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Bishop A. L. Hearne, Lansing Street Church of God in Christ, Tulsa, Oklahoma, pastor for forty years and was awarded the "Special Achievement Award for Outstanding Service".

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1242**—By Sparkman, McCune and Hutchens of the House and Grantham of the Senate—An Act relating to children; providing for delivery and payment of cost of transportation of children committed to the Department of Public Welfare; designating codification; and declaring an emergency.

**HB 1517**—By Camp, Holaday, Hatchett and Monks—An Act relating to public school education; prohibiting segregation and discrimination on account of race, creed, color or national origin in connection with the education of the children of this state; prohibiting the compelling of pupil to attend school at more than one site; providing for court procedure to enforce provisions of this act; providing for attorney fees; directing the Attorney General to intervene in any action brought to test validity of this act and to defend constitutional validity thereof; providing for severability; and declaring an emergency.



**HB 1548**—By McCune—An Act relating to municipal criminal courts of record; amending 11 O. S. 1961, § § 781, as amended by Section 1, Chapter 173, O. S. L. 1968, 782, as amended by Section 2, Chapter 173, O. S. L. 1968, 783, as amended by Section 4, Chapter 173, O. S. L. 1968, 784, 785, as amended by Section 5, Chapter 173, O. S. L. 1968, 786, as amended by Section 6, Chapter 173, O. S. L. 1968, 787, 788, 789, 790, 792, 793, 794, as amended by Section 7, Chapter 173, O. S. L. 1968, 795, 796, 797, 798, 799, 800, 801, 803, 804, as amended by Section 8, Chapter 173, O. S. L. 1968, 805, and Section 3, Chapter 173, O. S. L. 1968 (11 O. S. Supp. 1969, § § 781, 782, 783, 785, 786, 794, 804 and 808); creating municipal courts of record in cities of more than one hundred twenty-five thousand inhabitants; establishing jurisdiction; providing for jury trials and nonjury trials; prescribing procedure and selection of jury panel; excluding nonresidents from jury panel; fixing number of jurors; authorizing credit of Two Dollars for each day of confinement; restricting authority of court to violations of municipal ordinances; limiting court to criminal jurisdiction; providing for bond forfeiture procedure; providing for court reporter; providing for appointment and removal of judges; authorizing appointment of substitute judge; establishing qualifications and authority of judge; providing for court officials; setting forth appeal procedure; repealing 11 O. S. 1961, § 791; naming of act; fixing effective date; and declaring an emergency.

**HB 1648**—By Smith (Norman) and Thornhill—An Act relating to banks, trust companies and corporate trust business; amending Section 201, Chapter 161, O. S. L. 1965, as last amended by Section 1, Chapter 365, O. S. L. 1967, Sections 209, 211, 302 and 1408, Chapter 161, O. S. L. 1965, Section 803, Chapter 161, O. S. L. 1965, as last amended by Section 3, Chapter 407, O. S. L. 1968, Section 212, Chapter 161, O. S. L. 1965, as amended by Section 1, Chapter 267 O. S. L. 1967, Section 303,

Chapter 161, O. S. L. 1965, as amended by Section 1, Chapter 258, O. S. L. 1967, Section 415, Chapter 161, O. S. L. 1965, as amended by Section 6, Chapter 93, O. S. L. 1968, O. S. 1961, § 395.13 renumbered § 2013, as amended by Section 3, Chapter 187, O. S. L. 1968, (6 O. S. Supp. 1969, § § 201, 209, 211, 212, 302, 303, 415, 803, 1408 and 2013), reestablishing the Oklahoma Banking Department; prescribing qualifications of the Commissioner, the Deputy Commissioner, administrative and other assistants; providing for amounts of compensation and for travelling expenses; specifying duties; making requirements of banks and trust companies and providing penalties for failure to comply therewith; prescribing fees for examinations of banks and trust companies and specifying repository of monies; requiring annual reports by bank commissioner to Governor; authorizing the requiring of such capital structure as shall be deemed adequate by the banking board; prescribing minimums of common stock in the capital structure of a bank or trust company; prescribing certain requirements upon incorporators of a bank or trust; making requirements for providing drive-in or walk-up service facility; prescribing procedure for applying, fixing the fee to accompany the application, limiting the scope of service which may be offered through such facility, and providing penalties for violations; providing notice to a bank or trust company of an adverse claim shall be valid only under certain conditions; making it unlawful to serve as commissioner, deputy commissioner, administrative assistant or assistant bank commissioner after having been convicted of violating banking laws or a felony involving dishonesty or a breach of trust; directing codification; and providing for severability.

**HB 1662**—By Raibourn and Harrison—An Act relating to game and fish licenses; amending Section 1, Chapter 336, O. S. L. 1967, as last amended by Section 1, Chapter 348, O. S. L. 1969 (29 O. S. Supp. 1969,

§ 252); providing license fees for hunting and fishing licenses; providing for nonresident fishing license and the fee therefor and the duration thereof; fixing the effective date; and declaring an emergency.

**HB 1690**—By Bickford—An Act relating to the Commissioners of the Land Office; amending 64 O. S. 1961, § 162.2; providing Commissioners of the Land Office may expend funds for rental, lease, or use of building, office, or space.

The above numbered **HBs** were read for the first time.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1652**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCRs 1055 and 1056**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HBs 1554, 1557 and 1577**, requesting Conference and referring said Bills to General Conference Committee on Appropriations.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 528, 530, 613 and HBs 1562, 1563, 1578, 1580 and 1782** each correctly engrossed.

Engrossed **SBs 528, 530 and 613** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1562, 1563, 1578, 1580 and 1782**, as amended, were properly signed and ordered returned to the Honorable House.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**SB 644**—Governmental Affairs.

**SJR 43**—Constitutional Revisions and Regulatory Services.

**HB 1632**—Public Health—Coauthored by Hamilton.

**HB 1714**—Appropriations and Budget.

**DO PASS**, as amended:

**SB 467**—Roads and Highways.

**SB 570**—Education—Coauthored by Baggett.

**SB 584**—Education—Coauthored by Smalley.

**SB 607**—Appropriations and Budget.

**SB 611**—Appropriations and Budget.

**SB 612**—Public Health.

**SB 623**—Education.

**SB 655**—Constitutional Revisions and Regulatory Services—To Appropriations and Budget by previous order.

**SB 656**—Constitutional Revisions and Regulatory Services—To Appropriations and Budget by previous order.

**HB 1558**—Appropriations and Budget.

**HB 1559**—Appropriations and Budget.

**HB 1567**—Appropriations and Budget—Coauthored by Hamilton and Berrong.

**HB 1568**—Appropriations and Budget.

**HB 1574**—Appropriations and Budget.

**HB 1575**—Appropriations and Budget.

**HB 1722**—Governmental Affairs.

**WITHOUT RECOMMENDATION:**

**SB 520**—Governmental Affairs—To Appropriations and Budget by reporting committee.

**SB 573**—Governmental Affairs—To Appropriations and Budget by reporting committee.

## FIRST READING

The following Bill was introduced and read the first time:

**SB 657**—By Stipe—An Act relating to mining; amending Sections 3, 4, 5, 6, 8 and 13, Chapter 186, O. S. L. 1967 (45 O. S. Supp. 1969, § § 703, 704, 705, 706, 708 and 713); providing for the regulation of reclamation of lands disturbed by open cut mining; defining terms; establishing requirements for obtaining permit to engage in mining; requiring bond and establishing requirements thereto; establishing duties of operators; providing penalties; providing severability; and declaring an emergency.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

- HB 1388**—Roads and Highways.
- HB 1492**—Appropriations and Budget.
- HB 1636**—Judiciary.
- HB 1676**—Judiciary.
- HB 1647**—Governmental Affairs.
- HB 1680**—Rules.
- HB 1682**—Business Relations.
- HB 1735**—Judiciary.
- HB 1756**—Judiciary.
- HB 1768**—Judiciary.
- HB 1773**—Municipal Government.
- HB 1783**—Revenue and Taxation.

## GENERAL ORDER

Senator Boecher asked unanimous consent that **SB 603** be withdrawn from the Calendar and re-referred to the Committee on Conservation and Economic Development for correction, which was the order.

**SB 618** by Bradley and Nichols of the Senate and Odom (Martin) of the House was read and considered.

Senator Bradley moved to amend **SB 618**, page 3, by striking all the language

after the word "college" on line 8, and before the word "such" on line 11, and inserting in lieu thereof the language "An applicant shall make application for taking the examination and state that he is possessed of good moral character and temperate habits and shall so verify" which amendment was declared adopted.

Senator Bradley moved to amend **SB 618**, page 4, line 9, by changing the word "certificates" to the word "certificate" which amendment was declared adopted.

Upon motion of Senator Bradley, **SB 618** was advanced to engrossment.

By unanimous consent, upon request of Senator Bradley, **SB 618** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 618** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Lane, McSpadden, Martin, Miller, Murphy, Nichols, Romang, Smalley, Smith, Terrill, Williams.—26.

Nay: Breckinridge, Crow, Hamilton, Keels, Luton, McCune, McGraw, Medearis, Short, Young.—10.

Excused: Dacus, Ferrell, Garrett, Howard, Inhofe, Massey, Payne, Phillips, Porter, Stansberry, Stipe, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Terrill, Young.—34.



Nay: Hamilton.—1.

Excused: Dacus, Ferrell, Hargrave, Howard, Inhofe, Keels, Payne, Phillips, Porter, Stansberry, Stipe, Taliaferro, Williams.—13.

The emergency was declared passed.

**SB 618**, as amended, was referred for engrossment.

Senators Stipe and Inhofe asked to be shown present, which was the order.

### GENERAL ORDER

**SB 578** by Grantham of the Senate and Boettcher of the House was read and considered.

Upon motion of Senator Grantham, **SB 578** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 578** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 578** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Birdsong, Dacus, Ferrell, Hargrave, Howard, Keels, Nichols, Payne, Phillips, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden,

Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Birdsong, Dacus, Ferrell, Hargrave, Howard, Keels, Nichols, Payne, Phillips, Porter, Stansberry, Taliaferro.—12.

The emergency was declared passed.

**SB 578** was referred for engrossment.

Senator Phillips asked to be shown present, which was the order.

### GENERAL ORDER

**SB 588** by Grantham of the Senate and Sanguin, et al, of the House was called up for further consideration.

Senator Young moved to amend **SB 588**, page 3, beginning on line 2 by striking the words and figures "Two Thousand Eight Hundred Dollars (\$2,800.00)" and by substituting therefor the words and figures "Two Thousand Six Hundred Fifty Dollars (\$2,650.00)" which amendment was declared adopted.

Senator Massey moved to amend **SB 588**, page 3, line 5, by striking the words and figures "Three Hundred Eighty (380)" and by substituting therefor the words and figures "Three Hundred Fifty (350)," which amendment was declared adopted.

Upon motion of Senator Grantham, **SB 588**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 588**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 588** was read for the third time at length

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham,

Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Baldwin, Berrong, Dacus, Ferrell, Hargrave, Howard, Nichols, Payne, Porter, Smalley, Stansberry, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Baldwin, Berrong, Dacus, Ferrell, Hargrave, Howard, Nichols, Payne, Porter, Smalley, Stansberry, Taliaferro.—12.

The emergency was declared passed.

**SB 588**, as amended, was referred for engrossment.

Senator Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**SB 595** by Grantham of the Senate and Boettcher and Conaghan of the House was read and considered.

Upon motion of Senator Grantham, **SB 595** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 595** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 595** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Field, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Stansberry, Stipe, Terrill, Young.—32.

Nay: Baldwin, Boecher, Graves, Keels, Williams.—5.

Excused: Berrong, Crow, Dacus, Ferrell, Garrett, Hargrave, Howard, Payne, Porter, Smalley, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Field, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Stansberry, Stipe, Terrill, Young.—32.

Nay: Baldwin, Boecher, Graves, Keels, Williams.—5.

Excused: Berrong, Crow, Dacus, Ferrell, Garrett, Hargrave, Howard, Payne, Porter, Smalley, Taliaferro.—11.

The emergency was declared passed.

**SB 595** was referred for engrossment.

### GENERAL ORDER

**SB 599** by Hamilton was read and considered.

Upon motion of Senator Hamilton, **SB 599** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **SB 599** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 599** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—31.

Nay: Baldwin, Breckinridge, Crow, Garrison, Inhofe, McCune, Short, Stansberry, Williams.—9.

Excused: Baggett, Dacus, Ferrell, Hargrave, Howard, Payne, Phillips, Porter.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Romang, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Nay: Baldwin, Short.—2.

Excused: Baggett, Berrong, Dacus, Ferrell, Garrett, Ham, Hargrave, Howard, Nichols, Payne, Phillips, Porter, Smalley, Taliaferro.—14.

The emergency was declared passed.

SB 599 was referred for engrossment.

Senator Ferrell asked to be shown present, which was the order.

Senator McSpadden presiding.

### GENERAL ORDER

SB 619 by Hamilton was read and considered.

Upon motion of Senator Hamilton, SB 619 was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, SB 619 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 619 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Boecher, Breckinridge, Garrett, Grantham, Ham, Hamilton, Lane, Luton, Massey, Phillips, Stipe, Taliaferro, Terrill, Williams, Young.—16.

Nay: Atkinson, Baggett, Birdsong, Bradley, Crow, Ferrell, Field, Garrison, Graves, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Stansberry.—25.

Excused: Berrong, Dacus, Howard, McGraw, Nichols, Payne, Porter.—7.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Hamilton moved that the vote be reconsidered by which SB 619 failed of passage.

### GENERAL ORDER

SB 622 by Young was called up for further consideration.

Senator Hamilton moved to amend SB 622, page 5, beginning on line 6, after the word "country" by substituting a period (.) for the semi-colon (;) and by striking the remainder of lines 6 through 16, which amendment was declared adopted.

Upon motion of Senator Young, SB 622, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 622, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 622 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Inhofe, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Romang,



Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—29.

Nay: Atkinson, Birdsong, Bradley, Crow, Keels, Lane, Luton, McCune, Massey, Medearis, Stipe.—11.

Excused: Dacus, Graves, Ham, Hargrave, Howard, Payne, Phillips, Porter.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—33.

Nay: Atkinson, Birdsong, Crow, Luton, Massey.—5.

Excused: Dacus, Garrett, Ham, Hargrave, Howard, Keels, Payne, Phillips, Porter, Stipe.—10.

The emergency was declared passed.

**SB 622**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 529** by Boecher was read and considered.

Upon motion of Senator Boecher, **SB 529** was advanced to engrossment.

By unanimous consent, upon request of Senator Boecher, **SB 529** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 529** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Hargrave, Holden, Inhofe,

Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Graves.—1.

Excused: Dacus, Ferrell, Ham, Hamilton, Horn, Howard, Massey, Nichols, Payne, Phillips, Porter, Smalley, Stipe.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Hargrave, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Graves.—1.

Excused: Dacus, Ferrell, Ham, Hamilton, Horn, Howard, Massey, Nichols, Payne, Phillips, Porter, Smalley, Stipe.—13.

The emergency was declared passed.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Graves moved that the vote be reconsidered by which **SB 529** passed.

## GENERAL ORDER

**SB 563** by Young was read and considered.

Senator Young moved to amend **SB 563**, page 3, line 16, by striking the word "A" before the word "Supreme" and substituting therefor the word "The" which amendment was declared adopted.

Upon motion of Senator Young, **SB 563**, as amended, was advanced to engrossment.

By unanimous consent, upon request of

Senator Young, **SB 563**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 563** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hamilton, Holden, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Short, Smith, Stansberry, Stipe, Young.—26.

Nay: Baldwin, Berrong, Boecher, Ferrell, Horn, Keels, McCune, Taliaferro, Terrill, Williams.—10.

Excused: Dacus, Ham, Hargrave, Howard, Inhofe, Massey, Payne, Phillips, Porter, Smalley.—10.

Excused from Voting: Romang, Garrett.—2. (Art. 2., Sec. 24, Okla. Const.)

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Excused: Birdsong, Boecher, Dacus, Ferrell, Hargrave, Howard, Inhofe, Massey, Nichols, Payne, Phillips, Porter, Smalley, Stansberry.—14.

Excused from Voting: Romang, Garrett.—2. (Art. 2., Sec. 24, Okla. Const.)

The emergency was declared passed.

**SB 563**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 552** by Atkinson, Garrett and Birdsong was read and considered.

Senator Keels asked to be made a co-author of **SB 552**, which was the order.

As provided under Rule 8-e, upon request of Senator Atkinson, Miskelly and Clemons of the House were added as co-authors of **SB 552**.

Upon motion of Senator Atkinson, **SB 552** was advanced to engrossment.

By unanimous consent, upon request of Senator Atkinson, **SB 552** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 552** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Dacus, Hargrave, Howard, Luton, Payne, Phillips, Porter, Romang, Smalley.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Dacus, Hargrave, Howard, Luton, Payne, Phillips, Porter, Romang, Smalley.—9.

The emergency was declared passed.

**SB 552** was referred for engrossment.

### GENERAL ORDER

**SB 536** by Nichols of the Senate and

Sparkman of the House was read and considered.

Upon motion of Senator Nichols, **SB 536** was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **SB 536** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 536** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Howard, Lane, Luton, Payne, Phillips, Porter, Smalley.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Howard, Lane, Luton, Payne, Phillips, Porter, Smalley.—8.

The emergency was declared passed.

**SB 536** was referred for engrossment.

### GENERAL ORDER

**SB 608** by Baggett was read and considered.

Senator Short moved to amend **SB 608**, page 2, lines 8 and 9, by striking the words and figures "Twenty-five Dollars (\$25.00)"

and substituting therefor the words and figures "Fifteen Dollars (\$15.00)" which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 608**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 608**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 608** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Field, Garrett, Garrison, Graves, Ham, Hargrave, Horn, Keels, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—30.

Nay: Bradley, Crow, Ferrell, Grantham, Hamilton, Holden, Lane, Luton, McCune, Murphy, Stipe.—11.

Excused: Atkinson, Dacus, Howard, Inhofe, Payne, Phillips, Porter.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Nay: Baldwin, Bradley, Ferrell, Hamilton, Horn, Lane, Luton, Murphy.—8.

Excused: Berrong, Dacus, Garrett, Howard, Inhofe, Payne, Phillips, Porter.—8.

The emergency was declared passed.

**SB 608**, as amended, was referred for engrossment.



## REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 531** correctly engrossed.

Engrossed **SB 531** was properly signed and ordered transmitted to the Honorable House for consideration.

President Pro Tempore Smith presiding.

## PENDING CONSIDERATION OF CCR

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1154** was declared adopted.

**HB 1154**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Dacus, Hargrave, Howard, Inhofe, McGraw, Payne, Phillips, Porter, Smalley.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Dacus, Hargrave, Howard, Inhofe, McGraw, Payne, Phillips, Porter, Smalley.—9.

The emergency was declared passed.

**HB 1154**, together with Conference Committee Report thereon, was ordered withheld pursuant to Rule 19-f.

## GENERAL ORDER

**SB 637** by Terrill was read and considered.

Upon motion of Senator Terrill, **SB 637** was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **SB 637** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 637** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Nay: Smith.—1.

Excused: Dacus, Garrison, Hargrave, Howard, Inhofe, McSpadden, Payne, Phillips, Porter, Stansberry.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Nay: Smith.—1.

Excused: Dacus, Garrison, Hargrave, Howard, Inhofe, McSpadden, Payne, Phillips, Porter, Stansberry.—10.

The emergency was declared passed.

**SB 637** was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SB 627** by Grantham of the Senate and McCune of the House was read and considered.

Senator Stipe moved to amend **SB 627**, page 3, lines 9 and 13, by removing the brackets from the language contained therein, which amendment was tabled upon motion of Senator Grantham, upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Field, Garrison, Grantham, Graves, Ham, Hargrave, Inhofe, Keels, McCune, Martin, Murphy, Nichols, Romang, Short, Smalley, Young.—21.

Nay: Baldwin, Bradley, Ferrell, Hamilton, Holden, Horn, Lane, Luton, McSpadden, Massey, Medearis, Miller, Stipe, Taliaferro, Terrill, Williams.—16.

Excused: Boecher, Crow, Dacus, Garrett, Howard, McGraw, Payne, Phillips, Porter, Smith, Stansberry.—11.

Upon motion of Senator Grantham, **SB 627** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 627** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 627** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Nay: Hamilton, Holden, Horn, Massey, Stipe.—5.

Excused: Dacus, Garrett, Howard, Luton, Payne, Phillips, Porter, Smith, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Nay: Hamilton, Holden, Horn, Massey, Stipe.—5.

Excused: Dacus, Garrett, Howard, Luton, Payne, Phillips, Porter, Smith, Stansberry.—9.

The emergency was declared passed.

**SB 627** was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Baggett motion to reconsider the vote by which **SB 526** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Grantham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill.—31.

Nay: Bradley, Garrison, Graves, Ham, Hargrave, Luton, Smalley, Young.—8.

Excused: Dacus, Garrett, Howard, McSpadden, Murphy, Payne, Porter, Stansberry, Williams.—9.

### THIRD READING

Senator Taliaferro moved to reconsider the vote by which **SB 526** was advanced to engrossment, which motion was declared adopted.

## GENERAL ORDER

Senator Taliaferro moved to amend **SB 526** by crippling the title, which amendment was declared adopted.

Upon motion of Senator Taliaferro, **SB 526**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Taliaferro, **SB 526**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 526** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Grantham, Hamilton, Horn, Inhofe, Keels, Lane, McGraw, Martin, Massey, Medearis, Miller, Nichols, Romang, Short, Smith, Stipe, Taliaferro, Terrill.—27.

Nay: Boecher, Bradley, Garrison, Graves, Ham, Hargrave, Holden, Luton, McCune, McSpadden, Murphy, Phillips, Smalley, Young.—14.

Excused: Dacus, Garrett, Howard, Payne, Porter, Stansberry, Williams.—7.

The bill was declared passed.

Senator Taliaferro asked unanimous consent, which was granted, that the Emergency Section of **SB 526** be stricken, and the title amended to conform thereto.

**SB 526**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 509** by McSpadden, Massey and Inhofe of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator McSpadden, **SB 509** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 509** was consid-

ered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 509** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Boecher, Breckinridge, Ferrell, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Romang, Short, Smith, Stipe, Terrill, Williams, Young.—28.

Nay: Atkinson, Baldwin, Birdsong, Bradley, Field, Grantham, Horn, Keels, Luton, Phillips, Smalley.—11.

Excused: Berrong, Crow, Dacus, Garrett, Howard, Payne, Porter, Stansberry, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—34.

Nay: Bradley, Grantham, Horn, Keels.—4.

Excused: Berrong, Crow, Dacus, Hargrave, Howard, Nichols, Payne, Porter, Stansberry, Taliaferro.—10.

The emergency was declared passed.

**SB 509** was referred for engrossment.

## MOTION TO RECONSIDER VOTE

Senator Luton asked for an extension of one legislative day for consideration of his motion to reconsider the vote by which **HB 1638** failed of passage, which was the order.



**MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1542**, requesting Conference and naming Conferees as follows: Mountford, Musgrave and Goodfellow.

Upon motion of Senator Terrill, the request of the Honorable House for a Conference on **HB 1542** was ordered granted.

**CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1542**: Smalley, Birdsong and Martin.

**RESOLUTIONS**

By unanimous consent, upon request of Senator Birdsong, **SR 54** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 54**—By Birdsong—A Resolution relating to the protection of the property and supplies of the Senate during the interim; authorizing the employment of necessary personnel; restricting use of Senate offices and the Senate chamber during the interim, except with consent of the President Pro Tempore; authorizing and empowering the President Pro Tempore to make provisions and approve claims for needed repairs to the Senate chamber and Senate offices and furnishings thereof and to purchase the needed furnishings and equipment therefor; regulating the use of telephone credit cards by members of the Senate; authorizing and directing the President Pro Tempore to provide stationery and postage stamps for each member for official use; and authorizing the President Pro Tempore to appoint members of the Senate to interim committees.

Be It Resolved by the Senate of the Second Session of the Thirty-second Oklahoma Legislature:

**SECTION 1.** That the President Pro

Tempore is hereby authorized to hire necessary employees to conduct the business and protect the property of the Senate during the 1970 legislative interim.

**SECTION 2.** That no private organization, state executive agency or department, or the employees thereof, shall be permitted to use the Senate Chamber or the offices thereof during the interim, without the consent of the President Pro Tempore.

**SECTION 3.** That the President Pro Tempore is hereby authorized and empowered to provide for needed repairs to the Senate Chamber and offices, equipment and furnishings of the Senate Chamber and offices, to purchase needed equipment, supplies, furniture, furnishings and fixtures of the Senate Chamber and offices, and to approve claims therefor.

**SECTION 4.** That members of the Senate shall be allowed to retain their telephone credit cards for use during the remainder of their term; said use, however, being limited to Six Hundred Dollars (\$600.00) per year. In event any member exceeds such sum the President Pro Tempore shall request the telephone company to charge said excess of Six Hundred Dollars (\$600.00) per year to the individual member's personal telephone.

**SECTION 5.** That the President Pro Tempore is hereby authorized and directed to furnish each member necessary stationery and not to exceed six (6) rolls of six-cent postage stamps for official communications by said members during the interim.

**SECTION 6.** That the President Pro Tempore is hereby authorized and empowered to appoint members of the Senate to committees during the interim.

By unanimous consent, upon request of Senator Birdsong, **SR 55** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 55**—By Birdsong—A Resolution directing the State Board of Affairs to re-

serve the north circle of the Oklahoma State Capitol grounds for parking space for members of the Oklahoma State Senate; and directing the enforcement by the capitol police.

BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That the State Board of Public Affairs be and is hereby directed to reserve the north circle, in the vicinity of the north door of the Oklahoma State Capitol Building, for vehicles used by members of the Oklahoma State Senate, and require the Capitol Police to cause the provisions hereof to be enforced.

SECTION 2. That copies of this Resolution, after consideration and enrollment, be distributed to the State Board of Public Affairs.

By unanimous consent, upon request of President Pro Tempore Smith, **SR 56** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 56**—By Smith—A Resolution authorizing the President Pro Tempore of the Senate to appoint a committee to proceed to Washington, D. C. for the purpose of attending the National Rivers and Harbors Congress on March 17 through March 20, 1970, and upon return report to the Senate.

Be it resolved by the Senate of the Second Session of the Thirty-second Oklahoma Legislature:

SECTION 1. The President Pro Tempore of the Senate of the Second Session of the Thirty-second Oklahoma Legislature is hereby authorized to appoint a committee to proceed to Washington, D. C. for the purpose of attending the National Rivers and Harbors Congress on March 17 through March 20, 1970. Upon its return the committee shall report to the Senate any information or conclusions such com-

mittee may desire to disclose or present concerning recommended legislation."

By unanimous consent, upon request of President Pro Tempore Smith, **SR 57** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 57**—By Smith—A Resolution authorizing the President Pro Tempore of the Senate to appoint a committee to proceed to Springfield, Illinois to meet with, and counsel with, the Illinois Legislative Council and to attend the Illinois Constitutional Convention, March 9 through 11, 1970, and upon returning to report to the Senate.

Be it resolved by the Senate of the Second Session of the Thirty-second Oklahoma Legislature:

SECTION 1. The President Pro Tempore of the Senate of the Second Session of the Thirty-second Oklahoma Legislature is hereby authorized to appoint a committee to proceed to Springfield, Illinois for the purpose of counseling with the Illinois Legislative Council and attending the Illinois Constitutional Convention March 9 through March 11, 1970. Upon return, the committee shall report to the Senate any conclusions such committee may desire to present relevant to legislation with which the Senate is concerned.

By unanimous consent, upon request of Senator Martin, **SCR 66** was introduced and read as follows:

**SCR 66**—By Martin of the Senate and Bickford of the House—A Concurrent Resolution commending the Oklahoma Writers Federation for its contribution to the cultural and historical background of Oklahoma; designating the first week in May of each year as "Oklahoma Writers' Week"; and directing distribution.

**SCR 66** was considered, read at length, adopted upon motion of Senator Martin and ordered referred for engrossment.

# UNANIMOUS CONSENT REQUEST

Senator Baggett asked unanimous con-

sent, which was granted, **SB 635** be exempted from the order striking all **SBs** in Committee at the close of business tomorrow, in order that said Bill may be considered at some future date.

**COMMITTEE REPORT**

By unanimous consent the following Bill was reported by the Committee named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS, as amended:

**SB 603**—Conservation and Economic Development—Coauthored by Lane and Holden.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m., tomorrow, which motion was declared adopted.

**BILL RELEASED**

As provided under Rule 19-f, **HB 1154**, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 11:00 a.m., tomorrow.



## Thirty-fifth Legislative Day

Thursday, March 5, 1970

Pursuant to adjournment, the Senate was called to order by Senator Baldwin, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Excused: Berrong, Boecher, Breckinridge, Dacus, Ham, Hargrave, Stansberry, Stipe.—8.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Grantham:

Our Father, we are grateful for the privilege of leadership, and the confidence that the people of Oklahoma have placed in us.

Give us Your strength and guidance so that we will use these privileges in responsible and creative ways that we may serve You well through Christ, Our Lord who was the most dedicated leader of all. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1543**—By Smith (Norman), Ford and Ferrell of the House and Berrong, Inhofe and Grantham of the Senate—An Act relating to savings and loan associations; defining terms; according effect to existing corporate entities, their issues, contracts and obligations; prescribing term of existence of associations hereafter incorporated; designating the Oklahoma Savings and Loan Board as the State Board for administering this act; providing for its constituency, qualifications of members, their terms of office, and compensation; authorizing said board to adopt rules and approve grants by the Commissioner of Certificates of Authority; imposing duties and powers upon the Commissioner, Deputy Commissioner, and Savings and Loan Supervisor; providing for certain immunity from civil liability; providing for examinations of associations; prescribing the furnishing of copies of certain audit reports and statements; providing for payment of certain fees and per diem in lieu of actual expense of examiners; prescribing requirements of application for forming a savings and loan association; prescribing procedures therefor; providing for board's approval of certain actions and procedures in a savings and loan association's internal control; prescribing annual publication of a statement of the association's financial condition; providing requirements relative to cash reserves; providing for savings and other types of accounts, their classification, ownership, earnings thereof and priority in event of liquidation; requiring approval for an association's conduct of deposit-type transactions; authorizing certain invest-

ments; providing for conversion, merger, and liquidation; repealing 18 O. S. 1961, § § 211, as amended, 212, 214, 215, 218, 219, 220, 221, 222, 223, 224, 225, 227, 230, 231, as amended, 232, 233, as amended, 233a, 233b, 233c, 234, 236, 237, 238, 240, 241, 242, 391, 392, 401, 402, 403, 404, 405, 406 and Sections 1-19, inclusive, Chapter 147, O. S. L. 1969 (18 O. S. Supp. 1969, § § 371.1-371.19, inclusive); making the provisions of this Act severable; providing an effective date; and declaring an emergency.

**HB 1671**—By Whorton of the House and McSpadden of the Senate—An Act relating to bailiffs; amending 19 O. S. 1961, § 551, as amended by Section 1, Chapter 232, O. S. L. 1965 (19 O. S. Supp. 1969, § 551); increasing compensation of court bailiffs; and declaring an emergency.

**HB 1684**—By Tarwater, Goodfellow, Tabor, Bernard and Hutchens—An Act relating to insurance; relating to persons and insurers not authorized to do an insurance business in this state; providing for actions and proceedings in this state and for service of process upon such persons and insurers; providing penalties; defining terms; providing exclusions; making act cumulative; and making act severable.

**HB 1710**—By McCune and Spearman—An Act relating to domestic insurers; requiring domestic insurers to furnish reports to Insurance Commissioner on specified dates; providing for forms; prescribing penalty; providing operative date; and directing codification.

**HB 1712**—By McCune and Spearman—An Act relating to insurance; amending 36 O. S. 1961, § § 616 and 2107, as amended by Sections 1 and 2, Chapter 289, O. S. L. 1969 (36 O. S. Supp. 1969, § § 616 and 2107); providing for filing of Articles of Incorporation of domestic insurance companies with Secretary of State; providing for prior approval of Insurance Commissioner; prohibiting Insurance Commissioner after January 1, 1970, from approving or renewing Articles of Incorporation where same provide for issuance of non-

voting shares of common stock; prohibiting Insurance Commissioner from issuing Certificate of Authority to any insurer incorporated after January 1, 1970, which issues or has outstanding shares of non-voting capital stock; and declaring an emergency.

**HB 1717**—By McCune, Spearman, Goodfellow and Tabor—An Act relating to insurance; prescribing the manner in which premiums for single premium life insurance policies and single premium annuity contracts may be paid; directing codification; and declaring an emergency.

**HB 1719**—By Tarwater of the House and Berrong of the Senate—An Act relating to insurance; amending 36 O. S. 1961, Section 1115, as amended by Section 1, Chapter 82, O. S. L. 1969 (36 O. S. Supp. 1969, § 1115); imposing a tax on insurance policies issued by unauthorized insurers; requiring reports with respect to such policies; making the insured liable for such taxes upon such policies purchased through unauthorized sources; allocating proceeds to the Insurance Commissioner until June 30, 1971; making provisions severable; and declaring an emergency.

**HB 1776**—By Spearman and Monks—An Act relating to certain types of motor vehicles; removing motor-driven cycles known as minibikes and trail bikes, and certain other motor-driven vehicles, manufactured and intended solely for off-street, road and highway use, from the definitions of "motor vehicles" and "motorcycles" as defined in the Motor Vehicle License and Registration Act, 47 O. S. 1961, § 22, et seq., providing that if any such vehicle is used on public streets and highways same must be licensed as a "motorcycle"; exempting minibikes, trail bikes and such vehicles from vehicle excise tax; requiring codification; and declaring an emergency.

**HB 1808**—By Bradley, Odom (Martin), Williamson and Howard of the House and Williams and Lane of the Senate—An Act relating to motor automobiles used in driver education and training program;

authorizing tax commission to furnish special driver education training license plate to school districts to be used on automobiles loaned free of charge for such purpose by licensed new car dealers; authorizing school districts to furnish insurance making provisions as to liability; making certain acts unlawful; fixing effective date; and declaring an emergency.

The above numbered HBs were read for the first time.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 62**.

The above numbered Resolution was referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1154**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

### CITATIONS

Upon motion of Senator Hargrave, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Harry Potter, Skiatook, Oklahoma, upon winning the Tulsa County American Legion Oratorical Contest.

Upon motion of Senator Garrison, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Central States Printing Company and plant manager, Mr. John Rose for receiving the "Employer of the Year Award".

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 509, 532, 536, 552, 578, 588, 595, 599, 618, 622, 627, 637 and **SCR 66** each correctly engrossed.

SRs 54, 55, 56 and 57 each correctly enrolled.

Engrossed SBs 509, 532, 536, 552, 578, 588, 595, 599, 618, 622, 627, 637 and **SCR 66** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled SRs 54, 55, 56 and 57 were properly signed and ordered transmitted to the Secretary of State.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 630**—Business Relations.

**SB 645**—Business Relations.

**SB 646**—Business Relations.

**HB 1240**—Roads and Highways.

**HB 1388**—Roads and Highways—Coauthored by McSpadden.

**HB 1518**—Appropriations and Budget.

**HB 1595**—Revenue and Taxation.

**HB 1723**—Revenue and Taxation.

**HB 1753**—Roads and Highways—Coauthored by Garrison.

DO PASS, as amended:

**SB 571**—Revenue and Taxation.

**SB 647**—Constitutional Revisions and Regulatory Services—Coauthored by Breckinridge and Short.

**SJR 47**—Constitutional Revisions and Regulatory Services.

**SJR 48**—Constitutional Revisions and Regulatory Services.

**SJR 49**—Constitutional Revisions and Regulatory Services.

**SJR 52**—Constitutional Revisions and Regulatory Services.

**HB 1526**—Appropriations and Budget.

**HB 1561**—Appropriations and Budget—Coauthored by Miller and Taliaferro.

**HB 1601**—Appropriations and Budget—Coauthored by Massey.



**HB 1696**—Roads and Highways.

**HB 1783**—Revenue and Taxation—Coauthored by Ferrell.

**HB 1803**—Appropriations and Budget.

## RESOLUTION

**SCR 67** by Murphy of the Senate and Hesser of the House was introduced and read as follows:

A Resolution commending Mr. Henry Payne (Hank) Iba for his many abilities and achievements; congratulating him for his numerous honors and unlimited accomplishments; expressing gratitude to him for his many years of dedicated service to Oklahoma State University and to the State of Oklahoma; and directing distribution.

By unanimous consent, upon request of Senator Murphy, all other Members of the Senate were made coauthors of the Resolution.

**SCR 67**, as coauthored, was read at length, adopted upon motion of Senator Murphy and ordered referred for engrossment.

## SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 657**—Business Relations

**HB 1242**—Education.

**HB 1517**—Education.

**HB 1548**—Judiciary.

**HB 1648**—Finance and Commerce.

**HB 1662**—Agriculture.

**HB 1690**—Governmental Affairs.

## GENERAL ORDER

**SB 515** by Williams was read and considered.

As provided under Rule 8-e, upon request of Senator Williams, Representative Thornhill was added as the House Author of **SB 515**.

Upon motion of Senator Williams, **SB 515** was advanced to engrossment.

By unanimous consent, upon request of Senator Williams, **SB 515** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 515** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Porter, Romang, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Excused: Berrong, Boecher, Breckinridge, Dacus, Field, Ham, Hargrave, McGraw, Medearis, Murphy, Short, Smith, Stansberry, Stipe.—14.

The bill was declared passed.

**SB 515** was referred for engrossment.

## GENERAL ORDER

**SB 631** by Williams was read and considered.

As provided under Rule 8-e, upon request of Senator Williams, Representative Thornhill was added as the House Author of **SB 631**.

Senator Williams moved to amend **SB 631**, page 8, line 12, by striking the word "their" and substituting therefor the word "his" which amendment was declared adopted.

Senator Williams moved to amend **SB 631**, page 8, line 13, by striking the word "their" and substituting therefor the word "his" which amendment was declared adopted.

Upon motion of Senator Williams, **SB 631**, as amended, was advanced to engrossment.

By unanimous consent, upon request of

Senator Williams, **SB 631**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 631** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Terrill, Williams.—30.

Nay: Field, Holden.—2.

Excused: Berrong, Boecher, Breckinridge, Dacus, Ham, Hargrave, Howard, McGraw, Massey, Medearis, Murphy, Smalley, Stansberry, Stipe, Taliaferro, Young.—16.

The bill was declared passed.

**SB 631**, as amended, was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.

### GENERAL ORDER

**SB 583** by Inhofe was read and considered.

Upon motion of Senator Inhofe, **SB 583** was advanced to engrossment.

By unanimous consent, upon request of Senator Inhofe, **SB 583** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 583** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, Mc-

Graw, Martin, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Young.—32.

Excused: Baggett, Berrong, Boecher, Breckinridge, Dacus, Garrison, Ham, Hargrave, Howard, McSpadden, Massey, Medearis, Miller, Smalley, Stansberry, Williams.—16.

The bill was declared passed.

**SB 583** was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 67** correctly engrossed.

Engrossed **SCR 67** was properly signed and ordered transmitted to the Honorable House for consideration.

Senator Berrong asked to be shown present, which was the order.

### GENERAL ORDER

**SB 650** by Inhofe, Luton and Garrison was read and considered.

Senators Crow and Bradley asked to be made coauthors of **SB 650**, which was the order.

As provided under Rule 8-e, upon request of Senator Inhofe, Representative Whorton was added as the House Author, and Representatives Barker and Monks were added as coauthors of **SB 650**.

Senator Baggett moved to amend **SB 650**, page 7, line 10, by striking the words "legislative appropriations" which amendment was declared adopted.

Senator Crow moved to amend **SB 650**, page 7, line 17, by striking the language "and any monies received by legislative appropriation, authorized as hereinafter provided" which amendment was declared adopted.

Senator Inhofe moved to amend **SB 650**, page 8, beginning on line 13, by striking the language "department of examiners of public accounts" and by substituting in lieu thereof the language "State Examiner and Inspector" and by amending the

Title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Inhofe, **SB 650**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Inhofe, **SB 650**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 650** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Nay: Baldwin.—1.

Excused: Boecher, Breckinridge, Dacus, Ham, Hargrave, Stansberry.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Nay: Baldwin.—1.

Excused: Boecher, Breckinridge, Dacus, Ham, Hargrave, Stansberry.—6.

The emergency was declared passed.

**SB 650**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1527** by Tarwater, et al, of the House

and Payne of the Senate was read and considered.

Senators Birdsong, Smith, Medearis, and Holden asked to be made coauthors of **HB 1527**, which was the order.

Senator Murphy, joined by Senators Smith and Payne, moved to amend **HB 1527**, page 21, line 4½, by inserting a new section 12 as follows: "Section 12. Upon application in writing approved by a majority action of the County Commissioners of any county, the Board may extend the benefits of this Act to all or any part of the employees of such county, provided that such county participating therein shall pay all costs attributable to its participation therein. Provided further, that the provisions of this section shall not become operable or effective until July 1, 1971," and by renumbering subsequent sections accordingly, which amendment was declared adopted.

Senator Baggett moved to amend **HB 1527**, page 8, line 10, by adding after the word "with" and before the words "a double" the words "or without" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1527**, page 8, line 16, by inserting after the word "insurance" and before the word "up" the words "on his life" which amendment was declared adopted.

Senator Payne moved to amend **HB 1527**, by amending Title to conform to the body of the bill, which amendment was declared adopted.

Upon motion of Senator Payne, **HB 1527**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Payne, **HB 1527**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1527** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Crow, Ferrell,  
Field, G a r r e t t, Garrison, Grantham,  
Graves, Hamilton, Holden, Horn, Howard,  
Keels, Luton, McCune, McSpadden, Mar-  
tin, Massey, Medearis, Miller, Murphy,  
Payne, Phillips, Porter, Romang, Short,  
Smith, Stipe, Terrill, Williams, Young.—  
36.

Excused: Boecher, Breckinridge, Dacus,  
Ham, Hargrave, Inhofe, Lane, McGraw,  
Nichols, Smalley, Stansberry, Taliaferro,  
—12.

The bill was declared passed.

On the question of passage of emergen-  
cy, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Bradley, Crow, Ferrell,  
Field, G a r r e t t, Garrison, Grantham,  
Graves, Hamilton, Holden, Horn, Howard,  
Keels, Luton, McCune, McSpadden, Mar-  
tin, Massey, Medearis, Miller, Murphy,  
Payne, Phillips, Porter, Romang, Short,  
Smith, Stipe, Terrill, Williams, Young.—  
35.

Excused: Boecher, Breckinridge, Dacus,  
Ham, Hargrave, Inhofe, Lane, McGraw,  
Nichols, Smalley, Stansberry, Taliaferro.  
—12.

The emergency was declared passed.

**HB 1527**, as amended, was referred for  
engrossment.

Senator Ham asked to be shown present,  
which was the order.

Senator Smalley presiding.

## GENERAL ORDER

**SB 587** by Terrill and Breckinridge of  
the Senate and Rogers of the House was  
read and considered.

Senators Payne, Taliaferro, McGraw,  
McCune and Keels asked to be made co-  
authors of **SB 587**, which was the order.

Senator Baggett moved to amend **SB 587**,  
page 6, beginning on line 13, by striking  
subsection (b), which amendment was  
tabled upon motion of Senator Terrill.

Senator Short moved to amend **SB 587**,  
page 10, lines 7 and 9, by inserting after  
the word "be" and before the word  
"fixed" the word and figure "either:  
(1)" and inserting on line 9, a semi-colon  
(;) after the word "or" and before the  
word "by" and inserting the figure "(2)"  
before the word "by" which amendment  
was declared adopted.

Senator Berrong moved to amend **SB**  
**587**, page 7, line 18, by striking after the  
word "does" and before the word "ex-  
ceed" the word "not" which amendment  
was declared adopted.

Senator Berrong moved to amend **SB**  
**587**, page 9, line 3, by striking after the  
word "does" and before the word "ex-  
ceed" the word "not" which amendment  
was declared adopted.

Senator Baggett moved to amend **SB**  
**587**, page 2, by striking all of lines 4, 5  
and 6, which amendment was declared  
adopted.

Senator Baggett moved to amend **SB 587**,  
page 8, beginning on line 1, after the word  
"period" by striking the language through  
line 6.

Senator Terrill, as a substitute for the  
Baggett amendment, moved to amend **SB**  
**587**, page 8, line 3, by striking after the  
word "cardholder" and before the word  
"days" the words and figures "four (4)"  
and substituting therefor the words and  
figures "fourteen (14)" which amendment  
was declared adopted.

Senator Short moved to amend **SB 587**,  
page 10, line 11, by striking the word "ei-  
ther" which amendment was declared  
adopted.

Upon motion of Senator Terrill, **SB 587**,  
as amended, was advanced to engross-  
ment.

By unanimous consent, upon request of  
Senator Terrill, **SB 587**, as amended, was  
considered engrossed and placed upon third  
reading and final passage.

### THIRD READING

**SB 587** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—32.

Nay: Baggett, Ham, Hamilton, Lane, McCune, Murphy, Short, Stipe.—8.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Phillips, Porter, Stansberry.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Romang, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—32.

Nay: Baggett, Ham, Hamilton, Lane, McCune, Murphy, Short, Stipe.—8.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Phillips, Porter, Stansberry.—8.

The emergency was declared passed.

**SB 587**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1152** by Townsend, et al, of the House and Smith, Luton, Lane, Boecher, Field and Holden of the Senate was read and considered.

Senators Terrill, Birdsong, Garrison, McGraw, Taliaferro, Payne, Ham, McCune and Murphy asked to be made co-authors of **HB 1152**, which was the order.

Senator Lane moved to amend **HB 1152**, page 6, line 6½ by inserting a new section to read as follows: "Section 8. Before any plans for additional proposed scenic river areas are brought to the Legislature for consideration, the Industrial Development and Park Commission shall give reasonable notice in newspapers of general circulation in every county in which land and streams are situated that would be affected by the proposed scenic river area. Said notice shall include a map or drawing of the proposed area and shall give the time and place of a meeting in each county affected, at which time and place the Commission shall present their plans for the proposed area" and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **HB 1152**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1152**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1152** was read for the third time at length.

On the question of, passage of Bill the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—32.

Nay: Grantham, McSpadden, Romang, Young.—4.

Excused: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Massey, Phillips, Porter, Stansberry.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—32.

Nay: Grantham, McSpadden, Romang, Young.—4.

Excused: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Massey, Phillips, Porter, Stansberry.—12.

The emergency was declared passed.

**HB 1152**, as amended, was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 591 and 632** each correctly engrossed.

Engrossed **SB 632** was properly signed and ordered transmitted to the Honorable House for consideration.

Senator Stansberry asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

## GENERAL ORDER

**HB 1740** by Spearman, et al, of the House and Garrett of the Senate was read and considered.

President Pro Tempore Smith asked to be made coauthor of **HB 1740**, which was the order.

Senator Garrett moved to amend **HB 1740**, page 3, line 9, by inserting after the word "shall" and before the word "cause" the language "mail notice of such delinquency to the last known address of the person liable therefor and" which amendment was declared adopted.

Senator Garrett moved to amend **HB 1740**, page 4, line 4, by inserting after the word "property" and before the word "for" the language "located in the county

where the notice is published" which amendment was declared adopted.

Senator Baggett moved to amend **HB 1740**, page 7, line 6, by inserting after the word "property" and before the word "of" the words "in such county" which amendment was declared adopted.

Upon motion of Senator Garrett, **HB 1740**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1740**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1740** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Ham, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Payne, Porter, Short, Smalley, Smith, Terrill, Williams.—28.

Nay: Ferrell, Graves, Hamilton, McSpadden, Nichols, Stansberry, Young.—7.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Garrison, Hargrave, Inhofe, Massey, Medearis, Phillips, Romang, Stipe, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Field, Grantham, Graves, Ham, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—27.

Nay: Ferrell, Hamilton, Nichols, Stansberry.—4.

Excused: Atkinson, Baldwin, Boecher, Breckinridge, Dacus, Garrett, Garrison, Hargrave, Holden, Inhofe, Massey, Medearis, Miller, Phillips, Porter, Stipe, Taliaferro.—17.



The emergency was declared failed of passage.

**HB 1740**, as amended, was referred for engrossment.

### MOTIONS TO RECONSIDER VOTES

As provided under Rule 19-b, Senator Garrett moved that the vote be reconsidered by which the Emergency Section of **HB 1740** failed of passage.

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **HB 1740** passed..

### GENERAL ORDER

**SB 598** by Young was read and considered.

Senator Berrong moved to amend **SB 598**, page 1, line 6½ by inserting a new section to read as follows: "Section 2. Notwithstanding any agreement between insurer and insured to the contrary, no insurer shall issue a motor vehicle liability policy unless the provisions of said policy meet the minimum requirements of the Financial Responsibility Act of the State of Oklahoma" and by amending the title to conform thereto.

Senator Baggett, as a substitute for the Berrong amendment, moved to amend **SB 598**, page 1, line 6½, by inserting the following section: "Section 2. No insurer shall issue hereafter any motor vehicle liability insurance policy which does not contain, as a minimum, the provisions, protection and conditions required by the Financial Responsibility Act of the State of Oklahoma" and by amending the title to conform thereto, and renumbering the remaining section accordingly, which amendment was declared adopted.

Upon motion of Senator Young, **SB 598**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 598**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 598** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garri-son, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Atkinson, Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, Inhofe, Medearis, Phillips.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garri-son, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Atkinson, Baldwin, Boecher, Breckinridge, Dacus, Ham, Hargrave, Inhofe, Medearis, Phillips.—10.

The emergency was declared passed.

**SB 598**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 67**—Coauthored by entire House Membership.

The above numbered Resolution was referred for enrollment.

By unanimous consent, upon request of Senator McSpadden, **HB 1581**, as amended, was considered engrossed and placed upon Third Reading.

### THIRD READING

**HB 1581** by Willis, et al of the House

and McSpadden of the Senate was called up for consideration.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Terrill, Williams, Young.—33.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Ferrell, Hargrave, Inhofe, Lane, Medearis, Phillips, Porter, Smith, Stipe, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Terrill, Williams, Young.—33.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Ferrell, Hargrave, Inhofe, Lane, Medearis, Phillips, Porter, Smith, Stipe, Taliaferro.—15.

The emergency was declared passed.

HB 1581, as amended, was referred for engrossment.

### GENERAL ORDER

HB 1558 by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, HB 1558 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, HB 1558 was placed upon third reading and final passage.

### THIRD READING

HB 1558 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Howard, Inhofe, Lane, Medearis, Phillips, Porter, Smith, Taliaferro.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Howard, Inhofe, Lane, Medearis, Phillips, Porter, Smith, Taliaferro.—14.

The emergency was declared passed.

HB 1558, as amended, was referred for engrossment.

Senator Murphy presiding.

### REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 67 correctly enrolled.

Enrolled SCR 67 was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Smalley presiding.

### GENERAL ORDER

HB 1559 by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, HB 1559 was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1559** was placed upon third reading and final passage.

### THIRD READING

**HB 1559** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Williams, Young.—34.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Stipe, Taliaferro, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Williams, Young.—34.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Stipe, Taliaferro, Terrill.—13.

The emergency was declared passed.

**HB 1559**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1567** by Willis, et al, of the House and McSpadden, Massey, Berrong and Hamilton of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1567** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1567** was placed upon third reading and final passage.

### THIRD READING

**HB 1567** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro.—12.

The emergency was declared passed.

**HB 1567**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1568** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1568** was advanced to engrossment.



By unanimous consent, upon request of Senator McSpadden, **HB 1568** was placed upon third reading and final passage.

### THIRD READING

**HB 1568** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—36.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro, Terrill.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—36.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro, Terrill.—12.

The emergency was declared passed.

**HB 1568**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1574** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1574** was advanced to engrossment.

By unanimous consent, upon request of

Senator McSpadden, **HB 1574** was placed upon third reading and final passage.

### THIRD READING

**HB 1574** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter, Taliaferro.—12.

The emergency was declared passed.

**HB 1574**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1575** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1575** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1575** was placed upon third reading and final passage.

**THIRD READING**

**HB 1575** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, McGraw, Medearis, Phillips, Porter.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Hargrave, Inhofe, McGraw, Medearis, Phillips, Porter.—11.

The emergency was declared passed.

**HB 1575**, as amended, was referred for engrossment.

**GENERAL ORDER**

**HB 1742** by McCune of the House and Birdsong of the Senate was read and considered.

Senator Miller moved to amend **HB 1742**, page 1, line 1, by inserting after the word "trust" and before the word "shall" the language "in counties with a population of 200,000 or more according to the last Decennial Census".

Following discussion, Senator Birdsong

asked that further consideration of **HB 1742**, together with pending amendments thereto, be deferred for this legislative day, which was the order.

**GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS—Appointed**

As provided under Rule 3-d, President Pro Tempore Smith appointed the following as Senate Members of the General Conference Committee on Appropriations:

McSpadden—Chairman

Massey—V. Chairman

Atkinson	Hargrave
Baldwin	Martin
Berrong	Murphy
Boecher	Nichols
Garrison	Smalley
Grantham	Young
Hamilton	

**Alternates:**

Holden	Lane
Howard	Williams
Keels	

**GENERAL ORDER**

By unanimous consent, upon request of Senator Hamilton, **HB 1514** was ordered withdrawn from the Calendar and re-referred to the Committee on Public Affairs.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned, as provided under the Rules, until Monday, which motion was declared adopted.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 67**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

**MESSAGE FROM THE HOUSE**

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1057**—By Converse, et al, of the House—A Concurrent Resolution memorializing the Congress of the United States

to provide that federal statutory and other regulations over small meat slaughterers shall not be such as would preclude their continuing in the operation of their businesses; and directing distribution.

**HCR 1058**—By Allard, et al, of the House and Young of the Senate—A Resolution

expressing the appreciation and admiration of the Legislature for Mrs. Jessie M. Fountain; and directing distribution.

Consideration of the Resolutions was deferred for this Legislative day.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., Monday, March 9, 1970.





## Thirty-sixth Legislative Day

Monday, March 9, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—43.

Excused: Boecher, Dacus, Grantham, Stansberry, Stipe.—5.

The President declared a quorum present.

The following prayer was offered by the Chaplain, Father Philip Wilkiemeyer of St. James Catholic Church, Oklahoma City, and is incorporated herein, by unanimous consent, upon request of Senator Keels:

Let us pray, in the name of the Father and of the Son and of the Holy Spirit. We ask Your blessing, Almighty God on this Senate and beg that this blessing continue as long as the people act so as to deserve good men representing them in a government operating under God's grace.

Divine Being, Supreme over all, Patron of Order, Fountain of Justice, continue Your blessing on this State and the men responsible for its laws so their acts may always be consistent with the ends of Your providence. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 5, 1970, of Enrolled **SJR**s 27, 40 and 42 entitled:

**SJR 27**—By Baggett, Baldwin and Birdsong of the Senate and Atkins, Boren and Wixson of the House—A Joint Resolution authorizing and directing the State Board of Public Affairs to make specific ground available, to be designated and selected by the State Board of Public Affairs \*\*\* and contributions for the development of the project and for other purposes.

**SJR 40**—By Hamilton of the Senate and Sullivan of the House—A Joint Resolution renaming the Hodgens Job Corp Camp the "Ouachita Vocational-Technical Camp"; \*\*\* other official documents; and declaring an emergency.

**SJR 42**—By Hamilton of the Senate and Sullivan of the House—A Resolution relating to Public Health; \*\*\* Senate and to all members of the Legislature.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1734**—By York, Hancock, Bamberger and Nance—An Act relating to county officers; amending 19 O. S. 1961, § 138.4, as amended by Section 1, Chapter 189, O. S. L. 1963 (19 O. S. Supp. 1969, § 138.4); amending 19 O. S. 1961, § 138.6; providing maximum compensation of public defenders, assistant public defenders and secretaries thereto in certain counties; and declaring an emergency.

**HB 1766**—By Smith (E. W.)—An Act relating to public housing; amending Section 19 of Chapter 251, O. S. L. 1965, as last

amended by Section 2 of Chapter 341, O. S. L. 1969 (63 O. S. Supp. 1969, § 1069), to provide for the maximum rate of interest bonds issued hereunder may bear; and declaring an emergency.

**HB 1775**—By Mountford—An Act relating to insurance; defining terms; providing for organization and acquisition of subsidiaries of insurers; providing for filing of certain information with Insurance Commissioner; providing for content of statement filed; prescribing grounds for approval of mergers and acquisitions; providing for notice and hearing; providing for exemptions; providing for registration of insurers; prescribing information and form required; providing for amendments to registration statements; providing for termination of registration; providing for exemptions and disclaimers; providing standards; providing for dividends and other distributions; providing for examination by Insurance Commissioner; making information acquired during examination confidential; providing for penalties and making certain violations of this act a felony; providing for fees and disposition thereof; making provisions of this Act severable; and declaring an emergency.

**HB 1777**—By Converse and Monks of the House and Miller of the Senate—An Act relating to schools; providing Superintendents of Public Schools and persons having control of deaf children shall cause such children to attend schools wherein a program for teaching the deaf through instructors certified so to do by the Department of Education; and declaring an emergency.

**HB 1790**—By Converse and Monks of the House and Miller of the Senate—An Act relating to crimes and punishments; providing a deaf-mute shall be entitled to an interpreter following arrest and before commitment in an institution; providing for a means of procuring qualified interpreters and prescribing procedure; and declaring an emergency.

**HB 1805**—By Sparkman—An Act relat-

ing to practice of medicine; amending 59 O. S. 1961, § 495a, as amended by Section 1, Chapter 15, O. S. L. 1963 (59 O. S. Supp. 1969, § 495a) and 59 O. S. 1961, § § 495c and 512; relating to the expiration and renewal of licenses; providing that renewal license fee shall be set by the State Board of Medical Examiners; deleting certain language; providing an annual salary for the Secretary-Treasurer of the Board of Medical Examiners to be fixed by the Board of Medical Examiners; providing a per diem salary for other members of the board while in actual service of the board; authorizing the board to make certain expenditures and to hire certain personnel; authorizing inspectors hired by the board to investigate and inspect records of persons licensed under the act to determine if the narcotic laws have been complied with; providing that authorized expenditures in this act shall be paid solely from the board's depository fund; and declaring an emergency.

The above numbered HBs were read for the first time.

## MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1562, 1563, 1578, 1580 and 1782, requesting Conference and referring said Bills to the General Conference Committee on Appropriations.

## CITATIONS

Upon motion of President Pro Tempore Smith, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Highland Park Chapter, Order of DeMolay, Tulsa and recognizing the week of March 15 as International DeMolay Week and the 50th Anniversary of the founding of the Order of DeMolay.

Upon motion of Senator Short, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Joy Johnson, Oklahoma City for serving as Nurse of the Day on March 9, 1970.

Upon motion of Senator Crow, pursuant



to Rule 8-b, a Citation of Congratulations was ordered issued to Billy B. Starr, Altus, Oklahoma upon being named the football "All-State Quarterback of 1969".

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Kyle Davis, Altus, Oklahoma upon being named the football "Lineman of the Year" and also was chosen "Scholastic All-American".

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dr. Cooper D. Ray, Altus, Oklahoma for serving as Doctor of the Day on February 19, 1970.

Upon motion of Senator Garrett, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Norris A. Price, Del City, Oklahoma for having been chosen as Realtor of the Year by the Midwest City-Del City Board of Realtors.

Upon motion of Senator Breckinridge, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Steve Polin, Tulsa, Oklahoma upon being named to the National Student Advisory Committee of the Washington Workshops Foundation.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

#### MESSAGE FROM THE HOUSE

The following members have been named to the General Conference Committee on Appropriations; and are ready to meet with the Honorable Senate in conference:

Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Connor, Fine, Greenhaw, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman, Townsend.

Alternates: Boren, Briscoe, Derryberry, Odom (M.), and Smithey.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 202, 515, 526, 563 and 583 each correctly engrossed.

Engrossed SBs 202, 515, 526, 563 and 583 were properly signed and ordered transmitted to the Honorable House for consideration.

#### COMMITTEE REPORTS

The following Committee Report on Lobby Permits was submitted, and consideration deferred for this legislative day:  
Mr. President:

The Committee on Lobby Permits to which was referred requests for Lobby Permits after careful consideration recommends the following petitioners be granted Lobby Permits:

Cousins, Hal, 506 Fleetwood, Norman, Oklahoma. The Automobile Manufacturers Assoc., Inc.

Mason, Robert F., 1909 Rulane, Midwest City. United Auto Workers.

Stout, Ed, 1108 Larchmont, Oklahoma City. Mid America Gasoline Dealers Association.

Respectfully submitted,  
Bradley, Chairman.

#### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS, as amended:

HB 1145—Business Relations—Coauthored by Stipe.

HB 1146—Business Relations—Coauthored by Young.

HB 1579—Appropriations and Budget.

HB 1591—Agriculture.

#### RESOLUTIONS

SCR 68 by Smalley of the Senate and Cate of the House was introduced and read as follows:

A Resolution proclaiming the month of March, 1970, Social Workers Month in the State of Oklahoma.

SCR 68 was considered, read at length,

adopted upon motion of Senator Smalley and ordered referred for engrossment.

**SCR 69** by Murphy of the Senate and Hesser of the House was introduced and read as follows:

A concurrent resolution commending and congratulating the Stillwater C. E. Donart High School Wrestling Team and its Coach on winning the Class AAA State High School Wrestling Championship; and directing distribution of copies.

Upon request of Senator Murphy, all other Members of the Senate were made coauthors of the Resolution.

**SCR 69**, as coauthored, was read at length, adopted upon motion of Senator Murphy and ordered referred for engrossment.

### FIRST READING

The following Bill was introduced and read the first time:

**SB 658**—By Breckinridge—An Act relating to corporations; providing that every corporation shall have power to indemnify its officers, directors, employees and agents against expenses incurred in certain actions arising by reason of their official capacity; providing that every corporation shall have power to indemnify any person who is party to any threatened, pending or completed action or suit brought by or in right of such corporation to procure judgment in its favor by reason of fact such person was officer, employee or agent of corporation, against certain expenses incurred; providing exceptions; providing manner of indemnification and method of payment; providing indemnification provided shall not be exclusive; providing conditions under which corporations shall have power to purchase and maintain insurance on behalf of officers, directors or employees; directing codification; and declaring an emergency.

### SECOND READING

The following Bills were read the sec-

ond time and referred to Committees indicated:

**HB 1543**—Finance and Commerce.

**HB 1671**—Appropriations and Budget.

**HB 1684**—Judiciary.

**HB 1710**—Business Relations.

**HB 1712**—Business Relations.

**HB 1717**—Business Relations.

**HB 1719**—Business Relations.

**HB 1776**—Roads and Highways.

**HB 1808**—Revenue and Taxation.

### GENERAL ORDER

**SB 607** by McGraw was read and considered.

Upon motion of Senator McGraw, **SB 607** was advanced to engrossment.

By unanimous consent, upon request of Senator McGraw, **SB 607** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 607** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Nay: Keels, Phillips, Young.—3.

Excused: Boecher, Dacus, Field, Grantham, Inhofe, McSpadden, Nichols, Payne, Stansberry, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn,

Howard, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Nay: Keels, Phillips, Young.—3.

Excused: Boecher, Dacus, Field, Grantham, Inhofe, McSpadden, Nichols, Payne, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**SB 607** was referred for engrossment.

Senator Grantham asked to be shown present, which was the order.

### GENERAL ORDER

**SB 571** by Terrill of the Senate and Lindstrom of the House was read and considered.

Upon motion of Senator Terrill, **SB 571** was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **SB 571** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 571** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Graves, Hamilton, Hargrave, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Atkinson, Baldwin, Grantham, Holden, Keels, Murphy, Smalley.—7.

Excused: Boecher, Dacus, Garrett, Ham, McSpadden, Stansberry, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Graves, Hamilton, Hargrave,

Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Atkinson, Baldwin, Grantham, Holden, Keels, Murphy, Smalley.—7.

Excused: Boecher, Dacus, Garrett, Ham, McSpadden, Stansberry, Stipe.—7.

The emergency was declared passed.

**SB 571** was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.

### GENERAL ORDER

**SB 390** by McCune was read and considered.

President Pro Tempore Smith, joined by Senator Smalley, moved to amend **SB 390**, page 3, lines 2 and 3, by striking after the word "the" on line 2, and before the word "to" on line 3, the language contained therein and substituting therefor the language "Secretary of the Planning Commission or the Clerk of the city or town in the event there is no Planning Commission in said city or town", which amendment was declared adopted.

Senator Smalley, joined by Senator Keels, moved to amend **SB 390**, page 2, line 2, by adding before the word "by" the language "more than 10 days prior to said public hearing" which amendment was declared adopted.

Upon motion of Senator McCune, **SB 390**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, **SB 390**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 390** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Bird-



song, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—37.

Excused: Baldwin, Boecher, Bradley, Dacus, Garrison, Holden, McGraw, Porter, Stansberry, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—37.

Excused: Baldwin, Boecher, Bradley, Dacus, Garrison, Holden, McGraw, Porter, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**SB 390**, as amended, was referred for engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SJR 36** by Smith was read and considered.

Upon motion of President Pro Tempore Smith, **SJR 36** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SJR 36** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 36** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field,

Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Atkinson, Baldwin, Boecher, Dacus, Garrison, Inhofe, McCune, Stansberry.—8.

The Resolution was declared passed.

**SJR 36** was referred for engrossment.

### GENERAL ORDER

**SB 190** by Porter was read and considered.

Senator Birdsong asked to be made co-author of **SB 190**, which was the order.

Senator Baggett, joined by Senators Smalley and Luton, moved to amend **SB 190**, page 1, line 4, by adding after line 4, the words "not less than" and on page 1, lines 5, and 6, by inserting after the words and figures "Twelve Thousand Five Hundred Dollars (\$12,500.00)" and before the word "for" the words and figures "nor more than Thirteen Thousand Five Hundred Dollars (\$13,500.00)" which amendment was declared adopted.

Upon motion of Senator Porter, **SB 190**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Porter, **SB 190**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 190** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—30.

Nay: Atkinson, Bradley, Breckinridge, Ferrell, Horn, Howard, Keels, Phillips, Williams.—9.

Excused: Baldwin, Berrong, Boecher, Dacus, Hargrave, McCune, Medearis, Stansberry, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—32.

Nay: Atkinson, Breckinridge, Ferrell, Horn, Howard, Keels, Phillips.—7.

Excused: Baldwin, Berrong, Boecher, Dacus, Hargrave, Medearis, Miller, Stansberry, Taliaferro.—9.

The emergency was declared passed.

**SB 190**, as amended, was referred for engrossment.

## GENERAL ORDER

**SB 649** by Garrett, Birdsong, Atkinson, Porter, Keels and Howard was read and considered.

Senator Baggett moved to amend **SB 649**, page 8, by striking lines 5 through 14 and substituting therefor the language, "SECTION 2. § 960 (A) In addition to all other items which are now or may hereafter be authorized to be paid from the court fund, it shall be the mandatory duty of the **[trustees]** GOVERNING BOARD of the court fund to pay annually for the sole use of the retirement system a sum equal to the contributions made to the retirement fund by the employees, but not to exceed ten percent (10%) of the current annual salaries of all employees whose salaries are paid either in whole or in part out of the court funds of such county. (b) It shall be the mandatory duty of the governing board of the court fund to

pay annually from the court fund to a county retirement system which is not a participant in the Oklahoma Public Employees Retirement System, the employer's contribution for that court reporter who pursuant to the provisions of Section 5, Chapter 328, O. S. L. 1969 (20 O. S. Supp. 1969 § 1004) exercised his option to continue as a member of the county retirement system following January 13, 1969. The contributions to be so paid shall be limited to the amount provided for in subsection (a) hereof. The provisions of this subsection (b) shall operate retroactively to take effect on and after January 13, 1969"

Senator Garrison asked to be made a coauthor of the Baggett amendment, which was the order.

The vote occurring upon the Baggett-Garrison amendment, it was declared adopted.

Upon motion of Senator Garrett, **SB 649**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **SB 649**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 649** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—73.

Excused: Baldwin, Boecher, Breckinridge, Crow, Dacus, Lane, Massey, Medearis, Smith, Stansberry, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baldwin, Boecher, Breckinridge, Crow, Dacus, Lane, Massey, Medearis, Smith, Stansberry, Stipe.—11.

The emergency was declared passed.

**SB 649**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 597** by Young was read and considered.

Upon motion of Senator Young, **SB 597** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 597** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 597** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Berrong, Boecher, Dacus, Medearis, Murphy, Porter, Stansberry, Stipe, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Berrong, Boecher, Dacus, Medearis, Murphy, Porter, Stansberry, Stipe, Taliaferro.—10.

The emergency was declared passed.

**SB 597** was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 598, 608, 650 and HBs 1527, 1558, 1559, 1567, 1568, 1574, 1575 and 1581** each correctly engrossed.

Engrossed **SBs 598, 608 and 650** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1527, 1558, 1559, 1567, 1568, 1574, 1575 and 1581**, as amended, were properly signed and ordered returned to the Honorable House.

Senator Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**SB 467** by Murphy was read and considered.

Senator Ham asked to be made a co-author of **SB 467**, which was the order.

Senator Ham moved to amend **SB 467**, page 9, line 16, by adding after the word "any" the words "road or" which amendment was declared adopted.

Senator Ham moved to amend **SB 467**, page 10, line 1, by adding after the first comma (,), on said line 1, the words and figures "Sections 1205 and 1206" which amendment was declared adopted.

Senator Ham moved to amend **SB 467**, page 10, line 6, by changing the period (.) after the word "county" to a comma (,) and adding the language "and the



same shall be so paid" which amendment was declared adopted.

Upon motion of Senator Murphy, **SB 467**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 467**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 467** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Young.—37.

Nay: Williams.—1.

Excused: Baldwin, Boecher, Crow, Dacus, Ferrell, Garrett, Howard, Stansberry, Stipe, Taliaferro.—10.

The bill was declared passed.

**SB 467**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 556** by Luton and Garrison was read and considered.

Senator Hargrave asked to be made a coauthor of **SB 556**, which was the order.

President Pro Tempore Smith presiding.

Senator Phillips moved to amend **SB 556**, page 19, line 1, by striking the word "no" which amendment was declared adopted.

Senator Phillips moved to amend **SB 556**, pages 19 and 20, by striking after the word "Authority" on line 4, the remainder of page 19, and all language contained in lines 1 through 8, on page 20, which amendment was declared adopted.

Senator Berrong moved to amend **SB 556**, page 22, line 2, by inserting after the word "be" and before the word "permitted" the language "transferred at an equivalent position and shall be" which amendment was declared adopted upon motion of Senator Luton.

Senator Payne, joined by Senator Field, moved to amend **SB 556**, by striking the language "Department of Public Safety" wherever same appears in the Bill and substituting therefor the language "Department of Wildlife Conservation" which amendment was tabled upon motion of Senator Garrison, upon a roll call as follows:

Aye: Berrong, Birdsong, Breckinridge, Crow, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, McGraw, Martin, Massey, Miller, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—25.

Nay: Atkinson, Baggett, Bradley, Field, Garrett, Graves, Horn, Lane, McSpadden, Medearis, Murphy, Nichols, Payne, Porter, Stipe, Young.—16.

Excused: Baldwin, Boecher, Dacus, Ferrell, Keels, Stansberry, Taliaferro.—7.

Upon motion of Senator Luton, **SB 556**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **SB 556**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 556** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Crow, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—27.

Nay: Atkinson, Bradley, Field, Garrett, Graves, Howard, McSpadden, Martin, Mas-

sey, Medearis, Nichols, Payne, Porter, Stipe, Young.—15.

Excused: Baldwin, Boecher, Dacus, Ferrell, Stansberry, Taliaferro.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—26.

Nay: Atkinson, Bradley, Crow, Field, Graves, Holden, Howard, Lane, McSpadden, Massey, Medearis, Payne, Porter, Stipe, Young.—15.

Excused: Baldwin, Boecher, Dacus, Ferrell, Nichols, Stansberry, Taliaferro.—7.

The emergency was declared failed of passage.

**SB 556**, as amended, was referred for engrossment.

#### **MOTION TO RECONSIDER VOTES**

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **SB 556**, as amended, passed; and, that the vote be reconsidered by which the Emergency Section of **SB 556**, as amended, failed of passage.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 587** and **631**, and **HB 1152** each correctly engrossed.

**SCR 62** correctly enrolled.

Engrossed **SBs 537** and **631** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1152**, as amended, were properly signed and ordered returned to the Honorable House.

Senator Miller presiding.

Enrolled **SCR 62** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

#### **GENERAL ORDER**

**SB 584** by Baggett and Smalley was read and considered.

Senators Breckinridge, Inhofe, Garrison, Smith, McCune, Bradley and McGraw asked to be made coauthors of **SB 584**, which was the order.

Senator Baggett moved to amend **SB 584**, page 1, line 5, by inserting after the word "abolished;" and before the word "provided" on line 6, the language "effective as of the end of the current terms of such County Superintendents of Schools on the first Monday in July, 1971;" which amendment was declared adopted.

Senator Baggett moved to amend **SB 584**, page 2, line 4, by inserting after the word "schools" and before the word "are" the words "in the counties affected by this act" which amendment was declared adopted.

Senator Baggett moved to amend **SB 584**, page 2, lines 7 and 8, by striking all language contained therein, and by amending the title to conform, which amendment was declared adopted.

Senator Crow moved to amend **SB 584**, page 1, lines 2, 3, and 4, by striking the language "less than three dependent school districts in Oklahoma and in all counties having" which amendment was tabled upon motion of Senator Baggett upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Hargrave, Howard, Inhofe, Keels, McCune, McGraw, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—25.

Nay: Crow, Field, Graves, Ham, Holden, Horn, Lane, Luton, McSpadden, Martin, Medearis, Miller, Phillips, Stipe, Young.—15.

Excused: Baldwin, Boecher, Dacus, Ferrell, Hamilton, Massey, Stansberry, Taliaferro.—8.

Senator Field moved to amend **SB 584**, page 2, line 5, by striking after the word

"of" the remainder of lines 5 and 6, and by substituting therefor the language "the Board of Education of the high school in the county with the greatest A.D.A." which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 584**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 584**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 584** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McGraw, Murphy, Nichols, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—27.

Nay: Crow, Field, Graves, Holden, Horn, Lane, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Stipe, Young.—15.

Excused: Baldwin, Boecher, Dacus, Ferrell, Porter, Stansberry.—6.

The bill was declared passed.

**SB 584**, as amended, was referred for engrossment.

Senator Hamilton presiding.

### GENERAL ORDER

**SB 606** by Baggett and McGraw was read and considered.

Upon motion of Senator Baggett, **SB 606** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 606** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 606** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Howard, Keels, Luton, McCune, McGraw, Nichols, Short, Smalley, Smith, Terrill.—17.

Nay: Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Lane, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Stipe, Williams, Young.—20.

Excused: Baldwin, Berrong, Boecher, Crow, Dacus, Ferrell, Hargrave, Inhofe, Porter, Stansberry, Taliaferro.—11.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baggett moved that the vote be reconsidered by which **SB 606** failed of passage.

### MOTION

Senator Ham moved that **SB 467** be ordered withdrawn from the Engrossing and Enrolling Department for further consideration, which motion was declared adopted.

### MOTION TO RECONSIDER VOTE

Senator Ham moved to reconsider the vote by which **SB 467** passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Terrill, Williams, Young.—34.

Excused: Baldwin, Berrong, Boecher, Crow, Dacus, Ferrell, Hargrave, Inhofe, Medearis, Porter, Short, Stansberry, Stipe, Taliaferro.—14.



**THIRD READING**

**SB 467** was considered further.

Senator Ham asked unanimous consent, which was granted, to amend **SB 467**, page 10, line 7, by adding a new section to read as follows: "Section 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage" and by amending the title to conform thereto, which amendment was declared adopted.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Williams, Young.—34.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Hargrave, Inhofe, Medearis, Porter, Short, Stansberry, Stipe, Taliaferro, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Williams, Young.—34.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Hargrave, Inhofe, Medearis, Porter, Short, Stansberry, Stipe, Taliaferro, Terrill.—14.

The emergency was declared passed.

**SB 467**, as amended, was referred for engrossment.

**PENDING SENATE ACTION**

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1553** was ordered granted, and said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1554** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1556** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1557** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1570** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1576** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1577** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

**GENERAL ORDER**

**HB 1642** by Miskelly, et al, of the House and Atkinson, Martin, McCune, Payne, Nichols, Porter, Graves and Stansberry of the Senate was read and considered.

Senators Smith, Hamilton, McSpadden, Birdsong, Garrison, Murphy, Luton, Williams, Howard, Young, Miller, Horn, Field, Short, McGraw, Grantham, Ham, Massey, Graves, Keels, Baggett, Lane,

Crow, Holden and Stipe asked to be made coauthors of **HB 1642**, which was the order.

Upon motion of Senator Atkinson, **HB 1642** was advanced to engrossment.

By unanimous consent upon request of Senator Atkinson, **HB 1642** was placed upon third reading and final passage.

### THIRD READING

**HB 1642** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Baldwin, Berrong, Boecher, Bradley, Dacus, Ferrell, Hargrave, Inhofe, Medearis, Phillips, Porter, Stansberry, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Baldwin, Berrong, Boecher, Bradley, Dacus, Ferrell, Hargrave, Inhofe, Medearis, Phillips, Porter, Stansberry, Taliaferro.—13.

The emergency was declared passed.

**HB 1642** was ordered withheld pursuant to Rule 19-f.

### RESOLUTION

By unanimous consent, upon request of Senator Terrill, the following Resolution was introduced, and consideration deferred for this legislative day:

**SCR 70** by Terrill of the Senate and Derryberry of the House—A Concurrent Resolution authorizing the President Pro Tempore of the Senate and the Speaker of the House of Representatives of the Second Session of the Thirty-second Oklahoma Legislature to appoint five members of the Senate and five members of the House of Representatives to join the West Coast Industrial Tour; and authorizing reimbursement to members for travel and expenses.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 62**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

### BILL RELEASED

As provided under Rule 19-f, **HB 1642** was properly signed and ordered returned to the Honorable House.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.





## Thirty-seventh Legislative Day

Tuesday, March 10, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—40.

Excused: Atkinson, Dacus, Ferrell, Medearis, Stansberry, Stipe, Taliaferro, Young.—8.

The President declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Keels:

Let us pray, O' God, Source of Wisdom, bless the Senate's activities so that at all times they may clearly understand what you would have them do. This blessing we ask from the bottom of our hearts, trusting in the goodness and mercy You have shown in the past. Give them Lord God, the wisdom to know what is right and the courage to follow it. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1686**—By Trent—An Act relating to

public libraries in certain counties; amending Section 2 of Chapter 192, O. S. L. 1965 (65 O. S. Supp. 1969, § 552); fixing classification for joint city-county public libraries; amending Section 4, Chapter 192, O. S. L. 1965 (65 O. S. Supp. 1969, § 554); providing for appointment of members of Metropolitan Library Commissions; fixing terms of office; providing expiration for term of office of incumbent members; making said members eligible for reappointment; and declaring an emergency.

**HB 1752**—By Smith (Norman) of the House and Grantham of the Senate—An Act relating to prepaid funeral services or funeral merchandise; requiring a license; making the sale of prepaid funeral services and merchandise without having first obtained a license unlawful; exempting religious or benevolent organizations and burial associations or cemeteries dealing exclusively in grave spaces, mausoleum spaces and/or markers; or organizations engaged in collective bargaining or cooperative purchasing of funeral services or funeral merchandise; placing certain powers and duties upon the Insurance Commissioner; requiring records and reports; fixing fees; providing for disposition of fees; directing that all monies received from such sale be placed in trust funds; authorizing withdrawal of trust funds under certain conditions; making violation of act a misdemeanor and prescribing penalties; prohibiting solicitation or advertisement for prepaid funeral service or costs incident thereto; making provisions of act severable; and declaring an emergency.

**HB 1789**—By Raibourn and Goodfellow

—An Act relating to game and fish; stating purpose; authorizing the Oklahoma Department of Wildlife Conservation to regulate the possession and transportation of all wildlife and aquatic plants including tropical and other exotic fish; requiring a written permit for interstate transportation of wildlife or aquatic plants with certain exceptions; authorizing the Oklahoma Wildlife Conservation Commission to declare a species of wildlife or aquatic plants undesirable for the State of Oklahoma; providing for public notice prior to a meeting to determine said undesirable wildlife species or aquatic plants; making it unlawful to possess, release, transport, or sell such declared undesirable species; providing for seizure of undesirable species and disposal thereof; defining wildlife dealers and requiring licensing thereof; providing for disposition of monies received for said licenses; requiring records to be kept by wildlife dealers and specifying time they must be kept and who may inspect records, facilities, equipment and inventory of wildlife dealers; providing punishment for violations of the act; providing that existing rules and regulations of the Oklahoma Wildlife Conservation Commission shall remain in effect until such time as changed or rescinded.

**HB 1800**—By McCune of the House and Grantham of the Senate—An Act relating to the Court of Bank Review; amending Section 207, Chapter 161, O. S. L. 1965 (6 O. S. Supp. 1969, § 207); by providing that the decision of the Court of Bank Review shall set forth in writing the legal reasons for the conclusions reached and shall be subject to review in the Supreme Court by certiorari; providing further that the Supreme Court shall prescribe by rule the scope of its review by certiorari and the time and manner in which a petition for certiorari shall be filed in that court; and declaring an emergency.

**HB 1801**—By Green and McCune of the House and Grantham of the Senate—An Act relating to civil procedure; amending

12 O. S. 1961, § 21, to provide for approval of the official bond of the court clerk by the presiding judge of the district; prescribing the type of surety; providing for payment of premiums; and providing an operative date.

**HJR 1006**—By Connor, Conaghan, Green, Holaday and Howard of the House and Garrison, McGraw and Williams of the Senate—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 6 of Article XI of the Constitution of the State of Oklahoma; authorizing investment of permanent common school and other educational funds; providing for ballot title; and ordering a special election.

**HJR 1046**—By Johnson and Cox—(A Joint Resolution authorizing the Oklahoma Historical Society).

**HJR 1057**—By Smithey of the House and Hargrave of the Senate—A Joint Resolution authorizing Meek's Hardware & Furniture Co. to bring suit against the State of Oklahoma to determine the amount of damage, if any, sustained by it on account of highway construction near its property; directing payment of any judgment rendered in said suit from the State Highway Construction and Maintenance Fund.

The above numbered HBs and/or HRs were read for the first time.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Enrolled SCR 66.

The above numbered Resolution was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1642.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

# MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1152, 1403 and 1527**, as amended.

# MESSAGE FROM THE HOUSE

Transmitting following **Bills**, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1522 and 1610**.

# CONFERENCE COMMITTEE REPORTS

The following **CCR** on **HB 1522** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1522, and Engrossed Senate Amendments thereto, by Skeith, Dunn, Monks Barker, Murphy, Patterson, Andrews, Kamas and Hatchett of the House and Stipe, Crow, Hamilton, Lane, Luton and Phillips of the Senate entitled:

An Act relating to motor vehicles; amending 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167); exempting three-axle open top dump trucks hauling certain road building materials from the proof of public convenience and necessity and the tariff provisions of the Motor Carrier Act; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following Conference Committee Substitute be adopted:

**CCS** for **HB 1522**—By Skeith, et al of the House and Stipe, Crow, Hamilton, Lane, Luton and Phillips of the Senate.

An Act relating to motor vehicles; amending 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190,

O. S. L. 1968 (47 O. S. Supp. 1969, § 167); exempting three-axle open top dump trucks hauling certain road building materials from the proof of public convenience and necessity and the tariff provisions of the Motor Carrier Act; exempting wreckers, ambulances or other emergency service vehicles from the Motor Carrier Act; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167), is amended to read as follows:

Section 167. It shall not be necessary for any carriers in intrastate commerce of sand, gravel, rock, crushed stone, asphaltic mix or other similar road building materials when transported in bulk in **THREE-AXLE OR LESS** open top **[vehicles]** **DUMP TRUCKS** **[within a radius of thirty (30) miles of the carrier's base of operation as shown in his original application]**, or an intrastate carrier of unprocessed agricultural commodities, to prove public convenience and necessity for the transporting of said commodities, or give any notice in order to obtain a certificate or permit. **[Provided, the]** **THE Commission** **[may, in its discretion,]** **SHALL** issue such certificates or permits to carriers of said commodities in intrastate commerce without public hearings. **[, where good cause is shown by affidavit on forms prescribed by the Commission.]**

THE TARIFF PROVISIONS OF SECTIONS 161 THROUGH 180M, INCLUSIVE OF THIS TITLE, SHALL NOT APPLY TO THE TRANSPORTATION OF ROAD BUILDING MATERIALS AS DESCRIBED ABOVE IN THIS SECTION WHEN TRANSPORTED IN BULK IN **THREE-AXLE OR LESS OPEN TOP DUMP TRUCKS**. FURTHER, NONE OF THE PROVISIONS OF SECTIONS 161 THROUGH 180M, INCLUSIVE OF THIS TITLE, SHALL APPLY TO WRECKERS,



**AMBULANCES OR OTHER EMERGENCY SERVICE VEHICLES.**

Except as provided herein, the provisions of Section 166 OF TITLE 47 OF THE OKLAHOMA STATUTES are expressly made applicable to any certificate or permit issued under this section.

**SECTION 2.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

**FOR THE SENATE:** Stipe, Terrill, Bradley.

**FOR THE HOUSE:** Skeith, Barker, Rogers.

The following **CCR** on **HB 1610** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1610, and Engrossed Senate Amendments thereto, by Skeith and Dunn of the House and Murphy of the Senate entitled:

An Act relating to public works; amending Section 1, Chapter 274, O. S. L. 1969 (61 O. S. Supp. 1969, § 16); providing for retention by public agency of payment to contractor for certain period of time; providing that claimant must serve the public agency with proof that he has instituted legal action within such time to effectuate collection; providing that failure by the claimant to comply with the requirements set out in this act and to post statutory guarantees shall release the public agency from any statutory obligations; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCR for HB 1610**—By Skeith, et al, of the House and Murphy of the Senate.

An Act relating to public works; amending Section 1, Chapter 274, O. S. L. 1969 (61 O. S. Supp. 1969, § 16); providing for retention by public agency of payment to contractor for certain period of time; providing that claimant must serve the public agency with proof that he has instituted legal action within such time to effectuate collection; providing that failure by the claimant to comply with the requirements set out in this act and to post statutory guarantees shall release the public agency from any statutory obligations; providing that any contractor doing business in Oklahoma presumed to consent to jurisdiction of Oklahoma courts; and declaring an emergency.

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:**

**SECTION 1.** Section 1, Chapter 274, O. S. L. 1969 (61 O. S. Supp. 1969, § 16), is amended to read as follows:

§ 16. Any person furnishing labor or materials for a public work who has not been paid therefor may file **AT ANY TIME PRIOR TO THE EXPIRATION OF TWENTY (20) DAYS FOLLOWING THE COMPLETION OF A CONTRACT FOR PUBLIC WORK** a stop notice with the public agency concerned and thereby cause the withholding of the payment to the contractor for the public work the amount claimed by such person. **ANY PUBLIC AGENCY RECEIVING SUCH NOTICE SHALL MAIL A COPY OF THIS STATUTE REQUIRING ACTION WITHIN TWENTY (20) DAYS TO THE PARTY MAKING SUCH CLAIM.** Any such person having no direct contractual relationship with the contractor, other than a person who performed actual labor for wages, may file such a notice, but no payment shall be withheld from any such contractor [pursuant to any such notice, unless such person has given written notice to said contractor and the public agency concerned within ninety (90) days from the date on which such person furnished the last of the labor or materials with respect to which the notice is given, stating with

substantial accuracy the amount claimed and the name of the party to whom the labor or materials were furnished. Such notice shall be serviced by mailing the same by registered or certified mail, postage prepaid, in an envelope addressed to the contractor at any place he maintains an office or conducts his business, or his residence, or by personal service. In case of any public works constructed by an agency, department or institution of this state, such notice shall be served by mailing in the same manner as above, addressed to the office of the disbursing officer of the department constructing the work or by personal service upon such officer.] AFTER THE EXPIRATION OF SAID TWENTY (20) DAYS, UNLESS THE PARTY MAKING A CLAIM SHALL HAVE SERVED THE PUBLIC AGENCY WITH PROOF THAT HE HAS INSTITUTED A LEGAL ACTION WITHIN SUCH TIME TO EFFECTUATE COLLECTION. UPON THE FILING OF A LEGAL ACTION, THE PUBLIC AGENCY SHALL WITHHOLD THE AMOUNT CLAIMED IN THE ACTION, AND PAY THE BALANCE TO THE CONTRACTOR. FAILURE BY THE CLAIMANT TO COMPLY WITH THE REQUIREMENTS SET OUT IN THIS ACT AND TO POST STATUTORY GUARANTEES SHALL RELEASE THE PUBLIC AGENCY FROM THE OBLIGATIONS IMPOSED BY THE ACT.

SECTION 2. ANY CONTRACTOR DOING BUSINESS IN THIS STATE SHALL BE PRESUMED TO HAVE CONSENTED TO THE JURISDICTION OF ANY COURT OF THIS STATE WHERE THE WORK IS BEING DONE AND SERVICE MAY BE OBTAINED UPON ANY AGENT OR EMPLOYEE OF SAID CONTRACTOR.

THE COURT MAY ASSESS ALL COSTS AND A REASONABLE ATTORNEY FEE TO THE PLAINTIFF, IF HE IS SUCCESSFUL IN HIS SUIT.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is

hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Stipe, Murphy, Atkinson.

FOR THE SENATE: Skeith, Dunn, Payne.

## COMMITTEE REPORT

The Committee Report on Lobby Permits, submitted on March 9, 1970, was declared adopted upon motion of Senator Bradley, who stated such Permits would be issued by the Office of the President Pro Tempore.

## REQUEST FOR LOBBY PERMIT

Requests for Lobby Permits were filed by the following persons and ordered referred to the Committee on Lobby Permits:

Mrs. Fay Guinn, 918 W. Leslie, Pauls Valley, Oklahoma, representing the Communications Workers of America.

T. O. Parsons, 2317 S. W. 82nd Street, Oklahoma City, representing the Communications Workers of America.

## CITATIONS

Upon motion of Senator Baldwin, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Miss Juli Cope land of Fort Cobb, Oklahoma, 1969-70 Oklahoma Peanut Princess.

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Colbert Leopardettes as Area Tournament Champs.

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Reverend Wayne Estus of Durant, Oklahoma upon being named Citizen of the Year.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Gary Bryant of Tulsa, Oklahoma for being named one of five recipients of the Shaw award.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SB 635**—Education.

**HB 1543**—Finance and Commerce.

**HB 1705**—Education—Coauthored by Murphy.

**HJR 1003**—Constitutional Revisions and Regulatory Services—Coauthored by Atkinson, Keels, Porter, Stansberry, Garrett, Birdsong, Howard, Massey, Lane, Crow, Boecher, Ham, Phillips, Luton, Stipe, Medearis and Horn of the Senate and Miskelly of the House.

DO PASS, as amended:

**SB 383**—Judiciary.

**SB 540**—Rules.

**HB 1797**—Education—Coauthored by Baggett, Hamilton, Crow and McGraw.

**HB 1798**—Education.

### COMMITTEE REPORT

The following Bill was reported by the Committee named and ordered placed upon the Calendar under PENDING SENATE ACTION ON HAS, with the recommendation that the Senate reject House Amendments and request a Conference:

**SB 311**—Judiciary.

**HAS** to **SB 311**, submitted in 1st Session of 32nd Legislature, appear on page 1018 of 1969 Senate Journal.

### SECOND READING

The following Bills were read the second time and referred to Committees indicated:

**SB 658**—Ordered printed and placed upon the Calendar without reference to a Committee, by unanimous consent, upon request of Senator Baggett.

**HB 1734**—Appropriations and Budget.

**HB 1766**—Municipal Government.

**HB 1775**—Business Relations.

**HB 1777**—Education.

**HB 1790**—Judiciary.

**HB 1805**—Public Health.

### RESOLUTION

**SCR 71** by Baldwin of the Senate and Goodfellow of the House was introduced and read as follows:

A Concurrent Resolution taking official notice of National Peanut Week, March 4-14, 1970; commending the Oklahoma Peanut Commission; and directing distribution.

Upon request of Senator Baldwin, all other Members of the Senate were added as coauthors of the Resolution.

**SCR 71**, as coauthored, was read at length, adopted upon motion of Senator Baldwin, and ordered referred for engrossment.

### GENERAL ORDER

**SB 623** by Smalley and Hamilton of the Senate and Cate of the House was read and considered.

Senators Garrison and Horn asked to be made coauthors of **SB 623**, which was the order.

Upon motion of Senator Smalley, **SB 623** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SB 623** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 623** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn,



Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams.—35.

Nay: Baldwin, Smith.—2.

Excused: Atkinson, Dacus, Ferrell, Inhofe, Massey, Medearis, Porter, Stansberry, Stipe, Taliaferro, Young.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams.—35.

Nay: Baldwin, Smith.—2.

Excused: Atkinson, Dacus, Ferrell, Inhofe, Massey, Medearis, Porter, Stansberry, Stipe, Taliaferro, Young.—11.

The emergency was declared passed.

**SB 623** was referred for engrossment.

Senator Young asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**HB 1561** by Willis, et al, of the House and McSpadden, Massey, Miller and Taliaferro of the Senate was read and considered.

Senator Smalley asked to be made a co-author of **HB 1561**, which was the order.

Upon motion of Senator McSpadden, **HB 1561** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1561** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1561** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Atkinson, Dacus, Ferrell, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Atkinson, Dacus, Ferrell, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The emergency was declared passed.

**HB 1561**, as amended, was referred for engrossment.

Senator Taliaferro asked to be shown present, which was the order.

### GENERAL ORDER

**SB 603**, by McSpadden, Lane and Holden was read and considered.

Senators Hamilton and Massey asked to be made coauthors of **SB 603**, which was the order.

Upon motion of Senator Lane, **SB 603** was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, **SB 603** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 603** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, G a r r i s o n, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Atkinson, Baldwin, Dacus, Ferrell, Ham, Medearis, Miller, Porter, Smalley, Stansberry, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, G a r r i s o n, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Atkinson, Baldwin, Dacus, Ferrell, Ham, Medearis, Miller, Porter, Smalley, Stansberry, Stipe.—11.

The emergency was declared passed.

**SB 603** was referred for engrossment.

Senators Ferrell, Medearis and Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**SB 601** by Romang of the Senate and Rogers of the House was read and considered.

Upon motion of Senator McSpadden, **SB 601** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **SB 601** was consider-

ed engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 601** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Atkinson, Dacus, Ham, Nichols, Porter, Stipe.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—42.

Excused: Atkinson, Dacus, Ham, Nichols, Porter, Stipe.—6.

The emergency was declared passed.

**SB 601** was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Smalley motion to reconsider the vote by which **HB 1740** passed, it was declared adopted upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden,

Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Atkinson, Dacus, Ham, Hargrave, Massey, Nichols, Porter, Smalley, Stipe.—9.

### THIRD READING

**HB 1740** was considered further.

Senator Smalley asked unanimous consent to amend **HB 1740**, page 1, line 1 of the Title, by striking after the word "taxation" the remainder of said Title, which was the order.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—35.

Nay: Baldwin, Boecher, Crow, Ferrell, Hamilton, Medearis, Stansberry, Young.—8.

Excused: Atkinson, Dacus, Massey, Porter, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—35.

Nay: Baldwin, Boecher, Crow, Ferrell, Hamilton, Medearis, Stansberry, Young.—8.

Excused: Atkinson, Dacus, Massey, Porter, Stipe.—5.

The emergency was declared passed.

**HB 1740**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1742** by McCune of the House and Birdsong of the Senate was called up for further consideration.

Senator Keels asked to be made a co-author of **HB 1742**, which was the order.

The vote occurring upon the Miller amendment to **HB 1742**, page 1, line 1, submitted on March 5, 1970, it was declared failed of adoption, upon a roll call as follows:

Aye: Baggett, Boecher, Bradley, Crow, Field, Hargrave, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Terrill.—16.

Nay: Berrong, Birdsong, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, McCune, McGraw, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Williams, Young.—24.

Excused: Atkinson, Baldwin, Dacus, Ferrell, Holden, Porter, Stipe, Taliaferro.—8.

Upon motion of Senator Birdsong, **HB 1742** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **HB 1742** was placed upon third reading and final passage.

### THIRD READING

**HB 1742** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—33.



Nay: Boecher, Crow, Field, Lane, Luton, Medearis.—6.

Excused: Atkinson, Baldwin, Dacus, Ferrell, Holden, McSpadden, Smalley, Stipe, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—33.

Nay: Boecher, Crow, Field, Lane, Luton, Medearis.—6.

Excused: Atkinson, Baldwin, Dacus, Ferrell, Holden, McSpadden, Smalley, Stipe, Taliaferro.—9.

The emergency was declared passed.

HB 1742 was ordered withheld pursuant to Rule 19-f.

## REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 190, 390, 571, 584, 597, 607, SJR 36, SCRs 68 and 69 each correctly engrossed.

Engrossed SBs 190, 390, 571, 584, 597, 607, SJR 36, SCRs 68 and 69 were properly signed and ordered transmitted to the Honorable House for consideration.

Senator Romang presiding.

## GENERAL ORDER

SB 548 by Horn was read and considered.

Senator Berrong moved to amend SB 548, page 2, lines 12 and 13 by striking after the word "written" and before the word "communication" the words "cral, or other".

Senator Smalley moved that SB 548, with all pending amendments attached, be referred to the Committee on Business Relations.

Senator Horn moved to table the Smalley motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Berrong, Crow, Field, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, McCune, McGraw, Nichols, Payne, Phillips, Porter, Stansberry, Terrill.—18.

Nay: Baldwin, Birdsong, Bradley, Ferrell, Garrett, Garrison, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Romang, Short, Smalley, Smith, Williams, Young.—21.

Excused: Atkinson, Boecher, Breckinridge, Dacus, Graves, Lane, Massey, Stipe, Taliaferro.—9.

President Pro Tempore Smith, as a substitute for the Smalley motion, moved that SB 548, together with all pending amendments attached, be referred to the Committee on Governmental Affairs which motion was declared adopted.

## GENERAL ORDER

SB 612 by McGraw was read and considered.

Senator Luton moved that SB 612, together with attached amendments be referred to the Committee on Public Health, which motion was tabled upon motion of Senator Terrill upon a roll call as follows:

Aye: Baggett, Berrong, Bradley, Ferrell, Field, Garrison, Grantham, Holden, Horn, Inhofe, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—24.

Nay: Baldwin, Birdsong, Boecher, Crow, Garrett, Ham, Hamilton, Howard, Keels, Luton, Medearis, Payne, Stansberry, Young.—14.

Excused: Atkinson, Breckinridge, Dacus, Graves, Hargrave, Lane, Massey, Nichols, Porter, Stipe.—10.

Senator Terrill moved to amend SB 612, page 1, by striking the Title and the En-

acting Clause, which amendment was declared adopted.

Upon motion of Senator Terrill, **SB 612**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McGraw, **SB 612**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

Following discussion, Senator Payne asked unanimous consent, which was granted, that **SB 612**, together with previously submitted amendments, be re-referred to the Committee on Public Health, and placed upon Special Order by said Committee for the purpose of perfecting the Bill; and, with further instructions that **SB 612** be reported out of Committee, notwithstanding the cut-off date for consideration of Bills in Committee, adopted by the Senate on the 33rd Legislative Day.

Senator Atkinson asked to be shown present, which was the order.

### GENERAL ORDER

**SB 320** by Howard was read and considered.

Senator Bradley raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

Senator Murphy presiding.

Senator Lane moved to amend **SB 320**, beginning on page 1, line 3, by striking the words "safety, peace, morals" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 320**, page 3, line 3, by inserting after the word "commissioners" and before the word "to" the language "subject to approval by the majority of the voters participating in an election in the county" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 320**, page 4, line 18, by changing the period (.) to a comma (,) after the word "Proceedings" and adding the language "and

approval by vote of the electors in said county" which amendment was declared adopted.

Senator Field, joined by Senator Boecher moved to amend **SB 320**, page 4, line 15, by striking after the word "county" and before the word "avail" the words "desiring to" and substituting therefor the language ", by a unanimous vote, may" which amendment was declared adopted.

Senator Crow moved to amend **SB 320**, page 6, line 9, by striking the word "county" and substituting therefor the language "area included within the jurisdiction of the commission" which amendment was declared adopted.

Senator Crow moved to amend **SB 320**, page 6, line 9, by inserting after the word "a" and before the word "resident" the words "landowner and" which amendment was declared adopted.

Senator Short moved to amend **SB 320**, page 12, line 11, by striking after the word "census" the words "shall be" which amendment was declared adopted upon motion of Senator Howard.

Senator Young moved to amend **SB 320**, page 13, line 3, by inserting after the word "time" and before the word "the" the sentence "Prior to said hearing or hearings, the commission shall give reasonable notice in papers of general circulation in the county, stating time, place and purpose of the hearing, and stating where copies of the proposed comprehensive plan may be acquired" which amendment was declared adopted.

Senator Young moved to amend **SB 320**, page 28, line 11, by adding after the word "commission" the sentence "Landowners on whose land zoning is proposed to be changed shall be sent notice of said proposed changes by certified mail, to the name and address as shown on the tax rolls of the county" which amendment was declared adopted.

Senator Lane moved to amend **SB 320**, page 30, line 17, by striking the word "county" and substituting therefor the

word "area" which amendment was declared adopted.

Senator Young moved to amend **SB 320**, page 25, line 4, by striking after the word "to" the remainder of the paragraph and substituting therefor the language "agricultural lands or buildings used on agricultural lands or any agricultural pursuits" which amendment was declared adopted.

Upon motion of Senator Howard, **SB 320**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **SB 320**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 320** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Ferrell, Field, Grantham, Graves, Holden, Howard, Keels, Lane, Luton, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith.  
—23.

Nay: Baldwin, Berrong, Boecher, Crow, Garrison, Hamilton, Horn, Inhofe, McCune, McSpadden, Massey, Medearis, Phillips, Stansberry, Terrill, Williams, Young.  
—17.

Excused: Breckinridge, Dacus, Garrett, Ham, Hargrave, Porter, Stipe, Taliaferro.  
—8.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Howard moved that the vote be reconsidered by which **SB 320**, as amended, failed of passage.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 467 and 649** each correctly engrossed.

Engrossed **SBs 467 and 649** were properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 648** by Baggett was read and considered.

Senator Baggett moved to amend **SB 648**, page 1, lines 1 through 4, by striking all of Section 1, renumbering succeeding sections accordingly, and by amending the title to conform thereto, which amendment was declared adopted.

Senator Baggett moved to amend **SB 648**, beginning on page 1, line 8, by striking all of Section 3, and substituting therefor the following: "Section 2. The preceding section shall be codified as Section 264 A of Title 15 of Oklahoma Statutes" which amendment was declared adopted.

Senator Baggett moved to amend **SB 648**, page 2, lines 2 and 3, by striking the language contained on said lines and substituting therefor the following: "Section 3. 15 O. S. 1961, § 266 is hereby amended to read as follows: § 255. The legal rate of interest shall BE **[not exceed]** SEVEN **[six]** per cent of the absence of any contract as to the rate of interest. **[and by contract, parties may agree upon any rate not to exceed ten per cent per annum. Said rates of six and ten per cent shall be respectively, the legal rate and the maximum contract rates, of interest]**. Section 4. 15 O. S. 1961, § 271 is hereby repealed" and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 648**, as amended, was advanced to engrossment.

Senator Smalley presiding.

### GENERAL ORDER

**SB 644** by Ferrell was read and considered.

Upon motion of Senator Ferrell, **SB 644** was advanced to engrossment.

By unanimous consent, upon request of Senator Ferrell, **SB 644** was considered engrossed and placed upon third reading and final passage.



### THIRD READING

**SB 644** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Dacus, Garrett, Lane, Payne, Porter, Stansberry, Stipe, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Dacus, Garrett, Lane, Payne, Porter, Stansberry, Stipe, Taliaferro.—8.

The emergency was declared passed.

**SB 644** was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.

Senator Hamilton presiding.

### GENERAL ORDER

**SB 568** by Murphy was read and considered.

Senator Young moved to amend **SB 568**, page 5, line 5, by striking after the word "subject." the remainder of subsection d, which amendment was tabled upon motion of Senator Murphy upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Crow, Field, Garrison, Graves, Howard, Inhofe, Luton, McSpadden, Martin, Murphy, Nichols, Payne, Romang, Smalley, Smith, Taliaferro, Terrill, Williams.—22.

Nay: Baldwin, Berrong, Breckinridge, Ferrell, Garrett, Grantham, Hamilton, Holden, Horn, Keels, McCune, McGraw, Miller, Phillips, Short, Stipe, Young.—17.

Excused: Baggett, Dacus, Ham, Hargrave, Lane, Massey, Medearis, Porter, Stansberry.—9.

Senator Romang moved to amend **SB 568**, page 5, line 6, by inserting after the word "growing" and before the word "plants" the words "crops or".

Senator Williams asked unanimous consent to amend the Romang amendment by inserting before the word "crops" the word "annual" which was the order.

The vote occurring upon the Romang amendment, as amended, it was declared adopted.

Senator McCune moved to amend **SB 568**, page 5, lines 6, 10, and 12, by inserting before the word "damages" appearing on said lines, the word "alleged" which amendment was declared adopted.

Senator Berrong moved to amend **SB 568**, page 5 line 11, by striking the word and figure "sixty (60)" and substituting therefor the word and figure "ninety (90)" which amendment was declared adopted.

Senator Young moved to amend **SB 568**, page 5, line 11, by striking the word and figure "sixty (60)" and substituting therefor the words "one year".

Senator Murphy raised a point of order, which was sustained, against consideration of the Young amendment, stating it amends the same part of the Bill previously amended by the Berrong amendment.

Senator Young asked unanimous consent, which was granted, that he be permitted to submit his amendment due to

the fact that he was not in the Chamber when the Berrong amendment was adopted.

Following discussion, the Young amendment was tabled upon motion of Senator Murphy.

Upon motion of Senator Murphy, **SB 568**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 568**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 568** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrison, Graves, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Miller, Murphy, Romang, Smalley, Taliaferro, Terrill, Williams.—22.

Nay: Baldwin, Garrett, Grantham, Ham, Hamilton, Holden, Horn, McCune, Massey, Phillips, Short, Smith, Young.—13.

Excused: Baggett, Breckinridge, Dacus, Ferrell, Hargrave, Lane, McGraw, Medearis, Nichols, Payne, Porter, Stansberry, Stipe.—13.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Murphy moved that the vote be reconsidered by which **SB 568** failed of passage.

### PENDING SENATE ACTION

The following Resolution was called up for consideration:

**SCR 70** by Terrill of the Senate and Derryberry of the House, was read at length, adopted upon motion of Senator Terrill, and ordered referred for engrossment.

**HCR 1058** by Allard, et al of the House and Young of the Senate was called up for consideration.

Senator Grantham asked that all other members of the Senate be made coauthors of the Resolution, which was the order.

Upon motion of Senator Young, **HCR 1058**, as coauthored, was adopted and is shown at length herein, by unanimous consent, upon request of Senator Terrill:

**HCR 1058**—By Allard, Abbott, Anderson, Andrews, Atkins, Bamberger, Barker, Bean, Beauchamp, Bengtson, Bernard, Bickford, Boettcher, Boren, Bradley, Briscoe, Browers, Camp, Cate, Clemons, Coffin, Cole, Conaghan, Connor, Converse, Cox, Derryberry, Doornbos, Dunn, Ferguson, Ferrell, Finch, Fine, Ford, Gooden, Goodfellow, Green, Greenhaw, Hancock, Hargrave, Harrison, Hatchett, Hesser, Hill, (Archibald), Hill (Ben), Holaday, Hopkins, Howard, Hutchens, Johnson, Jones, Kamas, Lindstrom, McCune, McKee, Miskelly, Monks, Mountford, Murphy, Musgrave, Nance, Odom (Martin), Odom (V. H.), Patterson, Payne, Poulos, Privett, Raibourn, Robinson, Rogers, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Smithy, Sparkman, Spearman, Stratton, Sullivan, Tabor, Taggart, Tarwater, Thompson, Thornhill, Townsend, Trent, Vann, Wayland, Whorton, Wiedemann, Williams, Williamson, Willis, Witt, Wixson, Wolf (Leland), Wolfe (Stephen) and York of the House and Young, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill and Williams of the Senate.—A Resolution expressing the appreciation and admiration of the Legislature for Mrs. Jessie M. Fountain; and directing distribution.

WHEREAS, the State of Oklahoma is the only state in the Nation which officially acknowledges belief in Santa Claus; and

WHEREAS, the people of Oklahoma, through the Santa Claus Commission created by the Legislature in 1937, have been the composite Santa Claus to thousands of orphans and homeless children in twenty-nine public and private institutions across the state; and

WHEREAS, Mrs. Jessie M. Fountain, Executive Secretary of the Commission since its creation, has served with dedication as "Mrs. Santa Claus" to these children; and

WHEREAS, Mrs. Jessie M. Fountain in her duties of making purchases and directing wrapping and distribution of Christmas gifts has brought the joy and cheer of Christmas to these many children who have been deprived of an ordinary family life; and

WHEREAS, the tireless, unselfish efforts of Mrs. Jessie M. Fountain have kept this program vital and effective and thus have not only brought happiness to so many who would not have otherwise experienced the tradition of Christmas but have, moreover, enriched and helped mold the lives of many of the finest Oklahoma citizens; and

WHEREAS, Mrs. Jessie M. Fountain has given her life and loving devotion to this cause in the true spirit of Christmas.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. This Legislature does hereby express its great appreciation and admiration for Mrs. Jessie M. Fountain whose special efforts on behalf of the orphans

and homeless children of this state enable not only these children but all the citizens of this state to each year truly have a "Merry Christmas".

SECTION 2. A duly authenticated copy of this Resolution shall be delivered to Mrs. Jessie M. Fountain.

**HCR 1058** was properly signed and ordered returned to the Honorable House.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1231** and **1499**, as amended.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HBs 1558, 1559, 1567, 1568, 1574, 1575** and **1581**, requesting Conference and referring said Bills to the General Conference Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 589**-coauthored by Miskelly, Atkins and Williamson; **SJR 41**-coauthored by Sandlin and Hancock.

The above numbered Bill and Resolution were referred for enrollment.

#### BILL RELEASED

As provided under Rule 19-f, **HB 1742** was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.





## Thirty-eighth Legislative Day

Wednesday, March 11, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Breckinridge, Ferrell, Hamilton, Hargrave, McGraw, Porter, Stipe.—7.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, upon request of Senator Atkinson:

Let us pray, O' Almighty God, assist us with Your grace that we who have the privilege of American citizenship may always serve the Nation worthily with a good conscience. May You prompt everyone to be obedient to the Constitution, and to the Laws of the State, and to give wholehearted support to public officials from the most renowned to the least among them. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Transmitting following Bills, together

with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1203 and 1608.

### CONFERENCE COMMITTEE REPORTS

The following CCR on HB 1203 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee, to whom was referred Engrossed House Bill No. 1203 and Engrossed Senate Amendments thereto, by Atkins, et al, entitled:

An Act relating to schools; prescribing certification that a child has been immunized against certain diseases and has been tested for and is free of contagious tuberculosis as a condition for his initial admission in a school; providing certain exemptions from such requirements; providing that if parents of a child are unable to pay for services involved, materials for such services shall be provided by the State Department of Public Health; prohibiting those with contagious diseases from attending school; and declaring an emergency. beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted, as co-authored by Phillips of the Senate:

CCS for HB 1203—By Atkins, et al—An Act relating to schools; prescribing certification that a child has been immunized against certain diseases and has been test-

ed for and is free of contagious tuberculosis as a condition for his initial admission in a school; providing that if parents of a child are unable to pay for services involved, materials for such services shall be provided by the State Department of Public Health; prohibiting those with contagious diseases from attending school; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. (a) No minor child shall be admitted for the first time to any public, private, or parochial elementary school operating in this state unless such child can present to the appropriate school authorities certification from a licensed physician, or authorized representative of the State Department of Public Health, that such child has received a test, or tests, for tuberculosis and is free from contagious form of this disease, and he has received, or is in the process of receiving, immunizations against diphtheria, pertussis, tetanus, measles (rubeola), (rubella), poliomyelitis, and smallpox, or is likely to be immune as a result of the disease.

(b) Immunization tests required, and the manner and frequency of their administration, as prescribed by the State Board of Health, shall conform to recognized standard medical practices in the state. The State Department of Public Health shall supervise and secure the enforcement of the required immunization program.

(c) The list of diseases may be revised whenever the State Board of Health deems it necessary, and the local health departments may revise their rules and regulations accordingly. Rules and regulations for administering the law shall be established by the State Board of Health.

SECTION 2. Any minor child, through his parent or guardian, may submit to the health authority charged with the enforcement of the immunization laws a certificate of a licensed physician, stating that the physical condition of the child is such

that immunization would endanger the life or health of the child; or upon receipt of a written statement by the parent or guardian objecting to such tests or immunizations and said child shall be exempt from the provisions of this act.

SECTION 3. The test for tuberculosis and immunizations will be administered by a licensed physician, someone under his direction, or public health department. If the parents or guardians are unable to pay, the State Department of Public Health shall provide, without charge, the test for tuberculosis and the immunization materials required by this act to such pupils as are not provided therewith by the parents or guardians and who have not been exempted on religious or medical grounds or by filing objections by the parents.

SECTION 4. Any child afflicted with a contagious disease may be prohibited from attending a public, private or parochial school until such time as he is free from such contagious disease.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Crow, Phillips, Smalley.

FOR THE HOUSE: Atkins, Tabor, Cox.

The following CCR on HB 1608 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1608, and Engrossed Senate Amendments thereto, by Privett, et al, entitled:

An Act relating to Uniform Compensation of Employees in the Classified Service; \*\*\*; and declaring an emergency.

beg leave to report that we have had the



same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted, as co-authored by Keels, Smith, Atkinson, Bradley, Graves, Luton and Smalley:

**CCS for HB 1608**—By Privett, et al—An Act relating to Uniform Compensation of Employees in the Classified Service; amending 74 O. S. 1961, § 805, as amended by Section 1, Chapter 402, O. S. L. 1968 (74 O. S. Supp. 1969, § 805); prescribing certain duties of state personnel board; prescribing methods and procedures for maintenance of a personnel board uniform compensation plan for each class within the classified service; amending Section 2, Chapter 402, O. S. L. 1968, as amended by Section 1, Chapter 343, O. S. L. 1969 (74 O. S. Supp. 1969, § 817.3); creating a wage adjustment and salary board and prescribing to it certain duties; providing for notice and hearing on adoption of rules and regulations by the state personnel board; providing for reports; amending 74 O. S. 1961, § 813, as last amended by Section 1, Chapter 314, O. S. L. 1969 (74 O. S. Supp. 1969, § 813); providing for minimum salary for permanent full-time employees, whether classified or unclassified; providing for exceptions; providing for step increases in each salary grade; limiting merit salary increases after July 1, 1970; providing for cost of administering merit system; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 74 O. S. 1961, § 805, as amended by Section 1, Chapter 402, O. S. L. 1968 (74 O. S. Supp. 1969, § 805), is amended to read as follows:

§ 805. The State Personnel Board shall hold regular meetings not less than once each month and such additional meetings as may be required for the proper discharge of its duties. In addition to the duties expressly set forth elsewhere in this act, the Board shall:

(1) Represent the public interest in the improvement of personnel administration within the State of Oklahoma;

(2) Adopt, initiate the adoption of, approve, modify, reject, or establish such rules and regulations as may be necessary to give effect to the merit system of personnel administration as contemplated by this act. Such rules and regulations shall include provision for the establishment and maintenance of classification and compensation plans according to their respective duties and responsibilities, the conduct of examinations to determine by competitive performance exclusively on the basis of merit, efficiency and fitness, the qualifications of all candidates for positions in the classified services, the establishment of registers of persons eligible for appointment under the merit system, the certification of eligible persons, appointments, promotions, transfers, demotions, separations, tenure, reinstatement, appeals, service ratings, payroll certification, and make rules and regulations covering all classified personnel transactions and regulate all conditions of employment included within the terms of this act by an Executive Order provided in [Section 2 hereof] SECTION 802 OF THIS TITLE. Said Board may provide for temporary appointments without the examinations herein provided, for periods not to exceed six (6) months; provided there are no names on the waiting list of persons who qualify for said position;

(3) Hear such appeals and make such decisions and recommendations as may be made necessary by the provisions of this act;

(4) Select and appoint a Personnel Director and consult with him in the formulation of personnel policies, and inspect and review his activities for the purpose of assuring conformity with the purposes and policies set forth in this act and under such rules and regulations as may be adopted by the Board subsequent thereto;

(5) Review, hear departmental suggestions, and approve such classification

plans, salary schedules, and leave regulations as will be proposed by the Director, or such agencies as may be retained by contract for this purpose;

(6) Review and approve the budget prepared by the Director to cover the costs of administering the personnel program;

(7) Review and approve the annual report prepared by the Director, and to transmit same to the Governor and the Legislature;

(8) Investigate alleged violations of the provisions of this act and such rules and regulations as may be adopted subsequent thereto when deemed advisable;

(9) Adopt and enforce a uniform compensation plan for each class of positions within the classified service. Such plan shall be **[established]** RECOMMENDED by a Wage Adjustment and Salary Board.

No rule, regulation or amendment thereto shall be approved by the Board until after a public hearing by the Board, of which two (2) weeks published notice shall have been given that a hearing, at a specified place and time, is to be held upon the proposed rules and regulations, and that any citizen, officer, or employee of the state may attend and participate in the hearing; copies of all rules and regulations shall be sent to all state appointing officers, and printed copies of these rules and regulations and amendments thereto shall be prepared for public distribution.

The rules and regulations issued by the State Personnel Board shall be such as to satisfy the minimum standards for systems of personnel administration issued by the Social Security Board under the Federal Social Security Act and such other personnel standards as have been specified by the other Federal Departments from which Federal grants are obtained for use by the several state departments covered within the exercise of the Governor's Executive Orders hereunder.

SECTION 2. Section 2, Chapter 402, O. S. L. 1968, as amended by Section 1,

Chapter 343, O. S. L. 1969 (74 O. S. Supp. 1969, § 817.3), is amended to read as follows:

§ 817.3. (a) The Wage Adjustment and Salary Board is hereby created and shall consist of the Director of the State Highway Department, the Director of the Department of Public Welfare, the Commissioner of the State Department of Health, the Commissioner of the Department of Public Safety, the Director of the Department of Mental Health, the President of the State Board of Agriculture, the Director of the Department of Corrections, the Chairman of the Oklahoma Tax Commission, and the Director of the Industrial Development and Park Department, or their designees, and those departments under the classified services that are not members of the Board, shall be consulted on those positions that are unique to their department, and two (2) members of the House of Representatives, designated by the Speaker, and two (2) members of the State Senate, designated by the President Pro Tempore, and the State Personnel Director. The State Personnel Director and **[member]** MEMBERS appointed from the House of Representatives and the **[member]** MEMBERS appointed from the State Senate shall be advisory nonvoting members. The per diem and expenses of the members from the House of Representatives and the Senate shall be paid by the body from which appointed, in the amount and manner as is provided for by law for attendance at interim committee meetings~~], but shall be paid for such meetings in addition to the number of interim committee meetings allowed by the rules of their respective houses.]~~

(b) The Wage Adjustment and Salary Board shall meet within thirty (30) days after the passage of this bill, and at least once a month thereafter or as many times as they deem necessary. A Chairman shall be elected from within the Wage Adjustment and Salary Board, by the board members, to call and conduct the meetings, and the Chairman shall not be

either OF the [Senator] SENATE or HOUSE OF [Representative] REPRESENTATIVES [member] MEMBERS. All members of the Wage Adjustment and Salary Board will be voting members with the exception of the State Personnel Director and the [member] MEMBERS appointed from the House of Representatives and the [member] MEMBERS appointed from the State Senate; PROVIDED THAT NO MEETING OF THE BOARD SHALL BE HELD UNLESS PROPER NOTICE IS GIVEN TO EACH MEMBER OF THE BOARD. The State Personnel Director and his staff will be consultants to the Wage Adjustment and Salary Board. The Wage Adjustment and Salary Board shall promulgate rules necessary to carry out their duties as outlined above.

(c) The Wage Adjustment and Salary Board shall develop necessary procedures for [the establishment] RECOMMENDING [of] a UNIFORM compensation plan. In [establishing] RECOMMENDING the Uniform Compensation Plan, this Board shall consider and give due regard to the rates of compensation for other classes and to the relative difficulty and responsibilities of the duties of the class, the minimum qualifications requisite therefor, the prevailing rates of pay for similar employment outside the classified service, job evaluation standards, economic considerations, and any other factors that may properly be considered to have a bearing upon the fairness and adequacy of the compensation plan. This Board shall, from time to time, make such RECOMMENDATIONS FOR changes in the compensation plan, as changes in classes or in economic conditions, or in other factors, may require. Each classified employee shall be paid compensation in accordance with such compensation plan.

(d) The Personnel Board shall report to the Legislature each year, before the Legislature convenes, the Uniform Classification and Wage Schedule for the employees under the classified services of the

State of Oklahoma. The Personnel Board shall determine the amount of funds necessary for said [department] DEPARTMENTS to meet the Classified Wage Schedule, and shall report to the Legislature and the Governor, by September 1, each year, the amount of funds needed by all departments to meet the Classified Wage Schedule.

(e) The Wage Adjustment and Salary Board shall review the existing compensation and classified schedule [now set up by the Personnel Board and shall submit] AND RECOMMEND any changes for the new plan to the Personnel Board for their APPROVAL AND adoption by [September 1, 1968] AUGUST 1, EACH YEAR.

(f) No employee shall be [hired] PAID by any department head under the classified services below the [minimum] classified wage schedule [without first getting the approval of the Wage Adjustment and Salary Board. The Wage Adjustment and Salary Board shall review the budget of any department that cannot meet the Classified Wage Schedule set up by the Board. The Wage Adjustment and Salary Board shall report any employee hired below the minimum classification wage schedule to the Legislature.] EFFECTIVE JULY 1, 1970 [The] THE minimum salary for any PERMANENT FULL-TIME employee of the State of Oklahoma, WHETHER IN THE CLASSIFIED OR UNCLASSIFIED SERVICE, WHICH WOULD NOT INCLUDE PART-TIME EMPLOYEES, shall be [Two Hundred and Sixty Dollars (\$260.00)] THREE HUNDRED TEN DOLLARS (\$310.00) per month.

THE PROVISIONS OF THIS ACT SHALL NOT APPLY TO THE EMPLOYEES OF THE OKLAHOMA INDUSTRIAL DEVELOPMENT AND PARK DEPARTMENT WHO HAVE BEEN EXEMPTED FROM THE PROVISIONS OF THE MERIT SYSTEM BY EXECUTIVE ORDER OF THE GOVERNOR.

(G) EFFECTIVE JANUARY 1, 1971,



THE STATE PERSONNEL BOARD SHALL ESTABLISH ELEVEN (11) STEPS WITHIN EACH GRADE OF THE PRESENT SALARY SCHEDULE.

(H) NO MEMBER OF THE CLASSIFIED SERVICE SHALL BE GIVEN MERIT INCREASES TOTALING MORE THAN SIX HUNDRED DOLLARS (\$600.00) IN ANY TWELVE (12) MONTHS PERIOD.

**[(g)]** (I) The Wage Adjustment and Salary Board and any agency shall assist the Personnel Director in tests applicable for the many positions under the classified services and any other functions necessary to carry out the personnel policies of the State of Oklahoma.

SECTION 3. 74 O. S. 1961, § 813, as last amended by Section 1, Chapter 314, O.S.L. 1969 (74 O.S. Supp. 1969, § 813), is amended to read as follows:

§ 813. The administrative expenses and cost of operating the merit system shall be paid by the various divisions of the state government included within the merit system by an Executive Order issued under Section 802 of this title, and each such division shall be authorized to include in its budget estimates its pro rata share of such cost, and shall remit such shares quarterly from departmental or agency funds to the personnel administration fund.

Beginning with the effective date of this act the director shall maintain accurate records reflecting the cost of administering its provisions, and at the close of each quarter-year period he shall summarize said cost, and shall bill each department or agency included within the terms of this act by the issuance of an Executive Order under Section 802, with a pro rata share of the administrative cost based on the relationship between the quarterly average number of employees in the classified service of such department or agency, and the quarterly average number of employees in the classified service of all the departments or agencies included within the terms of this act by Executive

Order for the appropriate calendar quarter. Provided, that the total amount of costs for administration shall not exceed **[Seventy-five Thousand Dollars (\$75,000.00)]** EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00) per calendar quarter. Provided, further, that for the purpose of compensation only, the State Personnel Board may fix the salary of the State Personnel Director at the first step of grade thirty-seven (37) of the salary schedule approved for the merit system of personnel administration, which action shall be subject to the rules and regulations applicable to employees in the classified service. Such position, however, shall remain an exempt position under the merit system of personnel administration.

SECTION 4. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Keels, Garrett, Ber-  
rong.

FOR THE HOUSE: Willis, Boren, Nance.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-  
grossed SBs 407, 473, 475, 477, 483; SB  
498-coauthored by Bamberger; SB 505-co-  
authored by Dunn, Skeith, Monks and Ber-  
nard; and SB 596.

The above numbered Bills were referred  
for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-  
grossed SB 600, as amended.

HA to SB 600 read as follows, and con-  
sideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 34, after the word "credit." insert the following language: "Prior service shall include years taught in what is now Oklahoma preceding statehood."

### COMMITTEE REPORT

The following Committee Report on Lobby Permits was submitted, read and declared adopted upon motion of Senator Bradley, who stated Permits would be issued in the Office of the President Pro Tempore:

Mr. President:

The Committee on Lobby Permits to which was referred requests for Lobby Permits after careful consideration recommends that the following petitioners be granted Lobby Permits:

Guinn, Mrs. Faye, 918 West Leslie, Pauls Valley, Communications Workers of America.

Parsons, T. O., 2317 S. W. 82nd, Oklahoma City, Communications Workers of America.

Respectfully submitted,  
Bradley, Chairman

### CITATIONS

Upon motion of Senator Baldwin, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Miss Teresa Barrington of Rush Springs, Oklahoma upon having been chosen "Little Miss Peanut, 1970".

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Elizabeth White, M. D., of University Hospital, Oklahoma City, for serving as Doctor of the Day on March 10, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named,

ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1435**—Judiciary-Coauthored by Porter.

**HB 1492**—Appropriations and Budget-Coauthored by Murphy.

**HB 1528**—Judiciary-Coauthored by Boettcher of the House and Romang of the Senate.

**HB 1666**—Judiciary-Coauthored by Grantham.

**HB 1671**—Appropriations and Budget.

**HB 1692**—Judiciary-Coauthored by Nichols.

**HB 1734**—Appropriations and Budget.

DO PASS, as amended:

**SB 294**—Judiciary.

**SB 384**—Judiciary.

**SB 585**—Judiciary-Coauthored by Murphy.

**HB 1199**—Judiciary.

**HB 1612**—Appropriations and Budget.

### FIRST READING

The following Resolution was introduced and read the first time:

**SJR 53**—By Smalley of the Senate and Skeith of the House—A Joint Resolution relating to the State Legislative Council; directing the creation of a special committee on tax revision and vesting certain duties therein; providing for membership thereon; authorizing expenditures and the procedures therefor; providing reimbursement for expenses incurred by members, per diem in lieu thereof, and mileage payments; providing that certain limitations on per diem payments to members of the Legislative Council shall not apply to members of said committee when attending sessions thereof; requiring reports and recommendations; making provisions of Resolution severable; and declaring an emergency.

**SECOND READING**

The following Bills and/or Resolutions were read the second time and referred to Committees indicated:

**HB 1686**—Constitutional Revisions and Regulatory Services.

**HB 1752**—Judiciary.

**HB 1789**—Agriculture.

**HB 1800**—Judiciary.

**HB 1801**—Judiciary.

**HJR 1006**—Constitutional Revisions and Regulatory Services.

**HJR 1046**—Constitutional Revisions and Regulatory Services.

**HJR 1057**—Judiciary.

**GENERAL ORDER**

**SB 111** by Ham, Smith, Smalley and Howard was read and considered.

Senator Boecher asked to be made a co-author of **SB 111**, which was the order.

Senator Howard moved to amend **SB 111**, page 9, line 4, by adding after the word "units" and before the word "and" the language "in cooperation with local governments and agencies owned by them" which amendment was declared adopted.

Senator Garrison moved to amend **SB 111**, page 12, line 12, by striking the word "that" and substituting therefor the word "the" which amendment was declared adopted.

Senator Terrill, joined by Senator Taliaferro, moved to amend **SB 111**, page 11, line 8½, by adding the language "Provided further that in the event regional planning agencies come under Section 10 of this Act they shall be defined as follows: regional planning agency means an agency of state government or other entity which has planning responsibilities for one or more counties" which amendment was declared adopted.

Upon motion of Senator Ham, **SB 111**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Ham, **SB 111**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 111** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Breckinridge, Ferrell, Hamilton, Hargrave, McGraw, Porter, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—41.

Excused: Breckinridge, Ferrell, Hamilton, Hargrave, McGraw, Porter, Stipe.—7.

The emergency was declared passed.

**SB 111**, as amended, was referred for engrossment.

**GENERAL ORDER**

**SB 635** by Baggett was read and considered.

Upon motion of Senator Baggett, **SB 635** was advanced to engrossment.

By unanimous consent, upon request of



Senator Baggett, **SB 635** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 635** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smith, Stansberry, Taliaferro, Terrill, Young.—33.

Nay: Berrong, Boecher, Horn, Romang, Williams.—5.

Excused: Breckinridge, Ferrell, Ham, Hamilton, Hargrave, McGraw, Miller, Porter, Smalley, Stipe.—10.

The bill was declared passed.

**SB 635** was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.

### MOTIONS TO RECONSIDER VOTES

Senator Smalley asked for consideration of his motion to reconsider the vote by which **SB 556**, as amended, passed.

Senator Luton moved to table the Smalley motion, which motion was declared adopted, upon a roll call as follows:

Aye: Baldwin, Berrong, Birdsong, Bradley, Garrison, Grantham, Holden, Horn, Inhofe, Luton, McCune, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—20.

Nay: Atkinson, Boecher, Crow, Dacus, Field, Garrett, Graves, Howard, Keels, Lane, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Stipe, Young.—18.

Excused: Baggett, Breckinridge, Ferrell, Ham, Hamilton, Hargrave, McGraw, Massey, Miller, Porter.—10.

The vote occurring upon the Smalley motion to reconsider the vote by which

the Emergency Section of **SB 556** failed of passage, it was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Garrison, Ham, Holden, Inhofe, Keels, McCune, McSpadden, Murphy, Phillips, Romang, Short, Smalley, Smith, Stipe, Williams.—19.

Nay: Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Horn, Howard, Lane, Luton, Martin, Medearis, Nichols, Payne, Stansberry, Taliaferro, Terrill, Young.—20.

Excused: Breckinridge, Dacus, Ferrell, Hamilton, Hargrave, McGraw, Massey, Miller, Porter.—9.

**SB 556** was ordered referred for engrossment.

Senators Hamilton, Breckinridge and Porter asked to be shown present, which was the order.

### GENERAL ORDER

**SB 383** by Young was read and considered.

Senators Payne, Taliaferro, Terrill, Keels, Luton, Crow and McCune asked to be made coauthors of **SB 383**, which was the order.

Senator Romang presiding.

Upon motion of Senator Young, **SB 383** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **SB 383** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 383** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols,

Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Nay: Porter.—1.

Excused: Ferrell, Ham, Hamilton, Hargrave, McGraw, Smith, Stansberry.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Nay: Porter.—1.

Excused: Ferrell, Ham, Hamilton, Hargrave, McGraw, Smith, Stansberry.—7.

The emergency was declared passed.

**SB 383** was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 529, 601, 603, 623, 648; SCRs 70, 71; and HBs 1561 and 1740** each correctly engrossed.

**SB 589** and **SJR 41** each correctly enrolled.

Engrossed **SBs 529, 601, 603, 623** and **SCRs 70** and **71** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1561** and **1740**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 589** and **SJR 41** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmit-

ting for signature Enrolled **HBs 1152, 1231, 1403, 1499** and **1527**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**SB 540** by Birdsong was read and considered.

Upon motion of Senator Birdsong, **SB 540** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **SB 540** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 540** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Terrill, Williams, Young.—40.

Excused: Ferrell, Ham, Hamilton, Hargrave, McGraw, Smith, Stansberry, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Terrill, Williams, Young.—40.

Excused: Ferrell, Ham, Hamilton, Har-

grave, McGraw, Smith, Stansberry, Taliaferro.—8.

The emergency was declared passed.

**SB 540** was referred for engrossment.

### GENERAL ORDER

**SB 630** by Stipe was read and considered.

Senator Smalley, joined by Senator Murphy, moved to amend **SB 630**, page 1, line 5, by adding after the word “any” and before the word “manufacturing” the words “non-state owned” which amendment was declared adopted.

Senator Stipe moved to amend **SB 630**, on page 3, lines 10, 14 and 16; page 4, line 6; and on page 6, line 8, by striking the word “female” where same appears on respective pages and lines, and substituting therefor the word “persons” in each instance, which amendment was declared adopted.

Senator Baggett moved to amend **SB 630**, page 2, line 12, by adding after the word “employed” the language “provided, no employer shall be obligated to pay overtime by this act except for hours worked in excess of forty in a work week” which amendment was declared adopted.

Senator Williams moved to amend **SB 630**, page 4, lines 1 and 2, by striking the words and figures “five thousand (5,000)” and substituting therefor the words and figures “twelve thousand five hundred (12,500)” which amendment was declared adopted.

Senator Garrett moved to amend **SB 630**, page 4, beginning on line 12, by striking all of Section 3, and renumbering succeeding sections accordingly, which amendment was declared adopted.

Upon motion of Senator Stipe, **SB 630**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 630**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 630** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Young.—37.

Nay: Atkinson, Bradley, Holden, Murphy, Williams.—5.

Excused: Ferrell, Hamilton, Hargrave, McGraw, Smith, Stansberry.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Young.—37.

Nay: Atkinson, Bradley, Holden, Murphy, Williams.—5.

Excused: Ferrell, Hamilton, Hargrave, McGraw, Smith, Stansberry.—6.

The emergency was declared passed.

**SB 630**, as amended, was referred for engrossment.

Senator Ferrell asked to be shown present, which was the order.

### GENERAL ORDER

**SB 658** by Breckinridge was read and considered.

Senator Baggett asked to be made a co-author of **SB 658**, which was the order.

Senator Baggett moved to amend **SB 658**,



page 6, lines 3 and 10, by deleting the quotation marks (") appearing on said lines, which amendment was declared adopted.

Senator Baggett moved to amend **SB 658**, page 6, line 14, by inserting after the syllable "fice" and before the words "and shall" the language "and shall continue as to a person who has ceased to be a director, officer, employee or agent" which amendment was declared adopted.

Senator Baggett moved to amend **SB 658**, page 7, line 2, by inserting after the word "another" and before the word "liability" the language "corporation, partnership, joint venture, trust or other enterprise against any" which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 658**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 658**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 658** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Boecher, Bradley, Breck-  
inridge, Crow, Dacus, Ferrell, Field, Gar-  
rett, Garrison, Grantham, Graves, Ham,  
Holden, Howard, Inhofe, Keels, Lane, Lu-  
ton, McCune, McSpadden, Martin, Massey,  
Miller, Murphy, Payne, Phillips, Romang,  
Short, Smalley, Stipe, Taliaferro, Terrill,  
Williams, Young.—39.

Excused: Hamilton, Hargrave, Horn,  
McGraw, Medearis, Nichols, Porter,  
Smith, Stansberry.—9.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Boecher, Bradley, Breck-  
inridge, Crow, Dacus, Ferrell, Field, Gar-

rett, Garrison, Grantham, Graves, Ham,  
Holden, Howard, Inhofe, Keels, Lane, Lu-  
ton, McCune, McSpadden, Martin, Massey,  
Miller, Murphy, Payne, Phillips, Romang,  
Short, Smalley, Stipe, Taliaferro, Terrill,  
Williams, Young.—39.

Excused: Hamilton, Hargrave, Horn,  
McGraw, Medearis, Nichols, Porter,  
Smith, Stansberry.—9.

The emergency was declared passed.

**SB 658**, as amended, was referred for  
engrossment.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**HJR 1003** by Spearman, et al, of the  
House and Baggett, Atkinson, Keels, Por-  
ter, Stansberry, Garrett, Birdsong, How-  
ard, Massey, Lane, Crow, Boecher, Ham,  
Phillips, Luton, Stipe, Medearis and Horn  
of the Senate was read and considered.

Senator Porter asked that this name be  
removed as a coauthor of **HJR 1003**, which  
was the order.

Senator Baldwin presiding.

Senator Bradley raised the question of  
"no quorum".

The Presiding Officer ordered the roll  
called and declared a quorum was present.

Upon motion of Senator Terrill, **HJR 1003**  
was advanced to engrossment.

By unanimous consent, upon request of  
Senator Baggett, **HJR 1003** was placed upon  
third reading and final passage.

### THIRD READING

**HJR 1003** was read for the third time at  
length.

On the question of passage of Resolu-  
tion, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boe-  
cher, Crow, Ferrell, Garrett, Graves,  
Ham, Hamilton, Holden, Horn, Howard,  
Keels, Lane, Luton, Martin, Massey, Me-  
dearis, Payne, Phillips, Porter, Romang,  
Smith, Stipe, Taliaferro, Terrill, Young.  
—28.

Nay: Baldwin, Berrong, Bradley, Breckinridge, Field, Garrison, Grantham, Inhofe, McCune, Miller, Murphy, Nichols, Short, Smalley, Williams.—15.

Excused: Dacus, Hargrave, McGraw, McSpadden, Stansberry.—5.

The Resolution was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Miller moved that the vote be reconsidered by which **HJR 1003** passed.

### RESOLUTIONS

By unanimous consent, upon request of Senator Nichols, the following Resolution was introduced and consideration deferred for this legislative day:

**SR 58** by Nichols—A Resolution directing an interim study of the feasibility of requiring a certificate of necessity issued by the licensing authority prior to the establishment, construction or expansion of any hospital, nursing home or other health facility.

By unanimous consent, upon request of Senator Grantham, **SCR 72** was introduced and read as follows and consideration deferred for this legislative day:

**SCR 72** by Grantham, Holden, Stansberry, Smith, Graves, Stipe, Terrill and Lutton of the Senate and Boettcher, et al, of the House—A Concurrent Resolution relating to the 1970 Oklahoma State "Ability Counts" Contest sponsored by the Governor's Committee on Employment of the Handicapped; congratulating and com-

mending those students who have achieved top recognition for essays on the subject of "The Disabled Veterans as a Manpower Resource in my Community"; directing that a copy of this Resolution be made a part of the Permanent Journals of the Second Session of the Thirty-Second Legislature; Directing that authenticated copies of this Resolution be transmitted to each of said outstanding students and to their respective school officials.

### BILLS RE-REFERRED

Upon motion of Senator Hamilton, **SBs 620** and **628** were ordered withdrawn from the Calendar and re-referred to the Committee on Revenue and Taxation.

### DECLARATION OF VOTE

Senator Atkinson asked that the record show, had he been present at the time of third reading and final passage of **HB 1561**, he would have voted **AYE**, which was the order.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m., tomorrow, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 589** and **SJR 41**.

The above numbered Enrolled Bill and/or Resolution were referred to the Governor.

The Clerk's desk being cleared, the Senate was declared adjourned until 11:00 a.m. tomorrow.

Resource in my Community; directing  
the funds to be made a

100

was received from  
100  
TO RECONSIDER NOTE

100

100

100

100

and read as follows and considered  
100

100

100

100

100

100

100

100



## Thirty-ninth Legislative Day

Thursday, March 12, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Breckinridge, McCune, McGraw, McSpadden, Murphy, Stansberry.—6.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, upon request of Senator Keels:

Let us pray, Almighty God, who have promised mercy to all who pray humbly, we beseech You to bestow those gifts which make us worthy of Your Divine Favor. Be our Light and our Guide. May the work of the Senate be guided by You for the good of all mankind. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1630**—By Monks, Barker, Lindstrom, Sanguin and Skeith of the House and Martin of the Senate—An Act relating to War Veterans Commission of Oklahoma;

amending 72 O. S. 1961, § 63.2; enlarging War Veterans Commission from three members to six members; providing certain service organizations shall be represented thereon; and declaring an emergency.

The above numbered **HB** was read for the first time.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 68**, **SCR 69**, **SCR 70**, and **SCR 71**—coauthored by Bernard and all other Members of the House.

The above numbered Resolutions were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1742**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1058**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1387**, as amended.

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1561**, requesting Conference and referring said Bill to the General Conference Committee on Appropriations.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning En-grossed **SB 372**; **SB 456**-coauthored by Con-aghan, **SB 480**-coauthored by Taggart and Williamson; **SBs 495, 527 and 558**.

The above numbered Bills were referred for enrollment.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning En-grossed **SB 29**-coauthored by McKee, Brad-ley, Cole and Kamas; **SB 376**-coauthored by Nance; **SB 388**-coauthored by York; **SB 450**-coauthored by Sullivan and Thorn-hill; **SB 479**-adding Poulos of the House as coauthor and deleting Sullivan as co-author, each as amended.

**HAs to SB 29** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Line 31, by striking the words and figures "Seventy (70)" and inserting in lieu there-of the words and figures "Seventy-five (75)".

Amendment No. 2. Amend Page 2, Line 2, by striking the words and figures "fifty (50)" after the word "of" and before the word "miles" and inserting in lieu thereof the words and figures "sixty (60)".

Amendment No. 3. Amend Page 3, Line 36, to Page 4, Line 2, by striking the words and figures "fifty-five (55)" and inserting in lieu thereof the words and figures "six-ty (60)".

**HA to SB 376** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Line 19, by striking the period after the word "counties" and adding the following: "upon the filing of a proper claim with all receipts attached."

**HAs to SB 388** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Title to read as follows: "An Act relating to court fees; amending 28 O.S. 1961, § 82, as amended by Section 1, Chapter 488, O.S.L. 1965 (28

O.S. Supp. 1969, § 82); providing for the payment of witness fees and mileage in criminal cases and certain civil cases; providing for effective date; and declar-ing an emergency."

Amendment No. 2. Amend Page 1, by adding a Section 2, to read as follows: "Section 2. The effective date of this Act shall be July 1, 1970."

Amendment No. 3. Amend by adding a Section 3 to read as follows: "Section 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby de-clared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HAs to SB 450** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Line 31, by adding after the word "Authority," the following: "Provided further that after the first day of July 1971, the Author-ity shall not offer bonds bearing interest rates in excess of five percent (5%) per annum."

Amendment No. 2. Amend Page 1, Line 35, by inserting after the word "here-under" and before the words "shall not" the following words: "until July 1, 1971,".

**HA to SB 479** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Line 29, by deleting present Section 2 and in-sert new Section 2, Section 3, Section 4 and Section 5 to read as follows: "Section 2. There is hereby appropriated to the Oklahoma State Regents for Higher Edu-cation, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.-00) for educational and general budget support of The Oklahoma State System of Higher Education. Section 3. It is the in-tent of the Legislature that the State Re-gents allocate the funds appropriated in

Section 2 of this Act to the Tulsa Junior College for the purpose of supporting its educational and general operating budget in the fiscal year 1970-71, the initial year of operation of this new junior college. It is the intent of the Legislature that the best interest of the taxpayers and students will best be served by a permanent site comprising not less than forty (40) acres of land for any suitable site for the junior college that is located, or is to be located, within that land area in the City of Tulsa encompassed by the inner dispersal loop system of highways as now established by the State Highway Department for urban downtown Tulsa. Section 4. The appropriation made by this Act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year. Section 5. Provided, however, it is the intent of the Legislature that the Board of Regents of Tulsa Junior College make a study of salaries, rental of buildings and other operational expenses of other junior colleges in the state and that the expenses of these items be standard throughout the state. Renumber present Section 3 to read "Section 6". Renumber present Section 4 to read "Section

## CITATIONS

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Donald Reece of Caddo, Oklahoma upon being elected to the Board of Supervisors of the Bryan Soil and Water Conservation District.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Southside Girls' Basketball Team upon winning the Championship in Class B Girls Basketball for the year 1970.

Upon motion of Senator Crow, pursuant

to Rule 8-b, a Citation of Congratulations was ordered issued to Eldorado High School upon winning Fourth Place in Class B Boys' Basketball for the year of 1970.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Eldorado High School upon winning Second Place in Class B Girls' Basketball for the year 1970.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Coach L. W. "Dub" Woolbright as Head Coach of the Southside Highschool Girls' Basketball Team.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Coach Glenn Royal as Head Coach of the Eldorado Highschool Girls' Basketball Team, which attained Second Place in the State Championship Playoffs for the year of 1970.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Coach Glenn Royal as Head Coach of the Eldorado Highschool Boys' Basketball Team, which attained Fourth Place in the State Championship Playoffs for the year of 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

## COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1206**—Judiciary—coauthored by Keels.

**HB 1389**—Public Affairs—coauthored by Terrill.

DO PASS, as amended:

**HB 1141**—Business Relations—coauthored by Williamson of the House and Stipe of the Senate.

**HB 1509**—Judiciary—coauthored by Young.



**HB 1784—Public Health.**

## SECOND READING

The following Resolution was read the second time and referred to Committee indicated:

**SJR 53—Revenue and Taxation.**

## UNANIMOUS CONSENT REQUEST

President Pro Tempore Smith asked unanimous consent that the Committee on Revenue and Taxation be granted permission to consider **SJR 53**, and to make its report thereon, which was the order.

President Pro Tempore Smith moved that the Senate stand recessed until 11:30 a.m., which motion was declared adopted.

At 11:30 a.m., the Senate reassembled with President Pro Tempore Smith presiding.

Senator Terrill raised the question of "no quorum".

The President Pro Tempore ordered the roll called and declared a quorum present.

## PENDING CONSIDERATION OF HAs

Upon motion of Senator Garrison, the Senate concurred in **HA** to Engrossed **SB 600**.

**SB 600**, as amended by the Honorable House was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Berrong, Breckinridge, Ferrell, Field, Hamilton, Hargrave, McCune, McGraw, McSpadden, Murphy, Nichols, Stansberry, Taliaferro.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Berrong, Breckinridge, Ferrell, Field, Hamilton, Hargrave, McCune, McGraw, McSpadden, Murphy, Nichols, Stansberry, Taliaferro.—13.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Murphy asked to be shown present, which was the order.

## SENATE RULES—PENDING SENATE ACTION

Senator Baldwin moved the adoption of proposed Senate Rule 1(a), appearing on page 128 of the Journal, as modified by the Committee Report submitted on February 25, shown on pages 381 and 382; and the adoption of the amendment to Senate Rule 7, shown on page 382 of the Senate Journal, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—38.

Excused: Baggett, Berrong, Breckinridge, McCune, McGraw, McSpadden, Nichols, Stansberry, Taliaferro, Young.—10.

## ANNOUNCEMENT—SBs ON CALENDAR

Senator Terrill announced that at the close of business next Tuesday, March 17,

1970, he would move to strike all Senate Bills remaining on the Senate Calendar.

# ANNOUNCEMENT—GCCA

Senator Massey announced that five (5) Subcommittees had been appointed to consider and perfect all bills assigned to the General Conference Committee on Appropriations.

By unanimous consent, upon request of President Pro Tempore Smith, a list of the membership of the Subcommittees of the General Conference Committee on Appropriations is incorporated herein, and is as follows:

## GENERAL GOVERNMENT

Baldwin	Nichols
Grantham	Holden

## EDUCATION

Hamilton	Young
Smalley	Howard

## SOCIAL SERVICES AND HEALTH

Berrong	Martin
Hargrave	Keels

## PUBLIC SAFETY AND HIGHWAYS

Atkinson	Murphy
Garrison	Williams

## REGULATORY AND NATURAL RESOURCES

Massey	McSpadden
Boecher	Lane

## GENERAL ORDER

**HB 1797** by Connor, et al, of the House and Garrison, Baggett, Hamilton, Crow and McGraw of the Senate was read and considered.

Senators Terrill, Berrong, Field, Dacus, Ham, Ferrell, Murphy, Grantham, Payne, Stipe, Medearis, Taliaferro, Lane and Boecher asked to be made coauthors of **HB 1797**, which was the order.

Senator Ham moved to amend **HB 1797**,

page 6, line 16, after the word "Medicine" by changing the period (.) to a semi-colon (;) and adding the language "or any school of medicine or osteopathy" which amendment was tabled upon motion of Senator Hamilton upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—33.

Nay: Bradley, Graves, Ham, Keels, Luton, Martin, Payne, Porter, Stipe.—9.

Excused: Breckinridge, McCune, McGraw, McSpadden, Stansberry, Taliaferro.—6.

Upon motion of Senator Garrison, **HB 1797** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **HB 1797** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1797** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—42.

Excused: Breckinridge, McCune, McGraw, McSpadden, Stansberry, Williams.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—42.

Excused: Breckinridge, McCune, McGraw, McSpadden, Stansberry, Williams.—6.

The emergency was declared passed.

**HB 1797**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1798** by Connor, et al, of the House and Garrison of the Senate was read and considered.

Senators Hamilton, Lane, Terrill and Ham asked to be made coauthors of **HB 1798**, which was the order.

Upon motion of Senator Garrison, **HB 1798** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **HB 1798** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1798** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Medearis, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baggett, Bradley, Breckinridge, McCune, McGraw, McSpadden, Massey, Miller, Phillips, Stansberry.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Medearis, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baggett, Bradley, Breckinridge, McCune, McGraw, McSpadden, Massey, Miller, Phillips, Stansberry.—10.

The emergency was declared passed.

**HB 1798**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Murphy motion to reconsider the vote by which **SB 568** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Garrison, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Stipe, Taliaferro, Terrill, Williams.—29.

Nay: Ferrell, Garrett, Grantham, Ham, Hamilton, Hargrave, Martin, Miller, Short, Smith, Young.—11.

Excused: Baggett, Breckinridge, Field, McCune, McGraw, McSpadden, Massey, Stansberry.—8.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrison, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Medearis, Murphy, Nichols, Payne, Romang, Smalley, Stipe, Taliaferro, Terrill, Williams.—27.

Nay: Baldwin, Ferrell, Garrett, Gran-



tham, Ham, Hamilton, Hargrave, Martin, Massey, Miller, Phillips, Porter, Short, Smith, Young.—15.

Excused: Baggett, Breckinridge, McCune, McGraw, McSpadden, Stansberry.—6.

The bill was declared passed.

#### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Young moved that the vote be reconsidered by which **SB 568** passed.

Senator Payne raised a point of order, which was overruled, against the lodging of the Young motion.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Dacus, Field, Horn, Nichols, Williams.—6.

Nay: Atkinson, Berrong, Birdsong, Boecher, Bradley, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, Martin, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smith, Taliaferro, Terrill, Young.—30.

Excused: Baggett, Breckinridge, Crow, Ham, Keels, McCune, McGraw, McSpadden, Massey, Smalley, Stansberry, Stipe.—12.

The emergency was declared failed of passage.

Senator Smalley presiding.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 111, 383, 540 and 658** each correctly engrossed.

**SBs 407, 473, 475, 477, 483, 498, 505, 596 and SCR 66** each correctly enrolled.

Engrossed **SBs 111, 383, 540 and 658** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 407, 473, 475, 477, 483, 498, 505 and 596** were each, after fourth read-

ing, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCR 66** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### GENERAL ORDER

**SB 490** by Short, Nichols, Smalley and Young was read and considered.

Sentors Hamilton, Payne, Bradley and Luton asked to be made coauthors of **SB 490**, which was the order.

Upon motion of Senator Short, **SB 490** was advanced to engrossment.

By unanimous consent, upon request of Senator Short, **SB 490** was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**SB 490** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Luton, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—33.

Excused: Baggett, Breckinridge, Crow, Hargrave, Horn, Lane, McCune, McGraw, McSpadden, Massey, Phillips, Porter, Smith, Stansberry, Stipe.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Luton, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—33.

Excused: Baggett, Breckinridge, Crow, Hargrave, Horn, Lane, McCune, McGraw, McSpadden, Massey, Phillips, Porter, Smith, Stansberry, Stipe.—15.

The emergency was declared passed.

**SB 490** was referred for engrossment.

President Pro Tempore Smith presiding.

### GENERAL ORDER

**SB 384** by Short was read and considered.

Senator Short moved to amend **SB 384**, page 2, beginning on 11, by striking after the syllable "ant" the language "signed by the clerk of judge, and issued under the seal of the court" which amendment was declared adopted.

Senator Short moved to amend **SB 384**, page 4, line 7, by striking the word "and" and substituting therefor the word "to" which amendment was declared adopted.

Senator Short moved to amend **SB 384**, beginning on page 5, line 18, by inserting a comma (,) after the word "petition" and striking the words "as arising upon contract" which amendment was declared adopted.

Senator Short moved to amend **SB 384**, page 6, line 2½, by adding two blank lines with a period (.) at the end of the second line, which amendment was declared adopted.

Senator Short moved to amend **SB 384**, page 6, line 7, by striking the word "and" and substituting therefor the word "to" which amendment was declared adopted.

Senator Short moved to amend **SB 384**, page 7, line 9, by striking the word "certificate" and substituting therefor the word "return" which amendment was declared adopted.

Upon motion of Senator Short, **SB 384**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Short, **SB 384**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 384** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Terrill, Young.—34.

Nay: Baldwin, Boecher, Dacus, Smalley, Taliaferro.—5.

Excused: Bradley, Breckinridge, Ham, McCune, McGraw, McSpadden, Medearis, Stansberry, Williams.—9.

The bill was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **SB 384**, as amended, passed.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 635** and **644** each correctly engrossed.

Engrossed **SBs 635** and **644** were properly signed and ordered transmitted to the Honorable House for consideration.

Senator Romang presiding.

### GENERAL ORDER

**SB 590** by Garrett of the Senate and McCune of the House was read and considered.

Senator Bradley asked to be made a coauthor of **SB 590**, which was the order.

Senator Garrett moved to amend **SB 590**, page 3, line 7, by striking after the word "of" the words and figures "Five Hundred (\$500.00)" and inserting in lieu there-

of the words and figures "Three Hundred (\$300.00)" which amendment was declared adopted.

Upon motion of Senator Garrett, **SB 590**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **SB 590**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 590** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—35.

Nay: Ferrell, Hamilton.—2.

Excused: Baggett, Bradley, Breckinridge, Ham, McCune, McGraw, McSpadden, Porter, Stansberry, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—35.

Nay: Ferrell, Hamilton.—2.

Excused: Baggett, Bradley, Breckinridge, Ham, McCune, McGraw, McSpadden, Porter, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**SB 590**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 615** by Phillips was read and considered.

Senator Phillips moved to amend **SB 615** by crippling the title, and by striking the enacting clause, which amendment was declared adopted.

Upon motion of Senator Phillips, **SB 615**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **SB 615**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 615** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—34.

Nay: Ferrell, Williams.—2.

Excused: Atkinson, Baldwin, Berrong, Bradley, Breckinridge, McCune, McGraw, McSpadden, Massey, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—34.

Nay: Ferrell, Williams.—2.

Excused: Atkinson, Baldwin, Berrong, Bradley, Breckinridge, McCune, McGraw, McSpadden, Massey, Porter, Stansberry, Taliaferro.—12.



The emergency was declared passed.

**SB 615**, as amended, was referred for engrossment.

### GENERAL ORDER

**SJR 50** by Baggett, Breckinridge and Short of the Senate and Spearman of the House was read and considered.

Senator Baggett moved to amend **SJR 50**, page 4, line 3, by adding after the word "direct" and before the words "The Legislature" a semi-colon (;) and the language "provided, that the legislature may add to the subject matters over which the Public Service Commission now has jurisdiction, but may not diminish such jurisdiction" which amendment was declared adopted.

Upon motion of Senator Baggett, **SJR 50**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SJR 50**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 50**, as amended, was read for the third time at length, as follows:

**SJR 50**, as amended—by Baggett, Breckinridge and Short of the Senate and Spearman of the House—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution; repealing Article IX of the Oklahoma Constitution and establishing in lieu thereof a new Article known as Article IX; providing for an Oklahoma Public Service Commission; providing for the powers, duties, authority and jurisdiction of said commission; providing qualifications of commissioners; providing certain powers and duties of the Legislature; providing an effective date; providing a ballot title; and ordering a special election.

Be it resolved by the Senate and the

House of Representatives of the 2nd session of the 32nd Oklahoma Legislature:

**SECTION 1.** The Secretary of State of the State of Oklahoma shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Oklahoma Constitution, repealing Article IX of the Oklahoma Constitution and establishing in lieu thereof a new Article to be known as Article IX of the Oklahoma Constitution which will read as follows:

### ARTICLE IX.—THE OKLAHOMA PUBLIC SERVICE COMMISSION—CORPORATIONS.

**Section 1.** The Oklahoma Public Service Commission is hereby created, to be composed of three Commissioners whose term of office shall be six (6) years and one of whom shall be elected by the people each two (2) years at a general election for state officers. In case of a vacancy in said office, the Governor of the state shall fill such vacancy by appointment until the next general election, when a successor shall be elected to fill out any unexpired term; provided, that the Commissioners thereof shall be elected at the expiration of the respective terms of the Commissioners of the Corporation Commission in office pursuant to the Constitution and laws of this state immediately prior to the time when this amendment becomes a part of this Constitution, such Commissioners being hereby continued in office as members of the Public Service Commission for the terms for which they were elected; provided further, that until otherwise provided by the Legislature, the Commission shall have the same powers, duties, authority and jurisdiction and the Commissioners shall receive the same compensation as is presently provided for the Corporation Commission.

**Section 2.** The Commission shall have general regulatory jurisdiction and powers as to railroads, transportation and transmission companies, public utilities, motor carriers and public service corporations,

as those terms are now defined or may hereafter be defined by the Legislature, as to the conservation of oil and gas and such other matters as the Legislature may from time to time direct; provided, that the Legislature may add to the subject matters over which the Public Service Commission now has jurisdiction, but may not diminish such jurisdiction. The Legislature shall by appropriate laws provide for the carrying out of these functions. The Commission shall have and exercise such executive, judicial and legislative powers as the Legislature may prescribe.

Section 3. The Commissioners, and each of them, shall have been resident citizens of this state for more than two (2) years next preceding election to such office; shall be qualified voters under the Constitution and laws of this state; and shall not be less than thirty (30) years of age. No Commissioner shall hold any other office under the government of the United States or this or any other state, nor shall he engage in any occupation or business inconsistent with his duties as Commissioner.

Section 4. The Legislature shall enact general laws as necessary and appropriate providing for the formation, government, and regulation of corporations, organized under the laws of this state and providing for the licensing, government and regulation of corporations organized other than under the laws of this state, which laws may be altered, amended, revised or repealed by the Legislature at any time, and the exercise of the full power of public visitation and control over all corporations is reserved to the state. The Legislature shall have the power to alter, amend, annul, revoke or repeal any charter of incorporation of a domestic corporation and to revoke the license to conduct business in this state of any foreign corporation, or to provide for the exercise of these reserved powers by an appropriate agency of the government of this state. No provision of this Constitution or of the laws

of this state shall be construed to prohibit the grant or issuance of a charter of incorporation, providing for the perpetual duration of any corporation, subject to the above reservations of power. All existing charters of incorporation and licenses to conduct business shall be continued in force and effect, subject to government, regulation and the powers of the Legislature as provided in this amendment.

SECTION 2. This amendment shall take effect on July 1, 1971.

SECTION 3. The Ballot Title for the said proposed amendment shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....

#### THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional Amendment amending the Oklahoma Constitution by repealing Article IX, thereof and establishing a new Article IX; creating the Oklahoma Public Service Commission; giving the Commission regulatory power over public service companies; providing qualifications of Commissioners; directing the enactment of statutes regulating domestic and foreign corporations; and making this amendment effective July 1, 1971 be approved by the people?

☐ YES

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ NO

SECTION 4. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file one copy thereof, including said ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 5. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next ensuing runoff primary election at which the above proposed amendment to the Constitution, shall be submitted to the

people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Crow, Dacus, Ferrell, Garrett, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Taliaferro, Williams, Young.—32.

Nay: Boecher.—1.

Excused: Baldwin, Bradley, Breckinridge, Field, Garrison, Graves, McCune, McGraw, McSpadden, Phillips, Porter, Smalley, Stansberry, Stipe, Terrill.—15.

The Resolution was declared passed.

The question being, "Shall **SJR 50**, by Baggett, Breckinridge and Short of the Senate and Spearman of the House entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution; repealing Article IX of the Oklahoma Constitution and establishing in lieu thereof a new Article known as Article IX; providing for an Oklahoma Public Service Commission; providing for the powers, duties, authority and jurisdiction of said commission; providing qualifications of commissioners; providing certain powers and duties of the Legislature; providing an effective date; providing a ballot title; and ordering a special election,

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the date of the next ensuing runoff primary election as provided in Section 5 of said Resolution, which Special Election is hereby ordered and authorized on the date of the next ensuing runoff primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?

The roll was ordered called and resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Stipe.—1.

Excused: Atkinson, Baldwin, Bradley, Breckinridge, Garrison, Graves, Inhofe, McCune, McGraw, McSpadden, Phillips, Porter, Stansberry.—13.

The Presiding Officer, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**SJR 50**, as amended, was ordered referred for engrossment.

### GENERAL ORDER

**SB 611** by Murphy was read and considered.

Senators Ferrell and Terrill asked to be made coauthors of **SB 611**, which was the order.

Upon motion of Senator Murphy, **SB 611** was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 611** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 611** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short,



Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—34.

Excused: Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Graves, Ham, McCune, McGraw, McSpadden, Phillips, Porter, Stansberry, Young.—14.

The bill was declared passed.

**SB 611** was referred for engrossment.

Senator Breckinridge asked to be shown present, which was the order.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, President Pro Tempore Smith moved to reconsider the vote by which **SB 611** passed.

President Pro Tempore Smith asked unanimous consent, that the Rules be suspended for the immediate consideration of his motion, which was the order.

The vote occurring upon the Smith motion, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Medearis, Murphy, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—30.

Excused: Baldwin, Berrong, Boecher, Bradley, Ham, Hargrave, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Phillips, Porter, Stansberry, Stipe, Taliaferro.—18.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Baldwin, Berrong, Bradley,

Ham, McCune, McGraw, McSpadden, Medearis, Phillips, Porter, Stansberry, Taliaferro.—12.

The bill was declared passed.

**SB 611** was referred for engrossment.

### GENERAL ORDER

**SJR 39** by Murphy and Nichols of the Senate and Skeith of the House was read and considered.

Following discussion, Senator Murphy asked unanimous consent that further consideration of **SJR 39** be deferred until Monday, to which Senator Young objected.

Senator Terrill moved that further consideration of **SJR 39** be deferred until Monday.

Senator Young, as a substitute for the Terrill motion, moved that **SJR 39** be referred to the Judiciary Committee, which motion was tabled upon motion of Senator Murphy.

The vote occurring upon the Terrill motion, it was declared adopted.

**SB 647** by Baggett, Breckinridge and Short of the Senate and Spearman of the House was read and considered.

Senator Baggett, joined by President Pro Tempore Smith, moved to amend **SB 647**, page 37, line 5½, by inserting the following new section: "Section 30. No corporation organized or doing business in this State shall be permitted to influence elections or official duty by contributions of money or anything of value" which amendment was declared adopted.

Senator Hamilton, joined by Senator Baggett, moved to amend **SB 647**, page 39, line 3½, by inserting the following new section: "Section 35. It is the intention of the Legislature by this act and its companion measure **SJR 50** to transpose many sections of present Article IX of the Oklahoma Constitution from the Constitution to the Statutes. In interpreting this Act the past judicial interpretations of the corresponding provisions of the present Constitution which are transposed herein, shall

be controlling", by renumbering succeeding sections accordingly, and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 647**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 647**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 647** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Luton, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Terrill, Williams.—30.

Nay: Boecher, Crow, Field, Horn, Lane, Stipe.—6.

Excused: Baldwin, Bradley, Dacus, McCune, McGraw, McSpadden, Massey, Medearis, Phillips, Smalley, Stansberry, Young.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Luton, Martin, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—34.

Nay: Horn, Stipe.—2.

Excused: Baldwin, Bradley, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Stansberry, Young.—12.

The emergency was declared passed.

**SB 647**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 582** by Stipe was read and considered.

Senator Berrong moved to amend **SB 582**, page 2, line 5, by inserting after the word "and" and before the word "said" the language "who is recognized in Sub-Chapter XVIII (Health Insurance for the Aged) of the United States Social Security Act" which amendment was declared adopted.

Senator Smalley moved to amend **SB 582**, page 2, line 15, by adding after the word "procedure" the language "provided further, that this section shall not preclude any hospital from having the right to determine which practitioners of the healing arts have the rights to practice at said hospital and from denying the use of hospital facilities to certain practitioners of the healing arts." which amendment was declared adopted.

Senator Garrett moved to amend **SB 582**, page 2, line 2, by striking after the word "licensed" and before the word "selected" the words "under the healing arts," which amendment was tabled upon motion of Senator Stipe.

Upon motion of Senator Stipe, **SB 582**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 582**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 582** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Martin, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—30.

Nay: Garrett.—1.

Excused: Atkinson, Baldwin, Boecher, Bradley, Crow, Dacus, Inhofe, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Porter, Stansberry, Terrill.—17.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Martin, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—30.

Nay: Garrett.—1.

Excused: Atkinson, Baldwin, Boecher, Bradley, Crow, Dacus, Inhofe, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Porter, Stansberry, Terrill.—17.

The emergency was declared failed of passage.

**SB 582**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1247** by Clemons, et al, of the House and Garrett, Birdsong, Graves, Holden, Howard, Luton, McCune, Murphy and Young of the Senate was read and considered.

Senator Atkinson asked to be made a coauthor of **HB 1247**, which was the order.

Senator Hamilton moved to amend **HB 1247**, page 6, line 18½, by adding a new section to read as follows: "Section 8. Nothing in this act shall be construed to compel a person, elected or appointed to fill any office referred to herein, to attend a school or secure a certificate as a prerequisite to being able to take or hold office", by renumbering succeeding sections accordingly, and by amending the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Garrett, **HB**

**1247**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1247**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1247** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, Martin, Miller, Murphy, Nichols, Romang, Smalley, Stipe, Taliaferro, Williams, Young.—26.

Nay: Breckinridge, Ferrell, Horn, Short, Smith.—5.

Excused: Baggett, Baldwin, Boecher, Bradley, Crow, Hargrave, Inhofe, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Porter, Stansberry, Terrill.—17.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, Martin, Miller, Murphy, Nichols, Romang, Smalley, Stipe, Taliaferro, Williams, Young.—26.

Nay: Breckinridge, Ferrell, Horn, Short, Smith.—5.

Excused: Baggett, Baldwin, Boecher, Bradley, Crow, Hargrave, Inhofe, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Porter, Stansberry, Terrill.—17.

The emergency was declared failed of passage.

**HB 1247**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

Senator Miller asked for consideration



of his motion to reconsider the vote by which **HJR 1003** passed.

Senator Baggett moved to table the Miller motion, which motion was declared adopted.

**HJR 1003** was properly signed and ordered returned to the Honorable House.

#### **MOTION TO RECONSIDER VOTE**

Senator Baggett asked for an extension of one day for consideration of his motion to reconsider the vote by which **SB 606** failed of passage, which was the order.

#### **RESOLUTION**

By unanimous consent, **SCR 73** was introduced, read as follows, and consideration deferred for this legislative day:

**SCR 73** by Miller of the Senate and Abbott and Stratton of the House—A Resolution commemorating Eugene Bernard (E. B.) Savage, conservationist, born September 21, 1887, died September 1, 1949, member of the First Soil and Water Board of Supervisors of this State; directing an appropriate marker be erected in his memory in Roger Mills County on Oklahoma State Highway 33.

#### **COMMITTEE REPORT**

The following resolution was reported by the Committee named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**SJR 53**—Revenue and Taxation.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 407, 473, 475, 477, 483, 498, 505 and 596.**

The above numbered Enrolled Bills were referred to the Governor.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 66.**

The above Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., Monday, March 16, 1970.

## Fortieth Legislative Day

Monday, March 16, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams.—40.

Excused: Dacus, Inhofe, Lane, Medearis, Porter, Stipe, Taliaferro, Young.—8.

The President declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend Truman Rouse, Pastor of the Springdale Baptist Church, Ardmore, Oklahoma, and is incorporated herein, by unanimous consent, upon request of Senator Martin:

Dear Lord, I pray that You will give each member of this Senate an understanding heart that they may discern between good and bad. We know that the beginning of wisdom is the fear of the Lord.

We pray, Dear Lord, that You help the leaders of our nation to shape the policies that we might have freedom without the fear of being molested by man, in Jesus name we pray. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 16, 1970, of Enrolled SBs 407, 473, 475, 477, 498, 505, 589, 596 and SJR 41, entitled:

**SB 407**—By Martin of the Senate and Sparkman of the House—An Act relating to drugs and pharmacy; amending 59 O. S. 1961, § 353.11; \*\*\* for the treatment of disease be increased to \$35.00; and declaring an emergency.

**SB 473**—By Murphy of the Senate and Skeith of the House—An Act relating to highways; amending Section 1103, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1103); providing for the acceptance of securities as a deposit in lieu of a money deposit with the State Highway Commission to insure payment of personal property tax and purchase of workmen's compensation.

**SB 475**—By Murphy of the Senate and Skeith of the House—An Act relating to state officers and employees; amending 74 O. S. 1961, § 85.12, \*\*\* funds; and declaring an emergency.

**SB 477**—By Murphy of the Senate and Skeith of the House—An Act relating to roads and bridges; amending Section 501, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 501); \*\*\* highway system; and declaring an emergency.

**SB 498**—By Garrett and Baggett of the Senate and Spearman and Bamberger of the House—An Act relating to alimony, child support, temporary support and similar payments; requiring the court clerk to mail the same to the payee if requested to do so by the payee; providing procedure.

**SB 505**—By Horn of the Senate and Dunn, Skeith, Monks and Bernard of the House—An Act relating to motor vehicles; amending 47 O. S. 1961, § 1-165; defining special mobilized machinery to include a truck or truck tractor when used while drawing special mobilized machinery; and declaring an emergency.

**SB 589**—By Baggett, Smith, McGraw and Howard of the Senate and Miskelly, Atkins and Williamson of the House—An Act relating to schools; providing basis for computing average daily attendance for kindergarten children; and directing codification.

**SB 596**—By Hamilton and Grantham—An Act relating to the Oklahoma Industrial Development and Park Commission; making a reappropriation thereto for the Spiro Mounds and Deer Creek Mounds; providing lapse date; and declaring an emergency.

**SJR 41**—By Grantham of the Senate and McCune, Sandlin and Hancock of the House—A Joint Resolution relating to construction of Article II, Section 18, of the Constitution of the State of Oklahoma, as amended by State Question No. 457, Legislative Referendum No. 170, adopted at the special election held August 27, 1968; defining certain terms in said section; expressing legislative intent relative to judicial construction of certain language in said section; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SBs 517 and 579**.

The above numbered Bills were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 262**—coauthored by Hutchens; **SB 401**—coauthored by Ferguson and Lindstrom; **SB 550**—coauthored by Boren and Payne; and, **SB 562**—coauthored by Hesser and Williamson, each as amended.

**HA** **SB 262** read as follows, and consideration deferred:

Amendment No. 1. Strike Title, Enactment Clause and entire bill and substitute the following:

"An Act relating to Criminal Procedure; amending Section 1, Chapter 204, O.S.L. 1968 (22 O.S. Supp. 1969, § 991a); authorizing court trying cause in which a person is convicted of commission of a crime, to suspend execution of sentence, with or without probation, or impose a fine or commit to confinement; providing for probationary supervision of the defendant not to exceed five years; authorizing judgment to be deferred with consent of the defendant; providing defendant may be placed on probation not to exceed two years; and providing for discharge of defendant or for the entering of judgment.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. Section 1, Chapter 204, O.S.L. 1968 (22 O.S. Supp. 1969, § 991a), is amended to read as follows:

§ 991a. Whenever a person is convicted of any crime, except when the death sentence is imposed, the court [may] SHALL EITHER:

(1) Suspend the [imposition or] execution of sentence IN WHOLE OR IN PART, with or without probation, PROVIDED WHEN THE COURT SUSPENDS EXECUTION OF SENTENCE IN PART, THE COURT MAY NOT ORDER THE DEFENDANT HELD IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS FOR A PERIOD TO EXCEED NINETY (90) DAYS. DURING SUCH CUSTODY THE DEFENDANT SHALL NOT BE ELIGIBLE TO EARN TIME REDUCTIONS AS OTHERWISE PROVIDED BY LAW, or

[(2) Place such convicted person on probation, or]

[(3)] (2) Impose a fine as provided by law for the offense, with or without probation or commitment, or

[(4)] (3) Commit such person for confinement as provided for by law.



**[Subsections]** SUBSECTION (1), (2) and (3)] hereof shall not apply upon the third or subsequent conviction of a felony.

PROBATION, AS USED IN THIS SECTION, IS A PROCEDURE UNDER WHICH A DEFENDANT, FOUND GUILTY OF A CRIME, IS RELEASED BY THE COURT SUBJECT TO CONDITIONS IMPOSED BY THE COURT AND SUBJECT TO THE SUPERVISION OF THE DIVISION OF PROBATION AND PAROLE OF THE DEPARTMENT OF CORRECTIONS. SUCH SUPERVISION SHALL BE INITIATED UPON AN ORDER OF PROBATION FROM THE COURT, AND SUCH SUPERVISION SHALL NOT EXCEED FIVE (5) YEARS.

SECTION 2. Upon a verdict or plea of guilty, but before a judgment of guilt, the Court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place the defendant on probation under the supervision of the State Department of Corrections upon the conditions of probation prescribed by the Court. Such conditions may include restitution when applicable. Upon completion of the probation term, which probation term under this procedure shall not exceed two (2) years, the defendant shall be discharged without a court judgment of guilt, and the verdict or plea of guilty shall be expunged from the record and said charge shall be dismissed with prejudice to any further action. Upon violation of the conditions of probation, the court may enter a judgment of guilt and proceed as provided in Section 1 of this act. The deferred judgment procedure described in this section shall only apply to defendants not having been previously convicted of a felony."

HA to SB 401 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 28, by inserting after the word "to" and before the word "each" the following language: "the treasurer of".

HA to SB 550 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 28, by adding after the word "of" and before the word "mailing" the following: "any unsolicited" and adding after the word "mailing" the word "of".

HA to SB 562 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 11, by striking "Be it enacted by the people of the State of Oklahoma:".

### CITATIONS

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Dean Lenard of Tulsa, Oklahoma upon being cited by the Federal Aviation Administration.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Roy Able of Tulsa, Oklahoma upon being cited by the Federal Aviation Administration.

Upon motion of Senator Garrison, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the members of the Bartlesville College-High School Boys' Swimming and Diving Team, coached by Mr. H. G. "Pete" Payne upon being named "Oklahoma Seven" Conference Champions for the sixth successive year.

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Dr. Robert Ringrose, Guthrie, Oklahoma for serving as the Doctor of the Day on March 11, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1508**—Judiciary—Coauthored by Nich-  
ols.

**HB 1702**—Business Relations—Coauthored  
by Luton, Birdsong and Phillips of the  
Senate and Williamson of the House.

DO PASS, as amended:

**SB 520**—Appropriations and Budget.

**SB 573**—Appropriations and Budget.

**SB 612**—Public Health.

**SB 655**—Appropriations and Budget.

**SB 656**—Appropriations and Budget.

**HB 1208**—Appropriations and Budget—Co-  
authored by Berrong.

**HB 1512**—Judiciary—C o a u t h o r e d by  
Young.

**HB 1659**—Agriculture.

**HB 1682**—Business Relations.

## SECOND READING

The following Bill was read the second  
time and referred to Committee indicated:

**HB 1630**—Public Affairs.

## GENERAL ORDER

**SB 642** by McGraw, Birdsong and Atkin-  
son was read and considered.

Upon motion of Senator McGraw, **SB 642**  
was advanced to engrossment.

By unanimous consent, upon request of  
Senator McGraw, **SB 642** was considered  
engrossed and placed upon third reading  
and final passage.

## THIRD READING

**SB 642** was read for the third time at  
length.

On the question of passage of Bill, the  
roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Brad-  
ley, Breckinridge, Crow, Ferrell, Field,  
Garrett, Garrison, Grantham, Graves,  
Ham, Hamilton, Hargrave, Horn, Howard,  
Keels, Luton, McCune, McGraw, McSpad-  
den, Martin, Massey, Murphy, Payne,  
Phillips, Romang, Short, Smalley, Smith,  
Stansberry, Williams.—33.

Nay: Baldwin, Berrong, Boecher, Holden,  
Miller, Terrill.—6.

Excused: Dacus, Inhofe, Lane, Medearis,  
Nichols, Porter, Stipe, Taliaferro, Young.  
—9.

The bill was declared passed.

On the question of passage of emer-  
gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Brad-  
ley, Breckinridge, Crow, Ferrell, Field,  
Garrett, Garrison, Grantham, Graves,  
Ham, Hamilton, Hargrave, Horn, Howard,  
Keels, Luton, McCune, McGraw, McSpad-  
den, Martin, Massey, Murphy, Payne,  
Phillips, Romang, Short, Smalley, Smith,  
Stansberry, Williams.—33.

Nay: Baldwin, Berrong, Boecher, Holden,  
Miller, Terrill.—6.

Excused: Dacus, Inhofe, Lane, Medearis,  
Nichols, Porter, Stipe, Taliaferro, Young.  
—9.

The emergency was declared passed.

**SB 642** was referred for engrossment.

President Pro Tempore Smith presiding.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and trans-  
mitting for signature Enrolled **HB 1387**.

The above numbered Enrolled Bill was,  
after fourth reading, properly signed and  
ordered returned to the Honorable House.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 490, 556, 582, 590, 611, 615, 630, 647,**  
**SJR 50** and **HBs 1247, 1797** and **1798** each  
correctly engrossed.

**SBs 372, 456, 480, 495, 527, 558, 600, SCR**  
**68, 69, 70** and **71** each correctly enrolled.

Engrossed **SBs 490, 556, 582, 590, 611, 615,**  
**630, 647** and **SJR 50** were properly signed  
and ordered transmitted to the Honorable  
House for consideration.

Engrossed **SAs** to and Engrossed **HBs**  
**1247, 1797** and **1798**, as amended, were prop-  
erly signed and ordered returned to the  
Honorable House.

Enrolled SBs 372, 456, 480, 495, 527, 558, and 600 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled SCRs 68, 69 and 70 were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Baldwin presiding.

Enrolled SCR 71 was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

Senators Taliaferro, Lane, Young, Medearis and Inhofe asked to be shown present, which was the order.

## GENERAL ORDER

SB 516 by Baldwin was read and considered.

Senators Howard and Nichols asked to be made coauthors of SB 516, which was the order.

Senator Terrill, joined by Senator Small-ey, moved to amend SB 516, page 2, line 2, by striking the word "shall" and substituting therefor the word "may", which amendment was declared failed of adoption, upon a roll call as follows:

Senator Smalley presiding.

Aye: Boecher, Crow, Field, Garrett, Graves, Ham, Hamilton, Holden, Horn, Lane, Luton, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Taliaferro, Terrill.—19.

Nay: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Hargrave, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Nichols, Romang, Short, Smith, Stansberry, Williams.—25.

Excused: Dacus, Porter, Stipe, Young.—4.

Senator Phillips moved to amend SB 516, page 2, beginning on line 2, by striking "Section 2", and by amending the title to

conform thereto, which amendment was tabled upon motion of Senator Baldwin.

Senator Baggett moved to amend SB 516, page 2, line 10, by adding after the words "rate of interest" the language "or in Oklahoma banks which agree to pay an equal rate of interest".

Senator Berrong, as a substitute for the Baggett amendment, moved to amend SB 516, page 2, line 10, by adding after the word "interest" the language "The Treasurer may invest in other approved, short term securities or certificates of deposit if said approved, short term securities or certificates of deposit are, at interest equal to or exceeding that paid for short term bonds or notes of the United States", which amendment was declared adopted.

Senator Hamilton presiding.

Senator McSpadden moved to amend SB 516, page 2, by striking Section 3 and by inserting a new section to read as follows: "Section 3. All monies collected shall go to the General Revenue Fund"

Senator Baggett, as a substitute for the McSpadden amendment, moved to amend SB 516, page 2, beginning on line 14, by striking after the word "receipt" the balance of the sentence through Line 1, on page 3 and by substituting therefor the language "to the General Revenue Fund or such other funds which are subject to appropriation by the Legislature, as may be designated by law"

Senator Garrison, in lieu of all pending amendments, moved to amend SB 516, page 2, line 15, by striking after the word "month," the remainder of Section 3, and inserting in lieu thereof the language "to the Common School Fund and the Teachers Retirement Fund in such proportion as the Legislature may determine and direct" which amendment was tabled upon motion of Senator Nichols.

Senator McSpadden moved to table the Baggett amendment, which motion was declared adopted.

The vote occurring upon the McSpadden amendment, it was declared adopted.



Senator Smalley presiding.

Senator Garrett moved to amend **SB 516**, page 2, line 10, by adding after the word "interest." the sentence "Provided that where funds are now invested within any one bank in the State of Oklahoma said funds may not be withdrawn from any one bank at a rate of more than 10% per month".

Senator Baggett, as a substitute for the Garrett amendment, moved to amend **SB 516**, page 2, line 11½ by inserting a new section to read as follows: "Section 4. The State Treasurer shall not withdraw funds from any bank in violation of his contract with such bank" and by renumbering the succeeding sections accordingly, which amendment was declared adopted.

Senator Baldwin moved to amend **SB 516**, page 3, by striking the Emergency Section, and by amending the Title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Baldwin, **SB 516**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baldwin, **SB 516**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 516** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Howard, Inhofe, McCune, McGraw, McSpadden, Nichols, Romang, Short, Williams, Young.—18.

Nay: Atkinson, Birdsong, Boecher, Crow, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, Martin, Medearis, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill.—23.

Excused: Dacus, Massey, Miller, Murphy, Porter, Stansberry, Stipe.—7.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baldwin moved that the vote be reconsidered by which **SB 516** failed of passage.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Howard motion to reconsider the vote by which **SB 320** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McSpadden, Murphy, Nichols, Payne, Short, Smalley, Smith, Williams.—28.

Nay: Boecher, Garrison, Holden, Lane, McCune, Martin, Massey, Medearis, Miller, Phillips, Romang, Terrill, Young.—13.

Excused: Berrong, Dacus, McGraw, Porter, Stansberry, Stipe, Taliaferro.—7.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Horn, Howard, Inhofe, Keels, Luton, Murphy, Nichols, Payne, Short, Smalley, Smith.—25.

Nay: Boecher, Garrison, Hamilton, Holden, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Phillips, Romang, Taliaferro, Terrill, Williams, Young.—17.

Excused: Berrong, Dacus, McGraw, Porter, Stansberry, Stipe.—6.

The bill was declared passed.

Senator Howard asked unanimous consent, which was granted, to strike the Emergency Section of **SB 320**, and amend the title to conform thereto.

**SB 320** was referred for engrossment.

### PENDING SENATE ACTION

Upon motion of Senator McSpadden, the

request of the Honorable House for a Conference on **HB 1558** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1559** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1561** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1562** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1563** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1567** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1568** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1574** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1575** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1578** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1580** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1581** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a Conference on **HB 1782** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

#### PENDING CONSIDERATION OF HAS

Senator McSpadden moved that the Senate reject the **HA** to **SB 417** and request a Conference, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate reject the **HA** to **SB 421** and request a Conference, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate reject the **HAs** to **SB 426** and request a Conference, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate reject the **HAs** to **SB 427** and request a Conference, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate reject the **HAs** to **SB 447** and request a Conference, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator McSpadden moved that the Senate reject **HA** to **SB 565** and request a

Conference, said Bill to be referred to the General Conference Committee on Appropriations.

### GENERAL ORDER

**SB 294** by Field of the Senate and McKee and Robinson of the House was read and considered.

Senator Field moved to amend **SB 294**, page 4, line 11, by striking the word "nearly" and substituting therefor the word "is" which amendment was declared adopted.

Senator Field moved to amend **SB 294**, page 7, lines 5 and 6, by striking the sentence "Said eligible voter shall have one vote for each acre owned or leased".

Senator Young moved to table the Field amendment, which motion was declared failed of adoption.

The vote occurring upon the Field amendment, it was declared adopted.

Upon motion of Senator Field, **SB 294**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, **SB 294**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 294** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Bradley, Crow, Ferrell, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—33.

Nay: Young.—1.

Excused: Baggett, Berrong, Boecher, Breckinridge, Dacus, Garrett, Garrison, Ham, Howard, Massey, Nichols, Porter, Stansberry, Stipe.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—32.

Nay: Young.—1.

Excused: Baldwin, Boecher, Breckinridge, Dacus, Garrett, Garrison, Ham, Howard, Inhofe, Luton, Massey, Porter, Stansberry, Stipe, Williams.—15.

The emergency was declared passed.

**SB 294**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 614** by Smith was read and considered.

Senators Miller, Bradley and Hargrave asked to be made coauthors of **SB 614**, which was the order.

As provided under Rule 8-e, upon request of President Pro Tempore Smith, McCune and Hopkins of the House were added as coauthors of **SB 614**.

Senator Hamilton moved to amend **SB 614**, page 3, line 4, by adding after the word "state" the sentence "Any buildings constructed in Oklahoma County, under the provisions of this act, shall be constructed within the State Capitol Building Complex, which amendment was declared failed of adoption.

Senator Baggett moved to amend **SB 614**, page 4, line 16, by adding after the word "Authority" the language "provided, however, that the Authority shall not be authorized to acquire land or build buildings within the Capitol Improvement and Zoning District as defined by law" which amendment was declared adopted.

Senator Hamilton moved to amend **SB 614**, page 27, line 11½ by adding a new section to read as follows: "Section 17.



Before any bonds can be issued under the terms of this act, the same must have been authorized and approved by the legislature by appropriate legislation" by renumbering the succeeding sections accordingly, and by amending the title to conform thereto, which amendment was tabled upon motion of Senator Terrill.

Senator Baggett, joined by President Pro Tempore Smith, to amend **SB 614**, page 5, line 17, by inserting after the word "interest" and before the word "subject" the language "not in excess of seven per cent (7%) per annum, and shall be" which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **SB 614**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **SB 614**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 614** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Young.—39.

Nay: Hamilton, Williams.—2.

Excused: Baldwin, Boecher, Dacus, Porter, Stansberry, Stipe, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham,

Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Young.—39.

Nay: Hamilton, Williams.—2.

Excused: Baldwin, Boecher, Dacus, Porter, Stansberry, Stipe, Taliaferro.—7.

The emergency was declared passed.

**SB 614**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

### THIRD READING

**SB 648** by Baggett was called up for consideration.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Dacus, Miller, Nichols, Payne, Porter, Stansberry, Stipe, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Dacus, Miller, Nichols, Payne, Porter, Stansberry, Stipe, Taliaferro.—10.

The emergency was declared passed.

**SB 648** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**SJR 53** by Smalley of the Senate and Skeith of the House was read and considered.

Upon motion of Senator Smalley, **SJR 53** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **SJR 53** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SJR 53** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—36.

Nay: Horn.—1.

Excused: Baldwin, Boecher, Dacus, Hargrave, Inhofe, Martin, Payne, Porter, Stansberry, Stipe, Taliaferro.—11.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—36.

Nay: Horn.—1.

Excused: Baldwin, Boecher, Dacus, Hargrave, Inhofe, Martin, Payne, Porter, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**SJR 53** was referred for engrossment.

### GENERAL ORDER

**SB 546** by Ham and Young was read and considered.

Upon motion of Senator Ham, **SB 546** was advanced to engrossment.

By unanimous consent, upon request of Senator Ham, **SB 546** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 546** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Dacus, Inhofe, Payne, Porter, Smalley, Stansberry, Stipe, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Terrill, Williams, Young.—38.

Excused: Baldwin, Boecher, Dacus, Inhofe, Payne, Porter, Smalley, Stansberry, Stipe, Taliaferro.—10.

The emergency was declared passed.

**SB 546** was referred for engrossment.

**GENERAL ORDER**

**SB 640** by Baggett was read and considered.

President Pro Tempore Smith asked to be made a coauthor of **SB 640**, which was the order.

Senator Garrison moved to amend **SB 640**, page 8, line 17, by striking the language "the county, then the voting machines shall be programmed so that the party-voting levers will not be operative and party-voting levers shall not be used in such elections", and by substituting therefor the language "any county, then straight party voting will be abolished in all counties of Oklahoma" and by amending the title to conform thereto, which amendment was tabled upon motion of Senator Luton upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill, Young.—31.

Nay: Breckinridge, Ferrell, Garrison, McCune, McGraw, Romang, Short, Williams.—8.

Excused: Baldwin, Berrong, Boecher, Dacus, Howard, Inhofe, Porter, Stansberry, Stipe.—9.

Senator McCune moved to amend **SB 640**, page 3, lines 6 and 7 by striking the words "three (3) months" and substituting therefor the words "one year" which amendment was declared adopted.

Senator Short moved to amend **SB 640**, page 4, line 1, by striking the word "may" and substituting therefor the word "must", which amendment was tabled upon motion of Senator Smalley, upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller,

Murphy, Nichols, Payne, Smalley, Smith, Taliaferro, Terrill, Young.—31.

Nay: Breckinridge, Ferrell, Garrison, McCune, McGraw, Phillips, Romang, Short, Williams.—9.

Excused: Baldwin, Berrong, Boecher, Dacus, Inhofe, Porter, Stansberry, Stipe.—8.

Senator Baggett moved to amend **SB 640**, page 9, line 3½, by inserting the following new section: "Section 6. Chapter 305 of the 1968 Oklahoma Session Laws is hereby repealed", by renumbering succeeding sections accordingly and by amending the title to conform thereto.

Senator Smalley presiding.

Senator Garrison moved to table the Baggett amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Breckinridge, Garrison, McCune, McGraw, Romang, Short, Williams.—7.

Nay: Atkinson, Baggett, Birdsong, Bradley, Crow, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill, Young.—29.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Field, Ham, Inhofe, Nichols, Porter, Stansberry, Stipe.—12.

The vote occurring upon the Baggett amendment, it was declared adopted.

Upon motion of Senator Baggett, **SB 640**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **SB 640**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**SB 640** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill, Young.—30.

Nay: Breckinridge, Garrison, McCune, McGraw, Romang, Short, Williams.—7.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Ham, Inhofe, Nichols, Porter, Stansberry, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Nay: Williams.—1.

Excused: Baldwin, Berrong, Boecher, Bradley, Dacus, Ferrell, Ham, Inhofe, McGraw, McSpadden, Nichols, Porter, Stansberry, Stipe.—14.

The emergency was declared passed.

**SB 640**, as amended, was referred for engrossment.

### GENERAL ORDER

**SB 585** by Young was read and considered.

Following discussion, Senator Murphy asked that **SB 585** be deferred for this legislative day, which was the order.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-f, Senator Baggett moved that the vote be reconsidered by which **SB 640**, as amended, passed, and that the vote be reconsidered by which the Emergency Section of **SB 640** passed.

### PENDING CONSIDERATION OF HAS

Senator Hamilton moved that the Senate reject **HA** to **SB 451**, and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Hamilton moved that the Senate reject **HA** to **SB 479**, and request a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

### GENERAL ORDER

Senator Hamilton moved that **SB 634** be ordered withdrawn from the Calendar and re-referred to the Committee on Roads and Highways, which motion was declared adopted.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 372, 456, 480, 495, 527, 558 and 600**.

The above numbered Enrolled Bills were referred to the Governor.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 68, 69, 70 and 71**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

### BILL RELEASED

As provided under Rule 19-f, **SB 648** was properly signed and ordered transmitted to the Honorable House for consideration.

As provided under the Birdsong motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

## Forty-first Legislative Day

Tuesday, March 17, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Dacus, Murphy, Nichols, Porter.—4.

The President declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Martin:

Our Father, we pray that the leadership of this Senate might turn the hearts of our people back to Thee. You have stated, "if my people which are called by my Name shall humble themselves and pray, seek my face and turn from their wicked way that You would hear from heaven and forgive their sins and heal their land. In Jesus name we pray. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 17, 1970, of Enrolled **SB 483** entitled:

**SB 483**—By Garrison, Graves, McCune and Stansberry of the Senate and Nance of the House—An Act relating to Public Health and Safety; \*\*\* providing search for facts in certain instances shall be exempt from fee payment; and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 211**; **SB 400**; **SB 461**—coauthored by Bamberger; **SB 559**—coauthored by Bamberger; **SB 560**—coauthored by Williamson, Andrews and Mountford, each as amended.

**HA to SB 211** read as follows: and consideration deferred:

Amendment No. 1. Amend Page 1, Line 10, by striking "be it enacted by the people of the State of Oklahoma:".

**HA to SB 400** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 29, by adding after the word "section" the following words: ", provided, such petition must be filed within ninety (90) days from the date of said conviction".

**HA to SB 461** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 22, by adding after the word "district" the following words "until April 1, 1971,".

**HA to SB 559** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 4, Line 19, by striking the word "heretofore".

**HAs to SB 560** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows: "(An Act relating to state officers and emergency)".

Amendment No. 2. Amend Page 2, Line 24, by striking the "period" and insert a "comma" and add the following language: "1961, as amended, such expenses shall be payable from the Fire Marshal Fund created by Section 1, Chapter 40, O. S. L. 1967 (68 O. S. Supp. 1969, § 5000.1), and shall not exceed reimbursement to each member for more than six (6) calendar days in any one (1) fiscal year."

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SBs 417, 421, 426, 427, 447, 451, 479 and 565** and referring said Bills to General Conference Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 549; SB 609**-coauthored by Sanquin and Stratton; **SJR 35**-coauthored by Sullivan and Bean; **SJR 45**-coauthored by Sullivan, Bean, Conaghan, Clemons and Ferguson; and **SJR 46**-coauthored by Finch, Allard, Tabor and Cox.

The above numbered Bills and Resolutions were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HJR 1003**.

The above numbered Enrolled Resolution was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1059**—By Privett, et al, of the House and Horn of the Senate—A Concurrent Resolution expressing profound regret and sorrow upon the passing of George A. Noble, chief sergeant at arms of the House of Representatives; commending his exemplary life and the outstanding services rendered to the legislative branch of government and in other positions of public trust; citing his illustrious military record; extending sympathy and condolences to his family; directing that an authenticated copy of this Resolution be presented to Mrs. Noble, to his son, George, Jr., and to his daughter, Mrs. David Turnbow; and that a copy thereof be spread upon the pages of the Permanent Journal of the House of Representatives as an indelible memorial of the appreciation and esteem of the Oklahoma Legislature for George A. Noble.

Consideration of the Resolution was deferred for this Legislative day.

#### CONCURRENT CITATION

Upon motion of Senator Romang and Representative Robert E. Anderson, a Citation of Congratulations was ordered issued to the Girls' Basketball Team of North Enid School District I-42 upon winning the State Basketball Championship.

Message was ordered sent advising the Honorable House of Senate action pursuant to Senate Concurrent Citation No. 2.

#### CITATIONS

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Joe Myers upon her being named "Oklahoma Mother of the Year".

Upon motion of Senator Horn, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Pawhuska High



School Basketball Team upon winning the Class 2A State Championship.

Upon motion of Senators Short and McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Mary Elizabeth Burdette and the student staff of Northwest High School's yearbook, the "Round Table" for recognition as the Nation's best high school yearbook.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 642** and **SJR 53** each correctly engrossed.

**SBs 517** and **579** each correctly enrolled.

Engrossed **SB 642** and **SJR 53** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 517** and **579** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1548**—Judiciary—coauthored by Garrett, Howard, Birdsong, Short and McGraw.

**HB 1637**—Education.

**HB 1646**—Judiciary—coauthored by Smalley.

**HB 1650**—Judiciary—coauthored by Smalley, Young, Grantham and Garrett.

**HB 1656**—Judiciary—coauthored by Grantham, Smalley, Garrett and Young.

DO PASS, as amended:

**HB 1514**—Public Affairs.

**HB 1615**—Municipal Government—coauthored by Keels and by removing McGraw as coauthor.

**HB 1645**—Judiciary—coauthored by Grantham and Smalley.

**HB 1664**—Education.

### RESOLUTIONS

**SCR 74** by Short was introduced and read as follows:

A Concurrent Resolution authorizing the Oklahoma Legislature, in cooperation with the Oklahoma Educational Television Authority, to undertake a project of producing a film on the Oklahoma Legislature; and authorizing the Executive Committee of the State Legislative Council to expend funds not exceeding \$25,000.00 for production of a film on the Oklahoma Legislature.

**SCR 74** was considered, read at length, adopted upon motion of Senator Short and ordered referred for engrossment.

**SCR 75** by Smalley of the Senate and Cate and Wolf (Leland) of the House was introduced and read as follows:

A Concurrent Resolution expressing the congratulations and commendation of the Legislature to the Norman High School Basketball Team for winning the Class AAAA State Championship; and directing distribution.

**SCR 75** was considered, read at length, adopted upon motion of Senator Smalley and ordered referred for engrossment.

### PENDING SENATE ACTION

The following Resolution was called up for consideration:

**SCR 73** by Miller and Berrong of the Senate and Abbott and Stratton of the House.

Senator Holden asked to be made a coauthor of **SCR 73**, which was the order.

**SCR 73**, as coauthored, was read at length, adopted upon motion of Senator Miller and ordered referred for engrossment.

The following Resolution was called up for consideration:

**SCR 72** by Grantham, Holden, Stansberry, Smith, Graves, Stipe, Terrill and Luton of the Senate and Boettcher, et al, of the House, was read at length, adopted upon motion of Senator Grantham, and ordered referred for engrossment.

### **MOTION TO RECALL BILL**

The following motion was submitted by Senator Garrison and read:

Mr. President:

As provided under Joint Rule 20, I move that Enrolled Senate Bill No. 558 be recalled from the Office of the Governor, for the purpose of making the following typographical and/or grammatical corrections:

By changing the figure '144' to '141' on Line 21 of said bill, and the figure '1701.1' to '1701.01' on Line 22 of said bill.

The vote occurring upon the Garrison motion, it was declared adopted, properly signed, and ordered transmitted to the Honorable House with the request that the House concur therein.

### **GENERAL ORDER**

**SB 655** by Baggett and Smalley of the Senate and Willis, et al, of the House was read and considered.

Upon motion of Senator Baggett, **SB 655** was advanced to engrossment.

**SB 656** by Baggett and Smalley of the Senate and Willis, et al, of the House was read and considered.

Senator Baggett moved to amend **SB 656**, pages 16 and 17 by striking Sections 22 and 23, by renumbering succeeding sections accordingly and by amending title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Baggett, **SB 656** was advanced to engrossment.

By unanimous consent upon request of Senator Baggett, **SB 655** was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**SB 655** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Crow, Dacus, Massey, Murphy, Nichols, Porter, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—41.

Excused: Crow, Dacus, Massey, Murphy, Nichols, Porter, Taliaferro.—7.

The emergency was declared passed.

**SB 655** was referred for engrossment.

By unanimous consent upon request of Senator Baggett, **SB 656** was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**SB 656** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-

grave, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, Horn, Howard, Murphy, Nichols, Porter, Taliaferro.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, Horn, Howard, Murphy, Nichols, Porter, Taliaferro.—8.

The emergency was declared passed.

**SB 656**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

Senator Murphy asked to be shown present, which was the order.

### GENERAL ORDER

**SB 645** by Phillips was read and considered.

Senator Luton moved to amend **SB 645**, page 12, beginning on line 14, by striking "Section 17", which amendment was declared adopted.

Upon motion of Senator Phillips, **SB 645**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **SB 645**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 645** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McSpadden, Martin, Medearis, Payne, Phillips, Smalley, Smith, Stipe, Taliaferro, Terrill.—24.

Nay: Baldwin, Berrong, Boecher, Breckinridge, Crow, Ferrell, Garrison, Grantham, Ham, Inhofe, Lane, McCune, Murphy, Romang, Short, Stansberry, Williams.—17.

Excused: Dacus, McGraw, Massey, Miller, Nichols, Porter, Young.—7.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-f, Senator Romang moved that the vote be reconsidered by which **SB 645**, as amended, failed of passage.

Senator Nichols asked to be shown present, which was the order.

### MOTIONS TO RECONSIDER VOTES

Senator Baggett asked for consideration of his motion to reconsider the vote by which **SB 640**, as amended, passed.

Senator Smalley moved to table the Baggett motion, which motion was declared adopted.

**SB 640** was referred for engrossment.

### MESSAGE FROM THE HOUSE

Pursuant to request of the Honorable Senate, the House has concurred in recalling Enrolled **SB 558** from the Governor's Office for the purpose of making typographical and/or grammatical corrections, as provided under Joint Rule 20.



The joint request of the Presiding Officers of the Senate and the Honorable House, recalling Enrolled **SB 558**, was ordered transmitted to the Governor.

## **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SCR 72** correctly engrossed.

Engrossed **SCR 72** was properly signed and ordered transmitted to the Honorable House for consideration.

## **GENERAL ORDER**

**SB 570** by Terrill and Baggett was read and considered.

Senators Smith, Howard, Hamilton, Crow, Keels and Birdsong asked to be made coauthors of **SB 570**, which was the order.

Senator Hamilton moved to amend **SB 570**, page 4, by changing the figures "1970-1971", on line 5, to read "1971-1972"; the figures "1971-1972", on line 7, to read "1972-1973"; the figures "1972-1973", on line 9, to read "1973-1974"; and the figures "1973-1974", on line 11, to read "1974-1975", which amendment was declared adopted.

Senator Romang presiding.

Senator Hamilton, joined by Senator Payne, moved to amend **SB 570**, page 4, line 14½, by inserting a new section to read as follows: "Section 2. The sinking fund levy excepted, if a school district is voting the maximum millage allowed by the Constitution, and there are not sufficient funds by way of the incentive aid provided for herein, to hire the additional teachers necessary to carry out the provisions of this act; the legislature shall appropriate any additional funds necessary, or else the provisions of subparagraph (c) shall not be applicable", by renumbering the succeeding section accordingly, and by amending the title to conform thereto.

Senator Baggett moved to table the Hamilton-Payne amendment, which mo-

tion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Garrett, Garrison, Hargrave, Howard, Inhofe, Keels, Luton, McCune, Miller, Murphy, Smalley, Smith, Taliaferro, Terrill, Williams.—20.

Nay: Boecher, Crow, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Lane, McGraw, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Romang, Short, Stansberry, Stipe, Young.—24.

Excused: Berrong, Breckinridge, Dacus, Porter.—4.

The vote occurring upon the Hamilton amendment, it was declared adopted.

Senator Terrill moved to amend **SB 570**, by inserting after the Hamilton amendment the language "Provided that in the event the county in which such school district is located fails to assess the property at or above the state average as established by the Oklahoma Tax Commission, such district shall not qualify for such additional state funds."

Senator Stipe moved to table the Terrill amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Ferrell, Horn, Massey, Payne, Stipe, Young.—6.

Nay: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Crow, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—35.

Excused: Berrong, Breckinridge, Dacus, Garrett, Ham, Phillips, Porter.—7.

Senator Hamilton moved to amend the Terrill amendment by inserting after the word "average" and before the words "as established" the language "as of the year

1969" which amendment was declared adopted.

Senator Baggett moved the adoption of the Terrill amendment, as amended by the Hamilton amendment.

Senator Stipe, as a substitute for the Baggett motion, moved to table the Terrill amendment, as amended, which motion was declared failed of adoption upon a roll call as follows:

Aye: Ferrell, Graves, Ham, Horn, Lane, McSpadden, Massey, Medearis, Miller, Payne, Short, Stipe, Young.—13.

Nay: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Murphy, Phillips, Romang, Smalley, Smith, Taliaferro, Terrill.—28.

Excused: Atkinson, Dacus, Holden, Nichols, Porter, Stansberry, Williams.—7.

The vote occurring upon the Baggett motion for the adoption of the Terrill amendment, as amended, it was declared adopted.

Senator Hamilton moved to amend **SB 570**, page 3, line 14, by adding after the word "six" and before the word "shall" the language "above the ratio figures set out herein".

Senator Baggett moved to table the Hamilton amendment, which motion was declared failed of adoption.

The vote occurring upon the Hamilton amendment, it was declared adopted.

Upon motion of Senator Terrill, **SB 570**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **SB 570**, as amended, was considered engrossed and placed upon third reading and final passage.

Senator Payne presiding.

### THIRD READING

**SB 570** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Taliaferro, Terrill.—34.

Nay: Boecher, Field, Garrison, McCune, McGraw, Romang, Williams.—7.

Excused: Dacus, Ham, Horn, Miller, Porter, Stansberry, Young.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Taliaferro, Terrill.—34.

Nay: Boecher, Field, Garrison, McCune, McGraw, Romang, Williams.—7.

Excused: Dacus, Ham, Horn, Miller, Porter, Stansberry, Young.—7.

The emergency was declared passed.

**SB 570**, as amended, was referred for engrossment.

### MESSAGE FROM THE GOVERNOR

This is to advise you that on this date, I have returned Enrolled **SB 558** for the purpose of making corrections as requested by the Presiding Officers of the Senate and the Honorable House of Representatives.

Enrolled **SB 558** was ordered referred to the Engrossing and Enrolling Department for correction.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 72**—coauthored by Jones.

The above numbered Resolution was referred for enrollment.

# MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 517 and 579**.

The above numbered Enrolled Bills were referred to the Governor.

# REPORT OF COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Enrolled **SB 558** recalled from the Governor's Office reported properly corrected, as provided under Joint Rule No. 20.

The above numbered enrolled Bill was ordered returned to the Governor.

# PENDING CONSIDERATION OF HAS

Upon motion of President Pro Tempore Smith, the Senate concurred in **HA** to **SB 362**.

**SB 362**, as amended by the Honorable House, was read at length. On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Inhofe, Lane, Luton, McGraw, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Young.—27.

Nay: Atkinson, Baldwin, Berrong, Boecher, Field, Holden, Horn, Howard, Keels, McCune, McSpadden, Martin, Miller, Romang, Stansberry, Taliaferro, Williams.—17.

Excused: Dacus, Graves, Porter, Terrill.—4.

The bill, as amended, was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

# REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 546** correctly engrossed.

**SCR 72** correctly enrolled.

Engrossed **SB 546** was properly signed and ordered transmitted to the Honorable House for consideration.

Senator Grantham presiding.

Enrolled **SCR 72** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

# GENERAL ORDER

**SJR 48** by Baggett was read and considered.

Senator Smalley moved that **SJR 48** be stricken from the Calendar and referred to the Interim Tax Revision Study Committee.

Senator Payne presiding.

Senator Baldwin moved to table the Smalley motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Birdsong, Breckinridge, Crow, Ferrell, Garrett, Ham, Horn, Howard, Keels, Luton, McGraw, Short, Stansberry.—15.

Nay: Atkinson, Boecher, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Inhofe, Lane, McCune, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—26.

Excused: Berrong, Bradley, Dacus, Massey, Medearis, Nichols, Porter.—7.

The vote occurring upon the Smalley motion, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Boecher, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Inhofe, Lane, McCune, McSpadden, Martin, Payne, Phillips, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—23.

Nay: Baggett, Baldwin, Birdsong, Breckinridge, Crow, Ferrell, Garrett, Ham, Horn, Howard, Keels, Luton, McGraw, Murphy, Romang, Short, Stansberry.—17.



Excused: Berrong, Bradley, Dacus, Massey, Medearis, Miller, Nichols, Porter.—8.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 1:00 p.m., tomorrow, which motion was declared adopted.

Senator Smalley presiding.

**MESSAGE FROM THE HOUSE**

Advising rejection of SAs to Engrossed HB 1247, requesting Conference and nam-

ing Conferees as follows: Clemons, Monks and Cox.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled SCR 72.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.



## Forty-second Legislative Day

Wednesday, March 18, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—44.

Excused: Dacus, Ferrell, McSpadden, Young.—4.

The President declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Martin:

Almighty God, our Father, the Creator of the heavens and the earth, the visible and the invisible, we thank Thee for Your love toward us while we were alien sinners, that You gave Your own Son to die in our stead and through His shed Blood we have Eternal Life. Be with the Senate today that they might work for the best interest of our State. In Jesus name we pray.

The Journal for the last legislative day was declared approved.

### COMMUNICATION

Senator Crow asked unanimous consent, which was granted, to have read and in-

corporated in the Journal the following communication:

Senator Basil Wilson, Secretary  
Oklahoma State Senate

Dear Sir:

In response to your most generous congratulations, extended to me by your Honorable Body, on February 17, 1970, may I say that I do not have words to sufficiently express my sincere appreciation for this most generous gesture on the part of the Oklahoma State Senate.

May I say I feel that affairs of State are still in good hands with such people as you.

Sincerely,  
D. L. Jones.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 10 and 487; SB 502-coauthored by Boettcher and Hancock; SB 626-coauthored by Andrews, Miskelly and Hancock; SJR 22; and SJR 29-coauthored by McCune, each as amended.

HA to SB 10 read as follows, and consideration deferred:

Amendment No. 1. Amend by striking the Title, Enactment Clause and entire Bill and substituting the following:

"An Act relating to schools; amending 70 O. S. 1961, § 4-22, pertaining to powers of Board of Education; providing for leasing of publicly owned lands by school district and construction of improvements thereon; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:



SECTION 1. 70 O. S. 1961, § 4-22, is amended to read as follows:

§ 4-22. The board of education of each school district shall have power to elect its own officers; to make rules and regulations, not inconsistent with the law or rules and regulations of the State Board of Education, governing the board and the school system of the district; to maintain and operate a complete public school system of such character as the board of education shall deem best suited to the needs of the school districts; to designate the schools to be attended by the children of the district; to provide and operate, when deemed advisable, cafeterias or other eating accommodations, thrift banks or other facilities for the teaching and practice of thrift and economy, book stores, print shops, vocational and other shops, to purchase, construct or rent, and operate and maintain, classrooms, libraries, auditoriums, gymnasiums, stadia, recreation places and playgrounds, teacherages, school bus garages, laboratories, administration buildings, and other schoolhouses and school buildings, and to acquire sites and equipment therefor; TO LEASE ANY PUBLICLY OWNED LAND NEEDED FOR SCHOOL PURPOSES AND USE ANY MONIES IN THE GENERAL REVENUE FUND OF THE DISTRICT AVAILABLE THEREFOR TO CONSTRUCT IMPROVEMENTS THEREON IN FURTHERANCE OF SAID PURPOSES; to have school district property insured; to acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes; to dispose of property no longer needed by the district by sale, exchange, lease or otherwise; to purchase necessary property, equipment, furniture and supplies necessary to maintain and operate an adequate school system; to incur all expenses, within the limitations provided by law, necessary to carry out and fulfill all powers herein granted, to contract with and fix the duties and compensation of physicians,

dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district and pay their necessary travel expenses, and pay necessary travel expenses of members of the board of education; and to exercise sole control over all of the schools and property of the district, subject to other provisions of the Oklahoma School Code. Provided, that the boards of education of two or more school districts may enter into cooperative agreements and maintain joint programs, including but not limiting to courses of instruction for handicapped children; courses of instruction in music and other subjects; practical instruction for trades and vocations; practical instruction in driver training courses; and health programs, including visual care by persons legally licensed for such purpose, without favoritism as to either profession. Provided, further, that any school district may operate or maintain a school or schools on any military reservation which is within the boundaries of such school district or which is adjacent to such school district, and provide the instruction in such school or schools to children of personnel on the military reservation; and in doing so shall conform to all Federal laws and requirements.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

HAs to SB 487 read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 23, by striking the words "or similar institution,".

Amendment No. 2. Amend Page 1, Line 33, by striking the words "or other aid".

Amendment No. 3. Amend Page 1, Line 34, by inserting between the words

"of" and "furthering" the word "directly".

Amendment No. 4. Amend Page 1, Line 36, to Page 2, Line 2, by striking the words and figures "sixteen (16) or more years of age" and inserting in lieu thereof the following: "who is (a) sixteen (16) years of age, with written approval of his parent or guardian, or (b) sixteen (16) years of age and does not reside with a parent or guardian, or (c) eighteen (18) years of age or older, with or without approval of his parent or guardian".

**HAs to SB 502** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Section 1, Lines 16 thru 18, by deleting the words "a license under Chapter 271, 1968 Oklahoma Session Laws (59 O.S. 1969, Supp. § 15.1 et seq.)" and inserting in lieu thereof: "HIS AUTHORITY TO PRACTICE ACCOUNTING UNDER CHAPTER 188, 1965 OKLAHOMA SESSION LAWS (59 O. S. 1969 SUPP., § § 15.1 THROUGH 15.29) AS AMENDED".

Amendment No. 2. Amend Page 2, Section 1, Line 19½, by adding a new subchapter (xi) to read as follows: "(XI) A PSYCHOLOGIST PURSUANT TO LICENSE UNDER CHAPTER 347, 1965 OKLAHOMA SESSION LAWS (59 O. S. 1969 SUPP., § § 1351 THROUGH 1375), AND ANY SUBSEQUENT LAWS REGULATING THE PRACTICE OF PSYCHOLOGY."

Amendment No. 3. Amend the Title to read as follows:

"An Act relating to professional corporations; amending Section 1, Chapter 342, O. S. L. 1963 (18 O. S. Supp. 1969, § 803), by adding public accountants and psychologists to the list of professional persons who may incorporate under the provisions of the Professional Corporation Act; amending 18 O. S. 1961, § 808, to delete the restriction of professional corporations to one office; and declaring an emergency."

**HA to SB 626** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 31, by striking the period and inserting the following language: "in cities and towns with a population of five thousand (5,000) or more."

**HA to SJR 22** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 34, by striking the word "ensuing" and inserting "1970-1971" and striking the period and adding the following: "and shall be eligible to participate in allocations of state money on the same basis as other schools to the extent of eighty-five percent (85%) of the total number of potential students accepted as an estimate by the State Department of Education."

**HA to SJR 29** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Lines 9 and 19, by changing the name "Johnson" to read "Johnston".

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1060**—By Cox, et al, of the House and Ferrell and Baggett of the Senate—A Concurrent Resolution memorializing the U. S. Army Corps of Engineers to continue a study of the feasibility of extending the Arkansas River Navigation System to a point near Oklahoma City; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

## CITATIONS

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the Girls' Basketball Team of Muldrow High School upon being selected to represent Sequoyah County in the State Basketball Tournament.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the Muldrow High School Boys' Basketball Team upon winning the District Championship.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 294** correctly engrossed.

Engrossed **SB 294** was properly signed and ordered transmitted to the Honorable House for consideration.

## COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1641**—Judiciary—Coauthored by Young, Nichols and Garrett.

**HB 1805**—Public Health—Coauthored by Stansberry and McCune.

DO PASS, as amended:

**HB 1292**—Judiciary—Coauthored by Romang.

**HB 1461**—Judiciary—Coauthored by Berong.

**HB 1532**—Judiciary—Coauthored by Short.

**HB 1703**—Judiciary—Coauthored by Nichols, Garrett, Young and Short.

## GENERAL ORDER

**SB 612** by McGraw was read and considered.

Senator Baggett moved to amend **SB 612**, page 5, beginning on line 14, by striking all of "subsection (3)" and renumbering succeeding subsections accordingly, which amendment was declared adopted.

Senator Baggett moved to amend **SB 612**, page 6, line 5, by striking the word and figure "seven (7)" and substituting there-

for the word and figure "nine (9)" and on line 16, page 6, by inserting after the word "technicians" the sentence "Two members shall be persons who are certified by the American Board of Pathology", which amendment was declared adopted.

President Pro Tempore Smith presiding.

Senator Baggett moved to amend **SB 612**, page 8, by striking lines 7 through 18, inclusive, which amendment was declared adopted.

Senator Short moved to amend **SB 612**, page 10 by striking on lines 7 and 8, after the word "least" the words and figure "three (3) years" and by removing the parentheses on line 8 before the word "ninety" and after the word "hours", which amendment was declared adopted.

Senator Luton moved to amend **SB 612**, page 10, line 16, by adding after the word "experience" the language "and in addition thereto satisfy the requirements of sub-section 1, (b) or (c) of Section 8" which amendment was declared adopted.

Senator Luton moved to amend **SB 612**, page 12, line 1, by adding after the word "experience" the language "and in addition thereto satisfy the requirements of sub-section 2, (b) or (c) of Section 8" which amendment was declared adopted.

Senator Baggett moved to amend **SB 612**, page 10, by striking lines 17 and 18, which amendment was declared adopted.

Senator Smalley presiding.

Senator Short moved to amend **SB 612**, page 11, line 11, by striking the words and figure "two (2) years" and by removing the parentheses before the word "sixty" and after the word "hours" which amendment was declared adopted.

Senator Stansberry moved to amend **SB 612**, page 15, line 9, by striking the semicolon (;) and inserting in lieu thereof a comma (,) after the word "act" and by adding the language "such rules and regulations to meet minimum requirements of Federal Law on the rules and regula-



tions promulgated thereunder" which amendment was declared adopted.

Upon motion of Senator McGraw, **SB 612**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McGraw, **SB 612**, as amended, was considered engrossed and placed on third reading and final passage.

### THIRD READING

**SB 612** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Garrison, Grantham, Ham, Hargrave, Holden, Inhofe, Keels, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—25.

Nay: Berrong, Boecher, Bradley, Breckinridge, Field, Garrett, Graves, Hamilton, Horn, Howard, Lane, Luton, Medearis, Stansberry, Stipe.—15.

Excused: Baldwin, Dacus, Ferrell, McCune, McSpadden, Phillips, Porter, Young.—8.

The bill was declared passed.

**SB 612**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 614, 640** and **SCR 75** each correctly engrossed.

**SBs 549, 609** and **SJR 35** and **45** each correctly enrolled.

Engrossed **SBs 614, 640** and **SCR 75** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 549, 609** and **SJR 35** and **45** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### MESSAGE FROM THE HOUSE

The House respectfully requests the return of Engrossed **SJR 46** by the Honorable Senate, for the purpose of making corrections in said Joint Resolution.

Pursuant to the above request, Senator Garrison moved that **SJR 46** be ordered withdrawn from the Engrossing and Enrolling Department and returned to the Honorable House, which motion was declared adopted.

### GENERAL ORDER

**SB 585** by Young was called up for further consideration.

Senator Murphy moved to amend **SB 585**, page 2, beginning on line 10, by striking the language contained on lines 10 and 11, and on line 12, before the word "to" and substituting therefor the language "Such insurance shall be purchased on standard policy forms through the Central Purchasing Division of the Board of Public Affairs" which amendment was declared adopted.

Upon motion of Senator Murphy, **SB 585**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 585**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**SB 585** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Keels, Luton, Martin, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe.—23.

Nay: Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Hamilton, Hargrave, Horn, Inhofe, Lane, McCune,

Medearis, Nichols, Stansberry, Taliaferro, Terrill, Williams.—19.

Excused: Dacus, Ferrell, McGraw, McSpadden, Massey, Young.—6.

The bill was declared failed of passage.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Murphy moved that the vote be reconsidered by which **SB 585**, as amended, failed of passage.

#### **GENERAL ORDER**

Senator Baggett asked unanimous consent that **SJR 18** be ordered withdrawn from the Calendar and re-referred to the Committee on Constitutional Revisions and Regulatory Services, which was the order.

President Pro Tempore Smith presiding.

#### **MOTION TO RECONSIDER VOTE**

The vote occurring upon the Romang motion to reconsider the vote by which **SB 645**, as amended, failed of passage, it was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, Massey, Miller, Payne, Phillips, Porter, Smith, Stipe, Terrill.—23.

Nay: Baldwin, Berrong, Breckinridge, Crow, Garrison, Ham, Inhofe, McCune, McGraw, Murphy, Nichols, Romang, Short, Stansberry, Williams.—15.

Excused: Boecher, Dacus, Ferrell, Garrett, McSpadden, Martin, Medearis, Smalley, Taliaferro, Young.—10.

Senator Payne presiding.

President Pro Tempore Smith moved that the Senate stand recessed until 3:45 p.m., which motion was declared adopted.

At 3:45 p.m., the Senate reassembled with President Pro Tempore Smith presiding.

Senator Terrill raised the question of "no quorum".

The President Pro Tempore ordered the roll called and declared a quorum was present.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 320, 570, 655** and **SCRs 73** and **74** each correctly engrossed.

Engrossed **SBs 320, 570, 655, SCR 73** and **74** were properly signed and ordered transmitted to the Honorable House for consideration.

#### **PENDING CONSIDERATION OF HAS**

Senator Garrison moved that the Senate concur in **HA** to **SB 559**, which motion was declared adopted.

**SB 559**, as amended by the Honorable House, was read at length.

On the question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Taliaferro, Terrill, Williams.—32.

Excused: Baggett, Crow, Dacus, Ferrell, Horn, Keels, Lane, McGraw, McSpadden, Martin, Phillips, Porter, Smalley, Stansberry, Stipe, Young.—16.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Taliaferro, Terrill, Williams.—32.

Excused: Baggett, Crow, Dacus, Ferrell, Horn, Keels, Lane, McGraw, McSpadden,

Martin, Phillips, Porter, Smalley, Stansberry, Stipe, Young.—16.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Romang moved that the Senate concur in **HA** to **SB 550**, which motion was declared adopted.

**SB 550**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams.—36.

Excused: Dacus, Ferrell, Horn, Keels, Lane, McGraw, McSpadden, Payne, Porter, Smalley, Stansberry, Young.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams.—36.

Excused: Dacus, Ferrell, Horn, Keels, Lane, McGraw, McSpadden, Payne, Porter, Smalley, Stansberry, Young.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

## DECLARATION OF VOTE

Senator McCune asked that the record show, had he been present at the time of Third Reading and final passage of **SB 612**, he would have voted AYE, which was the order.

## GENERAL ORDER

Senator Hamilton moved that **SJR**s 47 and 49 be withdrawn from the Calendar and referred to the Interim Committee on Constitutional Revision and Regulatory Services; and, that copies of said Resolutions be furnished the Interim Tax Revision Study Committee for its consideration, which motion was declared adopted.

Senator Phillips moved that **SB 646** be withdrawn from the Calendar and referred to the Committee on Business Relations, which motion was declared adopted.

## GENERAL ORDER

**SB 520** by Nichols was read and considered.

Senator Nichols moved to amend **SB 520**, page 1, by striking the Enacting Clause, which amendment was declared adopted.

Upon motion of Senator Nichols, **SB 520**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **SB 520**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**SB 520** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, Murphy, Nich-



ols, Payne, Phillips, Short, Stipe, Taliaferro.—28.

Nay: Baldwin, Bradley, Howard, Keels, Martin, Miller, Romang, Smith, Williams.—9.

Excused: Breckinridge, Dacus, Ferrell, McSpadden, Massey, Medearis, Porter, Smalley, Stansberry, Terrill, Young.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Field, Garrett, Garison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, Murphy, Nichols, Payne, Phillips, Short, Stipe, Taliaferro.—28.

Nay: Baldwin, Bradley, Howard, Keels, Martin, Miller, Romang, Smith, Williams.—9.

Excused: Breckinridge, Dacus, Ferrell, McSpadden, Massey, Medearis, Porter, Smalley, Stansberry, Terrill, Young.—11.

The emergency was declared failed of passage.

**SB 520**, as amended, was referred for engrossment.

## ANNOUNCEMENT

Senator Terrill announced it is his intention to move to strike all House Bills and House Joint Resolutions in Senate Committees on Tuesday of next week, March 24, 1970.

Senator Young asked to be shown present, which was the order.

Senator Hamilton presiding.

## GENERAL ORDER

**SB 573** by Murphy was read and considered.

Senator Breckinridge raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

Senator Berrong moved to amend **SB 573**, page 2, beginning on line 9, by striking all of Section 2, by renumbering subsequent sections accordingly, and by amending the Title to conform thereto, which amendment was declared adopted.

Senator Baggett moved to amend **SB 573**, page 4, beginning on line 5, by striking all of Section 3, and by renumbering succeeding sections accordingly.

Senator Murphy moved to table the Baggett amendment, which motion was declared failed of adoption.

The vote occurring upon the Baggett amendment, it was declared adopted.

Senator Breckinridge moved to amend **SB 573**, page 8, beginning on line 8, by striking Section 6, and by renumbering the succeeding sections accordingly, which amendment was declared adopted.

Senator Murphy moved that **SB 573**, together with attached amendments, be referred to the Committee on Governmental Affairs, which motion was declared adopted.

## GENERAL ORDER

**SB 485** by Stipe was read and considered.

Senator McGraw asked to be made a coauthor of **SB 485**, which was the order.

Senator Stipe, joined by Senator Garison, moved to amend **SB 485**, by striking the Enacting Clause, which amendment was declared adopted.

Senator Garrison moved to amend **SB 485** by crippling the Title, which amendment was declared adopted.

Upon motion of Senator Stipe, **SB 485** was advanced to engrossment.

Senator McGraw moved to re-refer **SB 485** to the Judiciary Committee.

Senator Stipe moved to table the McGraw motion, which motion was declared failed of adoption.

The vote occurring upon the McGraw motion, it was declared adopted.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 507, 512 and 602.

The above numbered Bills were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 549, 609 and SJRs 35 and 45.

The above numbered Enrolled Bills and or Resolutions were referred to the Governor.

### GENERAL ORDER

SB 574 by Stipe was read and considered.

Senator Berrong moved to amend SB 574, page 1, by striking the Title except for the first three lines thereof, which amendment was declared adopted.

Upon motion of Senator Stipe, SB 574, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 574 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SB 574 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Breckinridge, Crow, Field, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Keels, Lane, McGraw, Martin, Massey, Murphy, Payne, Romang, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—25.

Nay: Atkinson, Berrong, Garrett, Grantham, Holden, Inhofe, McCune, Miller, Short.—9.

Excused: Baldwin, Boecher, Bradley, Dacus, Ferrell, Howard, Luton, McSpadden, Medearis, Nichols, Phillips, Porter, Smalley, Stansberry.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Breckinridge, Crow, Field, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Keels, Lane, McGraw, Martin, Massey, Murphy, Payne, Romang, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—25.

Nay: Atkinson, Berrong, Garrett, Grantham, Holden, Inhofe, McCune, Miller, Short.—9.

Excused: Baldwin, Boecher, Bradley, Dacus, Ferrell, Howard, Luton, McSpadden, Medearis, Nichols, Phillips, Porter, Smalley, Stansberry.—14.

The emergency was declared failed of passage.

SB 574, as amended, was referred for engrossment.

### GENERAL ORDER

SJR 51 by Baggett was read and considered.

Senator Garrison asked to be made a coauthor of SJR 51, which was the order.

Upon motion of Senator Baggett, SJR 51 was advanced to engrossment.

Senator Young moved that SJR 51 be re-referred to the Committee on Constitutional Revisions and Regulatory Services, which motion was tabled upon motion of Senator Baggett.

By unanimous consent, upon request of Senator Baggett, SJR 51, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SJR 51 was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Baggett, Breckinridge, Crow, Field, Garrett, Garrison, Ham, Inhofe, Luton, McCune, McGraw, Murphy, Romang, Short, Terrill.—15.

Nay: Birdsong, Grantham, Hamilton, Hargrave, Holden, Horn, Keels, Lane, Martin, Miller, Payne, Stipe, Taliaferro, Williams, Young.—15.

Excused: Atkinson, Baldwin, Berrong, Boecher, Bradley, Dacus, Ferrell, Graves, Howard, McSpadden, Massey, Medearis, Nichols, Phillips, Porter, Smalley, Smith, Stansberry.—18.

The Resolution was declared failed of passage.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Baggett moved that the vote be reconsidered by which **SJR 51** failed of passage.

#### **MOTION**

Senator Terrill moved to strike all Senate Bills and Senate Joint Resolutions remaining on the Calendar under GENERAL ORDER, which motion was declared adopted.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m., tomorrow, which motion was declared adopted.

The desk being clear, the Senate was declared adjourned until 11:00 a.m., tomorrow.



## Forty-third Legislative Day

Thursday, March 19, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Atkinson, Dacus, Graves, Ham, McSpadden, Smalley, Smith, Stansberry.—8.

The President declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Martin:

Our Heavenly Father, we pray that this Senate will realize that we all have three things in common; we are all born alike, of a woman; we are all saved alike, for by grace are ye saved through faith and that not of yourself; it is a gift of God, not of works lest any man should boast. We all die alike, rich or poor, learned or unlearned. In Jesus name we pray.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed **SB 238**-coauthored by Bickford; **SB 375**-coauthored by Hutchens, Har-

grave, Sandlin and McCune; **SB 518**-coauthored by Goodfellow, Wixson and Hutchens; and **SB 540**.

The above numbered Bills were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed **SB 504**-coauthored by Spearman; **SB 537**-coauthored by Cate; **SB 581**, **SB 601**, and **SB 607**-coauthored by Sanguin, each as amended.

**HA to SB 504** read as follows, and consideration deferred:

Amendment No. 1. Strike Title, Enactment Clause and entire bill and substitute the following:

"An Act relating to bonds or other obligations; allowing bonds or other obligations issued by counties, municipalities, school districts, or Indian housing authorities to bear interest at a rate deemed advisable by the governing bodies thereof; providing a rate of interest not excessive of seven and one-half percent per annum until July 1, 1971, and thereafter the rate of interest shall not exceed six percent per annum; repealing conflicting laws or parts of laws; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Bonds or other obligations of any type or character authorized and issued by counties, municipalities, school districts, or Indian Housing Authorities may bear interest at a rate not to exceed seven and one-half percent (7½%) per annum, payable not more often than semi-

annually, without regard to the limitations in any other law, general or special, except the Constitution of Oklahoma. Provided further that after July 1, 1971, no bonds or obligations may be offered at a rate exceeding six percent (6%) per annum.

Section 2. Nothing contained herein shall effect or apply to any bond or other obligation having a higher interest rate limitation than seven and one-half percent (7½%) per annum or no interest rate limitation.

Section 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Section 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HAs to SB 537** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, by striking the Title and inserting new Title to read as follows: "An Act relating to civil procedure; amending 12 O. S. 1961, § 936, as amended by Section 1, Chapter 135, O. S. L. 1967 (12 O. S. Supp. 1969, § 936); amending Section 3-404, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 3-404); providing for the taxing of attorney fees as costs in certain instances; and declaring an emergency."

Amendment No. 2. Amend Page 2, Section 2, Line 26, by deleting all of Section 2 and place in lieu thereof the following new Section 2 which reads: "Section 3-404, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 3-404), is amended to read as follows:

§ 3-404. EXCEPT AS PROVIDED BY THE PROVISIONS ON LIMITATIONS ON ATTORNEY'S FEES AS TO CERTAIN SUPERVISED LOANS (SECTION 3-514), [with] WITH respect to a consumer

[credit sale or a consumer lease] LOAN the agreement may provide for the payment by the [buyer or lessee] DEBTOR of reasonable attorney's fees not in excess of fifteen percent (15%) of the unpaid debt after default and referral to an attorney not a salaried employee of the [seller, or of the lessor or his assignee] LENDER. A provision in violation of this section is unenforceable."

**HA to SB 581** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Section 1, Line 14, by deleting the words "each judge" and place in lieu thereof the words "the clerk".

**HA to SB 601** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 11, by striking the language "Be it enacted by the people of the State of Oklahoma:".

**HA to SB 607** read as follows, and consideration deferred:

Amendment No. 1. Restore Title to read as follows:

"An Act relating to motor vehicles—Commissioner of Public Safety; amending 47 O. S. 1961, § 2-102, as amended by Section 1, Chapter 20, O. S. L. 1967 (47 O. S. Supp. 1969, § 2-102); increasing salary of the Commissioner of Public Safety from Fifteen Thousand Dollars to Nineteen Thousand Five Hundred Dollars per annum; and declaring an emergency."

## COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1627**—Judiciary-coauthored by Grantham.

**HB 1747**—Public Affairs.

**HB 1808**—Revenue and Taxation.

DO PASS, as amended:

**HB 1510**—Judiciary-coauthored by Young

**HB 1540**—Judiciary.

**HB 1547**—Judiciary.

**HB 1630**—Public Affairs.

## RESOLUTION

**SCR 76** by Williams of the Senate and Thornhill of the House was introduced and read as follows:

A Concurrent Resolution recalling from the Office of the Governor Senate Bill No. 517 passed by the Second Session of the Thirty-Second Oklahoma Legislature.

**SCR 76** was considered, read at length, adopted upon motion of Senator Williams and ordered referred for engrossment.

## GENERAL ORDER

**HB 1389** by Lindstrom of the House and Terrill of the Senate was read and considered.

Upon motion of Senator Terrill, **HB 1389** was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, **HB 1389** was placed upon third reading and final passage.

## THIRD READING

**HB 1389** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Grantham.—1.

Excused: Atkinson, Dacus, Garrison, Graves, Ham, McSpadden, Phillips, Porter, Short, Smalley, Smith, Stansberry, Williams.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Grantham.—1.

Excused: Atkinson, Dacus, Garrison, Graves, Ham, McSpadden, Phillips, Porter, Short, Smalley, Smith, Stansberry, Williams.—13.

The emergency was declared passed.

**HB 1389** was ordered withheld pursuant to Rule 19-f.

Senator Stansberry asked to be shown present, which was the order.

## GENERAL ORDER

**HB 1543** by Smith (Norman), et al, of the House and Berrong, Inhofe and Grantham of the Senate was read and considered.

Upon motion of Senator Berrong, **HB 1543** was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1543** was placed upon third reading and final passage.

## THIRD READING

**HB 1543** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Atkinson, Dacus, Graves,



Ham, McSpadden, Phillips, Porter, Smalley, Smith.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Atkinson, Dacus, Graves, Ham, McSpadden, Phillips, Porter, Smalley, Smith.—9.

The emergency was declared passed.

#### **MOTIONS TO RECONSIDER VOTE**

As provided under Rule 19-f, Senator Baggett moved that the vote be reconsidered by which **HB 1543** passed; and, that the vote be reconsidered by which the Emergency Section of **HB 1543** passed.

Senator Graves asked to be shown present, which was the order.

Senator Baldwin presiding.

#### **GENERAL ORDER**

**HB 1784** by Sparkman of the House and Nichols, Miller and Martin of the Senate was read and considered.

Senator Stansberry moved to amend **HB 1784**, page 10, line 14, by striking all of Section 4 and by renumbering subsequent sections accordingly, which amendment was tabled upon motion of Senator Nichols.

Upon motion of Senator Nichols, **HB 1784** was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **HB 1784** was placed upon third reading and final passage.

#### **THIRD READING**

**HB 1784** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Stansberry, Stipe, Taliaferro, Williams, Young.—33.

Excused: Atkinson, Berrong, Dacus, Garrett, Ham, Howard, Luton, McSpadden, Massey, Medearis, Phillips, Porter, Smalley, Smith, Terrill.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Stansberry, Stipe, Taliaferro, Williams, Young.—33.

Excused: Atkinson, Berrong, Dacus, Garrett, Ham, Howard, Luton, McSpadden, Massey, Medearis, Phillips, Porter, Smalley, Smith, Terrill.—15.

The emergency was declared passed.

#### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Stansberry moved that the vote be reconsidered by which **HB 1784** passed.

#### **PENDING SENATE ACTION**

**SR 58** by Nichols was called up for consideration, read at length as follows, adopted upon motion of Senator Nichols and ordered referred for enrollment:

**SR 58**—By Nichols of the Senate—A Resolution directing an interim study of the feasibility of requiring a certificate of necessity issued by the licensing authority prior to the establishment, construc-

tion or expansion of any hospital, nursing home or other health facility.

WHEREAS, hospitals, nursing homes and other health facilities are being constructed and extended without regard to any need therefor in the community where located, and

WHEREAS, many health facilities are maintaining some services not being fully utilized, and

WHEREAS, some communities do not have any, or do not have sufficient, health facilities, and

WHEREAS, proper planning for, and limitations on the establishment, construction and extension of health facilities, and services offered at such facilities, have resulted in better care and lower charges for the care of patients in other states, and

WHEREAS, A Bill on this subject was introduced too late in the current session of the Legislature to receive sufficient committee study.

Now, therefore, be it resolved by the Senate of the Second Session of the Thirty-second Oklahoma Legislature:

SECTION 1. The Executive Committee of the State Legislative Council is directed to refer to the appropriate standing committee, or to a special committee or subcommittee, for study during the 1970 legislative interim, the feasibility of requiring a certificate of necessity issued by the licensing authority before a hospital, nursing home or other health facility is established, constructed or expanded.

#### GENERAL ORDER

HB 1514 by Raibourn of the House and Hamilton of the Senate was read and considered.

Senator Miller moved to amend HB 1514, page 17, line 13, by adding after the word "years" and before the word "no" the language "provided however that the Board of County Commissioners may at their discretion call an election for the

purpose of determining such successors with the cost of said election to be paid for by the county. Filings for said election shall be made with the County Election Board which shall conduct the election".

Senator Hamilton moved to table the Miller amendment, which motion was declared failed of adoption, upon a roll call as follows:

Aye: Baggett, Berrong, Breckinridge, Crow, Field, Garrison, Grantham, Hamilton, Horn, Inhofe, Lane, McCune, Romang, Short, Stipe, Terrill, Williams, Young.—18.

Nay: Baldwin, Birdsong, Boecher, Bradley, Ferrell, Garrett, Graves, Hargrave, Holden, Howard, Keels, Luton, McGraw, Martin, Massey, Miller, Murphy, Payne, Porter, Stansberry.—20.

Excused: Atkinson, Dacus, Ham, McSpadden, Medearis, Nichols, Phillips, Smalley, Smith, Taliaferro.—10.

The vote occurring upon the Miller amendment, it was declared adopted.

Upon motion of Senator Hamilton, HB 1514, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, HB 1514, as amended, was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HB 1514 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Williams, Young.—37.

Excused: Atkinson, Dacus, Ham, Mc-

Spadden, Medearis, Nichols, Phillips, Smalley, Smith, Taliaferro, Terrill.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Williams, Young.—37.

Excused: Atkinson, Dacus, Ham, McSpadden, Medearis, Nichols, Phillips, Smalley, Smith, Taliaferro, Terrill.—11.

The emergency was declared passed.

**HB 1514**, as amended, was referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1797**, requesting Conference and naming Conferees as follows: Connor, Murphy and Sullivan.

Upon motion of Senator Garrison, the request of the Honorable House for a conference on **HB 1797** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, Senator Baldwin, designated by the President Pro Tempore so to do, announced the appointment of the following Senate Conferees under **HB 1797**: Garrison, Hamilton and Stipe.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 520, 612, 656** and **SCR 76** each correctly engrossed.

**SBs 362, 507, 512, 550** and **602** each correctly enrolled.

Engrossed **SBs 520, 612, 656** and **SCR 76** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 362, 507, 512, 550** and **602** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### GENERAL ORDER

**HB 1632** by Sullivan et al, of the House and Hamilton of the Senate was read and considered.

Upon motion of Senator Hamilton, **HB 1632** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **HB 1632** was placed upon third reading and final passage.

#### THIRD READING

**HB 1632** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, Martin, Massey, Miller, Payne, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Nay: Garrison, McCune, Murphy, Young.—4.

Excused: Atkinson, Crow, Dacus, Ham, McSpadden, Medearis, Nichols, Phillips, Smalley, Smith.—10.

The bill was declared passed.

**HB 1632** was ordered withheld pursuant to Rule 19-f.

#### GENERAL ORDER

**HB 1659** by Witt of the House and Hamilton of the Senate was read and considered.

Upon motion of Senator Hamilton, **HB 1659** was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **HB 1659** was considered engrossed and placed upon third reading and final passage.



### THIRD READING

**HB 1659** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Atkinson, Crow, Dacus, Ham, McSpadden, Massey, Miller, Nichols, Phillips, Smalley, Smith.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Atkinson, Crow, Dacus, Ham, McSpadden, Massey, Miller, Nichols, Phillips, Smalley, Smith.—11.

The emergency was declared passed.

**HB 1659**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1753** by Connor, et al, of the House and Garrison of the Senate was read and considered.

Senators Inhofe, Ferrell, Terrill and Birdsong asked to be made coauthors of **HB 1753**, which was the order.

Senator Garrison, joined by Senator Martin, moved to amend **HB 1753**, page 5, beginning on line 3, by striking the language "Twenty-five Dollars (\$25.00) per

month, and on January 1, 1971, shall receive an additional Twenty-five Dollars (\$25.00) per month" and by substituting therefor the language "Fifty Dollars (\$50.00) per month" which amendment was declared adopted.

Senator Garrison, joined by Senator Martin, moved to amend **HB 1753**, page 21, beginning on line 11, by striking the language "Twenty-five Dollars (\$25.00) per month, and on January 1, 1971, shall receive an additional Twenty-Five Dollars (\$25.00) per month" and by substituting therefor the language "Fifty Dollars (\$50.00) per month" which amendment was declared adopted.

Senator Garrison, joined by Senator Martin, moved to amend **HB 1753**, page 31, beginning on line 1 by striking the language "Twenty-Five Dollars (\$25.00) per month, and on January 1, 1971, shall receive an additional Twenty-Five Dollars (\$25.00) per month" and substituting therefor the language "Fifty Dollars (\$50.00) per month" which amendment was declared adopted.

Senator Garrison moved to amend **HB 1753** by restoring the title, which amendment was declared adopted.

Following discussion, Senator Garrison asked unanimous consent to withdraw his amendment restoring the title to **HB 1753**, which was the order.

Upon motion of Senator Garrison, **HB 1753**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **HB 1753**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1753** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Fer-

rell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Atkinson, Berrong, Dacus, Ham, Hamilton, Hargrave, Keels, McSpadden, Nichols, Phillips, Smalley, Smith, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Stansberry, Stipe, Terrill, Williams, Young.—36.

Excused: Atkinson, Berrong, Dacus, Ham, Hargrave, Keels, McSpadden, Nichols, Phillips, Smalley, Smith, Taliaferro.—12.

The emergency was declared passed.

**HB 1753**, as amended, was referred for engrossment.

Senator Massey presiding.

## GENERAL ORDER

**HB 1591** by Bradley, et al, of the House and Crow of the Senate was read and considered.

Senator Payne presiding.

Senator Breckinridge moved to amend **HB 1591**, page 2, line 9, by deleting after the word "of" and before the word "acording" the figure "100,000" and by substituting therefor the figure "400,000".

Following discussion, Senator Crow moved that **HB 1591**, together with all pending amendments be deferred for this legislative day, which motion was declared adopted.

## MOTION TO RECONSIDER VOTE

Senator Baldwin asked for an extension

of one legislative day for consideration of his motion to reconsider the vote by which **SB 516** failed of passage, which was the order.

## GENERAL ORDER

**HB 1723** by Allard, et al, of the House and Holden of the Senate was read and considered.

Senator Birdsong asked to be made a coauthor of **HB 1723**, which was the order.

Upon motion of Senator Holden, **HB 1723** was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, **HB 1723** was placed upon third reading and final passage.

## THIRD READING

**HB 1723** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Lane, Luton, Martin, Murphy, Payne, Stipe, Taliaferro, Terrill.—17.

Nay: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Horn, Howard, Inhofe, Keels, McCune, McGraw, Miller, Romang, Short, Stansberry, Williams, Young.—19.

Excused: Atkinson, Dacus, Ham, Hargrave, McSpadden, Massey, Medearis, Nichols, Phillips, Porter, Smalley, Smith.—12.

The bill was declared failed of passage.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Holden moved that the vote be reconsidered by which **HB 1723** failed of passage.

## PENDING CONSIDERATION OF CCRs

Upon motion of Senator Stipe, the Conference Committee Report on **HB 1522** was declared adopted.

**HB 1522**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, Payne, Romang, Short, Stansberry, Stipe, Terrill, Young.—28.

Nay: Keels, McCune.—2.

Excused: Atkinson, Boecher, Dacus, Ham, Hargrave, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Smalley, Smith, Taliaferro, Williams.—18.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Payne, Romang, Short, Stansberry, Stipe, Terrill, Williams, Young.—33.

Excused: Atkinson, Birdsong, Boecher, Dacus, Ham, Hargrave, McSpadden, Medearis, Miller, Nichols, Phillips, Porter, Smalley, Smith, Taliaferro.—15.

The emergency was declared passed.

**HB 1522**, together with Conference Committee Report thereon, was ordered withheld pursuant to Rule 19-f.

The Conference Committee Report on **HB 1608** was called up for consideration.

Following discussion, Senator Keels asked that further consideration of **HB 1608**, as amended in Conference, be deferred until some future legislative day, which was the order.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

The Senate reassembled in open session with Senator Baldwin presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Grantham, advised and consented to the confirmation of the executive nomination of GOODWIN BROADDUS, Jr., Ponca City, as member of the Oklahoma State Board of Regents for Higher Education, to serve a nine (9) year term ending May 16, 1978, and effective upon Senate confirmation. Mr. Broaddus succeeds himself.

The Senate, in executive session and upon motion of Senator Grantham, advised and consented to the confirmation of the executive nomination of ORVILLE BRATCHER, Ponca City, to serve as member of the Oklahoma Educational Television Authority (Educ), District 5, for a seven (7) year term ending June 30, 1976, and effective upon Senate confirmation. Mr. Bratcher replaces Dr. Parker.

The Senate, in executive session and upon motion of Senator Grantham, advised and consented to the confirmation of the executive nomination of EBER HEADY, Tonkawa, as member of the Northern Oklahoma College Board of Regents, to serve a five (5) year term ending June 30, 1974, and effective upon Senate confirmation. Mr. Heady succeeds himself.

The Senate, in executive session and upon motion of Senator Luton, advised and consented to the confirmation of the executive nomination of LEONARD BRILEY, Muskogee, as member of the State Fire Marshal Commission, to serve a five (5) year unexpired term ending July 1, 1973, and effective upon Senate confirmation. Mr. Briley replaces Mr. Walch.

The Senate, in executive session and upon motion of Senator Stipe, advised and consented to the confirmation of the executive nomination of C. L. PRIDDY, McAlester, as member of the Oklahoma Industrial Finance Authority, to serve a six (6) year term ending October 11, 1975,



and effective upon Senate confirmation. Mr. Priddy succeeds himself.

The Senate, in executive session and upon motion of Senator Romang, advised and consented to the confirmation of the executive nomination of CURTIS L. HERRALL, Enid, as member of the Board of Trustees of the Teachers' Retirement System, to serve a three (3) year term ending September 1, 1972, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Massey, advised and consented to the confirmation of the executive nomination of JOE BARKER, Durant, as member of the Oklahoma Li-quefied Petroleum Gas Board, to serve a four (4) year term ending June 30, 1973, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator McCune, advised and consented to the confirmation of the executive nomination of LUCIUS C. TI-REY, Jr., Oklahoma City, to serve as Member of the State Board for Property and Casualty Rates for an unexpired six (6) year term ending March 1, 1973, and effective upon Senate confirmation. Mr. Tirey succeeds Nelson Newman.

The Senate, in executive session and upon motion of Senator Garrison, advised and consented to the confirmation of the executive nomination of BILL DOENGES, Bartlesville, as member of the Oklahoma Motor Vehicle Commission, to serve a six (6) year term, ending June 30, 1973. Mr. Doenges will fill the unexpired term of R. W. Hughes.

The Senate, in executive session and upon motion of Senator Luton, advised and consented to the confirmation of the executive nomination of RICHARD D. CARLTON, Muskogee, as member of the Board of Vocational and Technical Education, to serve a remainder of a six (6) year term, ending April 1, 1970, and effective upon Senate confirmation. Mr. Carlton will succeed S. T. Ulmer.

The Senate, in executive session and upon motion of Senator Terrill, advised and consented to the confirmation of MILO GORDON, Lawton, as member of the Motor Vehicle Commission, to serve a six (6) year term ending June 30, 1975, and effective upon Senate confirmation. Mr. Gordon succeeds himself.

The Senate, in executive session and upon motion of Senator Miller, advised and consented to the confirmation of the executive nomination of PHIL SINNETT, Ada, as member of the Motor Vehicle Commission, to serve a six (6) year term ending June 30, 1975, and effective upon Senate confirmation. Mr. Sinnett succeeds Mr. Million.

The Senate, in executive session and upon motion of Senator Martin, advised and consented to the confirmation of the executive nomination of WALTER NEUSTADT, Jr., Ardmore, as member of the University of Oklahoma Board of Regents, to serve a seven (7) year term ending March 29, 1976, and effective upon Senate confirmation. Mr. Neustadt succeeds Quinton Little.

## RESOLUTION

**SCR 77** by Massey was introduced, read as follows, and consideration deferred for this legislative day.

A Concurrent Resolution requesting the Oklahoma Commission on Education to undertake an in-depth study of the feasibility of the development of a State University System to include certain State Colleges; and directing distribution.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until Monday, as provided under the Rules, which motion was declared adopted.

## BILLS RELEASED

As provided under Rule 19-f, **HBs 1389** and **1632** were properly signed and ordered returned to the Honorable House.

**HB 1522**, together with the Conference

Report thereon, was ordered returned to the Honorable House.

As provided under the Terrill motion, the

Senate was declared adjourned until 1:00 p.m., Monday, March 23, 1970.





## Forty-fourth Legislative Day

Monday, March 23, 1970

Pursuant to adjournment, the Senate was called to order by its President Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—46.

Excused: Dacus, Porter.—2.

The President declared a quorum present.

Prayer was offered by the Chaplain, Father Forrest O'Brien, Pastor of St. Teresa's Catholic Church of Collinsville, Oklahoma.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 20, 1970, of Enrolled SBs 372, 456, 480, 527, 558 and 600 entitled:

**SB 372**—By Grantham of the Senate and McCune of the House—An Act relating to professions and occupations; \*\*\* and declaring an emergency,

**SB 456**—By Smalley of the Senate and Conaghan of the House—An Act relating to public schools; \*\*\* providing for the election by the Board of Education of each school district from its membership

certain officers; \*\*\* and declaring an emergency,

**SB 480**—By Nichols, Garrison, McSpadden, Baggett, Field, Grantham, Breckinridge, Massey, Bradley and Boecher of the Senate and Skeith, Bickford, Boren, Finch, Connor, Musgrave, Wixson, Taggart and Williamson of the House—An Act relating to revenue and taxation; \*\*\* providing that income and gain or loss on stock options as defined in Sections 422, 423 and 424 of Internal Revenue Code shall be recognized when and to the extent recognized for federal income tax purposes and adjustments, and deductions be made under terms of Sections 421 through 425, Internal Revenue Code: \*\*\* and declaring an emergency,

**SB 527**—By Field of the Senate and Harrison of the House—An Act relating to livestock; repealing Sections 1-14, Chapter 284, O. S. L. 1967 (2 O. S. Supp. 1969, § § 1151-1164), the Oklahoma Livestock Commission Act.

**SB 558**—By Stipe and Young of the Senate and Finch of the House—An Act relating to civil procedure; amending 12 O. S. 1961, § 98; providing for tolling statute of limitations under certain conditions, notwithstanding any other provision of law; and declaring an emergency.

**SB 600**—By Garrison and Terrill of the Senate and Doornbos and Connor of the House—An Act relating to schools; \*\*\* providing for prior service credit; \*\*\* and declaring an emergency.

### MESSAGE FROM THE GOVERNOR

The following Veto Message was read,

and consideration deferred for this legislative day:

To The President and Members  
of The Honorable Senate  
Second Session,  
Thirty-second Oklahoma Legislature  
Gentlemen:

This is to advise you that on March 20, 1970, I vetoed Enrolled Senate Bill No. 495.

I have vetoed **SB 495** because the allocation of space in the Capitol Building is properly a function of the Executive branch. Further, the Legislature has made no arrangements to provide space for the present occupants of the third floor of the Capitol nor have they allocated additional funds to these occupants so they may lease space at a new location.

The Legislature presently has legal custody of their respective chambers and committee rooms. However, the Board of Affairs has given them possession of all the space on the fourth, fifth and sixth floors of the Capitol. The Legislature has never made a request of the Board for any additional space. I am certain the Board of Affairs will cooperate with the Legislature in any reasonable request for space.

#### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 23, 1970, of Enrolled SBs 549, 579, 609 and SJRs 35 and 45 entitled:

**SB 549**—By Grantham and Garrison of the Senate and Conaghan and Boettcher of the House—An Act relating to the judiciary; amending Section 2 of Chapter 350, O. S. L. 1968 (20 O. S. Supp. 1969, § 123), by enlarging jurisdiction of special judges to include default matters; and declaring an emergency.

**SB 579**—By Birdsong, Berrong, Bradley and Grantham of the Senate and Sandlin of the House—An Act relating to motor vehicles; \*\*\* to provide that Corporation Commission shall, under certain conditions upon proper showing, reinstate authority

of motor carrier, when same has been suspended or cancelled for failure to file evidence of insurance; and declaring an emergency.

**SB 609**—By Birdsong of the Senate and Sanguin and Stratton of the House—An Act relating to motor vehicles; repealing 47 O. S. 1961, § 95, which relates to speed limits of trucks and other vehicles; and declaring an emergency.

**SJR 35**—By Hamilton of the Senate and Sullivan and Bean of the House—A Joint Resolution directing the Board of Regents of the University of Oklahoma and the State Department of Health to procure and prepare informational data as to the feasibility of establishing regional health centers for specific purposes; directing submission thereof within six (6) months to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and each member of the Legislature.

**SJR 45**—By Hamilton, Boecher, Horn and Medearis of the Senate and Sullivan, Bean, Conaghan, Clemons and Ferguson of the House—A Joint Resolution relating to professions and occupations; requesting certain agencies to study the need for additional physicians and medical personnel; stating certain particular information to be included; requesting completion within six months of the effective date of this Resolution; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Transmitting herewith Concurrent Citation by the Oklahoma Legislature to Girls' Basketball Team of North Enid School, District I-42 and advising the adoption of motion and concurrence of the House in the issuance of said Citation.

The above Citation was ordered referred to the Secretary of the Senate for proper distribution.

#### MESSAGE FROM THE HOUSE

Transmitting following Bills, together

with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1525 and 1797.

### CONFERENCE COMMITTEE REPORTS

The following CCR on HB 1525 was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1525, and Engrossed Senate Amendments thereto, by York, entitled:

An Act relating to civil procedure and small claims therein; amending Section 14, Chapter 322, O.S.L. 1968, as amended by Section 1 Chapter 285, O.S.L. 1969 (12 O.S. Supp. 1969, § 1764), to provide for a fee of Five Dollars upon filing affidavit in a small claims case; providing 20 O.S. 1961, § § 1202 and 1218, requiring certain sums be set aside in the law library fund shall be inapplicable to cases filed in small claims; providing effective date; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation: that the following conference committee substitute be adopted:

CCS for HB 1525—By York, et al—An Act relating to small claims cases; to provide that 20 O.S. 1961, § § 1202 and 1218 shall be inapplicable to small claims cases; prohibiting the payment of any portion of fees in small claims cases to the law library fund; providing for effective date; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. The provisions of Title 20, § § 1202 and 1218, of the Oklahoma Statutes for the benefit of the Law Library Fund shall be inapplicable to fees charged and collected in small claims cases; no portion of fees and deposits in small

claims cases shall be set aside in a Law Library Fund.

SECTION 2. This act shall become effective July 1, 1970.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Garrett, Short, Birdsong.

FOR THE HOUSE: York, McCune.

The following CCR on HB 1797 was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1797, and Engrossed Senate Amendments thereto, by Connor, et al, of the House and Garrison of the Senate entitled:

An Act establishing the Oklahoma Rural Medical Education Loan and Scholarship Fund; stating purpose; creating the Board of Trustees thereto; authorizing board to adopt rules and regulations; providing for loans and scholarships; providing for repayment; providing for credit against loans and scholarships for practice in small communities; providing for eligibility; providing for contracts; making provisions beg leave to report that we have had severable; and declaring an emergency. the same under consideration and herewith return the same with the recommendation:

That the following conference committee substitute, as coauthored by Privett, Murphy, Sullivan, Kamas, Gooden, Thornhill, Sanguin, Greenhaw, Williamson, Cole, Boren and Jones of the House and Baggett, Crow, Hamilton, McGraw, Berrong, Boecher, Dacus, Ferrell, Field, Grantham, Ham, Lane, Medearis, Murphy, Payne, Stipe, Taliaferro and Terrill of the Senate, be adopted:



**CCS for HB 1797**—By Connor, Privett, Murphy, Sullivan, Kamas, Gooden, Thornhill, Sanguin, Greenhaw, Williamson, Cole, Boren and Jones of the House and Garrison, Baggett, Crow, Hamilton, McGraw, Berrong, Boecher, Dacus, Ferrell, Field, Grantham, Ham, Lane, Medearis, Murphy, Payne, Stipe, Taliaferro and Terrill of the Senate.

An Act establishing the Oklahoma Rural Medical Education Loan and Scholarship Fund; stating purpose; creating the Board of Trustees therefor; authorizing board to adopt rules and regulations; providing for loans and scholarships; providing for repayment; providing for credit against loans and scholarships for practice in small communities; providing for eligibility; providing for contracts; providing for per diem; making provisions severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** There is hereby established the Oklahoma Rural Medical Education Loan and Scholarship Fund. The Fund shall be administered by the Board of Trustees of the Oklahoma Rural Medical Education Scholarship Fund, which Board is hereby created. The Board shall consist of the Director of the University of Oklahoma Medical Center, and four (4) members to be appointed by the Governor, by and with the advice and consent of the Senate. Initially one such member shall be appointed for a term of one (1) year, one member shall be appointed for a term of two (2) years, one for a term of three (3) years, and one for a term of four (4) years, and until their successors are appointed and qualified; thereafter all appointments to the Board shall be for terms of four (4) years and until their successors are appointed and qualified. The Director of the University of Oklahoma Medical Center shall serve as secretary and treasurer of the Board. The Board shall elect a chairman and vice chairman at the first meeting which shall

be called by the secretary. The Board shall thereafter meet at the call of the chair or upon call by a majority of the Board. A quorum shall consist of three (3) members.

**SECTION 2.** The Board shall be authorized and empowered to grant scholarships to qualified students who are bona fide residents of the State of Oklahoma and who would not otherwise have funds necessary to finance the cost of a program of study leading to the Degree of Doctor of Medicine, to be granted by the University of Oklahoma School of Medicine.

**SECTION 3.** The terms and conditions governing the scholarships shall be as prescribed and formulated by the Board of Trustees of the Oklahoma Rural Medical Education Scholarship Fund, but shall include the condition that each recipient, upon completion of his course of study, shall repay his scholarship by practicing his profession in a rural community in Oklahoma having a population of five thousand (5,000) persons or less according to the last preceding United States decennial census and having a need therefor, as determined by the Board, for one (1) year for each two (2) years the scholarship is financed; provided, however, that the recipient will be given no credit for payment and reduction of said obligation by serving in the defined rural communities for a period less than two (2) years or when approved by the Board repayment may be made in cash with interest at the rate of ten percent (10%) per annum, said interest to accrue from the date each payment of funds pursuant to the scholarship is made. No interest however shall accrue during any one period of time that the recipient thereof is required to serve in the Armed Forces of the United States including any one period of voluntary enlistment or during any period of internship.

**SECTION 4.** The Board shall promulgate and adopt such rules and regulations

as may be necessary to carry out the provisions of this act. The Board shall prescribe the form and regulate the submission of applications for scholarship; conduct conferences and interviews with applicants; determine the eligibility of applicants; allow or disallow all applications for scholarships or renewal of scholarships; contract, increase, decrease, terminate and otherwise regulate all grants for scholarships and their repayment in cash or services; and manage, operate and control all funds and property appropriated or otherwise contributed for this purpose. The Board may acquire property or money by the acceptance of gifts, grants, bequests or devise, and may contract with the Federal Government in order to secure the benefit of any Federal program consistent with the provisions of this act. Monies received by the Board in repayment of scholarships granted from appropriated funds shall be deposited with the State Treasurer who shall place the same to the credit of the Board in a depository fund to be known as the "Rural Medical Education Scholarship Fund," under and subject exclusively to the control of the Board for the purpose of fulfilling and accomplishing the conditions and purposes of this act. All monies so collected and deposited in the State Treasury as aforesaid shall constitute a continuing fund, shall not be subject to fiscal limitations, and the unexpended balance shall at all times be available for expenditures for the purposes and in the manner and form provided by this act. All funds and property, and income therefrom, received by the Board through the acceptance of gifts, grants, bequests or devise shall be held by the Board in trust, and may be sold, transferred, invested and re-invested by the Board in accordance with the provisions of the Oklahoma Trust Act, and all such funds and property, and income therefrom, shall be used by the Board in fulfilling and accomplishing the conditions and purposes of this act.

SECTION 5. (a) An applicant may be

eligible for the award of a scholarship when the following conditions are met:

(1) That he desires a scholarship to the Oklahoma University School of Medicine;

(2) That he is a bona fide resident of Oklahoma;

(3) That his personal financial resources are such that, in the absence of scholarship aid, he will be unable to pursue the program of study which he desires;

(4) That he is a person of good moral character;

(5) That he has successfully completed the program of instruction prerequisite for admission to the program of study provided for in this act and has applied for admission to a medical school in Oklahoma approved by the Board;

(6) That he has capacity to profit by the course of study for which he seeks aid;

(7) That he desires to practice medicine in a rural community in Oklahoma.

In determining an applicant's capacity to profit by the course of study he desires, the Board shall consider his previous scholastic record, the results of examinations conducted under the provisions of this act, and the results of interviews and such other tests or examinations which the Board may deem advisable. In establishing an applicant's financial need, the Board shall conduct a thorough and complete investigation of the financial resources of the applicant and his family.

(b) The amount of each scholarship grant shall not exceed Five Thousand Dollars (\$5,000.00) per academic year.

(c) The method of payment of funds to each recipient of a scholarship grant shall be in accordance with rules formulated by the Board governing the grants for each type of scholarship.

(d) Each scholarship is renewable annually for the number of years required to complete the course of study in which

the recipient is engaged. The Board shall grant such an annual renewal only upon the recipient's application and upon the Board's finding that:

(1) the recipient has completed successfully the work of the preceding year and presented evidence that he is a student in good standing;

(2) he remains a resident of Oklahoma; and

(3) his financial situation continues to warrant the award of a scholarship under the standards set forth in this act.

(e) The Board shall make an annual report to the Governor and Legislature on the activities of the Board. This report shall include the names of the recipients of the scholarships, the amount of the scholarship awards, an accounting of the funds expended on scholarships and on the administration of the program and a budget requesting the funds necessary for the operation of the Board. The report shall also include an accounting of repayments of scholarships, whether by services or in cash including interest.

SECTION 6. Each applicant, before being granted a scholarship, shall enter into a contract with the Board agreeing to the terms and conditions upon which the scholarship shall be granted to him. Said contract shall include such terms and provisions as will carry out the full purpose and intent of this act and the form thereof shall be prepared and approved by the Attorney General. Said contracts shall be signed by the secretary on behalf of the Board and by the applicant. For the purposes of this act, the disabilities of minority age of all applicants granted scholarships hereunder shall be and the same are hereby removed and the said applicants are declared to be of lawful age for the purpose of entering into the contract hereinabove provided for, and such contract so executed by an applicant is hereby declared to be a valid and binding contract as though the said applicant were at least twenty-one (21)

years of age. The Board is hereby vested with full and complete authority and power to sue in its own name any applicant for any balance due the Board on any contract. The Board shall have authority to cancel any contract made between it and any recipient of a scholarship upon cause deemed sufficient by the Board.

SECTION 7. The members of the Board shall receive no salary but shall be paid a per diem of Twenty-five Dollars (\$25.00) for each day they are actually and necessarily engaged in the transaction of business, together with actual and necessary expenses incurred by them in the performance of their duties, subject to general statutory limitations on such expenses as contained in Title 74 of the Oklahoma Statutes, § § 500.1, et seq.

SECTION 8. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 9. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Garrison, Stipe, Hamilton.

FOR THE HOUSE: Murphy, Sullivan.

#### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1809**—By Odom (Martin)—An Act relating to the Legislature; amending Section 1, Chapter 368, O. S. L. 1968 (74 O. S. Supp. 1969, § 292.1); fixing maximum number and emolument of temporary employees of the House of Representatives; providing for appointment and fixing maximum compensation of permanent em-



ployees; making provisions of Act severable; and declaring an emergency.

The above numbered HB was read for the first time.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 362, 507, 512, 550 and 602.

The above numbered Enrolled Bills were referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning En-grossed SCR 76.

The above numbered Resolution was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed SB 367-coauthored by Allard, Sandlin, Holaday, York, Camp, Smithey, Monks and Goodfellow; SB 509; SB 539-coauthored by Connor, McCune, Thompson, Sparkman, Sandlin, Bickford, Green, Hutchens, Wolfe (Stephen), Holaday, Good-en, Williamson, Goodfellow, Tabor, Boren, and Stratton; and SB 541-coauthored by McCune, Thompson, Sparkman, Sandlin, Bickford, Green, Hutchens, Wolfe (Steph-en), Holaday, Stratton, Williamson, Good-fellow, Tabor and Gooden, each as amended.

HA to SB 367 read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Lines 23, 24, 25 and 26, by deleting all the language therein and adding in lieu there-of the following:

"1. unlawful participation in a riot as defined by the Penal Code;

2. unlawful manufacture, preparation, delivery, sale, offering for sale, barter, furnishing, giving away, possession, control, use or administering of narcotic drugs, marijuana, barbiturates or stim-ulants:

3. willful or unlawful destruction of or damage to state property;"

HA to SB 509 read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Line 16, by striking the Enactment Clause.

HA to SB 539 read as follows, and con-sideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act establishing a uniform crime reporting system; requiring state, county, and local law enforcement agencies to submit certain information concerning nature and volume of crime occurring within their respective jurisdictions to the Oklahoma State Bureau of Investigation; em-powering the State Bureau of Investiga-tion to collect and gather such informa-tion and make statistics thereon, to make rules and regulations to accomplish the institution and operation of such a uni-form system; designating the Oklahoma State Bureau of Investigation as the offi-cial agency; providing penalty for any law enforcement official for failure to submit required reports."

and restore Enactment Clause.

HA to SB 541 read as follows, and con-sideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act relating to criminal justice and highway safety; establishing the Oklahoma Criminal and Traffic Law Enforcement System; stating the purpose; providing for operation of said system by the Informa-tion and Management Services Division of the Oklahoma State Board of Public Af-fairs; creating a commission on criminal and traffic law enforcement and providing for membership on said commission; au-thorizing alternates to members on the commission on criminal and traffic law enforcement; providing that the chairman of the said commission shall be elected by the members of the commission; pro-viding duties and responsibilities of the

commission; directing the commission to file annual reports; making provisions of this act severable; and declaring an emergency."

and restore Enactment Clause.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1062**—By McKee, et al, of the House and Field of the Senate—A Concurrent Resolution recommending that the Board of Governors of the Chicago Mercantile Exchange designate Guymon, Oklahoma, as a central delivery point for delivery of live cattle pursuant to futures contracts; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

#### CITATION

Upon motion of Senator Martin, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Gloria Ainsworth, Carter County Teacher of the Year, 1969-70.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 384, 568 and 574** each correctly engrossed.

**SBs 238, 375, 518, 540, 559 and SR 58** each correctly enrolled.

Engrossed **SBs 384, 568 and 574** were properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled **SBs 238, 375, 518, 540 and 559** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 58** was properly signed and ordered transmitted to the Secretary of State.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR on SB 412** was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 412**, entitled:

An Act relating to the State Emergency Fund and making an appropriation thereto; stating the purpose; making said appropriation nonfiscal; making provisions of this Act severable; and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Conference Committee recommends the adoption of the following amendment: Page 1, Line 17, beginning after the word "from" strike the following language: "any monies in the General Revenue Fund of the State Treasury", and insert in lieu thereof the words "the State of Oklahoma Institutional Building Bonds of 1965 Sinking Fund,"

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following **CCR on SB 414** was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 414**, entitled:

An Act relating to the Board of Equal-

ization and making appropriation thereto; stating the purpose; \*\*\* and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Senate concur in House Amendment No. 3.

4. That the Senate concur in House Amendment No. 4.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 420 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 420, entitled:

An Act relating to the Office of the State Industrial Court and making appropriations thereto; \*\*\* and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Senate concur in House Amendment No. 3.

4. That the Senate concur in House Amendment No. 4.

5. That the Senate concur in House Amendment No. 5.

6. That the Senate concur in House Amendment No. 6.

7. That the Conference Committee recommends that the following amendments be adopted:

1. Page 1, Line 23, strike the figure "31,710.00" and insert in lieu thereof the figure "51,710.00".

2. Page 1, Line 24, strike the figure "218,190.00" and insert in lieu thereof the figure "238,190.00".

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 423 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 423, entitled:

(Oklahoma Arts and Humanities Council and emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. The Conference Committee recommends the adoption of the following amendment:

No. 1—Page 1, Line 18, after the word "law." insert the following language: "No salary increases to present personnel shall be paid out of this appropriation."



3. At the end of the third line of the Title, following the word "purposes;" insert the language "limiting expenditures for personal services;"

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 428 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 428, entitled:

(State Board for Vocational and Technical Education and emergency), together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Conference Committee recommends that the Title be restored to read as follows:

An Act relating to public education; making appropriations to the State Board for Vocational and Technical Education; stating the purpose; dedicating certain funds to the operation of the Ouachita Vocational Technical Camp; providing for cooperation with United States Office of Education; authorizing appointment and compensation of personnel; providing lapse date; making provisions of this Act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane,

Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 428 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 428, entitled:

(Department of Mental Health and emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Conference Committee recommends that the Title be restored to read as follows:

An Act relating to the Department of Mental Health and the mental health institutions and making appropriations thereto; stating the purpose; making an appropriation pursuant to the provisions of Chapter 129, O. S. L. 1969 (43A Supp. 1969, § § 601 to 609, inclusive); providing for out-patient services for mentally ill; amending 43A O. S. 1961 16, relating to the principal Office of the Mental Health Department; providing for the Director of Mental Health to fix the duties and compensation of employees; authorizing Board of Mental Health to administer the affairs of the institutions listed herein; providing authority for expenditure of monies appropriated to institutions for patient care in nursing homes; providing lapse date; making provisions of this Act severable and declaring an emergency,

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 430 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 430, entitled:

(Office of the Governor-Division of Economic Opportunity an emergency), together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.
2. That the House recede from House Amendment No. 2.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 435 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 435, entitled:

An Act relating to the Office of Civil Defense and making appropriations thereto; stating the purpose; providing for the appointment and compensation of employees; providing lapse date; making provi-

sions of this Act severable; and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.
2. That the Senate concur in House Amendment No. 2.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 436 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 436, entitled:

(State Bureau of Investigation and emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 440 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 440**, entitled:

An Act relating to the Department of Highways; making appropriations to the same and the State Highway Commission; \*\*\* and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the recommendations that the House recede from Amendments 1 and 2 and that the following Conference Committee Substitute be adopted:

**CCS for SB 440**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House.

An Act relating to the State Highway Department; making appropriations thereto; specifying the purposes for which funds appropriated and accrued in funds concerned may be expended; providing for construction of roads to lakes, historic sites, and industrial sites; providing for maintenance projects; authorizing expenditure for administrative functions imposed by Highway Safety Act; providing for use of funds appropriated or accrued to Highway Construction and Maintenance Fund by this Act to match federal funds; providing for use thereof for state-aid projects; providing for transfer of certain amount of funds from General Revenue to State Highway Construction and Maintenance Fund; providing for transfer of certain amount of funds from State Highway Construction and Maintenance Fund to Highway Advance Right-of-Way Acquisition and Management Fund; providing for allocation of certain minimum of funds to commissioners' districts; providing the appropriations made by this Act shall be subject to provisions of Sections 41.1 through 41.38 of Title 62 of the Oklahoma Statutes, as amended; making appropria-

tions nonfiscal; making provisions of this Act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** There is hereby appropriated to the State Highway Department, from any revenues accruing to the State Highway Construction and Maintenance Fund, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Fifty-one Million Seven Hundred Fifty-seven Thousand Eight Hundred Forty-five Dollars (\$51,757,845.00) to be used and expended by the Department of Highways of the State of Oklahoma to pay legal obligations incurred in the operation of the Department of Highways and the State Highway Commission and in the construction and maintenance of roads and highways, and to pay expenses of operating and maintaining the State Highway System and all expenses incurred in construction, repairing and maintaining state highways, farm-to-market roads, and county highways as authorized by law, including, but not excluding, necessary and convenient items not specifically mentioned herein; salaries, wages, and lawful expenses of members of the State Highway Commission and the State Highway Director and the employees, attorneys, and other professional help of the Department of Highways; the purchase of office supplies, furniture and equipment; the construction, maintenance and repair of needed warehouses, garages, division headquarters, and other needed buildings; the payment of bond premiums, insurance premiums, and premiums of Workmen's Compensation Insurance; the purchase of materials, tools, machinery, motor vehicles, and equipment necessary or convenient in the operation of the Department of Highways and the construction and maintenance of roads and highways; the payment of witnesses' fees, attorneys' fees, appraisers' fees, sheriffs' mileage, and publication cost in actions to appropriate right-of-way,



land, or materials needed in the construction or maintenance of roads and highways; payment of any expenses which may be necessary or convenient in constructing and maintaining roads and highways and in accomplishing the purposes for which the State Highway Commission and the Department of Highways were created; the acquisition by purchase of rights-of-way and land, the payment of any final judgment rendered by a court of competent jurisdiction in eminent domain proceedings for the taking or damaging of real or personal property for which the state is liable under the provisions of Section 24, Article II of the Constitution, and for expenses of audit as provided by law. Provided, however, that payment to the State Examiner and Inspector for auditing accounts of the State Highway Department shall not exceed during the fiscal year ending June 30, 1971, one-tenth of one percent (1/10 of 1%) of the total warrants issued from the State Highway Construction and Maintenance Fund during the fiscal year ending June 30, 1970.

SECTION 2. All funds collected and placed in the State Treasury and credited to the State Highway Construction and Maintenance Fund not appropriated in Section 1 and Section 3 are hereby appropriated to be used and expended in the same manner and for the same purposes as other monies accruing to the State Highway Construction and Maintenance Fund. Of the additional funds appropriated in this Section, Three Million Dollars (\$3,000,000.00) thereof shall be transferred to a revolving fund to be known as the Highway Advance Right-of-Way Acquisition and Management Fund created by House Bill No. 1601 of the 32nd Legislature, Second Session.

SECTION 3. There is hereby appropriated to the State Highway Department, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Nine Million Nine

Hundred Thirty-two Thousand Four Hundred Fifty-three Dollars (\$9,932,453.00). Said appropriation shall be transferred and is hereby appropriated to the State Highway Construction and Maintenance Fund and shall be expended in the same manner and for the same purpose as other monies accruing to the credit of the State Highway Construction and Maintenance Fund. All special maintenance projects with a total cost of Fifty-Thousand Dollars (\$50,000.00) or more shall be done by the contract method, when in the judgment of the Director and the majority of the State Highway Commission it is in the best interest of the State of Oklahoma. Not less than One Million Dollars (\$1,000,000.00) of the funds dedicated to new construction shall be used for construction of lake roads and roads to historic sites, and, of this amount, not less than fifty percent (50%) shall be by contract method. Not less than One Million Dollars (\$1,000,000.00) of the funds dedicated to new construction shall be used for construction of roads to existing industrial sites.

SECTION 4. The State Highway Department is hereby authorized to expend up to Twenty-five Thousand Dollars (\$25,000.00) of the funds appropriated in this Act, for the fiscal year ending June 30, 1971, to carry out the administrative functions imposed by the Highway Safety Act, Chapter 347, Oklahoma Session Laws 1967 (47 O. S. Supp. 1969, § § 40-107, et seq.).

SECTION 5. Of the amounts appropriated by the preceding sections of this Act and restricted in use for matching federal funds and for state-aid project contracts, not less than six percent (6%) shall be allocated and encumbered in any one commissioner's district.

SECTION 6. No obligation shall be incurred during any fiscal year in excess of the unencumbered balance of the appropriations made by preceding sections of this Act, as adjusted by the State Budget Director. Construction contracts and pur-

chase orders issued by the State Highway Department, setting forth the actual or estimated cost of construction as consideration for the cost of work to be done or services, supplies, and equipment to be furnished, shall constitute obligations within the meaning of this Act. Monthly, bi-monthly, or weekly payrolls of the State Highway Department shall constitute current charges and shall become obligations against the State Highway Construction and Maintenance Fund at the time the payrolls are filed with the State Budget Director for payment.

SECTION 7. To prevent obligations being incurred in excess of the revenue to be collected during any fiscal year, the appropriations made by preceding sections of this Act shall be subject to the provisions of Title 62, § § 41.1 through 41.38, Oklahoma Statutes 1961, as now or hereafter amended.

SECTION 8. The appropriations made by Sections 1 and 3 of this Act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this Act is approved.

SECTION 9. The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, chairman, Massey, vice-chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, chairman,

Miskelly, vice-chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 441 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 441, entitled:

(Office of the Chief Mine Inspector and emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from Amendment No. 1.
2. That the Senate concur in House Amendment No. 2.
3. That the Conference Committee recommend that the Title to the bill be restored to read as follows:

An Act relating to the Office of the Chief Mine Inspector and making appropriations thereto; stating the purpose; providing that the Chief Mine Inspector shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this Act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Berrong, Boecher, Garrison, Hamilton,

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

The following CCR on SB 442 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 442, entitled:

(An Act relating to the Office of the Department of Labor and making appropriations thereto; \*\*\* and declaring an emergency.),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.
2. That the Senate concur in House Amendment No. 2.
3. That the Senate concur in House Amendment No. 3.
4. That the Senate concur in House Amendment No. 4.
5. That the Senate concur in House Amendment No. 5.
6. That the Senate concur in House Amendment No. 6.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Berrong, Boecher, Garrison, Hamilton, Martin, Murphy, Williams.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Connor, Fine, Derryberry, Sanguin, Skeith, Sparkman, Townsend.

#### COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

**HB 1361**—Business Relations-coauthored by Miller.

**HB 1592**—Business Relations-coauthored by Stipe.

**HB 1660**—Judiciary-coauthored by Hargrave.

**HB 1662**—Agriculture-coauthored by Atkinson.

**HB 1665**—Agriculture-coauthored by Atkinson.

**HB 1710**—Business Relations-coauthored by Smalley.

**HB 1712**—Business Relations-coauthored by Smalley.

**HB 1772**—Business Relations.

DO PASS, as amended:

**HB 1658**—Agriculture.

**HB 1674**—Roads and Highways-coauthored by McSpadden, Taliaferro, Birdsong and Field.

**HB 1726**—Judiciary-coauthored by Keels.

**HB 1764**—Business Relations-coauthored by Luton.

**HB 1776**—Roads and Highways-coauthored by Baggett.

**HB 1789**—Agriculture-coauthored by Boecher.

#### RESOLUTIONS

Senator Berrong introduced the following Resolution, which was read at length, adopted upon his motion, and ordered referred for enrollment.

**SR 59**—By Berrong, Nichols and Martin—A Resolution relating to 1970 interim study by the State Legislative Council; requesting the Executive Committee of the Legislative Council to direct an appropriate special or standing committee to study and evaluate the desirability of concentrating and coordinating all mental health services in a Division of Mental Health within the State Department of Public Health; and requesting a report of findings and recommendations for submission to the First Session of the Thirty-third Legislature.

WHEREAS, an effective and comprehensive program of mental health care and treatment is a responsibility of government in promoting the public interest of this state; and



WHEREAS, through the dedicated efforts and cooperation of state and local mental health and public health agencies and private organizations, Oklahoma has achieved significant progress in mental health services provided to the people of this state; and

WHEREAS, the Oklahoma Legislature should continue its efforts and seek new administrative and functional innovations to improve this outstanding program to the fullest extent possible; and

WHEREAS, within the past few years a number of states have been engaged in developing comprehensive and integrated programs for the care and treatment of the mentally disabled, including major department reorganizations and mergers combining several governmental agencies into an integrated department; and

WHEREAS, said reorganizations have been encouraged by a series of far-reaching federal programs; and

WHEREAS, in approximately half the states mental health functions have been concentrated and coordinated through the vesting of responsibility in a single agency; and

WHEREAS, the advantages and disadvantages of such administrative organization creating a division of mental health within the State Health Department, and allied innovations, consistent with a preservation of the existing high quality of mental health services, should be studied in depth by the Oklahoma Legislature;

Now, therefore, be it resolved by the Senate of the 2nd Session of the 32nd Oklahoma Legislature:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to assign the subject of this Resolution to a special or standing committee for intensive study and analysis during the 1970 interim, in cooperation with state and local mental health and public health agencies and interested private associations and individuals.

SECTION 2. The committee of reference is hereby requested to schedule public hearings, conduct independent study and take such other steps as may be necessary to assure the preparation of an in-depth and objective report on this subject.

SECTION 3. At the conclusion of its study the committee is requested to prepare its report in the form of findings and recommendations to the 1st Session of the 33rd Legislature and to draft legislation for the prefilling of bills to implement recommendations adopted.

**SCR 78** by Phillips was introduced and read as follows:

A Concurrent Resolution declaring it to be the intent of the Legislature that a process be established for the presentation of grievances by employees of the Oklahoma Turnpike Authority.

Senator Baldwin citing Rule 12-b, raised a point of order, which was sustained against consideration of **SCR 78** on this legislative day.

**SCR 79** by Crow of the Senate and Patterson of the House was introduced and read as follows:

A Concurrent Resolution extending congratulations to Mrs. Joe Myers at having been named the Oklahoma Mother of the Year; and directing distribution.

Upon request of Senator Crow, all other Members of the Senate were made co-authors of the Resolution.

**SCR 79**, as coauthored, was read at length, adopted upon motion of Senator Crow and ordered referred for engrossment.

**SCR 80** by Berrong of the Senate and Robinson of the House was introduced and read as follows:

A Concurrent Resolution applauding, commending and congratulating Sayre High School's Girls' Basketball Team, the "Sayre Lady Eagles," its team managers, Brenda Robertson, Pauline Massey and Debra Caswell, and its coach, Jim Crabb, for winning the 1969-1970 Class AA Girls' Basketball State Tournament thereby be-

coming the State Champion in its class; and directing distribution of this Resolution.

**SCR 80** was considered, read at length, adopted upon motion of Senator Berrong and ordered referred for engrossment.

### MOTION

Senator Terrill moved to strike all **HBS** and **HJR**s remaining in Senate Committees at the close of business Thursday, March 26, 1970, which motion was declared adopted.

### PENDING CONSIDERATION OF HAS

Senator Holden moved that the Senate refuse to concur in **HAS** to **SB 537** and request the Honorable House to grant a conference thereon which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 537**: Holden, Terrill and Baggett.

Senator Field moved that the Senate refuse to concur in **HAS** to **SB 29** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 29**: Field, Bradley and Stipe.

Senator Murphy moved that the Senate refuse to concur in **HA** to **SB 504** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Con-

ferees under **SB 504**: Murphy, Smalley and Luton.

Upon motion of Senator Murphy, the Senate refused to concur in **HA** to **SB 562**, and requested a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Holden motion to reconsider the vote by which **HB 1723** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—35.

Nay: Baldwin, Romang, Williams.—3.

Excused: Atkinson, Baggett, Berrong, Dacus, Garrett, Ham, Inhofe, Massey, Porter, Stansberry.—10.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Short, Smith, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Baldwin, Field, Romang, Williams.—4.

Excused: Berrong, Dacus, Garrett, Ham, Horn, Inhofe, Keels, Massey, Nichols, Porter, Smalley, Stansberry.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Hamil-

WHEREAS, through the dedicated efforts and cooperation of state and local mental health and public health agencies and private organizations, Oklahoma has achieved significant progress in mental health services provided to the people of this state; and

WHEREAS, the Oklahoma Legislature should continue its efforts and seek new administrative and functional innovations to improve this outstanding program to the fullest extent possible; and

WHEREAS, within the past few years a number of states have been engaged in developing comprehensive and integrated programs for the care and treatment of the mentally disabled, including major department reorganizations and mergers combining several governmental agencies into an integrated department; and

WHEREAS, said reorganizations have been encouraged by a series of far-reaching federal programs; and

WHEREAS, in approximately half the states mental health functions have been concentrated and coordinated through the vesting of responsibility in a single agency; and

WHEREAS, the advantages and disadvantages of such administrative organization creating a division of mental health within the State Health Department, and allied innovations, consistent with a preservation of the existing high quality of mental health services, should be studied in depth by the Oklahoma Legislature;

Now, therefore, be it resolved by the Senate of the 2nd Session of the 32nd Oklahoma Legislature:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to assign the subject of this Resolution to a special or standing committee for intensive study and analysis during the 1970 interim, in cooperation with state and local mental health and public health agencies and interested private associations and individuals.

SECTION 2. The committee of reference is hereby requested to schedule public hearings, conduct independent study and take such other steps as may be necessary to assure the preparation of an in-depth and objective report on this subject.

SECTION 3. At the conclusion of its study the committee is requested to prepare its report in the form of findings and recommendations to the 1st Session of the 33rd Legislature and to draft legislation for the prefiling of bills to implement recommendations adopted.

SCR 78 by Phillips was introduced and read as follows:

A Concurrent Resolution declaring it to be the intent of the Legislature that a process be established for the presentation of grievances by employees of the Oklahoma Turnpike Authority.

Senator Baldwin citing Rule 12-b, raised a point of order, which was sustained against consideration of SCR 78 on this legislative day.

SCR 79 by Crow of the Senate and Patterson of the House was introduced and read as follows:

A Concurrent Resolution extending congratulations to Mrs. Joe Myers at having been named the Oklahoma Mother of the Year; and directing distribution.

Upon request of Senator Crow, all other Members of the Senate were made co-authors of the Resolution.

SCR 79, as coauthored, was read at length, adopted upon motion of Senator Crow and ordered referred for engrossment.

SCR 80 by Berrong of the Senate and Robinson of the House was introduced and read as follows:

A Concurrent Resolution applauding, commending and congratulating Sayre High School's Girls' Basketball Team, the "Sayre Lady Eagles," its team managers, Brenda Robertson, Pauline Massey and Debra Caswell, and its coach, Jim Crabb, for winning the 1969-1970 Class AA Girls' Basketball State Tournament thereby be-



coming the State Champion in its class; and directing distribution of this Resolution.

**SCR 80** was considered, read at length, adopted upon motion of Senator Berrong and ordered referred for engrossment.

### MOTION

Senator Terrill moved to strike all **HBS** and **HJRS** remaining in Senate Committees at the close of business Thursday, March 26, 1970, which motion was declared adopted.

### PENDING CONSIDERATION OF HAS

Senator Holden moved that the Senate refuse to concur in **HAS** to **SB 537** and request the Honorable House to grant a conference thereon which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 537**: Holden, Terrill and Baggett.

Senator Field moved that the Senate refuse to concur in **HAS** to **SB 29** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 29**: Field, Bradley and Stipe.

Senator Murphy moved that the Senate refuse to concur in **HA** to **SB 504** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Con-

ferrees under **SB 504**: Murphy, Smalley and Luton.

Upon motion of Senator Murphy, the Senate refused to concur in **HA** to **SB 562**, and requested a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Holden motion to reconsider the vote by which **HB 1723** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—35.

Nay: Baldwin, Romang, Williams.—3.

Excused: Atkinson, Baggett, Berrong, Dacus, Garrett, Ham, Inhofe, Massey, Porter, Stansberry.—10.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Short, Smith, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Baldwin, Field, Romang, Williams.—4.

Excused: Berrong, Dacus, Garrett, Ham, Horn, Inhofe, Keels, Massey, Nichols, Porter, Smalley, Stansberry.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Hamil-

ton, Hargrave, Holden, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Short, Smith, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Baldwin, Field, Romang, Williams.—4.

Excused: Berrong, Dacus, Garrett, Ham, Horn, Inhofe, Keels, Massey, Nichols, Porter, Smalley, Stansberry.—12.

The emergency was declared passed.

**HB 1723** was ordered withheld pursuant to Rule 19-f.

### GENERAL ORDER

**HB 1615** by Mountford, et al, of the House and Smith, Nichols, Breckinridge, McSpadden, Holden, Massey, Horn, Birdsong, Payne, Young, Hargrave, Bradley, Stipe and Keels of the Senate was read and considered.

Senators Luton, Terrill, Phillips and Atkinson asked to be made coauthors of **HB 1615**, which was the order.

Senator Berrong moved to amend **HB 1615**, page 3, line 4 by adding after the word "employment" a semi-colon (;) and the language "and such employees shall also have the right to refrain from any or all of such activities" which amendment was declared adopted.

Senator Smalley presiding.

President Pro Tempore Smith moved to amend **HB 1615**, page 8, line 14½ by adding after the word "employment" the language "Provided however nothing herein contained shall prevent any employee or employees having an audience with their employer at a time mutually agreeable" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1615**, page 9, line 4½, by inserting a new Section 6 to read as follows: "Every person acting as the representative of employees shall keep an adequate record of its financial transactions and shall present annually to each member within sixty days after the end of its fiscal year a detailed written financial report thereof

in the form of a balance sheet and an operating statement. In the event of failure of compliance with this section, any member may petition the board for an order compelling such compliance. An order of the board on such petition shall be enforceable in the same manner as other orders of the board under this subsection" and by renumbering subsequent sections accordingly, which amendment was tabled upon a motion of Senator Terrill upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Garrett, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Smith, Stipe, Terrill, Young.—27.

Nay: Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Inhofe, McCune, McGraw, Romang, Short, Stansberry, Williams.—16.

Excused: Dacus, Field, Ham, Porter, Taliaferro.—5.

Senator Berrong moved to amend **HB 1615**, page 13, line 13, by inserting after the word "rates" the language "insurance, retirement, other fringe benefits" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1615**, page 13, line 16, by inserting after the word "rates" the language "insurance, retirement, other fringe benefits" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1615**, page 14, line 5, by inserting after the word "rates" the language "insurance, retirement, other fringe benefits" which amendment was declared adopted.

Senator Baggett moved to amend **HB 1615**, page 18, line 8, by inserting after the word "offense" the language "If any member of a paid fire department or police department shall participate in a strike or work stoppage in violation of this Act then such member must be discharged forthwith from his employment, shall forfeit all retirement benefits to which he may otherwise be entitled, and shall be

ineligible for re-employment for a period of twelve (12) months; provided, however, that if such a member is re-employed after twelve (12) months then retirement benefits to which he is otherwise entitled by law shall be reinstated," which amendment was tabled upon motion of President Pro Tempore Smith upon a roll call as follows:

Aye: Atkinson, Birdsong, Graves, Hamilton, Hargrave, Holden, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Smalley, Smith, Stipe, Taliaferro, Terrill.—22.

Nay: Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Ham, Horn, Inhofe, McCune, McGraw, Nichols, Romang, Short, Stansberry, Williams, Young.—21.

Excused: Dacus, Ferrell, Garrett, Miller, Porter.—5.

Upon motion of President Pro Tempore Smith, **HB 1615**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1615**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1615** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Baggett, Baldwin, Berrong, Boecher, Ferrell, Garrison, Grantham, Inhofe, McCune, McGraw, Stansberry, Williams.—12.

Excused: Dacus, Porter.—2.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Field, Garrett, Grantham, Graves, Hargrave, Miller, Stipe.—7.

Nay: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—34.

Excused: Dacus, Garrison, McGraw, Porter, Stansberry, Williams, Young.—7.

The emergency was declared failed of passage.

**HB 1615**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 79** and **HBs 1514, 1659** and **1753** each correctly engrossed.

**SCR 76** and **SR 59** each correctly enrolled..

Engrossed **SCR 79** was properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1514, 1659** and **1753**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SCR 76** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 59** was properly signed and ordered transmitted to the Secretary of State.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 238, 375, 518, 540** and **559**.

The above numbered Enrolled Bills were referred to the Governor.

### GENERAL ORDER

**HB 1664** by Smithey of the House and Howard of the Senate was read and considered.



Senator Birdsong asked to be made a coauthor of **HB 1664**, which was the order.

Upon motion of Senator Howard, **HB 1664**, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **HB 1664** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1664** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro.—34.

Nay: Berrong, Boecher, Field, Martin, Williams, Young.—6.

Excused: Dacus, Garrison, Hargrave, McCune, McGraw, Massey, Porter, Terrill.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro.—34.

Nay: Berrong, Boecher, Field, Martin, Williams, Young.—6.

Excused: Dacus, Garrison, Hargrave, McCune, McGraw, Massey, Porter, Terrill.—8.

The emergency was declared passed:

**HB 1664**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1141** by Derryberry, et al, of the House and Stipe of the Senate was read and considered.

Senator Payne asked to be made a coauthor of **HB 1141**, which was the order.

Senator Berrong moved to amend **HB 1141**, page 16, line 5, by striking the word "shall" and substituting therefor the word "may" and on line 6, by changing the semi-colon (;) to a period (.) after the word "sum" and by striking the word "however" which amendment was tabled upon motion of Senator Ham upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, Luton, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Stipe.—23.

Nay: Baldwin, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Inhofe, Keels, McCune, McGraw, Romang, Short, Williams.—14.

Excused: Crow, Dacus, Garrison, Hargrave, Massey, Porter, Smith, Stansberry, Taliaferro, Terrill, Young.—11.

Senator Grantham moved to amend **HB 1141**, page 16, line 15½ by inserting a new section to read as follows: "Section 2. Payments to minor children shall be paid to the surviving parent or the person having legal custody of said minor child for the benefit of said minor without the necessity of establishing a guardianship for said minor child", by renumbering subsequent sections accordingly, and by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator Stipe, **HB 1141**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1141**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1141** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stipe, Young.—37.

Nay: Berrong, Field, Short, Williams.—4.

Excused: Dacus, Garrison, Hargrave, Porter, Stansberry, Taliaferro, Terrill.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stipe, Young.—37.

Nay: Berrong, Field, Short, Williams.—4.

Excused: Dacus, Garrison, Hargrave, Porter, Stansberry, Taliaferro, Terrill.—7.

The emergency was declared passed.

**HB 1141**, as amended, was referred for engrossment.

Senator Hamilton presiding.

### MOTION TO RECONSIDER VOTE

Senator Baldwin asked for consideration of his motion to reconsider the vote by which **SB 516** failed of passage.

Senator Stipe moved to table the Baldwin motion, which motion was declared adopted upon a roll call as follows:

Aye: Birdsong, Boecher, Crow, Garrett, Graves, Ham, Hamilton, Horn, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Smith, Stipe, Terrill.—22.

Nay: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Ferrell, Garrison, Grantham, Holden, Howard, Inhofe, Keels, McCune, McGraw, Nichols, Romang, Short, Williams.—18.

Excused: Atkinson, Dacus, Field, Hargrave, Porter, Stansberry, Taliaferro, Young.—8.

### GENERAL ORDER

**HB 1630** by Monks, et al, of the House and Martin of the Senate was read and considered.

Senator Inhofe asked to be made a co-author of **HB 1630**, which was the order.

Senator Baldwin moved to amend **HB 1630**, page 1, line 5, by striking the word and figure "five (5)" and substituting therefor the word and figure "six (6)" which amendment was declared adopted.

Senator Baldwin moved to amend **HB 1630**, page 3, line 6, by striking the word and figure "one (1)" and substituting therefor the word and figure "two (2)" which amendment was declared adopted.

Senator Stipe moved to amend **HB 1630**, page 3, line 11, by inserting after the word "veterans" and before the word "Provided" the sentence "Said appointments by the Governor shall be with the advice and consent of the Oklahoma State Senate" which amendment was declared adopted.

Senator Baldwin moved to amend **HB 1630**, page 6, line 8, by striking the word "two" and substituting therefor the word "three" which amendment was declared adopted.

Senator Baldwin moved to amend **HB 1630**, by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator Martin, **HB 1630**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **HB 1630**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1630** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Nay: Boecher, Murphy, Payne, Smalley.—4.

Excused: Atkinson, Dacus, Field, Hargrave, Porter, Stansberry.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Nay: Boecher, Murphy, Payne, Smalley.—4.

Excused: Atkinson, Dacus, Field, Hargrave, Porter, Stansberry.—6.

The emergency was declared passed.

**HB 1630**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 76**.

The above numbered Enrolled Resolution

was ordered referred to the Secretary of State.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 80** correctly engrossed.

Engrossed **SCR 80** was properly signed and ordered transmitted to the Honorable House for consideration.

### MOTIONS TO RECONSIDER VOTES

Senator Baggett asked for consideration of his motion to reconsider the vote by which **HB 1543** passed.

Senator Grantham, joined by Senator Smalley, moved to table the Baggett motion which motion was declared adopted.

**HB 1543** was ordered withheld pursuant to Rule 19-f.

The vote occurring upon the Murphy motion to reconsider the vote by which **SB 585** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Baggett, Birdsong, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—29.

Nay: Baldwin, Boecher, Bradley, Hamilton, McCune, Williams.—6.

Excused: Atkinson, Berrong, Crow, Dacus, Field, Hargrave, Horn, Lane, Medearis, Payne, Porter, Stansberry, Taliaferro.—13.

### THIRD READING

Senator Murphy moved to reconsider the vote by which **SB 585** was advanced to engrossment, which motion was declared adopted.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

Senator Payne presiding.



**MESSAGE FROM THE GOVERNOR**

This is to advise you that on this date, March 23, 1970, I have returned Enrolled Senate Bill No. 517 for correction as requested by the State Senate.

Further consideration of **SB 517** was deferred for this legislative day.

**MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1740**, requesting Conference and naming Conferees as follows: Spearman, Browers and Wolfe (Stephen).

**MESSAGE FROM THE HOUSE**

Advising adoption of and returning Engrossed **SCR 60**-coauthored by Camp, **SCR 73**-coauthored by Trent and Bernard; **SCR 74**-coauthored by Taggart; and **SCR 75**.

The above numbered Resolutions were referred for enrollment.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SB 588**, and **SB 622**-coauthored by Skeith, Barker, Bernard, Boettcher, Coffin, Murphy, Townsend, Trent, Wayland, Whorton and Witt.

The above numbered Bills were referred for enrollment.

**BILLS RELEASED**

As provided under Rule 19-f, **HBs 1543** and **1723** were properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.

CONTENTS	
Original Articles	1
Editorial	1
Correspondence	1
Book Reviews	1
Obituary	1
Announcements	1
Index	1
Advertisements	1

## Forty-fifth Legislative Day

Tuesday, March 24, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—39.

Excused: Baggett, Dacus, Garrett, Ham, Hamilton, Howard, Porter, Stipe, Taliaferro.—9.

The President Pro Tempore declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE HOUSE

Advising 4th Reading rescinded, vote reconsidered by which **SB 517** passed and requesting return of bill for further consideration.

Upon motion of Senator Williams, pursuant to the above request, **SB 517** was ordered returned to the Honorable House for further consideration.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1389, 1522 and 1632**.

The above numbered Enrolled Bills were

after fourth reading, properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 29**, and naming House Conferees as follows: Harrison, McKee and Hutchens.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 504**, and naming House Conferees as follows: Spearman, Harrison and Vann.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 537**, and naming House Conferees as follows: Cate, Smith (N) and Greenhaw.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 562**, and referring said Bill to the General Conference Committee on Appropriations.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 271**-coauthored by Mountford; **SB 489**; **SB 513**-coauthored by Derryberry; **SB 551**-coauthored by York, McCune, Sandlin and Hargrave; **SB 557**; **SB 595**; and **SB 627**, each as amended.

**HA** to **SB 271** read as follows, and consideration deferred:

Amendment No. 1. Strike Title, Enactment Clause and Entire Bill and substitute the following:



"An Act relating to licensing and registration of motor vehicles; defining "recreational vehicles" for license, registration and excise tax purposes; providing the amount of the license fee and the excise tax for the first and subsequent years on registration of recreational vehicles; providing that special delivery licenses or drive-away permits shall be issued for recreational vehicles; providing for the apportionment of the license fees and excise tax collected on recreational vehicles; requiring that bill of sale and/or certificate of title designate recreational vehicle thereon; providing for compulsory licensing and making it a misdemeanor for failure; providing for codification; fixing effective date; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. (a) The term "recreational vehicle" as used in this Act, means and includes every vehicle which is manufactured, constructed, or equipped as a self-propelled home, house car, or living quarters, capable of being operated on the highways, but shall not include those vehicles defined in the License and Registration Law as automobiles, motor buses, or house trailers which are also commonly referred to as mobile homes, nor shall it include those vehicles commonly known and referred to as "campers". The term "recreational vehicle" shall include only a vehicle which is permanently constructed and equipped for living quarters, having its own sleeping and kitchen facilities, which is propelled by a motor installed thereon and not towed by another motor vehicle, but shall not include any vehicle of the so-called "camper" type from which such living facilities are removable.

The purpose of this Act is to remove "recreational vehicles" as above defined, from the definition of automobiles and classify them specially for license fee and vehicle excise tax purposes only, and all other provisions of the Motor Vehicle License and Registration Law, the Motor Vehicle Title Act, and the Vehicle Excise

Tax Code, unless otherwise inconsistent with this Act, shall apply to recreational vehicles.

(b) Every recreational vehicle, as herein defined, shall be registered and licensed annually and the license fee thereon shall be as follows:

1. Where the manufacturer's factory delivered price is Two Thousand Five Hundred Dollars (\$2,500.00) or less, the license fee for the first and each succeeding year's registration shall be Twenty-five Dollars (\$25.00).

2. Where the manufacturer's factory delivered price is in excess of Two Thousand Five Hundred Dollars (\$2,500.00), the license fee for the first year shall be Twenty-five Dollars (\$25.00) plus fifty cents (\$0.50) for each One Hundred Dollars (\$100.00), or major fraction thereof, in excess of Two Thousand Five Hundred Dollars (\$2,500.00).

3. After the first year's registration in this or any other state, the license fee for the second year upon any such recreational vehicle, upon which the manufacturer's factory delivered price was in excess of Two Thousand Five Hundred Dollars (\$2,500.00), shall be assessed at ninety percent (90%) of the fee computed and assessed hereunder for the first year; and thereafter such fee shall be assessed and computed at ninety percent (90%) of the previous year's fee for a period of ten (10) years, provided, however, the minimum fee for any recreational vehicle shall be Twenty-five Dollars (\$25.00) per year, or the fee for the eleventh year computed as above, whichever is the greater in amount.

(c) The provisions contained in Section 22.16 of Title 47 O. S. 1961, relating to special delivery licenses or permits, commonly known as drive-away permits, and of Chapter 104, Oklahoma Session Laws of 1963 (47 O. S. Supp. 1969, § 22.30a), relating to temporary tags, shall apply to recreational vehicles.

(d) The license fees collected under this

section shall be apportioned by the Oklahoma Tax Commission as is now required under the provisions of 47 O. S. 1961, § 22.2, as amended, or as may be required by amendatory acts thereto.

SECTION 2. (a) The value of any recreational vehicle for the purposes of the vehicle excise tax levied by the Vehicle Excise Tax Code, Chapter 361, Oklahoma Session Laws 1963 (Article 21 of Title 68, O. S. Supp. 1969), shall be determined as of the time the person applying for a certificate of title thereto obtained either legal ownership or possession of the recreational vehicle, which shall be the actual date of the sale or other transfer of legal ownership, which date shall be shown by the assignment on the certificate of title, or, in the case of a new recreational vehicle, on the manufacturer's certificate or statement of origin, and by the assignment on the application for registration, required to be furnished by the new recreational vehicle dealer for use by the purchaser. The value of a new recreational vehicle for vehicle excise tax purposes shall be the manufacturer's price of such a recreational vehicle delivered at the factory. The value of a used recreational vehicle shall be sixty-five percent (65%) of the manufacturer's price of such recreational vehicle delivered at the factory for subsequent transfers for the first year and for the second year and sixty-five percent (65%) of the value of the previous year so fixed for each successive year for which such recreational vehicle is registered and licensed in this or any other state, until such recreational vehicle reaches a minimum value of Two Hundred Fifty Dollars (\$250.00).

(b) The excise tax collected on the sale or transfer of recreational vehicles shall be apportioned in accordance with the provisions of Section 2102 of Section 2, Chapter 361, Oklahoma Session Laws 1963, as renumbered by Section 3, Chapter 215, O. S. L. 1965 (68 O. S. Supp. 1969, § 2102).

SECTION 3. The seller of a recreational vehicle shall designate on the bill of

sale and/or the certificate of title that the vehicle is in fact a recreational vehicle to be licensed under the provisions of this Act.

SECTION 4. Any person owning a recreational vehicle must license the same under the terms of this Act and any violation hereof shall constitute a misdemeanor.

SECTION 5. Section 1 of this Act shall be codified as Section 22.5d-1 of Title 47 of the Oklahoma Statutes, and Section 2 hereof shall be codified as Section 2104.1 of Title 68 of the Oklahoma Statutes.

SECTION 6. The provisions of this Act shall be operative on and after December 11, 1970.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval."

**HAs to SB 489** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 21, after the word "forth" and before the word "; PROVIDED," insert the following: "PURCHASING SAME FROM THE CAPITAL OUTLAY ACCOUNT FOR STREETS AND ALLEYS".

Amendment No. 2. Amend Page 1, Section 1, Line 26, after the word "town." strike the period and add a comma and the following words "AFTER TRANSFERRING SAID FUNDS TO THE STREET AND ALLEY ACCOUNT."

**HA to SB 513** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 15, by deleting the words "partial or".

**HA to SB 551** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Lines 21 and 22, by deleting the

word "to" on line 21, and the words "such practitioner" on line 22 and substituting in lieu thereof the following words: "served on all attorneys of record,".

**HAs to SB 557** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 3, Section 3, Line 9, by adding the following words: "only, and no other type," after the word "dictation" and before the word "and".

Amendment No. 2. Amend Page 3, Section 3, Line 15, by adding the following words: "only, and no other type," after the word "dictation" on line 15 and before the word "and" on line 16.

Amendment No. 3. Amend Page 3, Section 3, Line 24, by adding the following after the word "Court": "Any person who was actively engaged in reporting by use of stenomask procedure on January 1, 1970, and on said date a bona fide resident of the State of Oklahoma, shall be authorized to take the examination as set forth above, and in the event a passing score is achieved, shall be licensed as provided for above."

Amendment No. 4. Amend Page 3, Section 4, Line 28, by changing the figures "1968" to "1969".

**HAs to SB 595** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Lines 14 and 15, by deleting the language beginning with the word "completed" on line 14, through the figures "1968" on line 15, and inserting in lieu thereof the following words: "served a period of two (2) years after assuming the office".

Amendment No. 2. Amend Page 2, Lines 16 and 17, by striking the period after the word "courts" and inserting a comma in lieu thereof, and striking the words "In determining the total number of years of service" and inserting in lieu thereof the words "and in determining the periods of time above mentioned,".

**HA to SB 627** read as follows, and consideration deferred:

Amendment No. 1. Strike the Title, Enactment Clause and Entire Bill and substitute the following:

"An Act relating to court reporters; amending Chapter 262, Sections 3, 7 and 4, O. S. L. 1968 (20 O. S. Supp. 1969, § § 106.3, 106.7 and 106.4), prescribing qualifications for eligibility to perform reporting services within certain classifications; providing salaries and compensation of reporters; describing functions and fixing fees for transcribing record; establishing effective date thereof; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 3, Chapter 262, O. S. L. 1968 (20 O. S. Supp. 1969, § 106.3), is amended to read as follows:

§ 106.3 **[Eligibility to]** THE FOLLOWING PERSONS ONLY MAY ACT AND ARE ELIGIBLE FOR appointment ON A FULL-TIME OR PART-TIME BASIS AS OFFICIAL court **[reporter shall conform to the following]** REPORTERS FOR THE COURTS, INCLUDING THE STATE INDUSTRIAL COURT AND THE CORPORATION COMMISSION:

a. **[Certified shorthand reporters,]** PERSONS now **[designated]** CERTIFIED or hereafter **[designated]** CERTIFIED by the State Board of Examiners of Official Shorthand Reporters shall be given primary consideration **[to]** FOR appointment;

B. PERSONS WHO SHALL HAVE BEEN LICENSED BY THE STATE BOARD OF EXAMINERS OF OFFICIAL SHORTHAND REPORTERS SHALL BE GIVEN SECONDARY CONSIDERATION FOR APPOINTMENT;

**[b.]** C. Acting shorthand reporters, I.E. persons **[who have not achieved passage of a proficiency test]** CAPABLE OF TAKING AND TRANSCRIBING TESTIMONY BUT NEITHER CERTIFIED NOR LICENSED by **[said]** THE State Board



of Examiners of Official Shorthand Reporters, [but are capable of reporting,] may be appointed AS OFFICIAL COURT REPORTERS OF A COURT, INCLUDING THE STATE INDUSTRIAL COURT, AND THE CORPORATION COMMISSION, ONLY IF NO CERTIFIED OR LICENSED REPORTERS ARE AVAILABLE, TO SERVE FOR A PERIOD OF NOT EXCEEDING TWENTY-FOUR (24) MONTHS. [Nothing in this act shall prevent persons serving as the court reporters of the district, county, common pleas and superior courts, now serving, from continuing to serve as acting shorthand reporters after January 13, 1969.] AN ACTING SHORTHAND REPORTER SHALL BE ISSUED, UPON HIS APPOINTMENT, A TEMPORARY CERTIFICATE BY THE CHIEF JUSTICE ON PAYMENT OF A FEE OF TEN DOLLARS (\$10.00) WHICH SHALL BE DEPOSITED WITH THE CLERK OF THE SUPREME COURT. THE TEMPORARY CERTIFICATE OF AN ACTING COURT REPORTER SHALL NOT BE RENEWABLE.

D. THE APPOINTMENT OF AN OFFICIAL COURT REPORTER BY A DISTRICT OR PRESIDING JUDGE SHALL BE SUBJECT TO THE APPROVAL OF THE CHIEF JUSTICE. BEFORE GIVING HIS APPROVAL TO THE APPOINTMENT THE CHIEF JUSTICE SHALL DETERMINE, WITH THE AID OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS, THAT THE APPOINTING JUDGE HAS GIVEN PROPER CONSIDERATION TO THE STATUTORY PREFERENCE ACCORDED HEREIN TO CERTIFIED AND LICENSED REPORTERS.

[c] E. [If a regular court reporter, possessed of the aforesaid qualifications, is] IF AN OFFICIAL FULL-TIME OR PART-TIME COURT REPORTER EMPLOYED BY A DISTRICT OR PRESIDING JUDGE BE temporarily unable to perform his [reporting] duties, and there is no certified OR LICENSED shorthand reporter available, THE JUDGE SHALL

BE AUTHORIZED TO ENGAGE a person capable of taking and transcribing testimony [may be appointed] AS temporary ACTING court reporter to serve until the regular COURT reporter resumes his duties. [Although the appointment of a] A temporary ACTING court reporter, [may have expired, he may] EITHER WHILE SO SERVING OR AFTER THE EXPIRATION OF HIS APPOINTMENT, SHALL be required to transcribe any testimony and other proceedings taken by him and to certify that the [transcript] TRANSCRIPTION is true and correct [.] [and a] A transcript [so] certified BY A TEMPORARY ACTING COURT REPORTER shall have the same [force and effect] EFFICACY as one certified by a regular court reporter. UPON HIS APPOINTMENT TO SO ACT THE TEMPORARY COURT REPORTER SHALL BE ISSUED A TEMPORARY CERTIFICATE FOR A PERIOD OF TIME THEREIN SPECIFIED BY THE CHIEF JUSTICE ON PAYMENT OF A FIVE DOLLAR (\$5.00) FEE TO THE CLERK OF THE SUPREME COURT.

SECTION 2. Section 7, Chapter 262, O. S. L. 1968 (20 O. S. Supp. 1969, § 106.7), is amended to read as follows:

§ 106.7. The salaries of all court reporters shall be paid by the state, EXCEPT AS PROVIDED OTHERWISE HEREIN. Full-time [judicial court] reporters, ENGAGED BY THE COURTS, including THE State Industrial Court [reporters,] who are certified shorthand reporters shall be paid Nine Thousand Dollars (\$9,000.00) per annum, payable monthly. Those persons who were noncertified District or Superior Court reporters, and actively serving as such on March 1, 1968, shall be paid Seven Thousand Four Hundred Dollars (\$7,400.00) per annum, payable monthly. COURT REPORTERS WHO SUCCESSFULLY COMPLETE AN EXAMINATION AS LICENSED SHORTHAND REPORTERS SHALL BE PAID SEVEN THOUSAND FOUR HUNDRED

DOLLARS (\$7,400.00) PER ANNUM, PAYABLE MONTHLY. LICENSED COURT REPORTERS WHO PROCURE THEIR LICENSE WITHOUT AN EXAMINATION, AND WHO WERE NOT CERTIFIED DISTRICT OR SUPERIOR COURT REPORTERS ACTIVELY SERVING AS SUCH ON MARCH 1, 1968, SHALL BE PAID SIX THOUSAND SIX HUNDRED DOLLARS (\$6,600.00) PER ANNUM, PAYABLE MONTHLY, UNTIL SUCH TIME AS THEY PASS THE REQUIRED EXAMINATION FOR LICENSING OR CERTIFICATION. Acting [shorthand] COURT reporters shall be paid Six Thousand Six Hundred Dollars (\$6,600.00) per annum, payable monthly. Temporary ACTING court reporters shall be compensated BY THE COURT FUND OF THE COURT WHICH THEY SERVE at the rate of Thirty-five Dollars (\$35.00) per day.

SECTION 3. Section 4, Chapter 262, O. S. L. 1968 (20 O. S. Supp. 1969, § 106.4), is amended to read as follows:

§ 106.4. (a) The court reporter shall make a full reporting by means of stenographic hand, steno-mask or machine notes, or a combination thereof, of all proceedings, including the statements of counsel and the court and the evidence, in trials and other judicial proceedings to which he is assigned by the [Presiding Judge] APPOINTING JUDGE unless excused by the judge who is trying the case with the consent of the parties to the action. Nothing herein contained shall be construed to authorize the certification OR LICENSING of persons as certified OR LICENSED shorthand reporters who rely exclusively upon the steno-mask for reporting judicial proceedings, EXCEPT AS PROVIDED BY LAW. A refusal of the court to permit or to require any statement to be taken down by the court reporter or transcribed after being taken down, upon the same being shown by affidavit or other direct and competent evidence, to the Supreme Court, or other appellate court, shall CONSTITUTE A DENIAL OF DUE PROCESS OF LAW [be

deemed prejudicial error, without regard to the merits thereof.] The court reporter may use an electronic instrument as a supplementary device. In any trial, hearing or proceedings, the judge before whom the matter is being heard may, unless objection is made by a party or counsel, order the proceedings electronically recorded. A trial or proceedings may proceed without the necessity of a court reporter being present, unless there is objection by a party or counsel. Provided that if an official transcript is ordered then it shall be prepared by the official court reporter.

(b) Upon request of either party in a civil or criminal case the reporter shall transcribe the proceedings in a trial or other judicial proceeding, or so much thereof as may be requested by the party, certify to the correctness of the transcript, and deliver the same to the party requesting it on the payment of his fees therefor at the rate of One Dollar (\$1.00) per page of at least twenty-five lines to the page, provided that upon request of the party ordering the transcript, the reporter shall furnish two carbon copies without charge. The fees for making the transcript shall be paid in the first instance by the party requesting the transcript and shall be taxed as costs in the suit.

When the judge of his own motion orders a transcript of the reporter's notes, the judge may direct the payment of charges therefor and the taxation of the charges as costs in such manner as to him may seem just. In a criminal action, if the defendant shall present to the judge his affidavit that he intends in good faith to take an appeal in the case and that a transcript of the reporter's notes is necessary to enable him to prosecute the appeal, and that he has not the means to pay for the transcript, the court, upon finding that there is reasonable basis for the averment, shall order the transcript made at the expense of the county court fund. THE PREPARATION, DELIVERY AND

**FILING OF TRANSCRIPTS TO BE USED IN A CIVIL APPEAL MAY BE REGULATED BY RULES OF THE SUPREME COURT.**

(c) The court reporter shall file his records of the evidence and the proceedings taken in any case with the clerk of the court in which the case was tried.

(d) To the extent that it does not substantially interfere with the court reporter's other official duties, the judge [to] BY whom a reporter is EMPLOYED OR TO WHOM HE IS assigned may assign a reporter to secretarial or clerical duties arising out of official court operations.

SECTION 4. This act shall be effective on and after April 13, 1970.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**MESSAGE FROM THE HOUSE**

Transmitting following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1551, 1553, 1554, 1562, 1568, 1570, 1576 and 1584.

**CONFERENCE COMMITTEE REPORTS**

The following CCR on HB 1551 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1551, entitled:

(An Act relating to the Office of the Lieutenant Governor and Declaring an Emergency)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration

and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the following Conference Committee amendment be adopted: Page 1, lines 17 and 18, delete the words and figures "Thirty-one Thousand Eight Hundred Dollars (\$31,800.00)" and insert in lieu thereof the words and figures "Thirty-six Thousand Eight Hundred Dollars (\$36,800.00)"

3. Restore title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1553 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1553, entitled:

(An Act relating to the division of the Budget and Declaring an Emergency) together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. Restore the title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.



The following CCR on HB 1554 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1554, entitled:

An Act relating to the Secretary of the State Election Board and making appropriations thereto; stating the purpose; \*\*\* and declaring an emergency.

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House concur in Senate Amendment No. 1.

2. That the House concur in Senate Amendment No. 2.

3. That the title be amended to read as follows:

An Act relating to the Secretary of State Election Board and making appropriations thereto; stating the purpose; making an appropriation from the State of Oklahoma Institutional Building Bonds of 1965 Sinking Fund; stating the purpose; fixing the salary of the Secretary of the State Election Board; providing for the employment and compensation of necessary personnel; making said appropriations nonfiscal; making the provisions of this Act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1562 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1562, entitled:

An Act relating to the Oklahoma Commission on Education; \*\*\* and declaring an emergency.

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Amendment No. 1.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1568 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1568, entitled:

(An Act relating to the State Department of Health and Declaring an Emergency)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee amendment be adopted: Page 1, lines 16 and 17, strike the words and figures "Two Hundred Forty Thousand Dollars (\$240,000.00)" and insert in lieu there-

of the words and figures "Two Hundred Thousand Dollars (\$200,000.00)"

3. Restore title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1570 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1570, entitled:

An Act relating to Oklahoma Indian Affairs Commission and making an appropriation thereto; stating the purpose; \*\*\*; and declaring an emergency. together with Engrossed Senate Amendment thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendments No. 1, 2 and 3.

2. That the following Conference Committee amendments be adopted:

1. Amend title to read as follows: An Act relating to Oklahoma Indian Affairs Commission and making an appropriation thereto; stating the purpose; providing for appointment and compensation of personnel; providing for maximum salary for the director; limiting amount of funds for expenses of Commission meetings; stating requirements for members of the Commission; providing lapse date; making provisions of this Act severable; and declaring an emergency.

2. Page 1, line 33, Section 4, add a new Section 4 to read as follows: "All members of the Commission appointed hereafter must be of at least one-fourth (1/4) Amer-

ican Indian blood or more." Renumber succeeding sections to conform.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1576 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1576, entitled:

An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation thereto; \*\*\*; and declaring an emergency.

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

That the House concur in all Senate amendments.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following CCR on HB 1584 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1584, entitled:

An Act relating to the Department of Pollution Control; making an appropriation thereto; stating the purpose; provid-

ing lapse date; making provisions of this Act severable; and declaring an emergency.

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

That the Senate recede from the Senate Amendment.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

**HOUSE CONFEREES:** Willis, Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

#### **CITATION**

Upon motion of Senator Garrison, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Mr. J. N. Lee, Principal of Central Junior High School, Bartlesville, Oklahoma upon his retirement and for his many years of dedicated service to the Oklahoma public school system.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**HBs 1615, 1630 and 1664** each correctly engrossed.

**SBs 588, 622 and SCR 60, 73, 74 and 75** each correctly enrolled.

Engrossed **SAs** to Engrossed **HBs 1615, 1630 and 1664**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 588 and 622** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCRs 60, 73 and 74** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Smalley presiding.

Enrolled **SCR 75** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

#### **COMMITTEE REPORTS**

The following Bills and/or resolution were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

**DO PASS:**

**HB 1242**—Education.

**HB 1701**—Finance and Commerce-coauthored by Nichols.

**HB 1760**—Judiciary-coauthored by Boecher.

**DO PASS**, as amended:

**HB 1590**—Education.

**HB 1721**—Education-coauthored by Atkinson.

**HB 1777**—Education-coauthored by Crow, McGraw and Howard.

**HB 1790**—Judiciary.

**HJR 1053**—Education.

#### **FIRST READING**

By unanimous consent, upon request of Senator Stipe, the Rules of the Senate were suspended for the purpose of introducing the following Bill, which was read for the first time:

**SB 659**—By Stipe—An Act authorizing and directing the State Board of public Affairs to sell the surface to a certain tract of land located in Section 35, Township 4 North, Range 21 East, Latimer County, now owned by the State of Oklahoma for the use and benefit of Eastern Oklahoma T. B. Sanitorium at Talihina, Oklahoma; providing for the manner of such sale; and providing for the disposition of the proceeds of such sale.

#### **SECOND READING**

The following Bill was read the second time and referred to the Committee indicated:



**HB 1809—Rules.**

**RULE 19-f SUSPENDED**

Senator Terrill asked unanimous consent, which was granted, that Rule 19-f be suspended on all measures passed this legislative day and the remainder of this legislative session.

**PENDING SENATE ACTION**

**HCR 1062** by McKee and Boettcher of the House and Field of the Senate was called up for consideration.

**HCR 1062** was read at length, adopted upon motion of Senator Field, properly signed, and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1540** by Bickford and Lindstrom of the House and Martin of the Senate was read and considered.

Upon motion of Senator Martin, **HB 1540** was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, **HB 1540** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1540** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams.—34.

Nay: Smith.—1.

Excused: Baggett, Dacus, Garrett, Ham, Hamilton, Hargrave, Howard, McGraw, Porter, Smalley, Stipe, Taliaferro, Young.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams.—34.

Nay: Smith.—1.

Excused: Baggett, Dacus, Garrett, Ham, Hamilton, Hargrave, Howard, McGraw, Porter, Smalley, Stipe, Taliaferro, Young.—13.

The emergency was declared passed.

**HB 1540**, as amended, was referred for engrossment.

**UNANIMOUS CONSENT REQUEST**

Senator Grantham asked unanimous consent, which was granted, that the Judiciary Committee be excused this legislative day and the next legislative day at such times as it may be necessary to conduct meetings.

Senators Stipe, Garrett, Howard and Hamilton asked to be shown present, which was the order.

**GENERAL ORDER**

**HB 1434** by Thompson of the House and Field of the Senate was called up for further consideration.

Senator Field moved to amend **HB 1434**, page 3, line 6, by inserting after the word "Section" the language "provided, however, no corporation licensed under this Section shall own or purchase the stock of more than one other corporation licensed under this Section" which amendment was declared adopted.

Upon motion of Senator Field, **HB 1434**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, **HB 1434**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1434** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams.—31.

Nay: Atkinson, Berrong, Bradley, Hamilton, Lane, Medearis, Smith.—7.

Excused: Baggett, Birdsong, Dacus, Ham, Hargrave, Porter, Smalley, Stipe, Taliaferro, Young.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—38.

Nay: Berrong.—1.

Excused: Baggett, Dacus, Ham, Hargrave, Martin, Nichols, Porter, Taliaferro, Young.—9.

The emergency was declared passed.

**HB 1434**, as amended, was referred for engrossment.

Senators Ham, Taliaferro and Baggett asked to be shown present, which was the order.

**GENERAL ORDER**

**HB 1674** by Bernard of the House and McSpadden, Taliaferro, Birdsong and Field of the Senate was read and considered.

Senator Payne asked to be made a co-author of **HB 1674**, which was the order.

Senator Garrison, joined by Senators Smith and Ham, moved to amend **HB 1674**,

by striking all language contained therein and substituting the following:

“SECTION 1. The boards of county commissioners of the several counties, in spending funds apportioned and paid to the counties by the State of Oklahoma for road or highway construction, maintenance, or any other road or highway use, shall acquire, through the Purchasing Division of the State Board of Public Affairs, the following supplies, equipment and material; (1) corrugated metal culvert pipe or pipe arch or connecting bands for either; (2) bridge lumber or timbers; (3) bridge piling; (4) grader blades; (5) signs, delineators, reflectors, and other traffic control devices, together with poles or posts therefor; (6) metal guardrails, cable, and/or posts and blocks therefor; (7) metal beams and/or channel iron; and (8) highway construction and maintenance equipment and machinery, except used metal beams, used channel or angle iron, farm type tractors and attachments, mowing equipment, and trucks, pickups, and automobiles: Provided, a board of county commissioners may purchase any of the items enumerated in (1), (2), (3), (4), (5), (6), (7), or (8) above from any merchant in its county or any adjoining county without regard to the Purchasing Division of the State Board of Public Affairs, provided such merchant maintains a bona fide place of business and ad valorem taxable inventories of such supplies within the county, and provided further, that less than fifty percent (50%) of such merchant's gross annual sales are to county governments in the State of Oklahoma. The term “used” as employed herein, means those items which have been utilized for a period of at least six (6) months.

SECTION 2. Each county commissioner shall designate at least one responsible employee to receipt delivery of all purchases on enumerated items in Section 1, which employee shall be under a bond of Five Thousand Dollars (\$5,000.00). Said employee shall visibly inspect the materials pur-

chased to determine that deliveries agree in quality and quantity with the purchase orders issued. Said bonded employee shall ascertain that no claim has been executed prior to the delivery of said materials.

SECTION 3. Purchasing for the boards of county commissioners as provided in Section 1 of this act shall be in conformity with provisions of Sections 85.4, 85.5, 85.6, and 85.7 of Title 74 of the Oklahoma Statutes, or as may be provided in future legislation. The provisions contained in this section shall not preclude the right of the boards of county commissioners to set reasonable specifications to assure delivery of quality supplies, equipment and material.

SECTION 4. The provisions of this act shall not apply to acquisition of right-of-way for road or highway construction purposes. Neither shall the provisions of this act apply to the award of contracts for authorized road or highway construction or maintenance. Provided, however, that such contracts for road or highway construction or maintenance shall be awarded to the lowest responsible bidder or bidders. Procedures for securing bids and awarding contracts shall be in conformity with procedures authorized in Section 1101, Chapter 415, O.S.L. 1968 (69 O.S. Supp. 1969, § 1101), for the State Highway Commission or as may be authorized by the Legislature in the future.

SECTION 5. Sections 636 and 637, Chapter 415, O.S.L. 1968 (69 O.S. Supp. 1969, § § 636 and 637), and all other acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 6. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 7. The provisions of this act shall become effective from and after July 1, 1970.

SECTION 8. It being immediately necessary for the preservation of the public

peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval." which amendment was tabled upon motion of Senator McSpadden upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Crow, Field, Grantham, Graves, Hamilton, Holden, Horn, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Stipe, Taliaferro, Williams, Young.—24.

Nay: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Ham, Hargrave, Howard, Inhofe, McCune, McGraw, Murphy, Romang, Short, Smalley, Smith, Stansberry, Terrill.—21.

Excused: Dacus, Nichols, Porter.—3.

Senator Baldwin presiding.

Senator Berrong moved to amend **HB 1674**, page 3, line 9, by inserting after the word "and" and before the word "ad valorem" the words "a continuous" which amendment was declared adopted.

Senator Williams moved to amend **HB 1674**, page 5, line 8, by inserting after the word "bidder" and before the period the words "at delivered price" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 5, line 11, by striking the word "an" after the word "having" and by inserting in lieu thereof the words "a continuous" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, beginning on page 7, by striking all language in lines 6 through 18 and on page 8, by striking lines 1 through 15, which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 9, line 1, by striking the words and figures "One Thousand Dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "Five Thousand Dollars (\$5,000.00)" which amendment was declared adopted.



Senator Berrong moved to amend **HB 1674**, page 9, line 4, by inserting after the word "the" and before the word "delivery" the words "purchase order and" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 9, line 8, by striking the word "vendor's" and substituting therefor the word "vendee's" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 9, line 8, by inserting after the word "plant" the language "which have been previously receipted by said responsible employee" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 9, line 11, by inserting after the word "signed" and before the word "delivery" the words "purchase order and" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1674**, page 10, line 11, by inserting after the word "action" the words "which shall be" which amendment was declared adopted.

Senator Short moved to amend **HB 1674**, page 10, line 18, by striking the "s" from the word "Sections" and the word and figures "and 637" and on page 11, line 1, by striking one section symbol "§" and the word and figure "and 637" which amendment was declared adopted.

Upon motion of Senator McSpadden, **HB 1674**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1674**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1674** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Garrett, Gran-

tham, Graves, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Baggett, Baldwin, Bradley, Breckinridge, Garrison, Ham, Howard, Inhofe, Keels, Stansberry.—10.

Excused: Dacus, Massey, Nichols, Porter, Smalley.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams.—35.

Nay: Baldwin, Garrison, Keels.—3.

Excused: Dacus, Hargrave, McGraw, Nichols, Porter, Smith, Stansberry, Stipe, Taliaferro, Young.—10.

The emergency was declared passed.

**HB 1674**, as amended, was referred for engrossment.

### PENDING CONSIDERATION OF CCR

Upon motion of Senator Garrison, the Conference Committee Report on **HB 1797** was declared adopted.

**HB 1797**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—38.

Excused: Atkinson, Dacus, Graves, Hargrave, Lane, Medearis, Nichols, Porter, Smith, Taliaferro.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—38.

Excused: Atkinson, Dacus, Graves, Hargrave, Lane, Medearis, Nichols, Porter, Smith, Taliaferro.—10.

The emergency was declared passed.

**HB 1797**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Payne presiding.

#### PENDING SENATE ACTION ON HAS

Upon motion of Senator Baggett, the Senate concurred in **HAS** to **SB 502**.

**SB 502**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Williams, Young.—37.

Excused: Dacus, Graves, Hargrave, Lane, Massey, Miller, Porter, Smith, Stipe, Taliaferro, Terrill.—11.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Williams, Young.—37.

Excused: Dacus, Graves, Hargrave, Lane, Massey, Miller, Porter, Smith, Stipe, Taliaferro, Terrill.—11.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Williams, the Senate concurred in **HA** to **SB 10**.

**SB 10**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—38.

Nay: Hamilton.—1.

Excused: Baggett, Dacus, Lane, McGraw, McSpadden, Massey, Porter, Taliaferro, Terrill.—9.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Williams, Young.—38.

Nay: Hamilton.—1.

Excused: Baggett, Dacus, Lane, McGraw, McSpadden, Massey, Porter, Taliaferro, Terrill.—9.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1543 and 1723.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 588 and 622.

The above numbered Enrolled Bills were referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 60, 73, 74 and 75.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

#### GENERAL ORDER

HB 1208 by Vann, et al, of the House and Berrong of the Senate was read and considered.

Senator Grantham asked to be made a coauthor of HB 1208, which was the order.

Upon motion of Senator Berrong, HB 1208 was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, HB 1208 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HB 1208 was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Williams.—39.

Excused: Baggett, Dacus, Garrison, Lutton, Porter, Stipe, Taliaferro, Terrill, Young.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Williams.—39.

Excused: Baggett, Dacus, Garrison, Lutton, Porter, Stipe, Taliaferro, Terrill, Young.—9.

The emergency was declared passed.

HB 1208, as amended, was referred for engrossment.

#### GENERAL ORDER

HB 1625 by Dunn, et al, of the House and Holden of the Senate was read and considered.

Senator McSpadden asked to be made a coauthor of HB 1625, which was the order.

Upon motion of Senator Holden, HB 1625 was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, HB 1625 was placed upon third reading and final passage.

#### THIRD READING

HB 1625 was read for the third time at length.



On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill, Williams.—34.

Nay: Garrison, Hamilton, Keels, McCune, Romang, Short, Young.—7.

Excused: Boecher, Dacus, Luton, Medearis, Porter, Stansberry, Stipe.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Smith, Taliaferro, Terrill, Williams.—34.

Nay: Garrison, Hamilton, Keels, McCune, Romang, Short, Young.—7.

Excused: Boecher, Dacus, Luton, Medearis, Porter, Stansberry, Stipe.—7.

The emergency was declared passed.

**HB 1625** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1292** by Bengtson, et al, of the House and Romang of the Senate was read and considered.

Senator Baggett moved to amend **HB 1292**, page 3, line 12½ by inserting after line 12, and before line 13, the following new sections: "Section 2. As used in Chapter 282, 1968 Oklahoma Session Laws (10 O. S. 1969 Supp., § § 1101 et seq), as amended, the term "child" means any person under the age of eighteen (18) years.

Section 3. The preceding section shall be codified as Section 1101A of Title 10,"

and by amending the title to conform, which amendment was declared adopted.

Upon motion of Senator Romang, **HB 1292**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Romang, **HB 1292**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1292** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Excused: Baggett, Berrong, Crow, Dacus, Garrett, Lane, Massey, Medearis, Nichols, Porter, Stansberry, Stipe, Taliaferro, Young.—14.

The bill was declared passed.

**HB 1292**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

Senator Porter asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1601** by Skeith, et al, of the House and Murphy and Massey of the Senate was read and considered.

Senator Murphy moved to amend **HB 1601**, page 2, line 10, by striking the word "otherwise" and inserting in lieu thereof the language "any other source directly or indirectly related to such fund." which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 3, lines 12 through 16, by striking after the word "provided" on line 12 all language through line 16, and in-

serting in lieu thereof the language "if any funds have been contributed by municipal or county governments for the purchase of property, such funds shall be returned to said municipal or county government together with any interest which such contributions have actually earned" which amendment was declared adopted.

Senator Murphy, joined by Senator Hamilton, moved to amend **HB 1601**, page 3, line 1, by inserting after the word "proceed" and before the word "to" the language "to replenish from the cost of said project the State's proportionate share of the purchase price paid for said right-of-way, and" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 2, by striking after the word "fund" and before the word "be" the word "may" and substitute therefor the word "shall" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 3, by inserting after the word "Treasurer" and before the word "in" the language "upon direction of the State Highway Director" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 6, by striking after the word "certificates" and before the word "deposits" the word "or" and substituting therefor the word "of" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 8, by striking after the word "America" the word "to" and add the language "Any such investment shall" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 13, by striking the word "mass" and substituting therefor the word "such" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 16, by inserting after the word "shall" and before the word "be"

the word "first" which amendment was declared adopted.

Senator Murphy moved to amend **HB 1601**, page 4, line 17, by striking the word "Commissioner" and substituting therefor the word "Commission" which amendment was declared adopted.

Upon motion of Senator Murphy, **HB 1601**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **HB 1601**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1601** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—36.

Nay: Baldwin.—1.

Excused: Crow, Dacus, Garrison, Lane, Massey, Medearis, Payne, Phillips, Stansberry, Stipe, Young.—11.

The bill was declared passed.

**HB 1601**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

Senator Miller asked for consideration of the Stansberry motion to reconsider the vote by which **HB 1784** passed.

Senator Nichols moved to table the Stansberry motion, which motion was declared adopted.

**HB 1784**, as amended, was referred for engrossment.

Senator Smalley presiding.

### PENDING CONSIDERATION OF CCR

The Conference Committee Report on

**HB 1608** was called up for further consideration, and adopted upon motion of Senator Keels.

**HB 1608**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Terrill, Williams, Young.—37.

Excused: Baggett, Bradley, Breckinridge, Crow, Dacus, Hargrave, Lane, Short, Stansberry, Stipe, Taliaferro.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Terrill, Williams, Young.—37.

Excused: Baggett, Bradley, Breckinridge, Crow, Dacus, Hargrave, Lane, Short, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**HB 1608**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1798**, as amended.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 80**.

The above numbered Resolution was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 535**; **SB 637**-coauthored by Bickford; and **SB 644**-coauthored by Derbyberry, Boren, Payne, Cox, Monks and Bickford.

The above numbered Bills were referred for enrollment.

#### PENDING SENATE ACTION

Upon motion of Senator Garrett, the request of the Honorable House for a Conference on **HB 1247** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1247**: Garrett, Smalley and Hamilton.

Upon motion of Senator Garrett, the request of the Honorable House for a Conference on **HB 1740** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1740**: Garrett, Grantham, and Young.

#### PENDING SENATE ACTION ON HAS

Senator McSpadden moved that the Senate reject **HA** to **SB 509** and request a Conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

#### MOTIONS

Senator Baggett submitted the following motions in writing, and asked that same be incorporated in the Journal and consideration deferred until the next legislative day, which was the order:



Mr. President:

I move to instruct the Senate representatives to the Joint Conference Committee on Engrossed House Bill No. 1586 as follows:

To propose to the Joint Conference Committee to amend House Bill 1586 to provide that in lieu of the \$300 annual salary increase now scheduled for teachers for the school year 1970-1971 in accordance with Chapter 48 of 1968 Oklahoma Session Laws (70 O. S. 1969 Supp., § 1210.53), that the requirement that teachers contribute to the Teacher Retirement System be repealed and the State of Oklahoma assume the full cost of the Teacher Retirement System, in order to accomplish the following purposes:

1. To provide teachers with a greater increase in their actual net income after taxes than they would otherwise receive in 1970-1971 and subsequent years under said Chapter 48 and House Bill No. 1586 with a 5% teacher contribution provision.

2. To eliminate any dispute over paying interest on Teachers' contributions by eliminating such contributions altogether.

3. To free the investment funds of the Teacher Retirement System from the undue restrictions which now exist so as to permit more freedom in investment policies and correspondingly greater yields in investment income.

Mr. President:

I move to instruct the Senate Representatives to the Joint Conference Committee on Engrossed House Bill No. 1586 as follows:

To propose to the Joint Conference Committee a formula of retirement benefits whereby each retired certified teachers will receive an annual retirement benefit of one and one half percent of the average of the five (5) highest years salary of such teacher not in excess of Ten Thousand Dollars (\$10,000.), multiplied by the number of years of creditable service

of such retired teacher, with the provision that the maximum retirement benefit which may be paid in any year by the Teacher Retirement System to any retired teacher may not exceed the amount which when added to the maximum Social Security benefits that such teacher is eligible to receive, will total seventy-five percent (75%) of the highest annual salary such retired teacher received not in excess of Ten Thousand Dollars (\$10,000.).

Mr. President:

I move to instruct the Senate Representatives to the Joint Conference Committee on Engrossed House Hill No. 1586 as follows:

To propose to the Joint Conference Committee that House Bill No. 1586 be amended by adding a new section to require every school district to provide Social Security coverage for each one of the full time employees of such school district and to pay the employee's share of the F.I.C.A. taxes therefor.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned as provided under the Rules, which motion was declared adopted.

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1063**—By Barker, et al, of the House and Luton and Smith of the Senate —A Concurrent Resolution extending the commendation and congratulations of the Legislature to David Strickland who has been named "National Conservationist of the Year"; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

## RESOLUTION

By unanimous consent, the following Resolution was introduced and consideration deferred for this legislative day:

**SR 60** by Berrong—A Resolution relating to interim study by the State Legislative Council, during the 1970 legislative in-

terim; requesting the Executive Committee to refer to the appropriate Standing Committee for study the problem of litter, especially beer containers, on streets, highways and other public property; and di-

recting a report of findings and recommendations.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., tomorrow.





## Forty-sixth Legislative Day

Wednesday, March 25, 1970

Pursuant to adjournment, the Senate was called to order by Senator Smalley, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young,—45.

Excused: Dacus, Ferrell, Hamilton.—3.

The Presiding Officer declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

President Pro Tempore Smith presiding.

### MESSAGE FROM THE HOUSE

Transmitting following Bill together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1339**.

### CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1339** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to

whom was referred Engrossed **HB 1339**, and Engrossed Senate Amendments thereto, by Monks, et al, entitled:

An Act relating to public schools; amending 70 O.S. 1961, § 1-10; designating a public school holiday for the observance of Veterans Day; and providing that the public schools shall be closed on said day. beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation that the following conference committee substitute be adopted:

**CCS for HB 1339**—By Monks, et al—An Act relating to public schools; amending 70 O.S. 1961, § 1-10; designating an optional public school holiday for the observance of Veterans Day; and providing that the public schools shall be closed on said day.

Be it Enacted by the People of the State of Oklahoma:

SECTION 1. 70 O.S. 1961, § 1-10, is amended to read as follows:

§ 1-10. (A) A school year for all public schools in Oklahoma shall consist of ten (10) months of four (4) weeks each, of which time school shall actually be in session and instruction offered for not less than one hundred eighty (180) days. Provided, however, five (5) days may be used for attendance of professional meetings and teachers may be paid for a length of term in excess thereof, under conditions hereinafter outlined. A school district may maintain school for less than a full term only when conditions beyond the control of school authorities make impossible the maintenance of said term.

(B) THE DATE OF NOVEMBER 11, OR OTHER DAY PROVIDED BY THE LAWS OF THIS STATE FOR THE OBSERVANCE OF VETERANS DAY, IS HEREBY DESIGNATED AN OPTIONAL PUBLIC SCHOOL HOLIDAY. ALL PUBLIC SCHOOLS SHALL PROGRAM AND CONDUCT PROPER OBSERVANCE OR DECLARE A PUBLIC SCHOOL HOLIDAY FOR THE OBSERVANCE OF VETERANS DAY.

FOR THE SENATE: Luton, Miller, Smalley.

FOR THE HOUSE: Monks, Barker, Sullivan.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 133**-coauthored by Sandlin; **SB 393**-coauthored by Goodfellow and Atkins; **SB 399**-coauthored by Wolfe (Stephen); and **SB 536**, each as amended.

**HAs to SB 133** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Line 5, by adding after the period the following: "Provided if no city facilities, water, sewer, fire protection or police protection have been provided within five (5) miles of a said area or will be provided within a five (5) year period within five (5) miles of a said area, the land will revert back to county jurisdiction and authority and will automatically be deannexed from the city jurisdiction."

Amendment No. 2. Amend Title on Line 8 after the words "CITY LIMITS" and before the "semicolon" by adding the words "AND DEANNEXATION".

**HAs to SB 393** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 20, by changing the word "an" to read "his".

Amendment No. 2. Amend Page 1, Section 1, Lines 20, 21 and 22, by deleting the language after the word "duty" on

line 20, all of lines 21 and 22, and inserting a period after "duty" on line 20.

Amendment No. 3. Amend Page 1, Section 1, Lines 24-26 by striking all the language on line 24 beginning with the word "alleged" and all of line 25, and the word "functions" on line 26, and substitute the following: "performing his official duty".

Amendment No. 4. Amend Page 1, Line 29, by adding a new "SECTION 2" as follows: "Any citizen who shall be aiding in the maintaining of law and order shall likewise be entitled to the benefits of this act." and renumber following Sections, and amend Title.

**HA to SB 399** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Section 1, Line 31, by striking the word "seventeen" and inserting in lieu thereof the word and figure "EIGHTEEN (18)".

**HA to SB 536** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 2, Line 25, by striking the word and figure "five (5)" and inserting in lieu thereof the word and figure "two (2)".

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1664**, requesting Conference and naming Conferees as follows: Smithey, Odom (M) and Nance.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1064**—By Hutchens, et al, of the House and Field of the Senate—A Concurrent Resolution requesting the State Highway Department to conduct an engineering and traffic investigation of the State Highway System to determine the reasonable and safe speed for the various parts of such system; requesting report of such findings to State Highway Commission, House of Representatives and Senate; requesting State Highway Commission to

establish speed limits to conform to such engineering and traffic investigation.

Consideration of the Resolution was deferred for this Legislative day.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 509, and referring said Bill to the General Conference Committee on appropriations.

Senator Field presiding.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1062.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

President Pro Tempore Smith presiding.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1797 and 1798.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 79-coauthored by entire House membership.

The above numbered Resolution was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1630, requesting Conference and naming Conferees as follows: Monks, Sullivan and Dunn.

Upon motion of Senator Martin, the request of the Honorable House for a conference on HB 1630 was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Con-

ferees under HB 1630: Martin, Stipe and Holden.

#### CITATION

Upon motion of Senator Massey, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Anita Hampton, Durant, Oklahoma upon being named Top Sales Demonstrationist at the Distributive Education Clubs of America Convention.

The above request was ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citation.

#### CONCURRENT CITATION

Upon motion of Senator Payne and Representative Ed Cole, a Citation of Congratulations was ordered issued to Mr. Carl Scott, Head Coach of the Okmulgee High School Boys' Basketball Team, upon winning the Class AAA Boys' State Basketball Championship.

Message was ordered sent advising the Honorable House of Senate action pursuant to Senate Concurrent Citation No. 3.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1208, 1434, 1540 and 1601 each correctly engrossed.

SBs 10, 502, 535, 637 and 644 each correctly enrolled.

Engrossed SAs to and Engrossed HBs 1208, 1434, 1540 and 1601, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SBs 10, 502, 535, 637 and 644 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:



DO PASS:

**HB 1280**—Constitutional Revisions and Regulatory Services—coauthored by Baggett, Nichols and Breckinridge.

**HB 1780**—Constitutional Revisions and Regulatory Services—coauthored by Baggett.

**HJR 1049**—Constitutional Revisions and Regulatory Services—coauthored by Baggett.

DO PASS, as amended:

**HB 1653**—Constitutional Revisions and Regulatory Services—coauthored by Phillips and McSpadden.

**HB 1675**—Judiciary—coauthored by Garrett.

**HB 1678**—Judiciary—coauthored by Garrett.

**HB 1684**—Judiciary—coauthored by Holden.

**HB 1735**—Judiciary.

**HB 1766**—Municipal Government—coauthored by Baggett, Howard and Smith.

**HJR 1021**—Constitutional Revisions and Regulatory Services.

**HJR 1022**—Constitutional Revisions and Regulatory Services.

**HJR 1032**—Constitutional Revisions and Regulatory Services—coauthored by Baggett.

WITHOUT RECOMMENDATION, as amended:

**HB 1517**—Education—coauthored by Howard, Birdsong and Keels.

## SECOND READING

The following Bill was read for the second time:

**SB 659.**

Senator Stipe asked unanimous consent, which was granted that **SB 659** be referred directly to the Calendar, without reference to a committee and that the bill be ordered printed.

## GENERAL ORDER

By unanimous consent, upon request of Senator Stipe, **SB 659** was taken up for

immediate consideration.

Upon motion of Senator Stipe, **SB 659** was advanced to engrossment.

## PENDING SENATE ACTION

**HCR 1059** by Privett, et al, of the House and Horn of the Senate was called up for consideration.

Senator Horn asked unanimous consent that all other Members of the Senate be added as coauthors of the Resolution, which was the order.

**HCR 1059**, as coauthored, was read at length, and adopted upon motion of Senator Horn.

**HCR 1059** was properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**HB 1682** by Barker, et al, of the House and Luton of the Senate was read and considered.

Senators Payne, Berrong, Short, McCune and Smalley asked to be made coauthors of **HB 1682**, which was the order.

Senator Smalley moved to amend **HB 1682**, page 3, line 11, by striking the word and figure "thirty (30)" and substituting therefor the word and figure "forty-five (45)" which amendment was declared adopted.

Upon motion of Senator Luton, **HB 1682**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **HB 1682**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1682** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison,

Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Ferrell, Hamilton, Inhofe, Stipe.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Ferrell, Hamilton, Inhofe, Stipe.—5.

The emergency was declared passed.

**HB 1682**, as amended, was referred for engrossment.

Senator Hamilton asked to be shown present, which was the order.

## GENERAL ORDER

**HB 1722** by Murphy was read and considered.

Senator Lane asked to be shown as a co-author of **HB 1722**, which was the order.

Senator Phillips moved to amend **HB 1722**, page 3, line 18, and page 4, line 1, by striking the words and figures "fourteen dollars (\$14.00)" and restoring the words and figures "Ten Dollars (\$10.00)" which amendment was declared adopted.

Senator Keels moved to amend **HB 1722** by crippling the Title, which amendment was declared adopted.

Upon motion of Senator Lane, **HB 1722**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, **HB 1722**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1722** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Nay: Baldwin, Bradley.—2.

Excused: Dacus, Ferrell, Garrison, Ham, Hamilton, Hargrave, Inhofe, Miller, Payne, Porter, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll called resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Nay: Baldwin, Bradley.—2.

Excused: Dacus, Ferrell, Garrison, Ham, Hamilton, Hargrave, Inhofe, Miller, Payne, Porter, Taliaferro.—11.

The emergency was declared passed.

**HB 1722**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1199** by Briscoe, et al, of the House and Phillips of the Senate was read and considered.

Senator Phillips moved to amend **HB 1199**, page 2, line 11, by striking the words

"from the State Insurance Fund" which amendment was declared adopted.

Senator Phillips moved to amend **HB 1199**, page 7, line 5, by striking the words "from the State Insurance Fund" which amendment was declared adopted.

Senator Phillips moved to amend **HB 1199**, page 7, beginning on line 15 by inserting after the word "rates" and before the word "and" on line 17, the language "and with companies authorized to do business in Oklahoma," which amendment was declared adopted.

Senator Phillips moved to amend **HB 1199**, page 1, by amending the Title to conform to the amendments, which amendment was declared adopted.

Senator Berrong moved to amend **HB 1199**, page 4, line 2, by inserting after the word "equipment" and before the word "and" the language "who holds a valid license for the type of equipment operated" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1199**, page 6, beginning on line 6, by striking the language "or in any county where service of summons may be had on any defendant" which amendment was declared adopted.

Upon motion of Senator Phillips, **HB 1199**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1199**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1199** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Mc-

Graw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—39.

Nay: Graves, Williams.—2.

Excused: Dacus, Ferrell, Garrison, Hamilton, Porter, Stansberry, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—39.

Nay: Graves, Williams.—2.

Excused: Dacus, Ferrell, Garrison, Hamilton, Porter, Stansberry, Taliaferro.—7.

The emergency was declared passed.

**HB 1199**, as amended, was referred for engrossment.

### PENDING CONSIDERATION OF CCR

Upon motion of Senator Murphy, the Conference Committee Report on **HB 1610** was declared adopted.

**HB 1610**, as amended, in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Holden, Horn, Howard, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—35.

Excused: Dacus, Ferrell, Garrison, Ham, Hamilton, Hargrave, Inhofe, Kee's,



McCune, Nichols, Phillips, Porter, Stansberry.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breckin-ridge, Crow, Field, Garrett, Grantham, Graves, Holden, Horn, Howard, Lane, Luton, McGraw, McSpadden, Martin, Mas-sey, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—35.

Excused: Dacus, Ferrell, Garrison, Ham, Hamilton, Hargrave, Inhofe, Keels, McCune, Nichols, Phillips, Porter, Stansberry.—13.

The emergency was declared passed.

**HB 1610**, together with Conference Com-mittee Report thereon, was ordered re-turned to Honorable House.

### GENERAL ORDER

**HB 1627** by McCune of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1627** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1627** was placed upon third reading and final passage.

### THIRD READING

**HB 1627** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breckin-ridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Mc-Graw, McSpadden, Massey, Medearis, Mil-ler, Murphy, Nichols, Payne, Phillips, Ro-mang, Short, Smalley, Smith, Stipe, Talia-ferro, Terrill, Williams, Young.—40.

Nay: Martin.—1.

Excused: Dacus, Ferrell, Garrison, Ham-ilton, Inhofe, Porter, Stansberry.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breckin-ridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Mc-Graw, McSpadden, Massey, Medearis, Mil-ler, Murphy, Nichols, Payne, Phillips, Ro-mang, Short, Smalley, Smith, Stipe, Talia-ferro, Terrill, Williams, Young.—40.

Nay: Martin.—1.

Excused: Dacus, Ferrell, Garrison, Ham-ilton, Inhofe, Porter, Stansberry.—7.

The emergency was declared passed.

**HB 1627** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1710** by McCune, et al, of the House and Smalley of the Senate was read and considered.

Senator Smalley moved to amend **HB 1710**, page 1, line 1, by adding after the word "domestic" and before the word "insurer" the word "life" which amend-ment was declared adopted.

Senator Smalley moved to amend **HB 1710**, page 2, line 8, by adding after the word "domestic" and before the word "insurer" the word "life" which amend-ment was declared adopted.

Upon motion of Senator Smalley, **HB 1710**, as amended, was advanced to en-grossment.

By unanimous consent, upon request of Senator Smalley, **HB 1710**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1710** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smith, Stansberry, Stipe, Williams, Young.—39.

Excused: Dacus, Ferrell, Garrison, Lane, Porter, Short, Smalley, Taliaferro, Terrill.—9.

The bill was declared passed.

**HB 1710**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1712** by McCune, et al, of the House and Smalley of the Senate was read and considered.

Upon motion of Senator Smalley, **HB 1712** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1712** was placed upon third reading and final passage.

### THIRD READING

**HB 1712** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—38.

Nay: Hamilton, Hargrave, Howard, Payne, Smith.—5.

Excused: Dacus, Ferrell, McSpadden, Porter, Taliaferro.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—38.

Nay: Hamilton, Hargrave, Howard, Payne, Smith.—5.

Excused: Dacus, Ferrell, McSpadden, Porter, Taliaferro.—5.

The emergency was declared passed.

**HB 1712** was properly signed and ordered returned to Honorable House.

Senator Payne presiding.

Senator Ferrell asked to be shown present. which was the order.

### GENERAL ORDER

**HB 1658** by Dunn, et al, of the House and Crow and Atkinson of the Senate was read and considered.

Senator Young moved to amend **HB 1658**, page 3, beginning on line 15, by striking all of Section 4, which amendment was tabled upon motion of Senator Field.

Senator Crow moved to amend **HB 1658**, page 6, line 4, by striking the words "seven-day" and substituting therefor the words "ten-day" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1658**, page 7, line 12, by striking the word "are" and substituting therefor the word "is" which amendment was declared adopted.

Senator Crow moved to amend **HB 1658**, page 7, beginning on line 15, by striking the words "expiration of the first" and on line 16, by striking the word "period" which amendment was declared adopted.

Senator Hamilton moved to amend **HB 1658**, page 10, beginning on line 5, by strik-

ing all of Section 12, and inserting in lieu thereof a new section to read as follows: "Section 12. In the event the taker-up and the owner and/or claimant can't agree as to the amount of damages or expenses involved, the Small Claims Division of the District Court in the county where estray is located shall have jurisdiction to adjudicate the matter, as well as determine claims between more than one person who claims ownership of the estray" which amendment was declared adopted.

Senator Atkinson moved to amend **HB 1658**, page 2, line 5½ by inserting after the word "duties" and before "Section 2" the following subsection: "1 All domestic animals are hereby prohibited from running at large in Oklahoma and from being on the highways or public roads in Oklahoma. All owners of said domestic animals running at large on the public highways are hereby guilty of a misdemeanor and are responsible for damages to any motorist or other person injured thereby" which amendment was tabled upon motion of Senator Crow.

Senator Smalley moved to amend **HB 1658**, page 7, beginning on line 4, by striking the sentence immediately following the word "Agriculture." which amendment was declared adopted.

Senator Hamilton, joined by Senator Crow, moved to amend **HB 1658**, page 7, line 18, by inserting after the word "the" and before the word "district" the words "Small Claims Division of the" which amendment was declared adopted.

Senator Atkinson moved to amend **HB 1658**, page 2, line 5, by adding after the word "duties." and before "Section 2" the language "In the event livestock which are known to belong to a person or persons continue to qualify as estray after continued and repeated application of the provisions of this act, it shall be the authority of the Department of Public Safety or duly elected public law enforcement official or court of competent jurisdiction

to cause said animal or animals to be taken up and held and cared for as prescribed by provisions of this act until properly claimed".

Senator Hamilton moved to amend the Atkinson amendment by inserting before the word "livestock" on line 1 thereof the words "the same" which amendment was tabled upon motion of Senator Atkinson.

The vote occurring upon the Atkinson amendment, it was declared adopted.

Upon motion of Senator Crow, **HB 1658**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **HB 1658**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1658** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—31.

Nay: Baldwin, Bradley, Garrett, Grantham, Graves, Hamilton, Howard, Lane, Miller, Payne, Porter, Stipe, Young.—13.

Excused: Berrong, Dacus, Nichols, Stansberry.—4.

The bill was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Stipe moved that the vote be reconsidered by which **HB 1658**, as amended, passed.

### MOTION

Senator Smalley moved that **HB 1710** be



ordered withdrawn from the Engrossing and Enrolling Department for further consideration, which motion was declared adopted.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **HB 1710**, as amended, passed.

Senator Smalley asked unanimous consent that the Rules be suspended for the purpose of immediately considering his motion, which was the order.

The vote occurring upon the Smalley motion, it was declared adopted upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Atkinson, Boecher, Crow, Dacus, Ferrell, Field, Ham, Hargrave, Horn, Smith, Stansberry.—11.

### THIRD READING

Senator Smalley moved to reconsider the vote by which **HB 1710**, as amended, was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

**HB 1710** was considered further.

Senator Smalley moved that the vote be reconsidered by which his amendment to **HB 1710**, page 1, line 1, was adopted, which motion was declared adopted.

Senator Smalley moved that the vote be reconsidered by which his amendment to **HB 1710**, page 2, line 8, was adopted, which motion was declared adopted.

Upon motion of Senator Smalley, **HB 1710**, was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1710** was placed upon third reading and final passage.

### THIRD READING

**HB 1710** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Stipe, Williams, Young.—36.

Excused: Dacus, Ferrell, Grantham, Hargrave, Lane, McSpadden, Medearis, Short, Smith, Stansberry, Taliaferro, Terrill.—12.

The bill was declared passed.

**HB 1710** was properly signed and ordered returned to Honorable House.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1141, 1292, 1674 and 1784** each correctly engrossed.

**SCR 80** correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1141, 1292, 1674 and 1784**, as amended, were properly signed and ordered returned to the Honorable House.

Senator Berrong presiding.

Enrolled **SCR 80** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 10, 502, 535, 637 and 644**.

The above numbered Enrolled Bills were referred to the Governor.

### GENERAL ORDER

**HB 1146** by Derryberry, et al, of the

House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1146** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1146** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1146** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Crow, Garrett, Graves, Ham, Holden, Horn, Howard, Keels, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Stipe, Taliaferro, Terrill, Young.—29.

Nay: Boecher, Bradley, Breckinridge, Ferrell, Grantham, Hamilton, Inhofe, Lane, Short, Williams.—10.

Excused: Baggett, Dacus, Field, Garrison, Hargrave, McCune, McGraw, Smith, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Nay: Baldwin, Bradley, Hamilton, Lane.—4.

Excused: Dacus, Ferrell, Garrison, Hargrave, McCune, McGraw, Nichols, Phillips, Smith, Stansberry.—10.

The emergency was declared passed.

**HB 1146**, as amended, was referred for engrossment.

Senator Hamilton presiding.

### GENERAL ORDER

**HB 1734** by York, et al, of the House was read and considered.

Senators Garrett, Short and Birdsong asked to be made coauthors of **HB 1734**, which was the order.

President Pro Tempore Smith presiding.

Senator Bradley raised the question of "no quorum."

The President Pro Tempore ordered the roll called and declared a quorum was present.

Upon motion of Senator Garrett, **HB 1734** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1734** was placed upon third reading and final passage.

### THIRD READING

**HB 1734** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Breckinridge, Crow, Garrett, Garrison, Graves, Ham, Holden, Horn, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Payne, Phillips, Porter, Romang, Short, Stipe, Terrill, Young.—26.

Nay: Berrong, Boecher, Bradley, Ferrell, Field, Grantham, Keels, Lane, Medearis, Miller, Murphy, Smith, Taliaferro, Williams.—14.

Excused: Dacus, Hamilton, Hargrave, Howard, Massey, Nichols, Smalley, Stansberry.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Horn, Inhofe, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—33.

Nay: Baldwin, Crow, Keels, Lane.—4.

Excused: Dacus, Garrett, Hamilton, Hargrave, Howard, McSpadden, Massey, Nichols, Smalley, Stansberry, Stipe.—11.

The emergency was declared passed.

**HB 1734** was properly signed and ordered returned to Honorable House.

Senator Hamilton presiding.

### PENDING SENATE ACTION

Senator Baggett asked for consideration of his motions submitted on the last legislative day, and appearing on page 612 of the Senate Journal, which was the order.

Senator Baggett asked unanimous consent to amend Motion No. 1, by striking the figure \$300 and substituting therefor the figure \$400; and, to amend Motion No. 2 by striking the words and figures "Ten Thousand Dollars (\$10,000)" and substituting therefor the words and figures "Seven Thousand Eight Hundred Dollars (\$7,800.00)", which was the order.

Following explanation, Senator Baggett moved the adoption of his first Motion.

Senator Terrill, joined by Senators Garrison and Miller, as a substitute for the Baggett motion, moved that the proposals stated in the three Motions by Senator Baggett be incorporated into an item for interim committee study and that the Legislative Council shall assign the same to a standing committee for study or appoint a special committee for the said study, which motion was declared adopted upon a roll call as follows:

Aye: Baldwin, Birdsong, Boecher, Bradley, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—29.

Nay: Atkinson, Baggett, Breckinridge, Crow, Garrett, Ham, McCune, McGraw, Phillips, Romang, Short, Stansberry, Young.—13.

Excused: Berrong, Dacus, Hargrave, Howard, Nichols, Porter.—6.

Senator Crow presiding.

### GENERAL ORDER

**HB 1388** by Peterson, et al, of the House and Grantham, Miller and McSpadden of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1388** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1388** was placed upon third reading and final passage.

### THIRD READING

**HB 1388** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Porter, Short, Smalley, Smith, Stipe, Terrill, Young.—33.

Nay: Inhofe, Murphy, Romang, Stansberry, Williams.—5.

Excused: Berrong, Bradley, Breckinridge, Dacus, Garrison, Ham, Hargrave, Howard, Nichols, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Garrett, Murphy, Porter, Young.—5.

Nay: Atkinson, Baggett, Birdsong, Boecher, Crow, Ferrell, Field, Grantham, Graves, Hamilton, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams.—31.

Excused: Berrong, Bradley, Breckinridge, Dacus, Garrison, Ham, Hargrave, Holden, Howard, Nichols, Payne, Taliaferro.—12.

The emergency was declared failed of passage.



**HB 1388** was referred for engrossment.

President Pro Tempore Smith presiding.

### MOTION TO RECALL BILL

Senator Stansberry moved that the Honorable House be requested to return **HB 1784** for further consideration, which motion was tabled upon motion of Senator Payne upon a roll call as follows:

Aye: Baggett, Birdsong, Garrett, Grantham, Graves, Holden, Keels, Luton, McSpadden, Martin, Massey, Miller, Murphy, Payne, Porter, Smalley, Smith, Terrill, Young.—19.

Nay: Baldwin, Boecher, Crow, Ferrell, Hamilton, Horn, Inhofe, Lane, McCune, Phillips, Romang, Short, Stansberry, Stipe, Williams.—15.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Field, Garrison, Ham, Hargrave, Howard, McGraw, Medearis, Nichols, Taliaferro.—14.

Senator Baldwin presiding.

### GENERAL ORDER

**HB 1492** by Bamberger, et al, of the House and Murphy of the Senate was read and considered.

Senators Birdsong and Smalley asked to be made coauthors of **HB 1492**, which was the order.

Senator McSpadden moved to amend **HB 1492**, page 1, by crippling the Title, which amendment was declared adopted.

Upon motion of Senator McSpadden, **HB 1492**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1492**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1492** was read for the third time at length.

On the question of passage of Bill, the

roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Field, Garrison, Ham, Hargrave, Holden, Howard, McGraw, Medearis, Nichols, Smith, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Crow, Ferrell, Garrett, Grantham, Graves, Hamilton, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Field, Garrison, Ham, Hargrave, Holden, Howard, McGraw, Medearis, Nichols, Smith, Taliaferro.—16.

The emergency was declared passed.

**HB 1492**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1803** by Derryberry and Hatchett was read and considered.

Senator Massey moved to amend **HB 1803**, page 1, by striking the Enacting Clause, which amendment was declared adopted.

Upon motion of Senator McSpadden, **HB 1803**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1803**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1803** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Crow, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Field, Garrison, Ham, Hargrave, McGraw, Medearis, Nichols, Porter, Smith, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Crow, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Field, Garrison, Ham, Hargrave, McGraw, Medearis, Nichols, Porter, Smith, Taliaferro.—16.

The emergency was declared passed.

**HB 1803**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1579** by Willis, et al, of the House and McSpadden and Massey of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1579** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1579** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1579** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boe-

cher, Crow, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—30.

Nay: Keels.—1.

Excused: Atkinson, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Field, Garrison, Ham, Hargrave, Howard, McGraw, Medearis, Nichols, Porter, Smith, Taliaferro.—17.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Garrett, Grantham, Graves, Hamilton, Horn, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Terrill, Williams, Young.—25.

Excused: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Ham, Hargrave, Holden, Howard, Keels, McGraw, Medearis, Murphy, Nichols, Payne, Porter, Smith, Taliaferro.—23.

The emergency was declared failed of passage.

**HB 1579**, as amended, was referred for engrossment.

## RESOLUTIONS

By unanimous consent, the following Resolution was introduced and consideration deferred for this legislative day:

**SR 61** by Berrong and Inhofe—A Resolution authorizing a Special Committee on insurance to conduct a study during the 1970 interim of certain practices and programs of the insurance industry; requesting the State Insurance Commissioner to study and review certain matters; providing for a committee report; and directing transmission of a copy of this Resolution.

By unanimous consent, the following Resolution was introduced and consideration deferred for this legislative day:

**SR 62** by Payne, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams and Young—A Resolution commending the Southwestern Bell Telephone Company upon its selection of employees to serve the Oklahoma State Senate during the Second Session of the Thirty-Second Oklahoma Leg-

islature; and directing distribution of this Resolution.

Senator Terrill moved, when the Clerk's desk is cleared, the Senate stand adjourned until 11:00 a.m., tomorrow, which motion was declared adopted.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 80**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned until 11:00 a.m., tomorrow.





## Forty-seventh Legislative Day

Thursday, March 26, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Breckinridge, Dacus, Lane, Medearis, Porter, Stansberry—6.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, upon request of Senator Inhofe:

Dear Lord: We thank you for another legislative week. With your Grace, these men have diligently put themselves to the task of bettering the conditions of the citizens of this state. We thank you for their dedication. We ask you that they might be enlightened by your wisdom, daily.

Finally, may the executive branch see the peoples' representatives in this body and approve of their wishes when it is good for the majority, we ask this in Christ's name. Amen.

The Journal for the last legislative day was declared approved.

### INTRODUCTION OF GUESTS

By unanimous consent, Senator Terrill introduced Rhonda and Robbie Steenbergen, daughters of Bobbie Steenbergen, Senate Calendar Clerk; and, Cindy and Ricky Husted, son and daughter of Shirley Husted, Assistant Calendar Clerk. Senator Terrill asked that Rhonda be made Honorary Calendar Clerk, and Cindy be made Honorary Assistant Calendar Clerk for this legislative day; that Robbie be made Honorary Assistant Chief Clerk, and Ricky be made Honorary Assistant Sergeant-at-Arms for this legislative day; and, that such requests be shown in the Journal, which was the order.

### PENDING CONSIDERATION OF HAS

Senator Nichols moved that the Senate refuse to concur in **HAs** to **SB 311** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate conferees under **SB 311**: Nichols, Garrison and Hargrave.

Senator Ferrell moved that the Senate refuse to concur in **HA** to **SB 211** and request the Honorable House to grant a conference thereon, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

### MESSAGE FROM THE HOUSE

· Advising passage of and transmitting for consideration Engrossed **HB 1787**.

**HB 1787**—By McCune of the House and

Grantham of the Senate—An Act relating to courts; amending 74 O. S. 1961, § 275, as amended by Section 1, Chapter 312, O. S. L. 1967 (74 O. S. Supp. 1969, § 275), 74 O. S. 1961, § 277, as amended by Section 3, Chapter 312, O. S. L. 1967 (74 O. S. Supp. 1969, § 277), 74 O. S. 1961, § 278, as amended by Section 4, Chapter 312, O. S. L. 1967 (74 O. S. Supp. 1969, § 278); fixing salaries of certain legal personnel of the Supreme Court; providing effective date; and declaring an emergency.

The above numbered **HB** was read for the first time.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SBs 534 and 568**.

The above numbered Bills were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1514**, requesting Conference and naming Conferees as follows: Raibourn, Harrison and Finch.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1674**, requesting Conference and naming Conferees as follows: Bernard, Skeith and Vann.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1608, 1610, 1625, 1627, 1710, 1712 and 1734**.

The above numbered Enrolled Bills were, after fourth reading properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1059**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1540 and 1601**, as amended.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 520; SB 632**-coauthored by Bickford, Abbott, Anderson, Harrison, Holaday, Hutchens, Rogers, Skeith, Smith (E. W.), Thornhill, Williamson, Browers, Poulos, Taggart and Doornbos; **SB 655**; and **SB 656**, each as amended.

**HA** to **SB 520** read as follows, and consideration deferred:

Amendment No. 1. Restore Title and Enacting Clause.

**HA** to **SB 632** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 39, Line 27, by adding the Emergency Clause and amending Title to conform.

**HAs** to **SB 655** read as follows, and consideration deferred:

Amendment No. 1. Amend Title by adding after "Series B" and before ")" the following: "and declaring an emergency".

Amendment No. 2. Amend by striking the Enacting Clause.

**HAs** to **SB 656** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

(An Act appropriating from the proceeds of the sale of bonds and declaring an emergency)

Amendment No. 2. Restore Enactment Clause.

#### MESSAGE FROM THE HOUSE

Advising adoption of Motion and concurrence by the House in the issuance of Concurrent Citation by the Oklahoma State Legislature to: Mr. Carl Scott, Head Coach, Okmulgee High School Boys Basketball Team, said Concurrent Citation to be coauthored by Odom (Martin).



The above Citation was ordered referred to the Secretary of the Senate for proper distribution.

### CITATION

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the Singing Patriots of Pocola High School who typify the finest quality of modern American youth.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SB 659** and **HB 1722** each correctly engrossed.

Engrossed **SAs** to and Engrossed **HB 1722**, as amended, were properly signed and ordered returned to the Honorable House.

### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

#### DO PASS:

**HB 1655**—Constitutional Revisions and Regulatory Services.

**HB 1690**—Governmental Affairs — coauthored by Nichols and Williams.

**HB 1717**—Business Relations—coauthored by Payne and Hamilton.

**HB 1741**—Judiciary—coauthored by Garrett.

**HB 1749**—Judiciary.

**HB 1762**—Judiciary.

**HB 1768**—Judiciary—coauthored by Hargrave.

**HB 1774**—Judiciary—coauthored by Short.

**HB 1809**—Rules.

**HJR 1006**—Constitutional Revisions and Regulatory Services.

**HJR 1046**—Constitutional Revisions and Regulatory Services—show Porter as Senate Author.

**DO PASS**, as amended.

**HB 1648**—Finance and Commerce—coauthored by Graves.

**HB 1752**—Judiciary.

**HB 1756**—Judiciary.

**HB 1767**—Municipal Government.

**HB 1775**—Business Relations—coauthored by Berrong.

**HJR 1033**—Constitutional Revisions and Regulatory Services—coauthored by Field and Baggett.

### RESOLUTION

**SCR 81** by Smith was introduced and read as follows:

A Concurrent Resolution requesting all agencies and instrumentalities of the State to cooperate with supervisors of the P.G.A. Tournament to be held in Tulsa on August 10-16, 1970; and directing distribution.

**SCR 81** was considered, read at length, adopted upon motion of President Pro Tempore Smith and ordered referred for engrossment.

### PENDING SENATE ACTION

**HCR 1064** by Hutchens, et al, of the House and Field of the Senate was called up for consideration.

Following discussion, Senator Romang asked that further consideration of **HCR 1064** be deferred for this legislative day, which was the order.

**SR 60** by Berrong, was called up for consideration.

Senators Luton and Ferrell asked to be made coauthors of **SR 60**, which was the order.

**SR 60**, as coauthored, was read at length as follows, adopted upon motion of Senator Berrong and ordered referred for enrollment:

**SR 60**—By Berrong, Luton and Ferrell. —A Resolution relating to Interim study by the State Legislative Council, during the 1970 Legislative Interim; requesting

the Executive Committee to refer to the appropriate standing committee for study the problem of litter, especially beer containers, on streets, highways and other public property; and directing a report of findings and recommendations.

WHEREAS, the problem of accumulation of trash on streets, highways and other public property is becoming a matter of great public alarm; and

WHEREAS, the present anti-litter laws and ordinance have not operated to curb the rapid increase in such littering; and

WHEREAS, in order to legislate more effectively it is desirable to have as much relevant information gathered and studied as possible; and

WHEREAS, an interim study on the means of preventing the littering, especially of beer containers, on the public streets, highways and other public property is of the utmost importance.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That the Executive Committee of the State Legislative Council is hereby requested to refer to the appropriate standing committee during the 1970 legislative interim, the subject of prevention of littering, especially of beer containers, on the public streets, highways and other public property.

SECTION 2. That at the conclusion of said study, the committee of reference shall file a report with findings and recommendations with the Executive Committee of the Legislative Council and the Senate of the First Session of the Thirty-third Oklahoma Legislature.

SR 61 by Berrong and Inhofe was called up for consideration.

Senator Boecher asked to be made a coauthor of SR 61, which was the order.

SR 61, as coauthored, was read at length as follows, adopted upon motion of Sena-

tor Berrong and ordered referred for enrollment:

SR 61—By Berrong, Inhofe and Boecher—A Resolution authorizing a special Committee on Insurance to conduct a study during the 1970 interim of certain practices and programs of the insurance industry; requesting the State Insurance Commissioner to study and review certain matters; providing for a committee report; and directing transmission of a copy of this Resolution.

WHEREAS, the insurance industry is an important segment of the Oklahoma economy, offering numerous forms of protection to the citizens of this state; and

WHEREAS, the public interest requires strict adherence to the regulatory laws for said industry and the supplementation of said laws by administrative implementation and enforcement; and

WHEREAS, certain practices and programs of the industry and the regulation thereof should be studied and evaluated by the Oklahoma Legislature; and

WHEREAS, said study should be conducted during the 1970 interim by a special committee of the State Legislative Council.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The Chairman and Vice-Chairman of the Executive Committee of the State Legislative Council are hereby requested to appoint not more than five (5) members of the Senate and House of Representatives, respectively, to serve on a special committee on insurance to:

(a) study the various types of life<sup>1</sup> insurance policies, with special priority attention to "participating policies" and policies known as "charter policies" and similar or related policies by whatever names called that are represented and sold as investment contracts rather than as insurance policies per se;

(b) scrutinize and carefully analyze policies that have apparent "loaded" premium charges for what appears to be special participating benefits but which are exclusively under the control of the company, its officers or managing officers;

(c) study the methods and procedures of said companies sales programs, sales kits, informational brochures and related matters;

(d) study the practices of life, health and accident companies in selecting sales representatives with the objective of determining the advisability of providing by statute that where there are misrepresentations of policy costs, benefits and related matters affecting the policyholder said companies be held accountable for any misrepresentation on the part of their duly authorized representatives; and

(e) investigate and study the methods by which the companies process claims to determine whether said claims are paid in accordance with the policy provisions and without undue hardship on the policyholders.

SECTION 2. Pending the commencement of the interim study herein set forth, the State Insurance Commissioner is requested to:

(a) most carefully review all such policies as listed in Section 1 hereof, including forms, sales presentations that are used by companies in issuing or selling said policies, with the end in view that, if said policies do not, in fact, offer coverage and protection to the beneficiary or buyer that standard type policies provide, consistent with the dollar cost, such policies and forms be recalled and that companies issuing such policies be prohibited from issuing same;

(b) act immediately and scrutinize policies that have apparent "loaded" premium charges for what is represented to be special participating benefits but which

are solely under the control of the company or its officers;

(c) study sales methods and procedures, content of sales kits, and all other relevant aspects of such policies affecting, or likely to affect the policyholder; and

(d) study the practices of life and accident and health insurance companies in selecting their sales representatives, with the end in view that where misrepresentation of policy benefits is evident the companies be held accountable for such misrepresentation of their duly authorized representatives.

SECTION 3. That upon the completion of the study and investigation herein set forth, the committee prepare a report of findings and recommendations for submission to the Executive Committee and to the First Session of the Thirty-third Legislature and that recommendations adopted which require legislation be drafted in bill form for prefiling prior to the 1971 legislative session.

SECTION 4. Be it further resolved that an authenticated copy of this Resolution be transmitted to the Honorable Joe B. Hunt, State Insurance Commissioner.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 311, and naming House Conferees as follows: Sparkman, Greenhaw and Tarwater.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Graves, the Senate concurred in HAS to Engrossed SB 489.

SB 489, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-



rong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Nay: Hamilton.—1.

Excused: Breckinridge, Dacus, Inhofe, Lane, McCune, Medearis, Phillips, Porter, Stansberry.—9.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Nay: Hamilton.—1.

Excused: Breckinridge, Dacus, Inhofe, Lane, McCune, Medearis, Phillips, Porter, Stansberry.—9.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Porter asked to be shown present, which was the order.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 211**, and referring said Bill to the General Conference Committee on Appropriations.

Senator Lane asked to be shown present which was the order.

### GENERAL ORDER

**HB 1696** by Abbott, et al, of the House

and Miller of the Senate was read and considered.

Senators Martin, Holden, Baggett, Ham, Field, Birdsong and Taliaferro asked to be shown as coauthors of **HB 1696**, which was the order.

Senator Martin moved to amend **HB 1696**, page 4, line 5, by striking after the word "Highway" and before the word "the" the language "outside of a municipality" which amendment was declared adopted.

Senator Baggett moved to amend **HB 1696**, page 5, line 16½, by inserting after line 16 and before line 17 the language "The Highway Department shall give priority over all other signing to projects the foregoing duty to mark school zones. The Department shall also provide other safety devices for school zones which are needed in the opinion of the Department" which amendment was declared adopted.

Senator Martin moved to amend **HB 1696**, page 7, line 15, by adding after the word "state" the language "whenever changes have been made in speed zones copies of such regulations shall be filed with the State Commissioner of "Public Safety" which amendment was declared adopted.

Upon motion of Senator Miller, **HB 1696**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **HB 1696**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1696** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Lu-

ton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—41.

Excused: Atkinson, Breckinridge, Dacus, Medearis, Phillips, Stansberry, Taliaferro.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—41.

Excused: Atkinson, Breckinridge, Dacus, Medearis, Phillips, Stansberry, Taliaferro.—7.

The emergency was declared passed.

**HB 1696**, as amended, was referred for engrossment.

### THIRD READING

**SB 659** by Stipe was called up for consideration.

Senator Hamilton asked unanimous consent that he be made a coauthor of **SB 659**, which was the order.

**SB 659** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—42.

Excused: Breckinridge, Dacus, Medearis, Porter, Stansberry, Terrill.—6.

The bill was declared passed.

**SB 659** was properly signed and ordered transmitted to Honorable House.

### GENERAL ORDER

**HB 1612** by Miskelly, et al, of the House and Atkinson of the Senate was read and considered.

Senators Hamilton, Payne and Crow asked to be made coauthors of **HB 1612**, which was the order.

Senator Hamilton moved to amend **HB 1612**, by striking the Enacting Clause, which amendment was declared adopted.

Upon motion of Senator Hamilton, **HB 1612**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **HB 1612**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1612** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Breckinridge, Dacus, Ferrell, Ham, McSpadden, Medearis, Miller, Stansberry.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune,

McGraw, Martin, Massey, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Breckinridge, Dacus, Ferrell, Ham, McSpadden, Medearis, Miller, Stansberry.—9.

The emergency was declared passed.

**HB 1612**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1666** by Hancock of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1666** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1666** was placed upon third reading and final passage.

### THIRD READING

**HB 1666** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Terrill, Williams, Young.—33.

Excused: Baggett, Breckinridge, Dacus, Garrison, Ham, Howard, Keels, McSpadden, Massey, Medearis, Phillips, Smalley, Stansberry, Stipe, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Porter,

Romang, Short, Smith, Terrill, Williams, Young.—33.

Excused: Baggett, Breckinridge, Dacus, Garrison, Ham, Howard, Keels, McSpadden, Massey, Medearis, Phillips, Smalley, Stansberry, Stipe, Taliaferro.—15.

The emergency was declared passed.

**HB 1666** was properly signed and ordered returned to Honorable House.

Senator Romang presiding.

### GENERAL ORDER

**HB 1656** by Bamberger of the House and Grantham, Smalley, Garrett and Young of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1656** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1656** was placed upon third reading and final passage.

### THIRD READING

**HB 1656** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boettcher, Bradley, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baggett, Breckinridge, Dacus, Field, Ham, Lane, Medearis, Porter, Smith, Stansberry.—10.

The bill was declared passed.

**HB 1656** was properly signed and ordered returned to Honorable House.

Senator Stansberry asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1509** by McCune, et al, of the House



and Young of the Senate was read and considered.

Senator Young moved to amend **HB 1509**, page 3, line 6½ by inserting a new Section 2 as follows: "Section 2. 19 O. S. 1961, § 180.43, as last amended by Section 1 of Chapter 508, O. S. L. 1965 (19 O. S. Supp. 1969, § 180.43) is hereby amended to read as follows:

"§ 180.43 (a) Each sheriff of this state, in addition to the salary provided, by law, and each deputy sheriff, in addition to the salary provided by law, in lieu of his actual and necessary expenses incurred on official business in his county, shall be paid by the county ten cents (\$0.10) per mile for such mileage actually and necessarily traveled in his county serving or endeavoring to serve any writ, warrant, order, process or command, or in investigating any complaint made to the sheriff or county attorney of said county that a criminal law of this state is being or has been violated, and in pursuing any fugitive from justice; provided, the claim for mileage in making such investigation or in pursuing any fugitive from justice shall be approved by the county attorney of said county.

(b) In serving or endeavoring to serve criminal process, if it is necessary to go outside of the county the sheriff or his deputy shall be paid by the county ten cents (\$0.10) per mile in lieu of his actual and necessary expenses; however, before the sheriff or his deputy is authorized to go outside the county, he shall have a written order so to do by the county attorney; provided, further, that the sheriff or his deputy shall be allowed ten cents (\$0.10) per mile for each mile actually and necessarily traveled while transporting prisoners, or insane patients to or from state institutions. In addition thereto, the sheriff or his deputy shall be allowed the actual necessary expenses of meals and lodging for himself, prisoners patients, and any necessary assistants on such transportation, but in no event

shall mileage be paid more than one individual on any one trip.

(c) Each sheriff shall **[also]** be **[paid]** REIMBURSED by the county for keeping, feeding and maintaining prisoners THE ACTUAL COST OF RENDERING SUCH SERVICES, PROVIDED, HOWEVER, SUCH COSTS SHALL NOT EXCEED A MAXIMUM of One Dollar and twenty-five cents (\$1.25) per day for each prisoner for the first through tenth prisoner, One Dollar and Fifteen cents (\$1.15) per day for each prisoner for the eleventh through twentieth prisoner, and One Dollar (\$1.00) per day for each prisoner for all other prisoners. Provided, FURTHER, that where there are more than an average of forty (40) prisoners per day that **[the rate of pay]** SUCH COSTS for each prisoner shall **[be]** NOT EXCEED One Dollar (\$1.00) per day for all prisoners. Averages as referred to herein shall be calculated on the calendar month. The claim FOR REIMBURSEMENT for such expenses, SUPPORTED BY RECEIPTS COVERING THE ITEMS INCLUDED IN SUCH EXPENSES AND with the written approval of the **[county]** DISTRICT attorney attached, shall be filed with and allowed by the board of county commissioners as other claims, and the sheriff shall receive no other compensation for said services. PROVIDED, FURTHER, THAT THE DIFFERENCE, IF ANY, BETWEEN THE APPLICABLE SCHEDULE OF MAXIMUM ACTUAL COSTS SET OUT IN THIS SUBSECTION (C) AND THE ACTUAL COST TO THE SHERIFF IN RENDERING SAID SERVICES, SHALL BE SET ASIDE EACH MONTH IN A SPECIAL EVIDENCE FUND IN THE COUNTY TREASURER'S OFFICE, WHICH FUND IS HEREBY CREATED. SUBJECT TO THE PRIOR APPROVAL OF THE DISTRICT ATTORNEY, SAID SPECIAL EVIDENCE FUND MAY BE EXPENDED BY THE SHERIFF, DEPUTY SHERIFF OR THE DISTRICT ATTORNEY FOR THE PURPOSE OF PURCHASING REGULATED DRUGS TO BE

USED AS EVIDENCE IN NARCOTIC CASES AND FEES FOR INFORMERS OR SPECIAL EMPLOYEES AND OTHER ASSOCIATED EXPENSES NECESSARY TO APPREHEND AND CONVICT VIOLATORS OF THE REGULATED DRUG LAWS OF THE STATE OF OKLAHOMA. NO CLAIM AGAINST SAID SPECIAL EVIDENCE FUND SHALL BE PAID UNLESS THE WRITTEN APPROVAL OF THE DISTRICT ATTORNEY IS ATTACHED THERETO"; and, by renumbering subsequent sections accordingly and amending the Title to conform thereto.

Following discussion, Senator Young asked unanimous consent that **HB 1509**, together with pending amendment be deferred for this legislative day, which was the order.

### GENERAL ORDER

**HB 1760** by Wiedemann of the House and Boecher of the Senate was read and considered.

Senator Inhofe asked to be made a co-author of **HB 1760**, which was the order.

Senator Boecher moved to amend **HB 1760**, page 1, line 1, by striking all of Section 1, and substituting in lieu thereof the language "Legal process of any description may be issued and served at any time on the first day of the week but no process in a civil action shall be served on the first day of the week upon any premises used for religious worship during the time that an assemblage of people meet thereon for religious worship" which amendment was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Murphy, Porter, Romang, Smalley, Taliaferro, Terrill, Williams, Young.—29.

Nay: Hamilton, Lane, Short.—3.

Excused: Birdsong, Breckinridge, Dacus,

Garrett, Ham, Hargrave, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Smith, Stansberry, Stipe.—16.

Senator Garrison moved to amend **HB 1760** by adding after the Boecher amendment, the language "The day or place of service of summons or other process, however, shall not affect the jurisdiction of the court issuing such process" which amendment was declared adopted.

Upon motion of Senator Boecher, **HB 1760**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boecher, **HB 1760** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1760** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Porter, Romang, Smith, Terrill, Williams, Young.—33.

Nay: Hamilton, Lane, McSpadden, Short.—4.

Excused: Breckinridge, Dacus, Hargrave, Medearis, Nichols, Payne, Phillips, Smalley, Stansberry, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye. Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Porter, Romang, Smith, Terrill, Williams, Young.—33.

Nay: Hamilton, Lane, McSpadden, Short.—4.

Excused: Breckinridge, Dacus, Hargrave, Medearis, Nichols, Payne, Phillips, Smalley, Stansberry, Stipe, Taliaferro.—11.

The emergency was declared passed.

**HB 1760**, as amended, was referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1146, 1388, 1492, 1682 and 1803** each correctly engrossed.

**SCR 79** correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1146, 1388, 1492, 1682 and 1803**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SCR 79** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1141**, requesting Conference and naming Conferees as follows: Derryberry, Finch and Greenhaw.

Upon motion of Senator Terrill, the request of the Honorable House for a conference on **HB 1141** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1141**: Stipe, Luton and Young.

## GENERAL ORDER

**HB 1517** by Camp, et al, of the House and Howard, Birdsong and Keels of the Senate was read and considered.

Senator Atkinson asked to be made a coauthor of **HB 1517**, which was the order.

Senator Keels, joined by Senators Howard, Birdsong, McCune and Payne moved to amend **HB 1517**, page 2, line 1,

by inserting after the semi-colon (;) following the word "origin" the language "and no school district or other authority shall seek to achieve a racial balance or overcome racial imbalance by transferring or transporting pupils from one school to another within a district, or from one school district to another; and no pupil shall be assigned, transferred or otherwise compelled to attend, a school other than that school which is nearest his residence, on account of race, creed, color or national origin;"

Senator Baggett moved to table the Keels, Howard, Birdsong, McCune, Payne amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Garrett, Grantham, Lane, McGraw, Martin, Miller, Murphy, Nichols, Porter, Smalley, Taliaferro, Terrill, Young.—15.

Nay: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Massey, Payne, Romang, Short, Smith, Williams.—25.

Excused: Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stansberry, Stipe.—8.

The vote occurring upon the Keels, Howard, Birdsong, McCune, Payne amendment, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Massey, Murphy, Payne, Romang, Short, Smith, Williams.—26.

Nay: Baggett, Baldwin, Garrett, Grantham, Lane, McGraw, Martin, Miller, Nichols, Porter, Smalley, Taliaferro, Terrill.—13.

Excused: Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stansberry, Stipe, Young.—9.



Senator Baggett moved to amend **HB 1517**, page 1, line 5, by inserting after the word "school" and before the word "on" the word "solely".

Senator Howard asked to be made a co-author of the Baggett amendment, which was the order.

The vote occurring upon the Baggett, Howard amendment, it was declared adopted.

Senator Baggett moved to amend **HB 1517**, page 2, line 1, by inserting after the word "origin" and before the word "provided" the words "contrary to law" which amendment was declared adopted.

Senator Baggett moved to amend **HB 1517**, page 2, line 1, by inserting after the word "origin" and before the word "provided" the language "in violation of the Constitution of the United States of America and the Constitution of the State of Oklahoma".

Senator Howard moved to table the Baggett amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Birdsong, Ferrell, Garrison, Ham, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Murphy, Payne, Smith, Williams, Young.—17.

Nay: Baggett, Baldwin, Bradley, Crow, Field, Garrett, Grantham, Hamilton, Holden, Lane, McGraw, Martin, Massey, Miller, Nichols, Porter, Romang, Short, Smalley, Taliaferro, Terrill.—21.

Excused: Berrong, Boecher, Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stansberry, Stipe.—10.

The vote occurring upon the Baggett amendment, it was declared adopted.

Senator Williams moved to amend **HB 1517**, page 2, line 3, by inserting after the word "transfer" and before the word "of" the words "if otherwise approved by law" which amendment was declared adopted.

Senator Baggett moved to amend the Keels, Howard, Birdsong, McCune, Payne

amendment to line 1, page 2, of **HB 1517**, by inserting after the word "residence" and before the word "on" the word "solely" which amendment was declared adopted.

Senator Keels, joined by Senators Howard, Birdsong and McCune moved to amend **HB 1517**, page 2, line 9, by adding after the word "segregation" the language "or obtaining or altering racial ratio".

Senator Baggett moved to table the Keels, Howard, Birdsong, McCune amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Boecher, Garrett, Grantham, McGraw, Martin, Miller, Nichols, Porter, Short, Smalley, Taliaferro, Terrill.—14.

Nay: Atkinson, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Murphy, Payne, Romang, Smith, Stansberry, Williams, Young.—25.

Excused: Breckinridge, Dacus, Graves, Hargrave, Lane, Massey, Medearis, Phillips, Stipe.—9.

The vote occurring upon the Keels, Howard, Birdsong, McCune amendment, it was declared adopted.

Senator Keels, joined by Senators Howard, Birdsong, and McCune, moved to amend **HB 1517**, page 2, line 9½ by inserting a new section to read as follows: "Section 4. No pupil on account of race, creed, color or national origin shall be compelled to attend school at more than one site in order to complete the minimum requirements for advancement or graduation as prescribed by the State Board of Education; provided that nothing contained in this section shall prohibit a pupil from voluntarily attending school at more than one site" and by renumbering the succeeding sections accordingly.

Senator Baggett moved to amend the Keels, Howard, Birdsong, McCune amendment by inserting after the word "pupil"

and before the word "on" the word "solely" which amendment was declared adopted.

Senator Baggett moved to table the Keels, Howard, Birdsong, McCune amendment, as amended, which motion was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Baldwin, Garrett, McGraw, Martin, Miller, Nichols, Porter, Smalley, Taliaferro, Terrill.—11.

Nay: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Massey, Murphy, Payne, Romang, Short, Williams, Young.—27.

Excused: Breckinridge, Dacus, Grantham, Graves, Hargrave, Medearis, Phillips, Smith, Stansberry, Stipe.—10.

The vote occurring upon the Keels, Howard, Birdsong, McCune amendment, as amended by the Baggett amendment, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Romang, Short, Stansberry, Williams.—29.

Nay: Baggett, Baldwin, Garrett, McGraw, Nichols, Porter, Smalley, Terrill.—8.

Excused: Breckinridge, Dacus, Grantham, Graves, Hargrave, Medearis, Phillips, Smith, Stipe, Taliaferro, Young.—11.

Senator Howard moved that **HB 1517**, as amended, be advanced to engrossment.

Senator Baggett, as a substitute, moved that the Senate stand adjourned until 1:00 p.m., Monday.

Senator Birdsong moved to table the Baggett motion.

Following discussion, Senators Howard, Baggett and Birdsong asked to withdraw

their respective motions, which was the order.

Senator Baggett moved to amend **HB 1517**, page 1, by striking the title and substituting therefor the language "An Act—Public School—Prohibiting Segregation" which amendment was tabled upon motion of Senator Howard upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Ferrell, Garrison, Ham, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Payne, Romang, Short, Smith, Stansberry, Williams, Young.—23.

Nay: Baggett, Baldwin, Boecher, Crow, Field, Garrett, Hamilton, Lane, McGraw, Miller, Murphy, Nichols, Porter, Smalley, Taliaferro, Terrill.—16.

Excused: Breckinridge, Dacus, Grantham, Graves, Hargrave, Holden, Medearis, Phillips, Stipe.—9.

Upon motion of Senator Howard, **HB 1517** was advanced to engrossment.

Senator Howard asked unanimous consent that **HB 1517** be considered engrossed. and placed upon third reading and final passage to which Senator Baggett objected.

Senator Smalley moved that **HB 1517** be considered engrossed and placed upon third reading and final passage, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—34.

Nay: Baggett, Field, McGraw, Nichols, Porter, Terrill.—6.

Excused: Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stansberry, Stipe.—8.

Senator McSpadden moved that the Previous Question be now put, which motion was declared adopted.

### THIRD READING

**HB 1517** was read for the third time at length.

On question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Garrett, Garrison, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Romang, Short, Smith, Stansberry.—28.

Nay: Baggett, Baldwin, Field, Grantham, Lane, McGraw, Nichols, Porter, Smalley, Taliaferro, Terrill, Young.—12.

Excused: Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stipe, Williams.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Crow, Ferrell, Garrison, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Payne, Romang, Short, Smith, Stansberry.—25.

Nay: Baggett, Baldwin, Field, Garrett, Grantham, Holden, Lane, Martin, Nichols, Porter, Smalley, Terrill, Young.—13.

Excused: Berrong, Breckinridge, Dacus, Graves, Hargrave, Medearis, Phillips, Stipe, Taliaferro, Williams.—10.

The emergency was declared failed of passage.

**HB 1517**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Howard moved that the vote be reconsidered by which **HB 1517**, as amended, passed; and to reconsider the vote by which the Emergency Section of **HB 1517** failed of passage.

President Pro Tempore Smith presiding.

### RESOLUTIONS

By unanimous consent, President Pro Tempore Smith introduced the following Resolution, which was read at length, adopted upon his motion, and ordered referred for enrollment.

**SR 63**—By Baldwin, Smalley, Smith, Birdsong and Terrill—A Resolution authorizing an interim committee on rules and procedures; making certain authorizations to the President Pro Tempore; and prescribing duties of the committee.

WHEREAS, the Senate of the State of Oklahoma has sought to increase its efficiency by modernizing and improving its procedures, rules and methods of operation; and

WHEREAS, it is desirable that the Senate continue to study and pursue the goal of improvement of operations, procedures and rules during the 1970 interim.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That an interim Senate Committee on Rules and Procedures is hereby authorized and established for the 1970 interim to conduct an in-depth study of Senate operations, rules and procedures.

SECTION 2. That the President Pro Tempore be Chairman of said Committee, and, pursuant to Rule 3(d) of the Senate Rules, he shall name the membership thereof, and shall be authorized to approve claims for reimbursement of expenses of members of the Committee in attending meetings.

SECTION 3. That the Committee shall study and make recommendations to the President Pro Tempore concerning the need for repairs to the offices and equipment of the Senate Chamber and the need for additional equipment, supplies, furniture and fixtures.

SECTION 4. That the President Pro Tempore is hereby authorized and em-



powered to provide for needed repairs to the offices and equipment of the Senate Chambers, to purchase needed equipment, supplies, furniture and fixtures and to approve claims therefor.

**SECTION 5.** That the President Pro Tempore is authorized and empowered to name members of the Senate to committees during the interim.

**SECTION 6.** That no private organization, state executive agency or department, or the employees thereof, shall be permitted to use the Senate Chamber or offices during the interim without the consent of the President Pro Tempore.

By unanimous consent, **SCR 82** by Garrison of the Senate and Connor, et al, of the House was introduced as follows:

A Concurrent Resolution extending commendation to Armais Arutunoff who will be honored in Bartlesville, Oklahoma, on May 23, 1970, with the celebration of "Armais Arutunoff Appreciation Day"; and directing distribution.

**SCR 82** was read at length, adopted upon motion of Senator Garrison and ordered referred for engrossment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1199 and 1579** each correctly engrossed.

Engrossed **SAs** to and Engrossed **HBs 1199 and 1579**, as amended, were properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**HJR 1049** by Spearman, et al of the House and Baggett of the Senate was read considered.

Senator Baggett moved to amend **HJR 1049**, page 4, beginning on line 3, by striking the language "primary election or special election, whichever occurs first" and by substituting therefor the words "run-off primary election" which amendment was declared adopted.

Upon motion of Senator Baggett, **HJR 1049**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HJR 1049**, as amended was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HJR 1049**, as amended, was read for the third time at length, as follows:

**HJR 1049**—By Spearman et al of the House and Baggett et al of the Senate, A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 5 of Article 1 of the Oklahoma Constitution; providing that segregation of children in public schools of the State of Oklahoma on account of race, creed, color or national origin is prohibited; providing for ballot title; and ordering a special election.

Be it resolved by the House of Representatives and the Senate of the Second Session of the Thirty-second Oklahoma Legislature:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection a proposed amendment to Section 5 of Article I of the Oklahoma Constitution to read as follows:

§ 5. Provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all children of the state and free from sectarian control; and said schools shall always be conducted in English: Provided, that nothing herein shall preclude the teaching of other languages in said public schools: And provided, further that *[this shall not be construed to prevent the establishment and maintenance of separate schools for white and colored children]* **SEGREGATION OF CHILDREN IN PUBLIC SCHOOLS OF THE STATE OF OKLAHOMA ON ACCOUNT OF RACE, CREED, COLOR OR NATIONAL ORIGIN IS PROHIBITED.**

SECTION 2. The ballot title for the amendment to the Constitution of the State of Oklahoma proposed in SECTION 1 of this Resolution shall be in the following form:

**BALLOT TITLE**

Legislative Referendum No. -----

State Question No. -----

**THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

Shall a Constitutional Amendment amending Section 5 of Article 1 of the Constitution of the State of Oklahoma; providing that segregation of children in public schools of the State of Oklahoma on account of race, creed, color or national origin is prohibited.

be approved by the people?

☐ YES

**SHALL THE PROPOSED AMENDMENT BE APPROVED?**

☐ NO

SECTION 3. The Speaker of the House of Representatives shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the ballot title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide runoff primary election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of the Resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—31.

Excused: Baldwin, Berrong, Breckinridge, Crow Dacus, Graves, Ham, Hargrave, Inhofe, Massey, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Williams.—17.

The Resolution was declared passed.

The question being, "Shall **HJR 1049**, by Spearman, et al, of the House and Baggett of the Senate entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 5 of Article I of the Oklahoma Constitution; providing that segregation of children in public schools of the State of Oklahoma on account of race, creed, color or national origin is prohibited; providing for ballot title; and ordering a special election,

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the next statewide runoff primary election as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on the next statewide runoff primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Excused: Baldwin, Berrong, Breckinridge, Dacus, Graves, Ham, Hargrave, Inhofe, Massey, Medearis, Miller, Phillips, Stansberry, Stipe, Williams.—15.

The President Pro Tempore, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**HJR 1049**, as amended, was ordered referred for engrossment.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

\*

The Senate reassembled in open session with President Pro Tempore Smith presiding, who made the following announcements:

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of **GEORGE WARDE**, Tulsa, as member of the Board of Regents for Tulsa Junior College, to serve a six (6) year term ending June 30, 1974, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of **WAYMAN HUMPHREY**, Tulsa, as member of the Board of Regents, Tulsa Junior College, to serve a seven (7) year term ending June 30, 1975, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Smalley, advised and consented to the confirmation of the executive nomination of **JACK BLACK**, Norman, as member of the Banking Board, to serve a six (6) year term ending June 1, 1975, and effective upon Senate confirmation. Mr. Black succeeds Mr. Kenneth Braley.

The Senate, in executive session and upon motion of Senator Payne, advised and consented to the confirmation of the executive nomination of **JAMES BALLINGER**, Eufaula, to serve as member of the State Board of Agriculture, for a five (5) year term ending April 27, 1974, and effective upon Senate confirmation. Mr. Ballinger succeeds himself.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of **ARMON BOST**, Tulsa, as member of the Board of Regents for the Agriculture and Mechanical Colleges, to serve an eight (8) year term ending April 22, 1977, and effective upon Senate confirmation. Mr. Bost succeeds Mr. Hartley.

The Senate, in executive session and upon motion of Senator McCune, advised and consented to the confirmation of the executive nomination of **HARVEY DEAN**, Oklahoma City, to serve as member of the State Board of Mental Health, for a seven (7) year term ending December 31, 1976, and effective upon Senate confirmation. Mr. Dean succeeds himself.

The Senate, in executive session and upon motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of **CARL C. SMITH**, Tulsa, to serve as a member of the Human Rights Commission, for an unexpired seven (7) year term ending July 15, 1972, and effective upon Senate confirmation. Mr. Smith replaced Dr. William Hale.

The Senate, in executive session and upon motion of Senator Porter, advised and consented to the confirmation of the executive nomination of **JOHN PAUL JONES**, Oklahoma City, to serve on the Board of Registration for Social Workers, for a five (5) year term ending June 1, 1974, and effective upon Senate confirmation. Mr. Jones succeeds himself.

The Senate, in executive session, and upon motion of Senator Luton, advised and consented to the confirmation of the executive nomination of **RICHARD D. CARLTON**, Muskogee, to the Board of Vocational-Technical Education, to serve as member for a six (6) year term ending April 1, 1976, and effective upon Senate confirmation. Mr. Carlton succeeds himself.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned



as provided under the Rules, which motion was declared adopted.

**MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **SCR 79**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Terrill motion, the Senate was declared adjourned until 1:00 p.m., Monday, March 30, 1970.

## Forty-eighth Legislative Day

Monday, March 30, 1970

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Mass-ey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Ham, Howard, Luton, Stansberry.—5.

The President declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain, Reverend Joe Dickens, Pastor of John Calvin Presbyterian Church, Tulsa, Oklahoma and is incorporated herein, upon request of all Members of the Senate:

From ministers who hide their humanity behind a cloak of piety and bore us with long prayers, from teachers who care for nothing but their salaries, Good Lord deliver us.

From secretaries who are crabby in the morning, from lobbyists who are too opinionated and pushy, from constituents who can see only one point of view, Good Lord deliver us.

From senators who cannot see past the next election, from public officials who forget they are servants of the people. Good Lord deliver us.

O' God forgive us our timidity, our selfishness, our little egos. Forgive these men who in their eagerness to go home and their anxiety to be re-elected, tend to forget the serious business of government.

Forgive us our failure to be obedient to Your will and to the best within ourselves and grant us Your peace. Through Jesus Christ. Amen.

The Journal for the last legislative day was declared approved.

### COMMUNICATION

Senator Terrill asked unanimous consent, which was granted, to have read and incorporated in the Journal the following communication:

President Pro Tempore of the Senate  
Oklahoma State Legislature  
Oklahoma City, Oklahoma

Dear Sir:

This is in response to the concurrent resolution of the Oklahoma Legislature wherein a request was submitted to extend the grazing date on annual program diverted acres from May 1 to May 15.

As a result of various requests and inquiries from your State, prohibited grazing periods for annual diverted acres were thoroughly reviewed for the 1970 program year.

Based upon this review, the period between May 14 and October 15 has been added to the prohibited grazing periods for 1970. The State ASC committee now has the option of selecting the five month

prohibited grazing period from the following dates: The prohibited period may be between March 31 and September 1, April 14 and September 15, April 30 and October 1, or May 14 and October 15.

Sincerely,  
Kenneth E. Frick,  
Administrator.

#### RESOLUTION

Be it Resolved, That we the undersigned members of the Indian tribes of Oklahoma assembled at Oklahoma City this the 28th day of March, 1970, do hereby memorialize the State Legislature, now in session, to pass Senate Bill No. 504 in order that the construction of houses for the underprivileged of this State will not be stopped or unduly delayed.

Be it Further Resolved, That the original of this Resolution be sent to the President Pro tempore of the Senate, a Copy to the Speaker of the House of Representatives and a copy to the Governor of Oklahoma.

Name	Tribes	Address
Harry J. W. Belvin	Choctaw	Durant, Okla.
Arthur Fields, Sr.	Pawnee	Pawnee, Okla.
Floyd L. Hayes	Seminole	Maud, Okla.
Terry Walker	Seminole	Seminole, Okla.
Silvester Tinker	Osage	Pawhuska, Okla.
Robert J. Perry	Chickasaw	Bartlesville, Okla.
Otis Warrior	Ponca	Okla. City, Okla.
Earl Crawford	Cherokee	Tahlequah, Okla.
Barbara J. White	Comanche	Okla City, Okla.
Lillian Flanigan	Cherokee	Muldrow, Okla.
Shirley W. Scott	Seminole	Okla. City, Okla.
Beatrice L. Walker	Seminole	Okla. City, Okla.
Simon Belvin	Choctaw	Okla. City, Okla.
Arthur L. Thomas	Delaware	Anadarko, Okla.
Calvin G. Beamer	Choctaw,	Okla City

#### MESSAGE FROM THE GOVERNOR

Advising approval by him, March 27, 1970, of Enrolled SBs 238, 362, 375, 507, 512, 518, 540, 550, 559 and 602 entitled:

**SB 238**—By Murphy of the Senate and

Bickford of the House—An act relating to crimes and punishment; providing payment for lease or rental of motor vehicle less than sixty days with false, bogus or worthless check in an amount of twenty dollars or less shall be a misdemeanor and in an amount over twenty dollars shall be a felony; fixing punishment; and declaring an emergency.

**SB 362**—By Stipe and Holden of the Senate—An act relating to salaries of elective state officers; amending section 2, chapter 502, O. S. L. 1965 (74 O. S. Supp. 1969, § 250.4); providing rates at which certain elective officers shall be compensated in terms of office commencing in or after January, 1971; repealing 74 O. S. 1961, § 250 and Section 1, Chapter 68 O. S. L. 1969 (74 O. S. Supp. 1969 § 250.5); providing statement of legislative intent, and specifying certain limits and conditions upon expenditures for salaries and expense allowances; amending section 4, Chapter 398, O. S. L. 1965, as amended by Section 1, Chapter 303, O. S. L. 1967 (74 O. S. Supp. 1969, § 1104), to delete provision therein for payment of compensation to lieutenant governor as chairman of Industrial Development and Park Commission; and making the provisions of this act severable.

**SB 375**—By Smith and Luton of the Senate and Hutchens, Hargrave, Sandlin and McCune of the House—An Act relating to dependent and delinquent children; amending section 101, chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1101), to define certain terms; and declaring an emergency.

**SB 507**—By Martin and Birdsong of the Senate and Andrews of the House—An Act relating to narcotic drugs; amending 63 O. S. 1961, § 469.1; relating to definitions of regulated drugs; including stimulants as defined by the statutes of this state as a regulated drug; and declaring an emergency.

**SB 512**—By Grantham of the Senate



and Conaghan and Boettcher of the House—An Act relating to civil procedure; providing that errors in perfecting appeal must be raised in the trial court; providing further that all defects in perfecting an appeal except the timely filing of a petition in error and of a petition to review a certified interlocutory order may be waived; repealing the provisions of section 1, chapter 124, O. S. L. 1965 (12 O. S. Supp. 1969, § 988) and section 2, chapter 124, O. S. L. 1965 (12 O. S. Supp. 1969, § 989).

**SB 518**—By Baldwin, Baggett and Meade of the Senate and Goodfellow, Wixson and Hutchens of the House—An Act relating to the practice of medicine; \* \* \* \* \* providing qualifications and procedures for an applicant who is not a citizen of the United States and a graduate of a foreign medical school; \* \* \* \* \* and declaring an emergency.

**SB 540**—By Birdsong—An Act relating to the legislature; fixing maximum number and emolument of temporary employees of the state senate; \* \* \* \* \* codification; making provisions of act severable; and declaring an emergency.

**SB 550**—By Romang, Birdsong, Howard and Luton of the Senate and Rogers, Boren and Payne of the House—An Act relating to crimes and punishments; amending 21 O. S. 1961, § 1040.8, to provide that in the case of mailing any obscene, filthy, indecent, lascivious, lewd or unfit book, magazine, story, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, image, cast, slide, figure, instrument, statue, drawing, presentation or other article the offense is deemed complete when such material is deposited in any post office or any other place to any person with intent that it should be forwarded; providing place where prosecution may be made; and declaring an emergency.

**SB 559**—By Garrison, Grantham, Smalley, Smith and Murphy of the Senate and

Mountford, McCune and Bamberger of the House—An Act relating to marketable titles; \* \* \* \* \* providing that persons who have an unbroken chain of title or record to any interest in land for thirty years shall be deemed to have a marketable record title; \* \* \* \* \* and declaring an emergency.

**SB 602**—By Williams of the Senate and Kamas of the House—An Act relating to the Board of Mental Health; amending 43A O. S. 1961, § 12; increasing the per diem allowance of members when in attendance of board meetings; and declaring an emergency.

# MESSAGE FROM THE GOVERNOR

Advising approval by him, March 30, 1970, of Enrolled SBs 19, 502, 588, 622, 637 and 644 entitled:

**SB 10**—By Williams of the Senate and Kamas of the House—An Act relating to schools; amending 70 O. S. 1961, § 4-22, pertaining to powers of board of education; providing for leasing of publicly owned lands by school district and construction of improvements thereon; and declaring an emergency.

**SB 502**—By Baggett of the Senate and Boettcher and Hancock of the House—An Act relating to professional corporations; amending Section 1, Chapter 342, O. S. L. 1963 (18 O. S. Supp. 1969, § 803), \* \* \* \* \* to one office; and declaring an emergency.

**SB 588**—By Grantham of the Senate and Sanguin, Conaghan and Boettcher of the House—An Act relating to motor vehicles; amending 47 O. S. 1961, § 2-107; adjusting the amount that may be paid for department of public safety vehicles and the number of vehicles that may be purchased; and declaring an emergency.

**SB 622**—By Young of the Senate and Skeith, Barker, Bernard, Boettcher, Coffin, Murphy, Townsend, Trent, Wayland, Whorton and Witt of the House—An Act relating to roads and highways; amend-

ing Section 2 of Chapter 237, O. S. L. 1968 (69 O. S. Supp. 1969, § 654); providing for designation of county primary road system; defining duties of the Board of County Commissioners; prescribing criteria for such designation; and declaring an emergency.

**SB 637**—By Terrill of the Senate and Bickford of the House—An Act relating to probate procedure; amending 58 O. S. 1961, § 241, to provide for summary administration where the value of the whole estate does not exceed five thousand dollars; and declaring an emergency.

**SB 644**—By Ferrell of the Senate and Derryberry, Boren, Payne, Cox, Monks and Bickford of the House—An Act relating to militia; amending 44 O. S. 1961, §§ 195.5 and 195.6; providing for awarding of Oklahoma National Guard recruiting medal, \* \* \* \* \* and declaring an emergency.

President Pro Tempore Smith presiding.

#### MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1146, 1292, 1492, 1722 and 1803, requesting Conference and naming Conferencees as follows:

**HB 1146**—Derryberry, Finch, Greenhaw.

**HB 1292**—Bengtson, Hutchens, McCune.

**HB 1492**—Bamberger, Murphy, Stratton.

**HB 1722**—Murphy, Payne, Hargrave.

**HB 1803**—Derryberry, Hatchett, Hill (Archibald).

#### MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1682, as amended.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 214; SB 544-coauthored by Sandlin; SB 587-coauthored by Thornhill, Nance, Williamson, Ford, Hancock and Wixson, each as amended.

**HA to SB 214** read as follows, and consideration deferred:

Amendment No. 1 Strike Title, Enactment Clause and entire Bill and substitute the following:

“An Act relating to motor vehicles; defining terms; providing for regulation of wreckers and towing services; vesting authority of enforcement in Corporation Commission; authorizing the adoption of rules and regulations; prescribing authority and duties of the Department of Public Safety; prohibiting gifts; prohibiting financial interest; allowing independent employment of wrecker or towing services; providing for penalties; and making provisions of Act severable.

Be It Enacted by the People of the State of Oklahoma:

#### SECTION 1. As used in this act:

(1) “Wrecker or towing service” means any motor vehicle of one ton or more rated capacity with rear dual wheels capable of pulling or towing any wrecked, damaged or disabled motor vehicle otherwise incapable of self-propulsion.

(2) “Commissioner” means the Commissioner of Public Safety.

(3) “Department” means the Department of Public Safety.

(4) “Commission” means the Corporation Commission of the State of Oklahoma.

(5) “Operator” means any person owning or operating a wrecker or towing service.

(6) “Officer” means any authorized officer of the Department of Public Safety.

SECTION 2. (A) The Corporation Commission shall have power and authority necessary to supervise, govern, regulate and control the operation and use of wreckers and towing services by operators when engaged in a wrecker or towing service for hire.

(B) The Commission shall adopt and prescribe such rules and regulations as are necessary to carry out the intent of this act.

(C) Regulations adopted by the Commission shall state the requirements for a wrecker operator's license, including

standards as to character and reputation of the operator and his employees, ability or experience of the operator and employees, facilities for storage of vehicles, necessary towing equipment, maximum fee schedule for towing and storage to be charged by any wrecker or tow-in service, the records to be kept by operators, liability insurance and insurance covering the vehicle and its contents while in storage in such sum and with such provisions as the Commission deems necessary to adequately protect the interests of the public, and such other matters as the Commission may prescribe for the protection of the public.

SECTION 3. (A) No operator or his employee shall be permitted to make service calls without first having obtained from the Commission a wrecker license, the number of which shall be displayed on both sides of every wrecker vehicle he operates. The fee for such license shall not exceed Ten Dollars (\$10.00).

(B) All licenses shall expire on the last day of the calendar year and may be renewed annually upon application to the Commission as prescribed by regulation. The license fees collected under this act shall be used under the supervision and direction of the Commission for the administration of this act. No license fee shall be refunded in the event that the license is suspended or revoked.

(C) Any person engaged in the business of the operation or use of wreckers or towing services on the effective date of this act shall comply with the provisions hereof within ninety (90) days after the promulgation of rules and regulations by the Commission.

(D) The Commission may cancel, suspend, revoke or refuse to issue or renew a wrecker operator's license in any case where it finds the licensee or applicant has not complied with, or has violated any of the provisions of this act or any regulation adopted by the Commission hereunder. Any cancelled, suspended, or re-

voked license shall be returned to the Commission by the licensee, and its holder shall not be eligible to apply for a license under this act until six (6) months have elapsed since the date of suspension or revocation.

(E) The provisions of the Administrative Procedures Act of Oklahoma are expressly made applicable to this act.

SECTION 4. The Commission shall be charged with the duty of policing and enforcing the provisions of this act. Its duly appointed officers shall have authority to make arrests for violations of the provisions of this act. Such officers, upon reasonable belief that any wrecker is being operated in violation of any provision of this act shall be authorized to require the operator thereof to stop and exhibit invoices, bills of lading or such documentation as may be required to establish his authority.

SECTION 5. Any officer of the Department of Public Safety is hereby authorized to cause to be removed any vehicle found upon the highway when:

(1) Report has been made that such a vehicle has been stolen or taken without the consent of its owner.

(2) The officer has reason to believe the vehicle has been abandoned as defined in § 902 of Title 47.

(3) The person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.

(4) At the scene of the accident, when the owner or driver is not in a position to take charge of his vehicle and direct or request proper removal thereof.

Each officer of the department shall carry a list of the holders of current wrecker operator licenses in such officer's district, and shall use the services of the licensed operator whose location is nearest to the vehicle to be removed in all



instances specified under subsections (1), (2), (3) and (4), above. In like manner, such officer shall advise any person requesting information as to the availability of wrecker service, the name of the nearest licensed wrecker service operator. Provided, however, in all cities of less than two hundred thousand (200,000) population, all licensed wrecker service operators located near or in the city limits of said cities, shall be considered as being equal distance and shall be called on an equal basis as nearly as possible.

Any officer of the department who has been requested by a person in need of wrecker service to call a specific wrecker service for such person, and calls a different wrecker service than the one requested without the consent of the aforesaid person, shall be suspended from the department, without compensation, for a period of thirty (30) days.

SECTION 6. (A) No operator or employee of a wrecker or towing service shall offer any compensation, gift, loan, favor or service to any officer or employee of the Commission or to any officer of the department for the purpose of influencing such officer in the discharge of his official duties; nor shall any officer or employee of the Commission or any officer of the department accept directly or indirectly any compensation, gift, loan, favor or service given for the purpose of influencing his activities or decisions while in the performance of his duties.

(B) No officer of the Commission or of the department shall have any interest, financial or otherwise, in a wrecker or towing business operation.

SECTION 7. The provisions of this act shall not preclude any person from employing or contracting with any wrecker or towing service of his own choice.

SECTION 8. Violation of any provision of this act or any regulation promulgated pursuant hereto shall constitute a misdemeanor, and any person, upon conviction therefor shall be punished by

a fine of not more than One Hundred Dollars (\$100.00) or imprisonment for not more than thirty (30) days in the county jail, or both such fine and imprisonment.

SECTION 9. The provisions of this act are severable, and if any part or provision hereof shall be held void, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act."

HA to SB 544 read as follows, and consideration deferred:

Amendment No. 1. Strike Title, Enactment Clause and Entire Bill and substitute the following:

"(An Act relating to Municipal Courts; emergency.)

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 11 O. S. 1961, § 958.1, as last amended by Section 1, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, § 958.1), is amended to read as follows:

§ 958.1. *[(a) There is hereby created in every]* EVERY city and town of this state MAY CREATE a Municipal Court, AS PROVIDED BY TITLE 11 OF THE OKLAHOMA STATUTES, § 958.2, which *[(court shall have criminal jurisdiction to the extent and in the manner hereinafter provided; provided, that the courts hereby created shall not be courts of record. Provided, that the provisions of this act shall not apply to any city of less than three hundred twenty thousand (320,000) according to the latest Federal Decennial Census, in which there is a municipal or city court created under the provisions of 11 O. S. 1961, § § 781 to 805, inclusive)]* SHALL BE A COURT NOT OF RECORD. THIS COURT MAY BE CREATED IN ADDITION TO A MUNICIPAL COURT OF RECORD. In this chapter, city includes cities and incorporated towns and mayor includes the mayor of a city and the chairman of a town board of trustees.

*[(b) Cities of more than three hundred twenty thousand (320,000), according to*

the latest Federal Decennial Census, shall establish a court under the provisions of this section, but the jurisdiction of said court shall be limited to prosecution for violation of ordinances, where the punishment shall not exceed a fine of Fifty dollars (\$50.00). Provided that the court may not imprison a person except for the enforcement of the fine and court costs, or both. Except, the judges of courts in cities of over three hundred twenty thousand (320,000) shall not engage in the practice of law.】

SECTION 2. Any Municipal Court existing on January 13, 1969, and continuing thereafter without being reestablished by resolution, shall be continued in operation only if the governing body of the city in which it is existing shall determine by resolution, within sixty (60) days from the effective date of this act, that the efficient disposition of cases involving the violation of ordinances of the city necessitates continuing the court in operation, and shall cause certified copies of said resolution to be filed within thirty (30) days after the adoption of said resolution in the offices, respectively, of the county clerk of each county in which said city is located, and of the clerk of the Supreme Court of this state. Such resolution and the filing thereof shall be judicially noticed in all courts of this state.

SECTION 3. 11 O. S. 1961, § 958.6, as amended by Section 4, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, § 958.6), is amended to read as follows:

§ 958.6. In all prosecutions in said court, for any offense punishable by a fine of more than Twenty Dollars (\$20.00), including costs, or by imprisonment, or by both such fine and imprisonment, a jury trial shall be had unless waived by the defendant and the city. In prosecutions for all other offenses, or in cases where in a jury trial is waived by the defendant and the city, trial shall be to the court. Jurors shall be good and lawful men or women, citizens of the county in which the court sits, having the qualifications

of jurors in the District Court. Jurors shall be selected under the same terms and conditions as are provided for by law for the District Courts. Upon written request of the judge of the Municipal Court for a stated number of jurors, to the presiding judge of the appropriate District Court, it shall be the duty of the clerk of said District Court to draw from the jury wheel the requested number of jurors in the same manner as is provided by law for the District Court, and to prepare a list of the names drawn and certify such list to the judge of the Municipal Court. Summons of the prospective jurors shall be issued as set out by ordinance, and may be served in person by the chief of police or any member of the police force of the city, or may be served by the clerk of the Municipal Court by certified mail, with a return receipt requested. A jury in Municipal Courts created by this act shall consist of six (6) jurors, five (5) of whom may return a verdict.

SECTION 4. 11 O. S. 1961, § 958.7, as last amended by Section 1, Chapter 42, O. S. L. 1969 (11 O. S. Supp. 1969, § 958.7), is amended to read as follows:

§ 958.7. (a) The number of judges for each Municipal Court shall be determined by the governing body of the city where the court is established. In this act, judge includes judges. The judge of each such Municipal Court shall be appointed by the mayor of the city where the court is established, with the consent of the governing body of said city, and provided that the judge of any Municipal Court existing at the time of passage of this act, shall continue in office until such time as his successor is appointed and qualified, PROVIDED FURTHER THAT THE MAYOR AND THE GOVERNING BODY OF THE CITY SHALL, WITHIN NINETY (90) DAYS FROM THE EFFECTIVE DATE OF THIS ACT, APPOINT A SUCCESSOR JUDGE HAVING THE QUALIFICATIONS PRESCRIBED BY THIS ACT. The judge of any court cre-

ated under this act shall be licensed to practice law in the State of Oklahoma, except as provided in [subsection] SUBSECTIONS (b) AND (C) hereof. [Any city charter or municipal ordinance to the contrary notwithstanding, he] HE shall serve for a term of two (2) years, expiring on a date fixed by ordinance, and until his successor is appointed and qualified, unless sooner removed by the vote of a majority of all members of the governing body, for such cause as is provided by the law of this state for the removal of public officers. Any appointment to fill a vacancy shall be for the unexpired term. [Except in cities of more than three hundred twenty thousand (320,000) population, nothing] NOTHING herein shall be construed to prevent the judge from engaging in the practice of law in any other court during his tenure of office. The judge shall be paid a salary to be fixed by the governing body of the city. He shall be paid in the same manner as other city officials.

(b) In any city of less than seven thousand five hundred (7,500) population, the mayor, with the consent of the governing body, may appoint any suitable and proper person as judge who is a resident of that city, or who maintains a permanent office in that city. The mayor may be designated as judge of the Municipal Court upon approval of the city council.

(c) In cities of seven thousand five hundred (7,500) or more population, if no attorney licensed to practice law in the State of Oklahoma resides in the county in which said city is located, who is at the time of appointment willing to accept the appointment as judge, the mayor, with the consent of the governing body, may appoint any suitable and proper person as judge.

(d) If the judge of the Municipal Court is not a licensed attorney, the trial shall be to the court, and the court may not impose a fine and costs which, taken together, exceed Twenty Dollars (\$20.00) and may not order the defendant im-

prisoned, except for the nonpayment of fines or costs, or both.

SECTION 5. 11 O. S. 1961, § 958.9, is amended to read as follows:

§ 958.9. All writs and process of said court wherein a violation of a city ordinance is charged shall be directed to the MARSHAL OR THE chief of police of such city, [who shall be the principal officer of such court] OR TO SOME OTHER APPROPRIATE PEACE OFFICER.

SECTION 6. 11 O. S. 1961, § 958.12, as amended by Section 8, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, § 958.12), is amended to read as follows:

§ 958.12. All prosecutions commenced in such Municipal Courts shall be by complaint which shall be subscribed by the person making complaint and shall be verified BEFORE A JUDGE, THE COURT CLERK, A DEPUTY COURT CLERK, OR A POLICE OFFICER. Provided, that no warrant for arrest shall be issued until the complaint has been approved by the city attorney or the judge of the Municipal Court. All prosecutions for the violation of city ordinances shall be styled, "The City of \_\_\_\_\_ (naming the city) vs. \_\_\_\_\_ (naming the person or persons charged)."

SECTION 7. 11 O. S. 1961, § 958.13, is amended to read as follows:

§ 958.13. THE GOVERNING BOARD OF THE CITY OR TOWN, UPON THE RECOMMENDATION OF [The] THE JUDGE OF THE MUNICIPAL COURT MAY DESIGNATE ANY APPROPRIATE PERSON WHO IS A RESIDENT OF THE CITY TO SERVE AS MARSHAL, AND IN THE ABSENCE OF SUCH A DESIGNATION, THE chief of police or corresponding officer of such city shall be ex officio marshal of the [Municipal Criminal Court, and it] COURT. IT shall be [his] THE duty OF THE MARSHAL to execute any writs and other process directed to him, except as herein other-



wise provided, and such duty may be performed by any DEPUTY MARSHAL OR BY ANY members of the police force of such city, AS THE CASE MAY BE.

SECTION 8. 11 O. S. 1961, § 958.14, as amended by Section 9, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, § 958.14), is amended to read as follows:

§ 958.14. (a) An appeal may be taken from a final judgment of the Municipal Court by the defendant by filing in the District Court of the county wherein the Municipal Court is located within ten (10) days from the date of the final judgment a notice of appeal and by filing a copy of the notice with the Municipal Court. In case of an appeal, a trial de novo shall be had, and there shall be a right to a jury trial, if the offense is punishable by A FINE OF more than [Twenty Dollars (\$20.00)] FIFTY DOLLARS (\$50.00).

(b) Upon conviction, AT THE REQUEST OF THE DEFENDANT, or UPON notice of appeal being filed, the judge of the Municipal Court shall enter an order on his docket fixing an amount in which [bail] BOND may be given by the defendant, IN CASH OR SURETIES FOR CASH IN AN AMOUNT OF NOT LESS THAN FIFTY DOLLARS (\$50.00) NOR MORE THAN TWO HUNDRED DOLLARS (\$200.00); PROVIDED, HOWEVER, IF THE CONVICTION INVOLVED A FINE ONLY, THE AMOUNT OF THE BOND SHALL BE NO GREATER THAN TWICE THE AMOUNT OF SUCH FINE. [Bail may] BOND SHALL be taken by the [judge] CLERK OF COURT WHEREIN [the judgment, or by the appellate court or the clerk thereof]; PROVIDED FURTHER, ANY PLEDGE OF SURETIES MUST BE APPROVED BY A JUDGE OF THE COURT.

(c) Upon appeal being [taken] FILED the judge shall within ten (10) days THEREAFTER certify to the clerk of the appellate court the original papers in the case, and if said papers have not been

certified to the appellate court, the prosecuting attorney shall take the necessary steps to have the papers certified to the appellate court within twenty (20) days of the judgment, and failure to do so, except for good cause shown, shall be grounds for dismissal of the charge by the appellate court, the cost to be taxed to the city. THE CERTIFICATE SHALL STATE WHETHER OR NOT THE MUNICIPAL JUDGE HEARING THE CASE WAS A LICENSED ATTORNEY IN THE STATE OF OKLAHOMA.

(d) All proceedings necessary to carry the judgment into effect shall be had in the appellate court.

SECTION 9. The district attorney, and his assistants, shall defend any appeal from a Municipal Court of any city or town in his district that has no city attorney who is paid a salary in excess of a rate of Three Thousand Six Hundred Dollars (\$3,600.00).

SECTION 10. (a) Each municipality shall periodically, and not less often than once each ten (10) years, compile and publish in a permanent form its effective ordinances.

(b) At least one copy of such compilation of ordinances shall be deposited free of cost by the municipality in each county law library in the state wherein the municipality is located, and two (2) copies shall be filed with the Clerk of the Supreme Court.

(c) Permanent volumes of such compiled ordinances shall be available for purchase by the public at a reasonable price.

(d) Biannually the municipality shall publish supplements to its compiled ordinances and no ordinance shall be enforced if it is not reflected in such compilation or supplements if such ordinance was adopted more than one (1) year prior to the latest compilation or supplement.

(e) Any municipality that has compiled its ordinances since 1960 shall not be re-

quired to make a new compilation until a period of ten (10) years has elapsed from the last compilation.

(f) When a municipality has compiled and published its ordinances, the governing body of the municipality shall adopt a resolution notifying the public of such compliance, and shall cause certified copies of said resolution to be filed in the offices, respectively of the county clerk of the county where the situs of government is located and in the office of the Clerk of the Supreme Court.

SECTION 11. If, without sufficient excuse, a defendant fails to appear according to the terms or conditions of his bond, either for hearing, arraignment, trial or judgment, or upon any other occasion when his presence in court or before the magistrate may be lawfully required, the judge may direct that fact to be entered upon the court minutes, thereby declaring the bond to be forfeited. Without advancing court costs, the judge shall then cause the forfeiture to be certified to the district court of the county where situs of government is situated, where it shall be entered upon the judgment docket and shall have the full force and effect of a district court judgment. At such time as the forfeiture is entered upon the district court judgment docket, the district court clerk shall proceed in accordance with the provisions of Title 11 of the Oklahoma Statutes, §§ 1330, 1331, 1332, 1333 and 1335, and a surety shall have all remedies available under the provisions of Title 22 of the Oklahoma Statutes, § 1108, and Title 59 of the Oklahoma Statutes, §§ 1301 through 1340. Court costs shall be collectible from the proceeds of the bond.

SECTION 12. A prosecution in a court provided for herein shall be a bar to prosecution to a prosecution in another court for the same or a lesser included offense.

SECTION 13. The courts that have been created under 11 O. S. 1961, §§ 961.25 and 962.26, are not abolished, except in

cities of more than three hundred and twenty thousand (320,000) population, according to the latest Federal Decennial Census, but shall continue in existence subject to the provisions of 11 O. S. 1961, §§ 958.1 and 958.3 through 958.24, and the provisions of this act, and the courts shall retain jurisdiction of any actions that are pending therein subject to the provisions of Chapter 391, O. S. L. 1968, § 23. Employees of such courts shall continue to retain their positions subject to the terms and conditions that existed before the passage of this act, and any balances in the appropriations for the operation and maintenance of the court shall continue to be appropriated and used for the operation and maintenance of the court.

SECTION 14. Section 2 of this act shall be inserted in Title 11 of the Oklahoma Statutes as § 958.3 (a), and Section 11 of this act shall be inserted in Title 11 of the Oklahoma Statutes as § 958.25, unless the same shall create a duplication in numbering.

SECTION 15. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 16. 11 O. S. 1961, §§ 961.25 and 962.26, and Sections 19 and 20, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, §§ 958.29 and 958.30), are hereby repealed.

SECTION 17. This act shall become effective July 1, 1970.

SECTION 18. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HAS to SB 587** read as follows, and consideration deferred:

Amendment No. 1. Amend the Title to

read: "(AN ACT RELATING TO CRIMES AND PUNISHMENTS; EMERGENCY)."

Amendment No. 2. Amend Page 1, Line 28½, by adding a new Paragraph (4) to read as follows: "A request must be made to receive a credit card before an issuer can issue a credit card." and renumber following paragraphs.

Amendment No. 3. Amend Page 2, Lines 5, 18, 22 and 27, Page 3, Line 24, Page 4, Lines 5 and 23, and Page 5, Line 10, by changing the "13" to "14".

Amendment No. 4. Amend Page 2, Lines 10, 11, 12 and 13, by striking all of paragraph "(c)" and substitute therefor the following: "(c) A person who has illegally in his possession or under his control any credit card issued to any other person, who has not consented to such possession, is presumed to have violated this section."

Amendment No. 5. Amend Page 2, Lines 29 through 34, by striking all of Section 6 and add in lieu thereof a new Section 6 as follows: "A person, other than the issuer, receives, on giving of any consideration, a credit card issued in the name of any other person, which he has reason to know was taken or retained under circumstances which constitute credit card theft is guilty of credit card theft."

Amendment No. 6. Amend Page 4, Lines 5 through 11, by striking the letter "(a)" on line 5 and placing a period after the word "act" on Line 6, and striking the balance of Line 6, all of Lines 7, 8, 9, 10 and through the word "period." on Line 11.

Amendment No. 7. Amend Page 4, Line 31, by striking the word "two" and adding in lieu thereof the word "one".

Amendment No. 8. Amend Page 5, Line 11½, by adding a new Section 13 to read as follows: "Any issuer who makes a charge against the account of a card holder of a lost or stolen credit card after receipt of notice in writing or by telegraph that said card has been lost or

stolen shall be subject to the fine set forth in Section 14(a) of this act." and renumber the following sections.

Amendment No. 9. Amend Page 5, Line 13, by striking the word and figure "either: (1)".

Amendment No. 10. Amend Page 5, Lines 15 through 23, by placing a "period" after the word "both" on Line 15, and striking the ";" and remainder of paragraph (a) and all of paragraphs (b) and (c).

Amendment No. 11. Amend Page 6, Lines 5 and 6, by striking all of Section 17, and adding a new Section 17, to read as follows: "The provisions of this act shall be cumulative to any existing laws."

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1540, 1601, 1656 and 1666.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## CONFERENCE COMMITTEE REPORTS

The following CCR on SB 413 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 413, entitled:

An Act relating to the office of the State Auditor and making appropriations thereto: \*\*\* and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation:

1. Conference Committee recommends that the House recede from Amendments Nos. 1, 2, 3, 4, 5 and 6.



2. Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 22, delete the figure "\$40,132.00" and insert in lieu thereof the figure "\$45,039.00".

2. Page 1, Line 24, delete the figure "\$53,577.00" and insert in lieu thereof the figure "\$58,484.00".

3. Page 1, Line 31, under the headings MINIMUM and MAXIMUM delete the figures "\$9,200.00" and insert in lieu thereof the figures "\$15,000.00".

4. Page 1, Line 31½, insert the words "Effective 1-11-71".

5. Page 1, Line 32, under the heading MAXIMUM strike the figure "\$9,000.00" and insert in lieu thereof the figure "\$10,000.00".

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels, Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 415 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 415, entitled:

(State Board of Public Affairs an emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation:

1. That the House recede from Amendment Nos. 1 and 2.

2. Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 23, strike the figure

"69,765.00" and insert the figure "73,350.00".

Page 1, Line 24, strike the figure "46,563.00" and insert the figure "60,794.00".

Page 1, Line 25, strike the figure "30,393.00" and insert the figure "29,452.00".

Page 1, Line 26, strike the figure "639,288.00" and insert the figure "641,081.00".

Page 1, Line 29, strike the figure "358,141.00" and insert the figure "347,808.00".

Page 1, Line 31, strike the figure "85,292.00" and insert the figure "\$86,486.00".

Page 1, Line 32, strike the figure "2,500.00" and insert the figure "5,000.00".

Page 1, Line 34, strike the figure "1,291,942.00" and insert the figure "1,303,971.00".

2. Page 2, Line 5, strike Section 3 and insert a new Section 3 to read as follows:

"SECTION 3. There is hereby appropriated to the State Board of Public Affairs from any monies in the Public Building Fund for the fiscal year ending June 30, 1971, not otherwise appropriated, the following amounts or so much thereof as may be necessary for the purposes specified:

For renovation and repair of State Capitol Building and equipment, landscape planning and other capital outlay pertaining to the State Capitol buildings and grounds ..... \$110,000.00

For renovation, carpeting and other capital improvements of the Court of Criminal Appeals Chambers and Courtroom, and to provide additional office space for Court Referee ..... 4,000.00

For renovation and air-conditioning the Chief Mine Inspector's office area 12,500.00

For renovation of the Human Rights Commission office area ..... 5,000.00

For renovation of the Board of Equalization Office area ..... 5,000.00

For renovation and air-conditioning the office area of the Legislative Council ..... 36,879.00

Total ..... \$173,379.00"

3. Page 2, Line 12, by inserting a new

Section to be numbered Section 4 to read as follows:

"SECTION 4. There is hereby appropriated to the State Board of Public Affairs from any monies in the Income Tax adjustment Fund, not otherwise appropriated, the sum of One Hundred Thousand Dollars (\$100,000.00) for the repair of the glass art work, and for painting the ceiling in the Dome area of the State Capitol."

4. Page 2, Line 15, by inserting a new Section to be numbered Section 5 to read as follows:

"SECTION 5. There is hereby appropriated to the State Board of Public Affairs from any monies in the Income Tax Adjustment Fund the sum of Twenty Thousand Dollars (\$20,000.00) for mural work on the Four Panels of the fourth floor rotunda of the State Capitol Building, such mural work to be negotiated for and to be done by an Oklahoma resident who is a qualified and recognized mural painter. It is the intention of the Legislature that such mural paintings shall depict the history of the State of Oklahoma, and the total sum to be paid for such mural paintings shall not exceed Sixty-Five Thousand Dollars (\$65,000.00). It is the further intention of the Legislature that such mural paintings shall be completed before the fiscal year ending June 30, 1973." Re-number succeeding sections accordingly.

5. Page 2, Line 22, by inserting a comma (,) after the number "3" and the words and figures "4 and 5".

6. Restore the Title to read as follows:

An Act relating to State Board of Public Affairs and making appropriations thereto; stating the purposes; providing for the appointment and compensation of employees; making an appropriation for renovation and repair of State Capitol buildings and grounds and for renovation of specified offices in the Capitol Building; making an appropriation for repair of the Capitol Building Dome; making an appropriation for mural panels of the fourth floor rotun-

da of the Capitol; providing for salary of State Purchasing Director; setting the salary of the Chairman of the State Board of Public Affairs; providing for lapse date; making provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels, Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 416 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 416, entitled:

An Act relating to the office of the State Treasurer and making appropriations thereto; \*\*\* and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate concur in House Amendments 2, 3 and 4.

3. The Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 35, under the headings MINIMUM and MAXIMUM delete the figures "\$12,600.00" and insert the figures "\$18,000.00".

2. Page 1, Line 35½, insert the words "Effective 1-11-71".

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels,

Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 417 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 417, entitled:

(Office of the Attorney General emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation:

1. That the House Amendment No. 1 be adopted.

2. Conference Committee recommends the adoption of the following amendments:

1. Page 2, Line 12, after the word "Assistant" insert the roman numeral "I".

2. Page 2, Line 12½, insert the following: "Administrative Assistant II" figure "1", and then "\$6,000.00" and "14,000.00".

3. Page 2, Line 18, under the heading NUMBER AUTHORIZED strike the figure "15" and insert the figure "16".

4. Restore the title to read as follows:

An Act relating to the Office of the Attorney General and making appropriations thereto; stating the purpose; providing funds for law enforcement administration; providing for maximum salary for the Attorney General; providing that the Attorney General shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels,

Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 425 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 425, entitled:

An Act relating to the Oklahoma Department of Libraries and making appropriations thereto; \*\*\* and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations that the Senate concur in House Amendments No. 1, 2 and 3.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels, Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 432 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 432, entitled:

(Oklahoma Department of Veterans Affairs an emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same, coauthored by Bernard, Bickford and Bradley with the following recommendations:



1. That the Senate concur in House Amendment Nos. 1 and No. 3.

2. That the House recede from its Amendment No. 2.

3. Conference Committee recommends the adoption of the following amendment:

1. Page 2, Line 11, strike the figure "\$586,446.00" and following the word "operation" insert the following: "including \$25,000.00 for the expense of construction of a sewer line through Platt National Park ----- \$653,571.00"

4. Restore the title to read as follows:

An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma Veterans Center, Sulphur, Oklahoma, the Oklahoma Veterans Center, Ardmore, Oklahoma, and Oklahoma War Veterans Commission and making appropriations thereto; stating the purpose; providing for transfer of funds; making an appropriation from the W.V.C. revolving fund and stating the purpose; providing for administration of affairs of the Department of Veterans Affairs, and each of the institutions listed in this act; providing for appointment and compensation of personnel; providing for authority to enter into agreements with the Vocational Rehabilitation Division of the Oklahoma Public Welfare Department, for rehabilitation of disabled veterans; providing for method of making purchases; appropriating funds for contracting with the Department of Mental Health for services rendered veterans; prescribing method of aiding destitute minor dependents; providing for lapse date; making provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels, Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

The following CCR on SB 437 was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 437, entitled:

(Office of the Oklahoma Military Department emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation:

1. That the House recede from its Amendment No. 1.

2. The Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 31, insert the following: "It is the intent of the Legislature that the First Session of the 33rd Oklahoma Legislature will appropriate to the Military Department for the construction of armories at Norman, Oklahoma and Claremore, Oklahoma in the amount of \$90,000.00 and \$60,000.00, respectively."

2. That a title be restored to read as follows:

An Act relating to the office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; making an appropriation for capital outlay expenditures at Camp Gruber; making an appropriation for repairs to armories; expressing the Legislative intent with respect to appropriation for armory construction in the First Session of the 33rd Oklahoma Legislature; providing for appointment and compensation of personnel; providing lapse date; making provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Williams, Garrison, Keels,

Hamilton, Lane, Martin, Murphy, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Bradley, Cate, Odom (V. H.), Sanguin, Skeith, Townsend.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SCRs 81 and 82; and HBs 1612, 1696 and 1760 each correctly engrossed.

SBs 489, 534 and SRs 60, 61 and 63 each correctly enrolled.

Engrossed SCRs 81 and 82 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HBs 1612, 1696 and 1760, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SBs 489 and 534 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled SRs 60, 61 and 63 were properly signed and ordered transmitted to the Secretary of State.

#### COMMITTEE REPORTS

The following Bills and/or resolutions were reported by the Committees named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS:

HCR 1039—Judiciary—coauthored by Young and Garrett.

DO PASS, as amended:

HB 1676—Judiciary—coauthored by Young.

HB 1743—Judiciary—coauthored by Grantham.

HB 1801—Judiciary.

WITHOUT RECOMMENDATION:

HB 1622—Judiciary—coauthored by Short.

HJR 1044—Judiciary.

HJR 1056—Judiciary.

HJR 1057—Judiciary.

#### SECOND READING

The following Bill was read the second time and referred to Committee indicated:

HB 1787—Judiciary.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on SB 412 was declared adopted.

SB 412, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Crow, Dacus, Ham, Howard, Luton, Nichols, Porter, Stansberry, Stipe.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Crow, Dacus, Ham, Howard, Luton, Nichols, Porter, Stansberry, Stipe.—9.

The emergency was declared passed.

SB 412, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Howard asked to be shown present which was the order.

Senator McSpadden moved that the Senate reject the Conference Committee Report on **SB 414**, and request further Conference, said Bill to be re-referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 420** was declared adopted.

**SB 420**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hargrave, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Crow, Dacus, Garrett, Ham, Hamilton, Holden, Lane, Luton, Nichols, Porter, Stansberry, Taliaferro.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hargrave, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Crow, Dacus, Garrett, Ham, Hamilton, Holden, Lane, Luton, Nichols, Porter, Stansberry, Taliaferro.—12.

The emergency was declared passed.

**SB 420**, together with Conference Com-

mittee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 423** was declared adopted.

**SB 423**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Crow, Dacus, Ham, Lane, Luton, Porter, Stansberry.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Crow, Dacus, Ham, Lane, Luton, Porter, Stansberry.—7.

The emergency was declared passed.

**SB 423**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 426** was declared adopted.

Senator Hamilton asked unanimous consent to be made a coauthor of **SB 426**,



as amended in conference, which was the order.

**SB 426**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young. 40.

Excused: Crow, Dacus, Ham, Lane, Luton, Nichols, Porter, Stansberry.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young. 40.

Excused: Crow, Dacus, Ham, Lane, Luton, Nichols, Porter, Stansberry.—8.

The emergency was declared passed.

**SB 426**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 428** was declared adopted.

**SB 428**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Bird-

song, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Berrong, Crow, Dacus, Ham, Lane, Luton, Nichols, Porter, Smalley, Stansberry.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Berrong, Crow, Dacus, Ham, Lane, Luton, Nichols, Porter, Smalley, Stansberry.—10.

The emergency was declared passed.

**SB 428**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 430** was declared adopted.

**SB 430**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne,

Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Dacus, Garrett, Ham, Lane, Luton, Porter, Smalley, Stansberry.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Dacus, Garrett, Ham, Lane, Luton, Porter, Smalley, Stansberry.—9.

The emergency was declared passed.

**SB 430**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Luton asked to be shown present, which was the order.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 435** was declared adopted.

**SB 435**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Birdsong, Dacus, Garrett, Ham, Nichols, Porter, Stansberry.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Birdsong, Dacus, Garrett, Ham, Nichols, Porter, Stansberry.—7.

The emergency was declared passed.

**SB 435**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 436** was declared adopted.

**SB 436**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Berrong, Dacus, Ham, Porter, Stansberry.—5.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison,

Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Berrong, Dacus, Ham, Porter, Stansberry.—5.

The emergency was declared passed.

**SB 436**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Ham asked to be shown present, which was the order.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 440** was declared adopted.

**SB 440**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Porter, Stansberry.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith,

Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Porter, Stansberry.—3.

The emergency was declared passed.

**SB 440**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 441** was declared adopted.

**SB 441**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Keels.—1.

Excused: Dacus, Field, Holden, Porter, Stansberry.—5.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Keels.—1.

Excused: Dacus, Field, Holden, Porter, Stansberry.—5.

The emergency was declared passed.

**SB 441**, together with Conference Com-



mittee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 442** was declared adopted.

**SB 442**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Har-grave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Mill-er, Murphy, Nichols, Payne, Phillips, Por-ter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Hamilton, Stansberry.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emer-gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Har-grave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Mill-er, Murphy, Nichols, Payne, Phillips, Por-ter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—45.

Excused: Dacus, Hamilton, Stansberry.—3.

The emergency was declared passed.

**SB 442**, together with Conference Com-mittee Report thereon, was ordered trans-mitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1553** was declared adopted.

**HB 1553**, as amended in Conference, was read at length.

On the question of passage of Bill as

amended in Conference, the roll call re-sulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Ham-ilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Dacus, H o w a r d, Nichols, Stansberry.—4.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emer-gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Ham-ilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Dacus, H o w a r d, Nichols, Stansberry.—4.

The emergency was declared passed.

**HB 1553**, together with Conference Com-mittee Report thereon, was ordered re-turned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1554** was declared adopted.

**HB 1554**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call re-sulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Ferrell, Field, Garrett, Gar-ri-son, Grantham, Graves, Ham, Hamilton, H a r g r a v e, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw,

McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Dacus, Howard, Miller, Stansberry.—4.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—44.

Excused: Dacus, Howard, Miller, Stansberry.—4.

The emergency was declared passed.

**HB 1554**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1562** was declared adopted.

**HB 1562**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Grantham, Howard, Murphy, Stansberry.—5.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Dacus, Grantham, Howard, Murphy, Stansberry.—5.

The emergency was declared passed.

**HB 1562**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1568** was declared adopted.

**HB 1568**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Birdsong, McSpadden, Smalley.—3.

Excused: Dacus, Howard, Stansberry.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane,

Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Nay: Birdsong, McSpadden, Smalley.—3.

Excused: Dacus, Howard, Stansberry.—3.

The emergency was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **HB 1568**, as amended in Conference, passed; and to reconsider the vote by which the Emergency Section thereto passed.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1576** was declared adopted.

**HB 1576**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Baldwin, Crow, Hargrave, Holden, Horn, Lane, Medearis.—7.

Excused: Bradley, Breckinridge, Dacus, Keels, Stansberry.—5.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton,

Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Baldwin, Crow, Hargrave, Holden, Horn, Lane, Medearis.—7.

Excused: Bradley, Breckinridge, Dacus, Keels, Stansberry.—5.

The emergency was declared passed.

**HB 1576**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1584** was declared adopted.

Senator Inhofe asked unanimous consent to be made a coauthor of **HB 1584**, as amended in Conference, which was the order.

**HB 1584**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Nay: Baldwin, Ferrell.—2.

Excused: Bradley, Dacus, Field, Hamilton, Keels, Nichols, Stansberry.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller,



Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Nay: Baldwin, Ferrell.—2.

Excused: Bradley, Dacus, Field, Hamilton, Keels, Nichols, Stansberry.—7.

The emergency was declared passed.

**HB 1584**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator McSpadden moved that the Conference Committee Report on **HB 1570** be adopted.

Senator Short, joined by Senator Baggett, as a substitute for the McSpadden motion, moved that the Senate reject the Conference Committee Report on **HB 1570** and request further conference, said Bill to be re-referred to the General Conference Committee on Appropriations with instructions to Senate Conferees to strike Section 4 from said Bill which motion was tabled upon motion of Senator Massey.

The vote occurring upon the McSpadden motion, it was declared adopted.

**HB 1570**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Terrill, Williams.—37.

Nay: Breckinridge, Garrison, McCune, Short.—4.

Excused: Bradley, Dacus, Garrett, Hargrave, Stansberry, Taliaferro, Young.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Terrill, Williams.—37.

Nay: Breckinridge, Garrison, McCune, Short.—4.

Excused: Bradley, Dacus, Garrett, Hargrave, Stansberry, Taliaferro, Young.—7.

The emergency was declared passed.

**HB 1570**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

### GENERAL ORDER

**HB 1677** by Skeith of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1677** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1677** was placed upon third reading and final passage.

### THIRD READING

**HB 1677** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baldwin, Bradley, Dacus, Massey, Stansberry.—5.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—43.

Excused: Baldwin, Bradley, Dacus, Massey, Stansberry.—5.

The emergency was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Ham moved that the vote be reconsidered by which **HB 1677** passed.

### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1065**—By Skeith of the House and Smith of the Senate—A concurrent resolution recalling from the office of the Governor House Bill No. 1522 passed by the 2nd Session of the 32nd Oklahoma Legislature.

Upon request of President Pro Tempore Smith, **HCR 1065** was taken up for immediate consideration.

**HCR 1065** was read at length, adopted upon motion of President Pro Tempore Smith, properly signed, and ordered returned to the Honorable House.

Senator Romang presiding.

### GENERAL ORDER

**HB 1735** by Bickford, et al, of the House and Grantham, Birdsong, Bradley, Breckinridge, Crow, Field, Graves, Hargrave, Horn, Inhofe, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Smalley, Taliaferro, Terrill, Young and Baldwin of the Senate was read and considered.

Senator Murphy asked to be made a co-author of **HB 1735**, which was the order.

Following discussion, upon request of Senator Hamilton, further consideration of **HB 1735** was deferred for this legislative day.

**HB 1747** by Connor of the House and Garrison of the Senate was read and considered.

Upon motion of Senator Garrison, **HB 1747** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrison, **HB 1747** was placed upon third reading and final passage.

### THIRD READING

**HB 1747** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—36.

Nay: Crow, Field, Hamilton, Lane.—4.

Excused: Baldwin, Bradley, Dacus, Hargrave, Murphy, Stansberry, Taliaferro, Young.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—36.

Nay: Crow, Field, Hamilton, Lane.—4.

Excused: Baldwin, Bradley, Dacus, Har-

grave, Murphy, Stansberry, Taliaferro, Young.—8.

The emergency was declared passed.

**HB 1747** was properly signed and ordered returned to Honorable House.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**HJR 1049** correctly engrossed.

**SB 568** correctly enrolled.

Engrossed **SAs** to and Engrossed **HJR 1049**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 568** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## MESSAGE FROM THE HOUSE

Transmitting following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1581** and **1630**.

## CONFERENCE COMMITTEE REPORTS

The following **CCR** on **HB 1581** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **HB 1581**, entitled:

An Act relating to the office of the Liquefied Petroleum Gas Board and making appropriations thereto; stating the purpose; providing that the administrator shall fix the duties and compensation of employees within certain limitations; providing for transfer of unappropriated balance at end of fiscal year; \*\*\*; and declaring an emergency.

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration

and herewith return same with the recommendation that the House concur in all Senate Amendments.

**SENATE CONFEREES:** McSpadden, Chairman, Atkinson, Garrison, Hamilton, Martin, Murphy, Nichols, Smalley.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Allard, Bradley, Cate, Connor, Greenhaw, Odom (V. H.), Sparkman.

The following **CCR** on **HB 1630** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1630, and Engrossed Senate Amendments thereto, by Monks, et al, of the House and Martin of the Senate entitled:

An Act relating to War Veterans Commission of Oklahoma; amending 72 O. S. 1961, § 63.2; enlarging war veterans commissions from three members to six members; providing certain service organizations shall be represented thereon; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS** for **HB 1630**—By Monks, et al, of the House and Martin of the Senate—An Act relating to War Veterans Commission of Oklahoma; amending 72 O. S. 1961, § 63.2; enlarging war veterans commission from three members to six members; providing certain service organizations shall be represented thereon; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** 72 O. S. 1961, § 63.2, is amended to read as follows.

§ 63.2. On and after July 1, 1970 the War Veterans Commission of Oklahoma shall consist of SIX (6) members, hon-



orably discharged veterans of any war in which the United States participated as a belligerent, to be selected in the following manner: The state executive board or COMMITTEES of the veterans ORGANIZATIONS in Oklahoma WHO HAVE HAD ACCREDITED REPRESENTATIVES AT THE VETERANS ADMINISTRATION REGIONAL OFFICE IN OKLAHOMA FOR AT LEAST TEN (10) PREVIOUS CONSECUTIVE YEARS shall each submit to the Governor of Oklahoma a list of ten (10) persons qualified to serve as members of the War Veterans Commission of Oklahoma. Said lists shall be submitted to the Governor not later than one (1) month prior to the expiration of the terms of office of the members of the War Veterans Commission. The Governor shall name THREE (3) members of the War Veterans Commission from LISTS submitted by the AMERICAN LEGION, TWO (2) MEMBERS OF THE WAR VETERANS COMMISSION FROM THE LISTS SUBMITTED BY THE VETERANS OF FOREIGN WARS AND ONE (1) MEMBER OF THE WAR VETERANS COMMISSION FROM LISTS SUBMITTED BY THE DISABLED AMERICAN VETERANS. Provided, that only those veterans organizations recognized to present claims before the Veterans Administration, or its successor, and maintaining a headquarters within the State of Oklahoma, shall be eligible to submit a list of names to the Governor as provided above.

The executive officer of each veterans organization operating within the State of Oklahoma shall on or before January 1 of each year submit to the Secretary of State a copy of the annual audit of the organization for the immediate preceding fiscal year of the organization. Such audit shall clearly show the total paid membership of the organization and shall be certified to by a certified public accountant. THE MEMBERS OF SUCH COMMISSION SHALL BE APPOINTED

BY THE GOVERNOR. EACH ORGANIZATION QUALIFYING FOR MEMBERSHIP ON THE OKLAHOMA STATE WAR VETERANS COMMISSION SHALL SUBMIT A LIST OF TEN (10) NAMES TO THE GOVERNOR TO CHOOSE FROM WHEN A VACANCY ON THE WAR VETERANS COMMISSION OCCURS.

Before any member appointed as provided herein shall enter upon his duties as a member of the Commission he shall take and subscribe to the oath of office as required by the Constitution of this State and each shall file with the Secretary of State a good and sufficient surety bond in the penal sum of Ten Thousand Dollars (\$10,000) for the faithful discharge of his duties, provided that the premium on such bonds shall be paid by the State of Oklahoma.

MEMBERS OF SAID COMMISSION INITIALLY APPOINTED SHALL CONTINUE IN OFFICE UNTIL THE EXPIRATION OF THEIR TERMS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND ENTER UPON THE DUTIES OF THEIR OFFICES. THEIR SUCCESSORS SHALL SERVE, THREE MEMBERS FOR A TERM OF THREE (3) YEARS, AND THREE MEMBERS FOR A TERM OF TWO (2) YEARS. Any vacancy on the Commission resulting from any cause shall be filled by appointment by the Governor for the remainder of the term on the same basis by which the member being replaced was appointed.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Holden, Stipe, Martin.

FOR THE HOUSE: Monks, Sullivan.

### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1388, 1434, 1615** and **1784**, as amended.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1065**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 489** and **534**.

The above numbered Enrolled Bills were referred to the Governor.

### GENERAL ORDER

**HB 1547** by Sandlin, et al, of the House and Garrett of the Senate was read and considered.

Upon motion of Senator Garrett, **HB 1547** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1547** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1547** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith.—30.

Nay: Boecher, Horn, Howard, McCune, Williams.—5.

Excused: Baldwin, Berrong, Bradley, Dacus, Hargrave, Holden, Martin, Murphy, Stansberry, Stipe, Taliaferro, Terrill, Young.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith.—30.

Nay: Boecher, Horn, Howard, McCune, Williams.—5.

Excused: Baldwin, Berrong, Bradley, Dacus, Hargrave, Holden, Martin, Murphy, Stansberry, Stipe, Taliaferro, Terrill, Young.—13.

The emergency was declared failed of passage.

**HB 1547**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1780** by Atkins, et al, of the House and Baggett of the Senate was read and considered.

Senator Birdsong asked to be a co-author of **HB 1780**, which was the order.

Senator Baggett moved to amend **HB 1780**, page 1, by striking the Enacting Clause, which amendment was declared adopted.

Upon motion of Senator Baggett, **HB 1780**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HB 1780**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1780** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Boecher, Breckinridge, Crow, Ferrell, Garrett, Garrison, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Mc-

Spadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Terrill.—32.

Nay: Berrong, Field, Williams.—3.

Excused: Baldwin, Birdsong, Bradley, Dacus, Grantham, Graves, Hargrave, Holden, Medearis, Smalley, Stansberry, Taliaferro, Young.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Boecher, Breckinridge, Crow, Ferrell, Garrett, Garrison, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Stipe, Terrill.—32.

Nay: Berrong, Field, Williams.—3.

Excused: Baldwin, Birdsong, Bradley, Dacus, Grantham, Graves, Hargrave, Holden, Medearis, Smalley, Stansberry, Taliaferro, Young.—13.

The emergency was declared passed.

**HB 1780**, as amended, was referred for engrossment.

## GENERAL ORDER

**HB 1590** by Allard, et al, of the House and Terrill and Miller of the Senate was read and considered.

Senator Martin moved that **HB 1590** be advanced to engrossment.

Senator Baggett, as a substitute for the Martin motion, moved that **HB 1590** be recommitted to the Education Committee with instructions that the Bill be considered further, which motion was tabled upon motion of Senator Stipe.

Senator Stipe moved to table the Martin motion, which motion was declared adopted.

Senator Murphy presiding.

Senator Field, joined by Senators Stipe and Grantham, moved to amend **HB 1590**, beginning on page 139, by striking all of Article XVIII in its entirety.

Senator Baggett, as a substitute for the Field-Stipe-Grantham amendment, moved to amend **HB 1590**, page 146, by striking all language contained on lines 14 through 36.

Senator Field moved to table the Baggett substitute amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Berrong, Boecher, Crow, Field, Garrison, Grantham, Hamilton, Horn, Inhofe, Lane, Luton, Martin, Massey, Nichols, Payne, Romang, Smith, Williams, Young.—19.

Nay: Atkinson, Baggett, Birdsong, Breckinridge, Ferrell, Garrett, Graves, Ham, Holden, Keels, McCune, McGraw, McSpadden, Miller, Murphy, Phillips, Short, Smalley, Taliaferro, Terrill.—20.

Excused: Baldwin, Bradley, Dacus, Hargrave, Howard, Medearis, Porter, Stansberry, Stipe.—9.

The vote occurring upon the Baggett substitute amendment, it was declared adopted upon roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Ferrell, Garrett, Graves, Ham, Hamilton, Holden, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Miller, Murphy, Phillips, Short, Smalley, Taliaferro, Terrill.—23.

Nay: Berrong, Boecher, Crow, Field, Garrison, Grantham, Horn, Luton, Martin, Massey, Nichols, Payne, Romang, Smith, Williams, Young.—16.

Excused: Baldwin, Bradley, Dacus, Hargrave, Howard, Medearis, Porter, Stansberry, Stipe.—9.

Senator Smalley presiding.

President Pro Tempore Smith moved that **HB 1590**, as amended, be advanced to engrossment, which motion was declared adopted.

By unanimous consent, upon request of Senator Terrill, **HB 1590**, as amended, was considered engrossed and placed upon third reading and final passage.



### THIRD READING

**HB 1590** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Graves, Ham, Holden, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—32.

Nay: Garrison, Grantham, Hamilton, Horn, Martin, Williams.—6.

Excused: Baldwin, Bradley, Dacus, Hargrave, Howard, Lane, Medearis, Porter, Stansberry, Stipe.—10.

The bill was declared passed.

**HB 1590**, as amended, was referred for engrossment.

### RESOLUTION

By unanimous consent, upon request of Senator Birdsong, **SR 64** was introduced, read at length as follows, adopted upon his motion, and ordered referred for enrollment:

**SR 64**—by Birdsong, Hamilton, Luton, Stipe, Young, Smalley, Howard, Murphy, Hargrave, McSpadden, Smith, Porter, Garrison, Payne, Garrett, Short, McCune, Keels and Ham—A Resolution requesting interim study by an appropriate standing or special committee of the State Legislative Council; requesting said committee to conduct a complete, comprehensive and in-depth study of the entire operation of the State Insurance Fund and the statutes relating thereto; requiring a final report of findings and recommendations and the drafting of legislative recommendations in bill form for prefilng; requesting the assistance and cooperation of the Board of Managers of the State Insurance Fund, the State Industrial Court and the State Board for Property and Casualty Rates; and directing that authenticated copies of

this resolution be transmitted to said agencies.

WHEREAS, the State Insurance Fund was created by the Legislature in 1933, during the period of economic depression, to provide Workmen's Compensation Insurance coverage, at a time when many commercial companies had suspended the writing of said coverage; and

WHEREAS, the Fund, a creature of the Legislature, and, thus, a state agency, conducts a business enterprise as distinguished from a purely governmental function; and

WHEREAS, the conduct and operation of said Fund has a significant impact on a major sector of the Oklahoma economy and is of vital concern to both employers, governmental and private, and to the laboring people of this state; and

WHEREAS, the policies, management and operation of the Fund and the statutes relating thereto have not been analyzed in depth by the Legislature since said Fund was created 37 years ago; and

WHEREAS, the Legislature created the State Insurance Fund and has the responsibility for its operation and the duty of exercising surveillance over its operation in the interest of both employers and labor.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to assign to either an appropriate standing committee or to a special committee the responsibility of conducting a complete, comprehensive and in-depth study, analysis and evaluation of the entire operation of the State Insurance Fund and the statutes relating thereto.

SECTION 2. Upon the completion of said study the committee of reference is requested to prepare and submit to the Executive Committee of the Legislative

Council a final report of its findings and recommendations, with legislative recommendations to be drafted in bill form for prefiling in November and December of 1970.

**SECTION 3.** The Board of Managers of the State Insurance Fund, the State Industrial Court, the State Board for Property and Casualty Rates and all other state agencies whose functions come within the purview of said study are hereby requested to assist the committee of reference and to extend complete cooperation in the conduct of the study.

**SECTION 4.** Be it further resolved that a copy of this Resolution be transmitted to the Board of Managers of the State Insurance Fund, to the Members of the State Industrial Court and to the State Board for Property and Casualty Rates.

#### MESSAGE FROM THE HOUSE

Advising the House grants further conference on **SB 414**, naming same Conferees.

#### PENDING SENATE ACTION

**SR 62** was called up for consideration, read at length as follows, adopted upon motion of Senator Payne, and ordered referred for enrollment:

**SR 62—**By Payne, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams and Young—A Resolution commending the Southwestern Bell Telephone Company upon its selection of employees to serve the Oklahoma State Senate during the Second Session of the Thirty-second Oklahoma Legislature; and directing distribution of this Resolution.

WHEREAS, the Southwestern Bell Telephone Company has selected five of its most gracious and lovely employees to serve as telephone operators and supervisors for the State Senate during the Second Session of the Thirty-second Legislature, being Jeanette Haley, Peggy Davis, Dorothy Langford, operators, and Bea Jackson and Armeda Russell, supervisors; and

WHEREAS, these operators and supervisors have rendered outstanding service to the honorable members and employees of the State Senate and have exhibited courtesies graciously and cheerfully during said session; and

WHEREAS, this honorable body values highly the respect and discernment employed by the Southwestern Bell Telephone Company in its selection of such highly qualified and capable employees to serve as a part of the State Senate.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

**SECTION 1.** That the Senate extends to the Southwestern Bell Telephone Company and to its employees, Jeanette Haley, Peggy Davis, Dorothy Langford, Bea Jackson and Armeda Russell, its appreciation for their services.

**SECTION 2.** That duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and transmitted to the Southwestern Bell Telephone Company and to each of the above-named employees, as a token of the sentiments herein expressed.

#### PENDING CONSIDERATION OF HA

Senator Young moved that the Senate reject the **HA** to **SB 461**, and request a Conference thereon, which motion was declared adopted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the ap-

pointment of the following Senate Conferees under **SB 461**: Young, Grantham and Garrett.

#### **PENDING CONSIDERATION OF HAS**

Senator Birdsong moved that the Senate reject the **HAs** to **SB 393**, and request a Conference thereon, which motion was declared adopted.

#### **CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 393**: Birdsong, Smalley and Boecher.

Senator Birdsong presiding.

#### **PENDING SENATE ACTION**

Upon motion of Senator Hamilton, the Senate granted the request of the Honorable House for a Conference on **HB 1514**.

#### **CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1514**: Hamilton, Horn and Porter.

#### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1659**, requesting Conference and nam-

ing Conferees as follows: Witt, Thornhill and Kamas.

Upon motion of Senator Hamilton, the Senate granted the request of the Honorable House for a Conference on **HB 1659**.

#### **CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1659**: Hamilton, Lane and Boecher.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 2:00 p.m., tomorrow, which motion was declared adopted.

#### **MESSAGE FROM THE HOUSE**

Advising adoption of and returning Engrossed **SCRs 81** and **82**.

The above numbered Resolutions were referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 568**.

The above numbered Enrolled Bill was referred to the Governor.

As provided under the Terrill motion, the Senate was declared adjourned until 2:00 p.m., tomorrow.



## Forty-ninth Legislative Day

Tuesday, March 31, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Excused: Bradley, Dacus, Ferrell, Graves, Holden, McCune, McGraw, Murphy, Nichols, Porter, Stansberry, Stipe.—12.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain, and is incorporated herein, upon request of Senator Breckinridge:

Gracious God, deliver us today from boredom, from apathy, from cynicism, from indifference and from fatigue.

Give to us instead a sense of pride which comes from doing our work well, an excitement about the endless second chances which we are given, the security of knowing that we are loved, and above all a sense of joy.

Give us the joy of warm friendship, of living in a good world, of knowing and trusting one another.

God bless this Body, the Oklahoma State Senate, and strengthen them for the hard work before them today. Amen.

The Journal for the last legislative day was declared approved.

### INTRODUCTION OF GUEST

Senator McSpadden asked unanimous consent, which was granted, that the Rules be suspended for a very important introduction; whereupon, he introduced Kelly Ann McBride, the lovely little daughter of Mrs. Peggy McBride, Executive Secretary of President Pro Tempore Smith, and asked that Kelly Ann be made Honorary Chief Clerk for this legislative day; and, that such request be entered in the Journal, which was the order.

### MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed **HB 1760** and **HJR 1049** as amended.

### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **SBs 412, 420, 423, 426, 428, 430, 435, 436, 440, 441 and 442.**

The above numbered Bills as amended in Conference were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 111**-coauthored by Townsend, Thornhill, Williamson, Patterson, Hutchens, and Gooden; **SB 281**-coauthored by Sparkman, Browsers and York; and **SB 556**-co-

authored by Willis, Hargrave and Connor, each as amended.

**HAs to SB 111** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act relating to state officers and employees; expressing intent of the act; defining terms; creating the Office of Community Affairs and Planning; providing for administrator of Office of Community Affairs and Planning; providing for his appointment by governor and authorizing governor to fix salary; defining duties and powers of administrator; providing for functions and responsibilities for Office of Community Affairs and Planning; transferring certain duties of division of research and planning of the Industrial Development and Park Department to Office of Community Affairs and Planning; providing for transfer of employees from the division of research and planning of the Industrial Development and Park Department and providing for personnel status; creating governor's council on community affairs; amending Section 14, Chapter 398, O. S. L. 1965 (74 O. S. Supp. 1969, § 1114), to delete certain duties of division of research and planning of the Industrial Development and Park Department; repealing all conflicting laws; providing effective date; and providing for severability."

Amendment No. 2. Amend Page 2, Line 20, by striking the period on Line 20 and inserting a comma and the following language: "salary shall not exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00) annually."

Amendment No. 3. Amend Section 10, Pages 5 and 6, by striking Lines 34, 35 and 36 on Page 5, and Lines 2 and 3 on Page 6.

Amendment No. 4. Amend Page 6, Section 11, Line 19 by inserting a new sentence following the word "law." to read as follows: "All employees except the administrator and his Executive Secre-

tary shall be classified employees of the State Merit System."

Amendment No. 5. Amend Section 12, Page 6, Line 30, by striking the word "Governor's".

Amendment No. 6. Amend Section 12, Page 6, Lines 34 and 35, by placing a period after the word "government" and delete the following language: "; provided, that members shall be chosen from each congressional district."

Amendment No. 7. Amend Page 7, Section 12, Line 3, by striking after the word "council." the following language: "The Governor, by executive order, shall fix the membership of the council, name the chairman, prescribe rules and procedures, and enumerate the functions of the council.", and insert in lieu thereof the following: "The Council shall consist of one member from each Planning Region as delineated and established under the provisions of Section 1108a, Title 74 O. S. Supp. 1969, to be appointed by the Governor. Such members shall be residents of the Planning Region from which appointed. The terms of the members appointed from the first three Planning Regions as delineated and established by law shall be for one year each; the terms of the members appointed from the next four such Planning Regions established shall be for two years each; and the terms of the members appointed from the next four such Planning Regions established shall be for three years each. At the expiration of the term of each member and each succeeding member, the Governor shall appoint a successor who shall serve for a term of three years. Vacancies on the council shall be filled in the same manner as the original appointments and shall be for the unexpired term. The Governor shall name the Chairman. The Council is hereby authorized to adopt rules of procedure; provided, however, that not to exceed one (1) meeting per month may be held after the first year of operation."

Amendment No. 8. Amend Page 7, Section 12, Line 6, by striking the word "Governor's".

Amendment No. 9. Amend Page 9, Section 15, Line 15, by striking "July 1, 1970" and inserting in lieu thereof the following: "February 1, 1971".

Amendment No. 10. Amend Page 9, Lines 24 through 27, by striking the Emergency Clause.

HAs to SB 281 read as follows, and consideration deferred:

Amendment No. 1. Amend the Title to read as follows: "(An Act relating to employment security; emergency.)"

Amendment No. 2. Amend Page 1, Section 1, Line 20, by striking the word and figure "Fifty Dollars (\$50.00)" and inserting in lieu thereof the word and figure "Forty-nine Dollars (\$49.00)".

Amendment No. 3. Amend Page 1, Section 1, Line 21, by striking the word and figure "Fifty Dollars (\$50.00)" and inserting in lieu thereof the word and figure "Forty-nine Dollars (\$49.00)".

Amendment No. 4. Amend Page 2, Section 2, Line 28, by adding a new Section 2 to read as follows: "The provisions of this Act shall become effective from and after July 1, 1970.". Renumber the present Section 2, making it Section 3.

HAs to SB 556 read as follows, and consideration deferred:

Amendment No. 1. Amend Section 8, Page 8, Lines 26 through 36 and Page 9, Lines 2 through 9, by reinstating stricken language with the exception of the following: Page 8, Lines 32 and 33, strike "Industrial Development and Parks Department" and insert in lieu thereof "Department of Public Safety".

Amendment No. 2. Amend Page 10, Line 11, by adding Emergency Clause as Section 14, and amending Title to conform.

Amendment No. 3. Amend Page 8, Line 24½, by restoring the word "no"

after the word "have" and before "jurisdiction".

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1066**—By Connor, et al, of the House and Garrison of the Senate—A Concurrent Resolution taking official notice of April 12-18, 1970, as national library week; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting Enrolled HBs 1388, 1434, 1553, 1554, 1562, 1570, 1576, 1584, 1615, 1682, 1747 and 1784.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## CITATIONS

Upon motion of Senator Garrison, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to police Chief J. W. Jarvis, Bartlesville, Oklahoma, for his outstanding service to the community.

Upon motion of Senator Young, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to The Boley Highschool Basketball Team "The Boley Bears" upon their winning the State Championship in Basketball.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Officers of the Muldrow Chamber of Commerce, Muldrow, Oklahoma upon receiving the runner-up award in statewide Achievement and Improvement Contest sponsored by Oklahoma State Chamber.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Special Committee of the Muldrow Chamber of Commerce, Muldrow, Oklahoma upon re-



ceiving the runner-up award in statewide Achievement and Improvement Contest sponsored by Oklahoma State Chamber.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the entire membership of the Muldrow Chamber of Commerce, Muldrow, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Sallisaw Jaycees, Sallisaw, Oklahoma for their devotion to duty and outstanding achievements.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Officers of the Sallisaw Jaycee Chapter for the outstanding achievements.

Upon motion of Senators Breckinridge, Howard, Bradley, Smith, McGraw, Hargrave and Inhofe, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Miss Deborah Kay Garrison, for having been chosen to reign as Miss Tulsa 1970 and will represent the City of Tulsa in the Miss Oklahoma Pageant.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### COMMITTEE REPORT

The following Bill was reported by the Committee named, ordered printed and placed upon the Calendar unless otherwise indicated:

DO PASS, as amended:

**HB 1719**—Business Relations-coauthored by Luton, Payne, Birdsong, Phillips, Inhofe, Romang, Stipe, Young and Murphy.

### GENERAL ORDER

**HB 1641** by Allard, et al, of the House and Young, Nichols and Garrett of the Senate was read and considered.

Senator Baggett moved to amend **HB 1641**, page 3, line 14, by striking the word "sued" and substitute therefor the words "served with summons" which amend-

ment was tabled upon motion of Senator Young.

Upon motion of Senator Young, **HB 1641** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1641** was placed upon third reading and final passage.

### THIRD READING

**HB 1641** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Boecher, Crow, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Howard, Inhofe, Keels, McSpadden, Martin, Medearis, Payne, Phillips, Romang, Terrill, Williams, Young.—21.

Nay: Atkinson, Baggett, Baldwin, Birdsong, Breckinridge, Hamilton, Horn, Lane, Luton, Short, Smalley, Smith.—12.

Excused: Bradley, Dacus, Ferrell, Graves, Holden, McCune, McGraw, Mass-ey, Miller, Murphy, Nichols, Porter, Stansberry, Stipe, Taliaferro.—15.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Young moved that the vote be reconsidered by which **HB 1641** failed of passage.

Senator Romang presiding.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1547 and 1780** each correctly engrossed.

**SCRs 81, 82 and SRs 62 and 64** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1547 and 1780**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SCRs 81 and 82** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SRs 62 and 64** were properly

signed and ordered transmitted to the Secretary of State.

Senators McCune, McGraw, Ferrell, Murphy, Holden and Nichols asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1808** by Bradley, et al, of the House and Williams and Lane of the Senate was read and considered.

Senator Hamilton moved to amend **HB 1808**, page 3, line 17, by adding after the figure "\$50.00" the language "use of a drivers' education car in a manner unauthorized herein, shall create no liability of any kind upon a school district" which amendment was declared adopted.

Upon motion of Senator Williams, **HB 1808**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Williams, **HB 1808**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1808** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Berrong, Bradley, Crow, Dacus, Graves, Nichols, Porter, Smalley, Stansberry, Stipe.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham,

Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused Baggett, Bradley, Crow, Dacus, Graves, Nichols, Porter, Stansberry, Stipe.—9.

The emergency was declared passed.

**HB 1808**, as amended, was referred for engrossment.

Senator Graves asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1764** by Finch of the House and Luton of the Senate was read and considered.

Upon motion of Senator Luton, **HB 1764** was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **HB 1764** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1764** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Phillips, Romang, Short, Smalley, Terrill, Young.—30.

Nay: Boecher, Crow, Garrison, Grantham, McGraw, Payne, Taliaferro, Williams.—8.

Excused: Baggett, Bradley, Dacus, Horn, Miller, Nichols, Porter, Smith, Stansberry, Stipe.—10.

The bill was declared passed.

**HB 1764**, as amended, was referred for engrossment.

Senator Murphy presiding.

**GENERAL ORDER**

**HB 1735** by Bickford, et al, of the House and Grantham, Birdsong, Bradley, Breckinridge, Crow, Field, Graves, Hargrave, Horn, Inhofe, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Smalley, Taliaferro, Terrill, Young, Baldwin and Murphy of the Senate was called up for further consideration.

Senator Keels asked to be made a co-author of **HB 1735**, which was the order.

Senator Romang moved to amend **HB 1735**, page 9, line 3, by removing the brackets from around the word "or" on line 3, by striking the word "and", and by removing the brackets on lines 4 and 9, thereby restoring the old language; and on line 9 after the word "vehicle" and before the word "fact", by inserting the words "and which is in" which amendment was declared adopted.

Upon motion of Senator Grantham, **HB 1735**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1735**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1735** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Birdsong, Bradley, Crow, Dacus, Horn, Keels, McSpadden, Massey, Miller, Porter, Smith, Stansberry, Stipe.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Birdsong, Bradley, Crow, Dacus, Horn, Keels, McSpadden, Massey, Miller, Porter, Smith, Stansberry, Stipe.—14.

The emergency was declared passed.

**HB 1735**, as amended, was referred for engrossment.

**PENDING SENATE ACTION**

Upon motion of Senator McSpadden, the request of the Honorable House for a conference on **HB 1674** was ordered granted.

**CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1674**: McSpadden, Williams and Boecher.

**PENDING CONSIDERATION OF HAS**

Senator Terrill moved that the Senate refuse to concur in **HAs** to **SB 587** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

**CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 587**: Terrill, Breckinridge and Garrison.

**PENDING SENATE ACTION**

Upon motion of Senator Howard, the request of the Honorable House for a conference on **HB 1664** was ordered granted.



## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1664**: Howard, Hargrave and Hamilton.

## GENERAL ORDER

**HB 1662** by Raibourn, et al, of the House and Atkinson of the Senate was read and considered.

Upon motion of Senator Atkinson, **HB 1662** was advanced to engrossment.

By unanimous consent, upon request of Senator Atkinson, **HB 1662** was placed upon third reading and final passage.

## THIRD READING

**HB 1662** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baldwin, Birdsong, Bradley, Dacus, Hargrave, Horn, Inhofe, Lane, McSpadden, Nichols, Payne, Porter, Stansberry, Stipe.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baldwin, Birdsong, Bradley, Dacus, Hargrave, Horn, Inhofe, Lane,

McSpadden, Nichols, Payne, Porter, Stansberry, Stipe.—14.

The emergency was declared passed.

**HB 1662**, was properly signed and ordered returned to Honorable House.

## RESOLUTIONS

By unanimous consent, **SCR 83** by Phillips and Smith of the Senate and Finch, et al, of the House was introduced, read as follows, and consideration deferred for this legislative day:

A Concurrent Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee to direct the Appropriate Standing Committee to make a comprehensive study as to the necessity or desirability of legislation relating to collective bargaining by public employees; and requiring that a final report of findings and recommendations be submitted to the Executive Committee and to the First Session of the Thirty-third Legislature.

By unanimous consent, **SCR 84** by Terrill of the Senate and Wolf (Leland) of the House was introduced, read as follows, and consideration deferred for this legislative day:

A Concurrent Resolution fixing the day and hour of the Sine Die Adjournment of the Second Session of the Thirty-Second Oklahoma Legislature.

Senator Stansberry asked to be shown present, which was the order.

## GENERAL ORDER

**HB 1665** by McCune of the House and Atkinson of the Senate was read and considered.

Senator Atkinson asked that he be shown as a coauthor of **HB 1665**, and that Senator Howard be shown as the principal Senate Author of said Bill, which was the order.

Senator Atkinson moved to amend **HB 1665**, page 3, line 12½, by inserting a new Section 2 as follows: "Section 2. Section 109, 29 O. S., 1961 is amended to read as

follows: All persons appointed as game and fish rangers shall be and have the powers of peace officers of the State of Oklahoma in the enforcement of the provisions of this Act and all other laws of the State. They shall have the power of search and seizure in accordance with the general statutes of the State of Oklahoma relating to the powers of peace officers and may take into possession contrary to law. Protected wildlife game, birds and fish so seized, shall be disposed of in such manner as may be determined by the Director or any court of competent jurisdiction" and by renumbering succeeding sections accordingly and by amending the title to conform thereto.

Senator Berrong moved to amend the Atkinson amendment by striking the words "and all other laws of the State" which amendment was declared adopted.

The vote occurring upon the Atkinson amendment, as amended by the Berrong amendment, it was declared adopted.

Upon motion of Senator Howard, **HB 1665**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **HB 1665**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1665** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Nay: Graves, Hargrave.—2.

Excused: Bradley, Crow, Dacus, Garri-

son, Inhofe, McSpadden, Porter, Stipe.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—38.

Nay: Graves, Hargrave.—2.

Excused: Bradley, Crow, Dacus, Garrison, Inhofe, McSpadden, Porter, Stipe.—8.

The emergency was declared passed.

**HB 1665**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HB 1590** correctly engrossed.

Engrossed **SAs** to and Engrossed **HB 1590**, as amended, were properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SBs 393** and **461**, and naming House Conferees as follows:

**SB 393**: Hopkins, Payne and Barker.

**SB 461**: Bamberger, Sullivan and Wayland.

### GENERAL ORDER

**HB 1548** by McCune of the House and Garrett, Howard, Birdsong, Short and McGraw of the Senate was read and considered.

Senator Garrett moved to amend **HB 1548**, page 13, line 15, by changing the period (.) to a comma (,) after the word "assessed" and adding the language "if he performs useful labor" which amendment was declared adopted.

Upon motion of Senator Garrett, **HB 1548**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1548**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1548** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Keels, Luton, McCune, McGraw, Martin, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Young.—31.

Nay: Berrong, Field, Hamilton, Horn, Lane, Miller, Williams.—7.

Excused: Boecher, Bradley, Dacus, Inhofe, McSpadden, Massey, Medearis, Porter, Stipe, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Keels, Lane, Luton, McCune, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Nay: Boecher, Hamilton, Horn.—3.

Excused: Bradley, Crow, Dacus, Inhofe, McGraw, McSpadden, Massey, Medearis, Porter, Stipe.—10.

The emergency was declared passed.

**HB 1548**, as amended, was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.

### PENDING SENATE ACTION

Upon motion of Senator Garrison, the

request of the Honorable House for a conference on **HB 1753** was ordered granted, said Bill to be referred to the General Conference Committee on Appropriations.

### PENDING CONSIDERATION OF HAS

Senator Baggett moved that the Senate reject the **HAs** to **SB 655** and request a Conference thereon, which motion was declared adopted.

Senator Baggett moved that the Senate reject the **HAs** to **SB 656** and request a Conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferrees under both **SB 655** and **SB 656**: Baggett, Smalley, Miller, Massey and Baldwin.

### GENERAL ORDER

**HB 1705** by Cate of the House and Smalley and Murphy of the Senate was read and considered.

Senator McGraw asked to made a co-author of **HB 1705**, which was the order.

President Pro Tempore Smith, joined by Senators Garrison, Terrill, Taliaferro and Smalley moved to amend **HB 1705** by striking all language contained therein and inserting in lieu thereof the following:

An Act relating to schools; amending Section 1002, Chapter 396, O. S. L. 1965, as amended by Section 1, Chapter 14, O. S. L. 1968 (70 O. S. Supp. 1969, § 4002); amending Section 1013, Chapter 396, O. S. L. 1965 (70 O. S. Supp. 1969, § 4013); providing for maximum rate of interest; providing authorization for issuance of revenue bonds by institutions of higher education; providing revenue bonds of said institutions or any component thereof be conditioned upon approval of the Oklahoma State Regents for Higher Education for validity; enacting a new section making it the duty



of the Oklahoma State Regents for Higher Education to approve or disapprove an issue of revenue bonds by institutions of higher learning or a component thereof; providing for codification of said new section; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 1002 of Chapter 396, O. S. L. 1965, as amended by Section 1 of Chapter 14, O. S. L. 1968 (70 O. S. Supp. 1969, § 4002), is amended to read as follows:

§ 4002. (a) For the purpose of paying all or part of the cost of acquisition of any such lands, rights-of-way, easements, licenses and permits and the construction, acquisition, equipment and furnishing of any such building or buildings or structure or structures, plants or systems, or of any additions, improvements, or extensions thereto, or any additions to existing buildings, the Board of Regents of the institution for which such buildings, structures, plants or systems (all of which lands, rights-of-way, easements, licenses and permits, buildings, structures, plans and systems constructed, acquired, added to, improved or extended hereunder as a single project are hereafter referred to as "the building") are to be constructed, acquired, added to, improved, extended, furnished or equipped (which Board of Regents or each of them is hereinafter referred to as "the board") is authorized to borrow money on the credit of the income and revenues to be derived from the operation of the building, together with the income and revenue derived from any existing revenue-producing building or facility or facilities and, in anticipation of the collection of such income and revenues, to issue negotiable bonds in such amount as may in the opinion of the board be necessary for such purposes, and is authorized to provide for the payment of such bonds and the rights of the holders thereof as hereinafter provided. Such bonds may be issued in one or more series, may bear such date or

dates, may mature at such time or times not exceeding forty (40) years from their date, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest, not exceeding **[six percent (6%)] EIGHT PERCENT (8%)** per annum, as may be provided by resolution or resolutions adopted by the board. AFTER APPROVAL OF AN ISSUE BY A MAJORITY OF THE MEMBERSHIP OF THE OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION, MADE HEREBY A REQUISITE OF VALIDITY THEREOF, **[Such]** SUCH bonds may be sold in such manner and at such price or prices at not less than par plus accrued interest to date of delivery, as may be considered by the board to be advisable, but interest cost to maturity for any bonds issued hereunder shall not exceed **[six percent (6%)] EIGHT PERCENT (8%)** per annum, computed on the basis of average maturities according to standard tables of bond values. Bonds payable to bearer shall have all the qualities and incidents of negotiable papers.

(b) The board may in any resolution authorizing bonds hereunder provide for the initial issuance of one or more bonds (in this section called "bond") aggregating the amount of the entire issue and make such provision for installment payments of the principal amount of any such bond as it may consider desirable, and may provide for the making of any such bond payable to bearer or otherwise, registrable as to principal or as to both principal and interest, and where interest accruing thereon is not represented by interest coupons, for the endorsing of payments of interest on such bond. The board may further make provision in any such resolution for the manner and circumstances in and under

which any such bond may in the future, at the request of the holder thereof, be converted into bonds of smaller denominations, which bonds of smaller denominations may in turn be either coupon bonds or bonds registrable as to principal or principal and interest.

(c) Bonds issued hereunder and interest thereon shall not be subject to taxation by the State of Oklahoma, or by any county, municipality or political subdivision therein. The board may in its discretion authorize one issue of bonds hereunder for the construction, acquisition, adding to, improving, extending, furnishing or equipping of more than one building, as "building" is above defined, and may make said bonds payable from the combined revenues of all buildings so constructed, acquired, added to, improved, extended, furnished or equipped, in whole or in part, with the proceeds thereof, together with revenues from the operation of any existing revenue-producing building or facility. The term "building" as herein used shall be construed to refer to all such "buildings." If more than one series of bonds shall be issued hereunder payable from the revenues of the buildings or facilities, priority of lien thereof on such revenues shall depend on the provisions of the proceedings authorizing the issuance of such bonds, it being within the discretion of the board, at the time it authorizes the first such series, to provide that subsequent series of bonds payable from such revenues shall not be issued, that subsequent series of bonds shall be subordinate as to lien, or that subsequent series of bonds shall enjoy parity of lien if such conditions and restrictions as may be specified in such proceedings can be met.

(d) The board may issue bonds hereunder for the purpose of refunding any obligations of the board payable from the revenues of any building, as "building" is hereinabove defined, together with revenues derived from any existing revenue-producing building or facility or facilities, or may authorize and deliver a single issue

of bonds hereunder for the purpose in part of refunding obligations of the board payable from the revenues derived from any building or buildings and in part for the making of additions, improvements and extensions to such building or buildings, or the construction or acquisition of additional buildings, and the furnishing and equipping of such buildings or additions, together with revenues derived from any existing revenue-producing building or facility or facilities. Where bonds are issued under this paragraph solely for refunding purposes, such bonds may either be sold as above provided or delivered in exchange for the outstanding obligations. If sold, the proceeds may be either applied to the payment of the obligations, refunded or deposited in escrow for the retirement thereof. Nothing herein contained shall be construed to authorize the refunding of any outstanding obligations which are not either maturing, callable for redemption under their terms, or voluntarily surrendered by their holders for cancellation, unless the board covenants that sufficient funds to pay all remaining interest and principal payments of the outstanding bonds when due will be placed in escrow as hereinafter set out for such purpose at the time of delivery of and payment for the new bonds issued hereunder.

In any case where refunding bonds are issued and sold six (6) months or more before the earliest date on which all bonds to be refunded thereby mature or are called for redemption in accordance with their terms, the proceeds of the refunding bonds (other than the amount included therein incidental to the issuance of the bonds) shall be deposited, together with any other funds available and appropriated by the board for the purpose, in escrow with a suitable banking institution having trust powers within the state, whose deposits are insured by the Federal Deposit Insurance Corporation, and shall be invested in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as shall be

required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each obligation refunded to its maturity, or if prepayable, to an earlier designated date on which it may be called for redemption, and to pay the principal amount of each such bond at maturity, or, if prepayable at its designated earlier redemption date, and to pay any premium required for redemption on such date; and before the refunding bonds are delivered, the board shall by resolution irrevocably appropriate for these purposes the escrow account and all payments of principal and interest on the securities held therein, and shall provide for the call of all bonds directed to be prepaid, in accordance with their terms, on the redemption date or dates designated. Securities purchased from the escrow account shall be limited to direct obligations of the United States or obligations whose principal and interest payments are guaranteed by the United States. Such securities shall be purchased simultaneously with the delivery of the refunding bonds. No refunding bonds shall be issued more than ten (10) years before the last date on which the bonds to be refunded thereby mature or are directed to be prepaid in accordance with their terms. All bonds issued under this paragraph and the preceding paragraph shall in all respects be authorized, issued and secured in the manner provided for other bonds issued under this Article, and shall have all of the attributes of such bonds. The board may provide that such refunding bonds shall have the same priority of lien on the revenues pledged for their payment as was enjoyed by the bonds refunded thereby.

(e) All proceedings heretofore adopted by said Board of Regents for the issuance of revenue bonds on a parity as to payment with other existing revenue bonds and/or which provide for the pledging of revenues from the building to be constructed, improved and furnished from the proceeds of revenue bonds and income and

revenue derived from any existing revenue-producing building or facility, or facilities, and the bonds issued pursuant thereto are hereby validated, ratified and confirmed, and such revenue bonds constitute valid and binding obligations in accordance with the terms of such proceedings.

SECTION 2. Section 1013, Chapter 396, O. S. L. 1965 (70 O. S. Supp. 1969, § 4013), is amended to read as follows:

§ 4013. The Board of Regents which by the Constitution and/or by the laws of this state is charged with the control, management and government of one or more of the universities, colleges, schools or institutions of higher education shall have for each of the universities, colleges, schools and institutions under its jurisdiction exclusive determination of need, control, and management of all self-liquidating revenue bond matters as provided for in this article. NO REVENUE BOND SHALL BE ISSUED UNDER PROVISIONS OF §§ 4001 THROUGH 4013, TITLE 70 OF THE OKLAHOMA STATUTES EXCEPT WHEN THE ISSUE THEREOF BE SHOWN TO HAVE BEEN APPROVED BY THE OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION BY MAJORITY VOTE OF THE MEMBERSHIP THEREOF.

SECTION 3. The Oklahoma State Regents for Higher Education shall have authority, and it shall be its duty, to approve or disapprove each proposed issue of revenue bonds of any institution of higher learning of the Oklahoma State System of Higher Education or component thereof before the same may be issued.

SECTION 4. Section 3 hereof shall be included in the Oklahoma Statutes following § 4001 of Title 70.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.



Senator Smalley moved to amend the Smith - Garrison - Terrill - Taliaferro - Smalley amendment by striking after the word "Schools" the remainder of the Title, which amendment was declared adopted.

The vote occurring upon the Smith-Garrison - Terrill - Taliaferro - Smalley amendment, as amended, it was declared adopted.

Senator Ham presiding.

Senator Baggett moved to amend the adopted Smith-Garrison-Terrill-Taliaferro-Smalley amendment to **HB 1705**, page 2, line 19, by striking the words and figure "eight percent (8%)" and substitute therefor the words and figures "seven and one-half percent (7½%) until December, 31, 1971 and thereafter six percent (6%)" and by making the same substitution on line 27 of page 2, and by amending the Title to conform thereto, which amendment was declared adopted.

Upon motion of President Pro Tempore Smith, **HB 1705**, as amended, was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1705**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1705** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Bradley, Dacus, Hargrave,

Inhofe, McSpadden, Massey, Payne, Porter.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Bradley, Dacus, Hargrave, Inhofe, McSpadden, Massey, Payne, Porter.—8.

The emergency was declared passed.

**HB 1705**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1775** by Mountford of the House and Berrong of the Senate was read and considered.

Senator Hamilton moved to amend **HB 1775**, page 31, line 15, by adding after the word "appropriate" the sentence "The provisions of this Section shall not prohibit an investigating committee, duly authorized by the Senate or House, from proceeding to carry out the instructions given the committee, and all information requested by said committees shall be duly furnished."

President Pro Tempore Smith, joined by Senator Berrong, moved to amend the Hamilton amendment, by adding thereto the sentence "Information received by such committee or legislative body shall receive such information in a confidential nature, until such time as it has determined that the public interest would be served by the release and/or publication thereby" which amendment was declared adopted.

The vote occurring upon the Hamilton amendment, as amended by the Smith-

Berrong amendment, it was declared adopted.

Upon motion of Senator Berrong, **HB 1775**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1775**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1775** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Nay: Stipe.—1.

Excused: Baggett, Bradley, Dacus, Hargrave, Inhofe, McSpadden, Medearis, Murphy, Payne, Porter.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—37.

Nay: Stipe.—1.

Excused: Baggett, Bradley, Dacus, Hargrave, Inhofe, McSpadden, Medearis, Murphy, Payne, Porter.—10.

The emergency was declared passed.

**HB 1775**, as amended, was referred for engrossment.

### PENDING CONSIDERATION OF CCR

Senator Martin moved that the Senate adopt the Conference Committee Report on **HB 1630**.

Senator Miller, as a substitute for the Martin motion, moved that the Senate reject the Conference Committee Report on **HB 1630** and request further conference; and, that the Senate Conferees be instructed to add a provision requiring Senate confirmation of members of the War Veterans Commission.

Senator Baldwin moved to table the Miller motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Ferrell, Garrison, Luton, McGraw, Martin, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—15.

Nay: Birdsong, Boecher, Breckinridge, Crow, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Lane, McCune, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley.—22.

Excused: Baggett, Bradley, Dacus, Field, Hargrave, Inhofe, Keels, McSpadden, Murphy, Payne, Porter.—11.

The vote occurring upon the Miller motion, it was declared adopted.

### PENDING SENATE ACTION

Senator Romang moved that the request of the Honorable House for a conference on **HB 1292** be granted, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced that appointment of the following Senate Conferees under **HB 1292**: Romang, Baggett and McCune.

### GENERAL ORDER

**HB 1805** by Sparkman of the House and Stansberry and McCune of the Senate was read and considered.

Upon motion of Senator Stansberry, **HB 1805** was advanced to engrossment.

By unanimous consent, upon request of Senator Stansberry, **HB 1805** was placed upon third reading and final passage.

### THIRD READING

**HB 1805** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—38.

Excused: Baggett, Bradley, Dacus, Hargrave, Inhofe, McSpadden, Murphy, Payne, Porter, Taliaferro.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—38.

Excused: Baggett, Bradley, Dacus, Hargrave, Inhofe, McSpadden, Murphy, Payne, Porter, Taliaferro.—10.

The emergency was declared passed.

**HB 1805**, was properly signed and ordered returned to Honorable House.

### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 81 and 82**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

### MESSAGE FROM THE HOUSE

Advising that the House has rescinded its signing and Fourth reading of **HB 1522**, and herewith returns said Bill with the request that the Honorable Senate reconsider its action thereon.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 108**; **SB 528**-coauthored by Bradley, Harrison, Townsend, Bernard, Dunn, Odom (V. H.), Finch, Andrews, Tarwater, Sandlin, McCune, Hancock, Wolfe (S), Wiedemann, Fine, Sanguin, Skeith, Green, Smitley, Bickford, Jones, Derryberry, Kamas, Barker, Ferguson and Patterson; **SB 659**-coauthored by Jones.

The above numbered Bills were referred for enrollment.

### MESSAGE FROM THE HOUSE

The House respectfully requests the Honorable Senate to disregard its message dated March 30, 1970, naming House Conferees on **HB 1803**, on which the House had rejected **SAs** and had requested conference. The House requests that said Bill be referred to the General Conference Committee on Appropriations.

### GENERAL ORDER

**HB 1646** by McCune, et al, of the House and Smalley of the Senate was read and considered.

Upon motion of Senator Smalley, **HB 1646** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley **HB 1646** was placed upon third reading and final passage.

### THIRD READING

**HB 1646** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Breckinridge, Ferrell, Garrett,



Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Luton, McCune, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—29.

Nay: Boecher, Field, Garrison, Hamilton, Lane.—5.

Excused: Birdsong, Bradley, Crow, Dacus, Hargrave, Inhofe, McGraw, McSpadden, Medearis, Murphy, Payne, Porter, Stansberry, Taliaferro.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, Martin, Massey, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—33.

Excused: Baggett, Bradley, Dacus, Hargrave, Inhofe, McGraw, McSpadden, Medearis, Miller, Murphy, Payne, Porter, Stansberry, Taliaferro, Terrill.—15.

The emergency was declared passed.

**HB 1646** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1653** by Mountford of the House and Phillips and McSpadden of the Senate was read and considered.

Upon motion of Senator Phillips, **HB 1653** was advanced to engrossment.

By unanimous consent, upon request of Senator Phillips, **HB 1653** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1653** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Garrett, Graves,

Holden, Luton, McGraw, Phillips, Smith, Terrill, Young.—11.

Nay: Baldwin, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Horn, Howard, Keels, McCune, Martin, Massey, Nichols, Romang, Short, Stipe, Williams.—22.

Excused: Berrong, Bradley, Dacus, Hargrave, Inhofe, Lane, McSpadden, Medearis, Miller, Murphy, Payne, Porter, Smalley, Stansberry, Taliaferro.—15.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Luton moved that the vote be reconsidered by which **HB 1653** failed of passage.

### GENERAL ORDER

**HB 1518** by Cox, et al, of the House and Ferrell and Baggett of the Senate was read and considered.

Upon motion of Senator Ferrell, **HB 1518** was advanced to engrossment.

By unanimous consent, upon request of Senator Ferrell, **HB 1518** was placed upon third reading and final passage.

### THIRD READING

**HB 1518** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Smith, Stipe, Williams, Young.—33.

Excused: Berrong, Bradley, Dacus, Grantham, Hargrave, Inhofe, McSpadden, Medearis, Murphy, Payne, Porter, Smalley, Stansberry, Taliaferro, Terrill.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Smith, Stipe, Williams, Young.—33.

Excused: Berrong, Bradley, Dacus, Grantham, Hargrave, Inhofe, McSpadden, Medearis, Murphy, Payne, Porter, Smalley, Stansberry, Taliaferro, Terrill.—15.

The emergency was declared passed.

**HB 1518** was properly signed and ordered returned to Honorable House.

#### DECLARATION OF VOTE

Senator Terrill asked that the record show, had he been present at the time of third reading and final passage of **HB 1518**, he would have voted AYE, which was the order.

#### GENERAL ORDER

**HJR 1033** by Robinson of the House and Field and Baggett of the Senate was read and considered.

Senator Baggett moved to amend **HJR 1033**, page 2, line 10, by striking the word "with" and substituting therefor the word "within" which amendment was declared adopted.

Senator Baggett moved to amend **HJR 1033**, page 2, line 11, by adding after the word "district" the sentence "Such hospital districts shall be authorized to own and operate a public hospital or hospitals and to appropriate the proceeds of bond issues and tax levies to private hospitals which are operated to serve all of the public on a non discriminatory basis, no part of the income or property of which inures to or could inure to the benefit of any private shareholder or individual, all in accordance with such further terms and conditions as may be provided by law"

which amendment was declared adopted.

Senator Baggett moved to amend **HJR 1033**, page 3, line 8, by striking after the word "exceed" and before the words "and shall" all language and substituting therefor the language "the rate provided by general law enacted by the Legislature" which amendment was declared adopted.

Senator Baggett moved to amend **HJR 1033**, page 5, beginning on line 10, by striking the words "an approximately annual payment" and substituting therefor the language "approximately level annual payments of principal and interest" which amendment was declared adopted.

Senator Baggett moved to amend **HJR 1033**, page 5, beginning on line 16, by inserting after the word "operation" and before the word "including" the language "and maintenance of district hospitals" which amendment was declared adopted.

Senator Hamilton moved to reconsider the vote by which the Baggett amendment to **HJR 1033**, page 2, line 11, was adopted, which motion was declared adopted.

By unanimous consent, upon request consent of President Pro Tempore Smith, further consideration of **HJR 1033**, as amended, was deferred for this legislative day.

There being matters on the President's desk for consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

The Senate reassembled in open session with Senator Ham presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of Judge R. W. SMITH, Miami, to the Court of Bank Review, to serve a four (4) year term, ending June 1, 1973, and effective upon Senate confirmation. Judge Smith succeeds himself.

The Senate, in executive session and upon motion of Senator Smalley, advised and consented to the confirmation of the executive nomination of LESTER REED, Norman, as member of the State Board of Education, to serve an unexpired six (6) year term ending April 1, 1975, and effective upon Senate confirmation. Mr. Reed serves the unexpired term of Mr. Garrison.

The Senate, in executive session and upon motion of Senator Miller, advised and consented to the confirmation of the executive nomination of BURKE HEALEY, Davis, as member of the Board of Regents of the A & M Colleges, to serve an eight (8) year term ending April 2, 1978, and effective upon Senate confirmation. Mr. Healey succeeds himself.

The Senate, in executive session and upon motion of Senator Hamilton, advised and consented to the confirmation of the executive nomination of KERNS SHELLEY, Poteau, to the State Mining Board, to serve a four (4) year term ending April 19, 1971, and effective upon Senate confirmation. Mr. Shelley will fill the unexpired term of Mr. Turnipseed.

The Senate, in executive session and upon motion of Senator Luton, advised and consented to the confirmation of the executive nomination of HAROLD B. SCOGGINS, Muskogee, to serve as member of the Oklahoma Water Resources Board, for an unexpired seven (7) year term ending May 14, 1974, and effective upon Senate confirmation. Mr. Scoggins replaces Mr. George Benz.

#### **PENDING SENATE ACTION**

Upon motion of Senator Lane, the request of the Honorable House for a Conference on **HB 1722** was ordered granted.

#### **CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1722**: Lane, Keels and Massey.

Senator Terrill moved when the Clerk's desk is cleared, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was declared adopted.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m., tomorrow.



## Fiftieth Legislative Day

Wednesday, April 1, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Murphy, Porter, Stansberry.—10.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain and is incorporated herein, by unanimous consent, upon request of Senator Dacus:

Give us today, O God, Eyes open to opportunities; Ears sensitive to new ideas; Minds clear to see the truth; and the heart for our work. Amen.

The Journal for the last legislative day was declared approved.

### UNANIMOUS CONSENT REQUEST

President Pro Tempore Smith asked unanimous consent, which was granted, that Howell Lewis, Photographer of the Parks Division, be granted privilege of the Floor for this legislative day, and the following legislative day, for the purpose of taking candid camera shots of Members of the Second Session of the 32nd Legislature.

### CITATIONS

Upon motion of Senator Dacus, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the City of Hobart upon winning top honors in its division at the 10th Annual Community Awards Presentation.

Upon motion of Senator Berrong, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the City of Sayre upon winning top honors in its division at the 10th annual Community Achievement Awards Presentation and was cited as an "outstanding example of involvement".

Upon motion of Senator Berrong, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the City of Elk City upon receiving a Certificate of Merit at the 10th Annual Community Achievement Awards Presentation.

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to William O. Smith, M. D. from the O. U. Medical School for serving as Doctor of the Day on March 30, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1548, 1665, 1705, 1735, 1764 and 1808 each correctly engrossed.

SBs 108, 412, 420, 423, 426, 430, 435, 436, 441, 442, 528 and 659 each correctly enrolled.

Engrossed SAs to and Engrossed HBs

1548, 1665, 1705, 1735, 1764 and 1808, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SBs 108, 412, 420, 423, 426, 430, 435, 436, 441, 442, 528 and 659 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### GENERAL ORDER

**HB 1762** by McCune of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1762** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1762** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1762** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Keels, Murphy, Porter, Stansberry, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Nay: Baggett, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, Martin, Massey, Medearis, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Young.—28.

Excused: Atkinson, Baldwin, Berrong,

Birdsong, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Luton, McSpadden, Miller, Murphy, Porter, Smalley, Stansberry, Stipe, Terrill, Williams.—20.

The emergency was declared failed of passage.

Senator Grantham asked unanimous consent, which was granted, that the Title of **HB 1762** be amended to conform thereto.

**HB 1762**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1242** by Sparkman, et al, of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1242** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1242** was placed upon third reading and final passage.

### THIRD READING

**HB 1242** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Atkinson, Baldwin, Bradley, Breckinridge, Dacus, Ferrell, Ham, Hargrave, Inhofe, Murphy, Porter, Stansberry, Stipe.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mas-

sey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Atkinson, Baldwin, Bradley, Breckinridge, Dacus, Ferrell, Ham, Hargrave, Inhofe, Murphy, Porter, Stansberry, Stipe.—13.

The emergency was declared passed.

**HB 1242** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1650** by McCune of the House and Smalley, Young, Grantham and Garrett of the Senate was read and considered.

Upon motion of Senator Smalley, **HB 1650** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1650** was placed upon third reading and final passage.

### THIRD READING

**HB 1650** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Massey, Murphy, Payne, Porter, Stansberry, Stipe.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Nichols, Phillips,

Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Massey, Murphy, Payne, Porter, Stansberry, Stipe.—13.

The emergency was declared passed.

**HB 1650** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1717** by McCune, et al, of the House and Berrong, Payne and Hamilton of the Senate was read and considered.

Senator Hamilton asked that his name be removed as coauthor of **HB 1717**, which was the order.

Upon motion of Senator Berrong, **HB 1717** was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1717** was placed upon third reading and final passage.

### THIRD READING

**HB 1717** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—33.

Nay: Garrison.—1.

Excused: Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Miller, Murphy, Porter, Stansberry, Stipe, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn,



Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—33.

Nay: Garrison.—1.

Excused: Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Inhofe, Miller, Murphy, Porter, Stansberry, Stipe, Terrill.—14.

The emergency was declared passed.

**HB 1717** was properly signed and ordered returned to Honorable House.

Senators Murphy and Baldwin asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1461** by Camp, et al, of the House and Berrong of the Senate was read and considered.

Senator Baggett moved to amend **HB 1461**, page 6, beginning on line 6, by striking the language "provided, that the provisions of the subsection shall not apply to bonds issued for industrial and cultural purposes" which amendment was tabled upon motion of Senator Berrong.

Senator Hamilton moved to amend **HB 1461**, page 4, line 18, by striking the words "body of said leasing or licensing" and substituting therefor the word "trustees" which amendment was tabled upon motion of Senator Berrong upon a roll call as follows:

Aye: Berrong, Birdsong, Dacus, Field, Garrett, Garrison, Grantham, Horn, Keels, McCune, McGraw, Nichols, Romang, Short, Taliaferro, Williams, Young.—17.

Nay: Baggett, Baldwin, Graves, Hamilton, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Smalley, Smith, Stipe.—14.

Excused: Atkinson, Boecher, Bradley, Breckinridge, Crow, Ferrell, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Luton, Massey, Porter, Stansberry, Terrill.—17.

Senator Martin moved to amend **HB 1461**, page 12, line 5, by striking the period (.) after the word "Oklahoma" and adding the language "but in no event shall any bond be required of a trustee" which amendment was declared adopted.

Senator Martin, joined by Senator Field, moved to amend **HB 1461**, page 15, beginning on line 13 by striking the language "provided, a trustee may be held personally liable for wilful or grossly negligent breach of trust" which amendment was declared adopted.

Senator Martin moved to amend **HB 1461** page 17, line 2, by adding after the word "Authority" and before the word "or" the language "and the trust indenture of the Ardmore Development Authority" which amendment was tabled upon motion of Senator Berrong.

Upon motion of Senator Berrong, **HB 1461**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1461**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1461** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Dacus, Garrett, Garrison, Grantham, Horn, Keels, McCune, McGraw, McSpadden, Martin, Nichols, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—22.

Nay: Baldwin, Boecher, Crow, Field, Graves, Hamilton, Howard, Lane, Luton, Massey, Medearis, Miller, Murphy, Payne, Phillips, Stipe.—16.

Excused: Baggett, Bradley, Breckinridge, Ferrell, Ham, Hargrave, Holden, Inhofe, Porter, Stansberry.—10.

The bill was declared failed of passage.

**MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Berrong moved that the vote be reconsidered by which **HB 1461** failed of passage.

Senator Ham asked to be shown present, which was the order.

**GENERAL ORDER**

**HB 1777** by Converse, et al, of the House and Miller, Crow, McGraw and Howard of the Senate was read and considered.

Upon motion of Senator Miller, **HB 1777** was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **HB 1777** was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1777** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Lane, Luton, McCune, McGraw, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused, Baggett, Bradley, Breckinridge, Crow, Ferrell, Hargrave, Holden, Inhofe, Keels, McSpadden, Martin, Nichols, Porter, Smalley, Stansberry.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Lane, Luton, McCune, McGraw, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused, Baggett, Bradley, Breckinridge, Crow, Ferrell, Hargrave, Holden, Inhofe, Keels, McSpadden, Martin, Nichols, Porter, Smalley, Stansberry.—15.

The emergency was declared passed.

**HB 1777**, as amended, was referred for engrossment.

Senator Payne presiding.

**PENDING CONSIDERATION OF CCRs**

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 413** was declared adopted.

**SB 413**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—32.

Excused: Atkinson, Baggett, Bradley, Breckinridge, Ferrell, Garrison, Hargrave, Holden, Inhofe, Luton, Martin, Porter, Smith, Stansberry, Stipe, Young.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—32.

Excused: Atkinson, Baggett, Bradley, Breckinridge, Ferrell, Garrison, Hargrave, Holden, Inhofe, Luton, Martin, Porter, Smith, Stansberry, Stipe, Young.—16.

The emergency was declared passed.

**SB 413**, together with Conference Com-

mittee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1581** was declared adopted.

**HB 1581**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—32.

Nay: Crow.—1.

Excused: Bradley, Breckinridge, Ferrell, Garrison, Hargrave, Holden, Inhofe, Luton, Martin, Medearis, Porter, Smith, Stansberry, Stipe, Young.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—32.

Nay: Crow.—1.

Excused: Bradley, Breckinridge, Ferrell, Garrison, Hargrave, Holden, Inhofe, Luton, Martin, Medearis, Porter, Smith, Stansberry, Stipe, Young.—15.

The emergency was declared passed.

**HB 1581**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1551** was declared adopted.

**HB 1551**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—33.

Excused: Berrong, Bradley, Breckinridge, Ferrell, Hargrave, Holden, Inhofe, Luton, Martin, Medearis, Porter, Smith, Stansberry, Stipe, Young.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—33.

Excused: Berrong, Bradley, Breckinridge, Ferrell, Hargrave, Holden, Inhofe, Luton, Martin, Medearis, Porter, Smith, Stansberry, Stipe, Young.—15.

The emergency was declared passed.

**HB 1551**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senators Stansberry and Breckinridge asked to be shown present, which was the order.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 416** was declared adopted.

**SB 416**, as amended in Conference, was read at length.

On the question of passage of Bill, as



amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Williams.—34.

Excused: Berrong, Bradley, Ferrell, Graves, Hargrave, Holden, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Terrill, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Williams.—34.

Excused: Berrong, Bradley, Ferrell, Graves, Hargrave, Holden, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Terrill, Young.—14.

The emergency was declared passed.

**SB 416**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 417** was declared adopted.

**SB 417**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden,

Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Williams.—34.

Excused: Baldwin, Berrong, Bradley, Ferrell, Garrison, Hargrave, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Terrill, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Williams.—34.

Excused: Baldwin, Berrong, Bradley, Ferrell, Garrison, Hargrave, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Terrill, Young.—14.

The emergency was declared passed.

**SB 417**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 425** was declared adopted.

**SB 425**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—35.

Excused: Baldwin, Bradley, Ferrell, Graves, Hargrave, Inhofe, Luton, Medearis, Murphy, Porter, Smith, Stipe, Young.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—35.

Excused: Baldwin, Bradley, Ferrell, Graves, Hargrave, Inhofe, Luton, Medearis, Murphy, Porter, Smith, Stipe, Young.—13.

The emergency was declared passed.

**SB 425**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 432** was declared adopted.

**SB 432**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—35.

Excused: Baldwin, Bradley, Ferrell, Garrison, Hamilton, Hargrave, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Young.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham,

Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams.—35.

Excused: Baldwin, Bradley, Ferrell, Garrison, Hamilton, Hargrave, Inhofe, Luton, Medearis, Porter, Smith, Stipe, Young.—13.

The emergency was declared passed.

**SB 432**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 437** was declared adopted.

**SB 437**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Taliaferro, Terrill, Williams.—36.

Excused: Bradley, Ferrell, Hargrave, Holden, Inhofe, Luton, Medearis, Porter, Smalley, Smith, Stipe, Young.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Taliaferro, Terrill, Williams.—36.

Excused: Bradley, Ferrell, Hargrave,

Holden, Inhofe, Luton, Medearis, Porter, Smalley, Smith, Stipe, Young.—12.

The emergency was declared passed.

**SB 437**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Hargrave asked to be shown present, which was the order.

Senator Terrill moved that the Senate stand recessed until 1:30 p.m., which motion was declared adopted.

At 1:30 p.m., the Senate reassembled in its Chamber with Senator Payne presiding.

Senator Terrill raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

## INTRODUCTION OF GUESTS

By unanimous consent, Senator McSpadden introduced Miss Donna Cooper of Pryor, Oklahoma's Junior Miss of 1970, and her accompanist, Jim Tilley. Senator McSpadden asked unanimous consent, which was granted, that Jim be made Honorary Guitar Picker for this legislative Day and that he and Donna be granted privileges of the floor for the purpose of entertaining the Senate with a selection of musical numbers, one of which, entitled "Those Were the Days", composed and sung by the lovely Miss Cooper, is incorporated herein, by unanimous consent, upon request of Senator McSpadden:

### THOSE WERE THE DAYS

(Dedicated to the Oklahoma Legislature)  
Once upon a time there was a legislature,  
Where they used to pass a law or two,  
Remember how they started out so eager,  
And dreamed of all the great things they would do.

Chorus:

Those were the days, my friends,  
They thought they'd never end,  
They'd stand and talk forever and a day  
They'd vote the way they'd choose

They'd fight and never lose,

For they were bound to let the voters have their way.

Those were the days, oh yes, those were the days.

Then the session days went rushing by them,

They passed so many motions on the way,  
Not a single bill went unattended,  
So they smile at one another and they say.  
Just today I stood before the Senate  
Where Oklahoma History gets its start,  
It's interesting to watch an active session,  
And see the way you all are taking part.  
Soon another session will be over  
And a page of history you will fill,  
Aren't you glad that everything is settled,  
Except for just one little teacher's bill?

## REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1658 and 1775** each correctly engrossed.

**SBs 428 and 440** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1658 and 1775**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 428 and 440** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## SECOND CONFERENCE COMMITTEE REPORT

The following 2nd **CCR** on **SB 414** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 414**, entitled:

An Act relating to the Board of Equalization and making appropriation thereto;  
\*\*\* and declaring an emergency,  
together with Engrossed House Amendments thereto, beg leave to report that we



have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendments No. 1, No. 2 and No. 3.

2. That the Senate concur in House Amendment No. 4.

3. That the Conference Committee recommends approval of the following amendments:

1. Page 1, Line 24, strike the figure \$12,898.10 and insert in lieu thereof the figure \$12,480.00.

2. Page 1, Line 26, strike the figure \$14,258.10 and insert in lieu thereof the figure \$13,840.00.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Baldwin, Boecher, Garrison, Hargrave, Martin, Smalley, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Connor, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman.

#### **MESSAGE FROM THE GOVERNOR**

Advising approval by him, March 31, 1970, of Enrolled **SB 535** entitled:

**SB 535**—By Terrill and Taliaferro of the Senate and Beauchamp of the House—An Act relating to the Judiciary; establishing eligibility for Disability Compensation Retirement of justices or judges ordered to retire from office by the court on the judiciary for reason of physical disability; establishing effective date thereof; directing codification; and declaring an emergency,

#### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed:

**HB 1214**—By Hopkins, Poulos, Smithey,

Green, Wolfe (Stephen), Hill (Ben), Hargrave, Ferguson, Hancock, McCune, Browers, Ford, Musgrave, Williams and Wixson—An Act relating to counties; authorizing each county having a population in excess of three hundred thousand to create a trust authority for the purpose of holding an annual Agricultural Fair and Industrial Exposition; providing method whereby such authority may be established; specifying its powers; providing for membership, their qualifications and terms; providing for the employment of a director, for his bond, and for audits; providing for representation by District Attorney or other counsel; providing for transfer of funds; making provisions of act severable; repealing 2 O. S. 1961, § § 156 through 156q and all conflicting laws or parts of laws; and declaring an emergency.

The above numbered **HB** was read for the first time.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1662** and **1760** and **HJR 1049**.

The above numbered Enrolled Bills and/or Resolution were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SB 521**, **SB 594**—coauthored by Sandlin; and **SJR 53**, each as amended.

**HAs** to **SB 521** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows: "An Act relating to Public Finance; providing regular periodic billings of public utilities for services furnished

municipalities need not as a condition to allowance and payment by a municipality be required to be upon verified claims; amending Section 1, Chapter 310, O. S. L. 1969 (62 O. S. Supp. 1969, § 305.1); and declaring in emergency."

Amendment No. 2. Amend Page 1, Section 1, Line 21, by striking the words "and itemized".

Amendment No. 3. Amend Page 1, Section 1, Line 21, after the word "utility" strike the period and insert the following: "provided, further, that no public utility shall attach a late charge or deny a discount, on any bill until a thirty (30) day period has lapsed from the receipt of the bill."

**HAs to SB 594** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Line 17, by striking the word "some" and inserting the following: "a legal".

Amendment No. 2. Amend Page 2, Line 24½, by adding a new Section 3 to read as follows: "SECTION 3. Provided, any giving of notice under the provisions of Sections 1 and 2 prior to the effective date of this act, and made in accordance with the provisions of said sections as they existed prior to January 1, 1970, are hereby validated."

ReNUMBER succeeding Section.

**HA to SJR 53** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Section 1, Lines 10, 11, 12 and 13, by striking all of lines 10, 11 and 12 and line 13 to the word "In".

And amend Title by deleting the following language beginning on Line 13½: "providing that certain limitations on per diem payments to members of the Legislative Council shall not apply to members of said committee when attending sessions thereof;"

## MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 587**, and naming House Conferees as follows: Rogers, Smith (N) and Connor.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 108, 412, 420, 423, 426, 430, 435, 436, 441, 442, 528 and 659.**

The above numbered Bills were referred to the Governor.

## MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SBs 655 and 656** and naming House Conferees as follows: Willis, Miskelly, Hargrave, Bernard and McKee; same Conferees on both Bills.

## MESSAGE FROM THE HOUSE

The House grants further conference on **HB 1630** and concurs in instructions to conferees to add a provision requiring Senate Confirmation of members of the War Veterans Commission.

## GENERAL ORDER

**HB 1790** by Converse, et al, of the House and Miller of the Senate was read and considered.

Senators Birdsong, Grantham and Payne asked to be made coauthors of **HB 1790**, which was the order.

Senator Miller moved to amend **HB 1790**, page 2, beginning on line 3, by striking all of Section 2 and substituting therefor the following: "Section 2. When a deaf-mute is arrested he shall be entitled to the assistance of an interpreter. Evidence by the State relating to any statement made by a deaf-mute to a law enforcement officer shall be limited solely to statements offered, elicited or made in the presence of a qualified interpreter" which amendment was declared adopted.

Senator Stipe moved to amend **HB 1790**,

page 2, line 11, by inserting after the word "system" and before the word "and" the words "or lip reading" which amendment was declared adopted.

Upon motion of Senator Miller, **HB 1790**, as amended, was advanced to engrossment

By unanimous consent, upon request of Senator Miller, **HB 1790**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1790** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Bradley, Ferrell, Inhofe, McSpadden, Massey, Porter, Smith.—7.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—41.

Excused: Bradley, Ferrell, Inhofe, McSpadden, Massey, Porter, Smith.—7.

The emergency was declared passed.

**HB 1790**, as amended, was referred for engrossment.

Senator Ham presiding.

### GENERAL ORDER

**HB 1766** by Smith (E. W.) of the House and Baggett, Howard and Smith of the Senate was read and considered.

Senator Baggett moved to amend **HB 1766**, page 1 by striking the Title and substituting therefor the words "An Act—Public Housing" which amendment was declared adopted.

Senator Berrong, joined by Senator Birdsong, moved to amend **HB 1766**, page 4, line 1, by inserting after the word "government" and before the word "in" the words "or any other legal entity" which amendment was declared adopted.

Senator Birdsong, joined by Senator Berrong, moved to amend **HB 1766**, page 4, line 2, by striking all of line 2 and substituting therefor the language "less than Four Hundred Thousand (400,000)" which amendment was declared adopted.

Senator Birdsong, joined by Senator Berrong, moved to amend **HB 1766**, page 4, beginning on line 14 by striking after the word "population" the words and figures "in excess of 200,000" and substituting therefor the words and figures "less than 400,000" which amendment was declared adopted.

Senator Hamilton, joined by Senator Luton, moved to amend **HB 1766**, page 7, line 1½ by adding a new section 2 to read as follows: "Section 2. The provisions of 63 O. S. 1055 requiring approval by a majority of the voters as to projects in counties under 200,000 is hereby repealed" and by renumbering succeeding Section accordingly and amending Title to conform thereto, which amendment was declared adopted.

Senator Howard moved to amend **HB 1766**, page 4, line 3, by inserting after the word "population" and before the word "shall" the language "according to the 1960 decennial census" which amendment was declared adopted.

Senator Howard moved to amend **HB 1766**, page 4, line 15, by striking after the



word "the" and before the word "decennial" the word "last" and substituting therefor the figure "1960" which amendment was declared adopted.

Upon motion of Senator Baggett, **HB 1766**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HB 1766**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1766** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Bradley, Ferrell, Garrett, Hargrave, Inhofe, Porter.—6.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—42.

Excused: Bradley, Ferrell, Garrett, Hargrave, Inhofe, Porter.—6.

The emergency was declared passed.

**HB 1766**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTES

Senator Howard asked for consideration of his motion to reconsider the vote by which the Emergency Section of **HB 1517** failed of passage.

Senator Baggett moved to table the Howard motion, which motion was declared failed of adoption.

The vote occurring upon the Howard motion, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Crow, Dacus, Garrison, Graves, Ham, Hamilton, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Williams.—28.

Nay: Baggett, Baldwin, Berrong, Field, Garrett, Grantham, Holden, Lane, Nichols, Smalley, Stipe, Taliaferro, Terrill.—13.

Excused: Bradley, Breckinridge, Ferrell, Hargrave, Inhofe, Porter, Young.—7.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Dacus, Garrison, Graves, Ham, Hamilton, Horn, Howard, Keels, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Williams, Young.—26.

Nay: Baggett, Baldwin, Berrong, Crow, Field, Garrett, Grantham, Holden, Lane, Nichols, Smalley, Stipe, Taliaferro, Terrill.—14.

Excused: Bradley, Breckinridge, Ferrell, Hargrave, Inhofe, McGraw, Massey, Porter.—8.

The emergency was declared failed of passage.

Senator Howard asked for consideration of his motion to reconsider the vote by which **HB 1517** passed.

Senator Keels moved to table the Howard motion, which motion prevailed.

**HB 1517**, as amended, was referred for engrossment.

**PENDING SENATE ACTION**

Upon motion of Senator Murphy, the request of the Honorable House for a conference on **HB 1492** was ordered granted.

**CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1492**: Murphy, Smalley and Massey.

**GENERAL ORDER**

**HB 1592** by Musgrave of the House and Stipe of the Senate was read and considered.

Senator Stipe moved to amend **HB 1592**, page 3, line 1, by inserting after the word "agency" and before the word "either" the words "or its equivalent" which amendment was declared adopted.

Upon motion of Senator Stipe, **HB 1592**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1592**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1592** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Breckinridge, Dacus, Field, Garrison, McGraw, Stansberry, Stipe, Young.—10.

Nay: Atkinson, Birdsong, Boecher, Crow, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McSpadden, Martin, Medearis, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—28.

Excused: Baldwin, Bradley, Ferrell, Hargrave, Inhofe, Lane, Massey, Miller, Murphy, Porter.—10.

The bill was declared failed of passage.

**MOTION TO RECONSIDER VOTE**

As provided under 19-b, Senator Stipe moved that the vote be reconsidered by which **HB 1592** failed of passage.

**MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HB 1696**, as amended.

**MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HBs 1547, 1579 and 1780**, requesting Conference and referring said Bills to General Conference Committee on Appropriations.

**MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1612**, requesting Conference and naming Conferees as follows: Boren, Sullivan and Odom (Martin).

**GENERAL ORDER**

**HB 1648** by Smith (Norman), et al, of the House and Graves of the Senate was read and considered.

Senator Graves moved to amend **HB 1648**, page 12, line 5, by striking the word "one" and substituting therefor the word "three" which amendment was declared adopted.

Senator Graves moved to amend **HB 1648**, page 19, line 15, by striking the figures "\$190.00" and substituting therefor the figures "\$210.00" which amendment was declared adopted.

Senator Field moved to amend **HB 1648**, page 26, line 6, by striking the words and figures "one thousand (1,000)" and substituting therefor the words and figures "three thousand (3,000)" which amendment was declared failed of adoption upon a roll call as follows:

Aye: Baggett, Boecher, Dacus, Field, Garrison, Luton, McCune, Nichols.—8.

Nay: Atkinson, Berrong, Birdsong, Breckinridge, Crow, Garrett, Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Lane, McGraw, McSpadden, Martin,

Massey, Medearis, Miller, Murphy, Payne, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—30.

Excused: Baldwin, Bradley, Ferrell, Hamilton, Hargrave, Inhofe, Phillips, Porter, Smalley, Taliaferro.—10.

Upon motion of Senator Graves, **HB 1648**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Graves, **HB 1648**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1648** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Williams.—36.

Nay: Crow, Field, Taliaferro, Terrill, Young.—5.

Excused: Bradley, Ferrell, Ham, Hargrave, Inhofe, Porter, Stipe.—7.

The bill was declared passed.

**HB 1648**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Luton motion to reconsider the vote by which **HB 1653** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Breckinridge, Dacus, Field, Garrison, Graves, Ham, Horn, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Smalley, Smith, Stansberry, Stipe, Terrill, Young.—27.

Nay: Baldwin, Grantham, Hamilton, Howard, McCune, Romang, Short.—7.

Excused: Baggett, Boecher, Bradley, Crow, Ferrell, Garrett, Hargrave, Holden, Inhofe, Medearis, Nichols, Porter, Taliaferro, Williams.—14.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Breckinridge, Dacus, Field, Garrison, Graves, Ham, Holden, Keels, Lane, Luton, McGraw, McSpadden, Martin, Miller, Payne, Phillips, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—26.

Nay: Baldwin, Grantham, Hamilton, Howard, McCune, Murphy, Romang, Short.—8.

Excused: Baggett, Berrong, Bradley, Crow, Ferrell, Garrett, Hargrave, Horn, Inhofe, Massey, Medearis, Nichols, Porter, Taliaferro.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Dacus, Garrison, Graves, Ham, Holden, Keels, Luton, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Smith, Stansberry, Terrill, Young.—23.

Nay: Baldwin, Field, Grantham, Hamilton, Howard, Lane, McCune, Nichols, Romang, Short, Stipe, Williams.—12.

Excused: Berrong, Bradley, Crow, Ferrell, Garrett, Hargrave, Horn, Inhofe, McGraw, Medearis, Porter, Smalley, Taliaferro.—13.

The emergency was declared failed of passage.

**HB 1653**, as amended, was referred for engrossment.

President Pro Tempore Smith presiding.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Second Conference Committee Report



thereon, advising adoption of Second Conference Committee Report and passage of Measure as amended: Engrossed **HB 1630**.

## **SECOND CONFERENCE COMMITTEE REPORT**

The following 2nd **CCR** on **HB 1630** was read and adopted upon motion of Senator Martin:

Mr. Speaker

and

Mr. President:

We your Conference Committee to whom was referred Engrossed House Bill No. 1630, and Engrossed Senate Amendments thereto, by Monks, et al, of the House and Martin of the Senate entitled:

An Act relating to War Veterans Commission of Oklahoma; amending 72 O. S. 1961 § 63.2; enlarging war veterans commission from three members to six members; providing certain service organizations shall be represented thereon; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

Second **CCS** for **HB 1630**—By Monks, et al, of the House and Martin of the Senate—An Act relating to War Veterans Commission of Oklahoma; amending 72 O. S. 1961, § 63.2; enlarging war veterans commission from three members to six members; providing certain service organizations shall be represented thereon; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 72 O. S. 1961, § 63.2, is amended to read as follows:

§ 63.2. On and after July 1, 1970 the War Veterans Commission of Oklahoma shall consist of SIX (6) members, honorably discharged veterans of any war in which the United States participated as a belligerent, to be selected in the follow-

ing manner: The state executive board or COMMITTEES of the veterans ORGANIZATIONS in Oklahoma WHO HAVE HAD ACCREDITED REPRESENTATIVES AT THE VETERANS ADMINISTRATION REGIONAL OFFICE IN OKLAHOMA FOR AT LEAST TEN (10) PREVIOUS CONSECUTIVE YEARS shall each submit to the Governor of Oklahoma a list of ten (10) persons qualified to serve as members of the War Veterans Commission of Oklahoma. Said lists shall be submitted to the Governor not later than one (1) month prior to the expiration of the terms of office of the members of the War Veterans Commission. The Governor shall name THREE (3) members of the War Veterans Commission from LISTS submitted by the AMERICAN LEGION, TWO (2) MEMBERS OF THE WAR VETERANS COMMISSION FROM THE LISTS SUBMITTED BY THE VETERANS OF FOREIGN WARS AND ONE (1) MEMBER OF THE WAR VETERANS COMMISSION FROM LISTS SUBMITTED BY THE DISABLED AMERICAN VETERANS. Provided, that only those veterans organizations recognized to present claims before the Veterans Administration, or its successor, and maintaining a headquarters within the State of Oklahoma, shall be eligible to submit a list of names to the Governor as provided above.

The executive officer of each veterans organization operating within the State of Oklahoma shall on or before January 1 of each year submit to the Secretary of State a copy of the annual audit of the organization for the immediate preceding fiscal year of the organization. Such audit shall clearly show the total paid membership of the organization and shall be certified to by a certified public accountant. THE MEMBERS OF SUCH COMMISSION SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE. EACH ORGANIZATION QUALIFYING FOR MEMBERSHIP ON

THE OKLAHOMA STATE WAR VETERANS COMMISSION SHALL SUBMIT A LIST OF TEN (10) NAMES TO THE GOVERNOR TO CHOOSE FROM WHEN A VACANCY ON THE WAR VETERANS COMMISSION OCCURS.

Before any member appointed as provided herein shall enter upon his duties as a member of the Commission he shall take and subscribe to the oath of office as required by the Constitution of this State and each shall file with the Secretary of State a good and sufficient surety bond in the penal sum of Ten Thousand Dollars (\$10,000) for the faithful discharge of his duties, provided that the premium on such bonds shall be paid by the State of Oklahoma.

MEMBERS OF SAID COMMISSION INITIALLY APPOINTED SHALL CONTINUE IN OFFICE UNTIL THE EXPIRATION OF THEIR TERMS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND ENTER UPON THE DUTIES OF THEIR OFFICES. THEIR SUCCESSORS SHALL SERVE, THREE MEMBERS FOR A TERM OF THREE (3) YEARS, AND THREE MEMBERS FOR A TERM OF TWO (2) YEARS. Any vacancy on the Commission resulting from any cause shall be filled by appointment by the Governor for the remainder of the term on the same basis by which the member being replaced was appointed.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Holden, Stipe, Martin.

FOR THE HOUSE: Monks, Sullivan, Dunn.

**HB 1630**, as amended in Conference, was read at length.

On the question of passage of Bill, as

amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Boecher, Breckinridge, Dacus, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Excused: Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Hargrave, Inhofe, McGraw, Medearis, Porter, Taliaferro.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Boecher, Breckinridge, Dacus, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Excused: Baggett, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Hargrave, Inhofe, McGraw, Medearis, Porter, Taliaferro.—14.

The emergency was declared passed.

**HB 1630**, together with Second Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Smalley presiding.

## GENERAL ORDER

**HJR 1053** by Converse of the House and Miller of the Senate was read and considered.

Senator Miller moved to amend **HJR 1053**, beginning on page 2, line 18, by striking all language contained in Section 1, and substituting therefor the language "That the Oklahoma Rehabilitation Service provide the maximum grants possible matching the maximum federal funds available for the purpose of assisting deaf

persons who are pursuing a collegiate course of study" which amendment was declared adopted.

Upon motion of Senator Miller, **HJR 1053**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **HJR 1053**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HJR 1053** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Breckinridge, Dacus, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Young.—33.

Excused: Baggett, Berrong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Hargrave, Inhofe, McSpadden, Nichols, Porter, Taliaferro, Williams.—15.

The Resolution was declared passed.

**HJR 1053**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1242, 1518, 1646, 1650, 1717 and 1805**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

### MOTION TO RECONSIDER VOTE

The vote occurring upon the Ham motion to reconsider the vote by which **HB 1677** passed, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Breckinridge, Dacus, Field, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard,

Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Berrong, Boecher, Bradley, Crow, Ferrell, Garrett, Grantham, Hargrave, Inhofe, Keels, Luton, Massey, Porter.—14.

### THIRD READING

Senator Grantham asked unanimous consent that the vote be reconsidered by which **HB 1677** was placed upon third reading and final passage, which was the order.

Senator Grantham moved that the vote be reconsidered by which **HB 1677** was advanced to engrossment, which motion was declared adopted.

### GENERAL ORDER

**HB 1677** was considered further.

Senator Ham moved to amend **HB 1677**, page 6, line 12½, by inserting a new paragraph (K) to read as follows: "(K) If the Board of County Commissioners of any county shall fail, neglect or refuse for any reason whatsoever to participate in the cost of acquiring right of way for any road or highway in accordance with the right of way acquisition policy set forth in 69 O. S. Supp. 1969, Sections 1205 and 1206, the State Highway Commission shall by resolution direct that such county's share of right of way cost be paid from the farm to market and secondary road fund allocated to such county, and the same shall be so paid", and by relettering the succeeding paragraph; and, by amending the title to conform to the body of the Bill, which amendment was declared adopted.

Upon motion of Senator Grantham, **HB 1677**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1677**, as amen-



ded was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1677** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Berrong, Boecher, Bradley, Ferrell, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Massey, Miller, Porter, Terrill.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Berrong, Boecher, Bradley, Ferrell, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Massey, Miller, Porter, Terrill.—15.

The emergency was declared passed.

**HB 1677**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1767** by Ford, et al, of the House was read and considered.

Senator Breckinridge asked to be shown author of **HB 1767**, which was the order.

Upon motion of Senator Breckinridge, **HB 1767** was advanced to engrossment.

By unanimous consent, upon request of Senator Breckinridge, **HB 1767** was con-

sidered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1767** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Excused: Atkinson, Baggett, Berrong, Boecher, Bradley, Ferrell, Hargrave, Inhofe, Miller, Nichols, Porter, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Excused: Atkinson, Baggett, Berrong, Boecher, Bradley, Ferrell, Hargrave, Inhofe, Miller, Nichols, Porter, Stipe.—12.

The emergency was declared passed.

**HB 1767**, as amended, was referred for engrossment.

### PENDING CONSIDERATION OF CCR

Senator McSpadden moved that the Senate reject the Conference Committee Report on **SB 415** and request further Conference, said Bill to be re-referred to the General Conference Committee on Appropriations, which motion was declared adopted.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Nichols, the Senate concurred in **HA** to Engrossed **SB 520**.

**SB 520**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Stansberry, Taliaferro, Williams, Young.—29.

Nay: Baldwin, Howard, Keels, McCune, Smith.—5.

Excused: Berrong, Boecher, Bradley, Ferrell, Garrison, Ham, Hargrave, Inhofe, Lane, Massey, Porter, Romang, Stipe, Terrill.—14.

The bill, as amended, was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Murphy, the Senate concurred in **HAS** to Engrossed **SB 560**.

**SB 560**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Field, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Keels, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Excused: Bradley, Crow, Ferrell, Garrett, Ham, Hargrave, Holden, Inhofe, Lane, McSpadden, Medearis, Porter, Smith, Stipe.—14.

The bill, as amended, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Field, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Keels, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Excused: Bradley, Crow, Ferrell, Garrett, Ham, Hargrave, Holden, Inhofe, Lane, McSpadden, Medearis, Porter, Smith, Stipe.—14.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

## MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1069**—By Dunn of the House and Holden of the Senate—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1625 passed by the 2nd Session of the 32nd Oklahoma Legislature.

Senator Holden asked for immediate consideration of **HCR 1069**, which was the order.

**HCR 1069** was read at length and adopted upon motion of Senator Holden.

**HCR 1069** was properly signed and ordered returned to the Honorable House.

Senator Ferrell asked to be shown present, which was the order.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1199**, requesting Conference and naming Conferees as follows: Briscoe, Musgrave and Tarwater.

Upon motion of Senator Phillips, the request of the Honorable House for a conference on **HB 1199** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1199**: Phillips, Young and Garrett.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Nichols, the Senate concurred in **HA** to Engrossed **SB 536**.

**SB 536**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Luton, McCune, McGraw, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—33.

Excused: Baggett, Bradley, Dacus, Hargrave, Holden, Inhofe, Keels, Lane, McSpadden, Martin, Medearis, Murphy, Porter, Stipe, Terrill.—15.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Luton, McCune, McGraw, Massey, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—33.

Excused: Baggett, Bradley, Dacus, Hargrave, Holden, Inhofe, Keels, Lane, McSpadden, Martin, Medearis, Murphy, Porter, Stipe, Terrill.—15.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Luton, the Senate concurred in **HAs** to Engrossed **SB 556**.

**SB 556**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Keels, Luton, McCune, McGraw, Massey, Miller, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill.—28.

Nay: Atkinson, Boecher, Graves, Lane, Payne, Young.—6.

Excused: Bradley, Crow, Dacus, Hargrave, Howard, Inhofe, McSpadden, Martin, Medearis, Murphy, Nichols, Porter, Stipe, Williams.—14.

The bill, as amended, was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Grantham moved that the Senate refuse to concur in **HAs** to **SB 557** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 557**: Grantham, Young and Ham.

## PENDING CONSIDERATION OF HAS

Senator Luton moved that the Senate refuse to concur in **HAs** to **SB 281** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 281**: Luton, Stipe and Birdsong.



## PENDING CONSIDERATION OF HAS

Senator Romang moved that the Senate refuse to concur in **HA** to **SB 601** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 601**: Romang, Massey and Birdsong.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Garrett, the Senate concurred in **HAs** to Engrossed **SB 388**.

**SB 388**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Payne, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—32.

Excused: Bradley, Crow, Dacus, Garrison, Hargrave, Howard, Inhofe, McSpadden, Martin, Medearis, Murphy, Nichols, Phillips, Porter, Smith, Stipe.—16.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Payne, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—32.

Excused: Bradley, Crow, Dacus, Garrison, Hargrave, Howard, Inhofe, McSpad-

den, Martin, Medearis, Murphy, Nichols, Phillips, Porter, Smith, Stipe.—16.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Young, the Senate concurred in **HA** to Engrossed **SB 367**.

**SB 367**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Excused: Berrong, Bradley, Dacus, Ham, Hargrave, Howard, Inhofe, McSpadden, Martin, Massey, Medearis, Porter.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Excused: Berrong, Bradley, Dacus, Ham, Hargrave, Howard, Inhofe, McSpadden, Martin, Massey, Medearis, Porter.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Young, the Senate concurred in **HA** to **SB 551**.

**SB 551**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McGraw, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Breckinridge, McCune, Stansberry.—3.

Excused: Bradley, Dacus, Hargrave, Horn, Howard, Inhofe, McSpadden, Martin, Medearis, Nichols, Porter, Smith.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McGraw, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Breckinridge, McCune, Stansberry.—3.

Excused: Bradley, Dacus, Hargrave, Horn, Howard, Inhofe, McSpadden, Martin, Medearis, Nichols, Porter, Smith.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator McCune, the Senate concurred in **HA** to **SB 399**.

**SB 399**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baldwin, Berrong, Boecher, Breck-

inridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Holden, Horn, Keels, Luton, McCune, McGraw, Miller, Nichols, Payne, Phillips, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—29.

Nay: Atkinson, Birdsong, Graves, Hamilton, Lane, Massey, Murphy, Smalley.—8.

Excused: Baggett, Bradley, Dacus, Hargrave, Howard, Inhofe, McSpadden, Martin, Medearis, Porter, Smith.—11.

The bill, as amended, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Keels, Luton, McCune, McGraw, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused: Baggett, Bradley, Dacus, Hamilton, Hargrave, Howard, Inhofe, Lane, McSpadden, Martin, Massey, Medearis, Nichols, Porter, Smith.—15.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

## PENDING SENATE ACTION

Upon motion of Senator Young, the request of the Honorable House for a conference on **HB 1146** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1146**: Young, Stipe and Luton.

## PENDING SENATE ACTION

Upon motion of Senator Berrong, the request of the Honorable House for a conference on **HB 1208** was ordered granted,

said Bill to be referred to the General Conference Committee on Appropriations.

### PENDING CONSIDERATION OF HAS

Upon motion of Senator Grantham, the Senate concurred in **HA** to **SB 400**.

**SB 400**, as amended by the Honorable House, was read at length.

On question of passage of bill as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused: Baggett, Birdsong, Boecher, Bradley, Dacus, Hamilton, Hargrave, Howard, Inhofe, McSpadden, Martin, Medearis, Nichols, Porter, Smith.—15.

The bill, as amended, was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

### GENERAL ORDER

**HB 1776** by Spearman, et al, of the House and Baggett of the Senate was read and considered.

Senator McGraw asked to be made a co-author of **HB 1776**, which was the order.

Senator Boecher moved to amend **HB 1776**, page 3, line 7, by striking after the word "go karts" and before the word "and" the words "and power lawn mowers".

Senator Baggett moved that **HB 1776**, together with pending amendment, be deferred for this legislative day, which was the order.

### MOTION

Senator Murphy moved that **SB 560** be ordered withdrawn from the Engrossing and Enrolling Department for further con-

sideration, which motion was declared adopted.

### MOTION TO RECONSIDER VOTE

Senator Murphy moved that the vote be reconsidered by which **SB 560**, as amended by the Honorable House, passed, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Keels, Luton, McCune, McGraw, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Excused: Bradley, Dacus, Graves, Hargrave, Howard, Inhofe, Lane, McSpadden, Martin, Medearis, Nichols, Porter.—12.

Senator Murphy asked unanimous consent to reconsider the vote by which the Senate concurred in **HAs** to **SB 560**, which was the order.

### PENDING SENATE ACTION

Senator Murphy moved that the Senate refuse to concur in **HAs** to **SB 560** and request a Conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferencees under **SB 560**: Murphy, Holden and Atkinson.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 428** and **440**.

The above numbered Bills were referred to the Governor.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1069**.



The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1586**—coauthored by Camp, Musgrave, Holaday, Hatchett, Smithey, Bernard, Trent, Sanguin, Patterson, Thornhill and Barker.

### CONFERENCE COMMITTEE REPORT

The following CCR on **HB 1586** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1586**, and Engrossed Senate Amendments thereto, by Odom (Martin), et al of the House and Terrill of the Senate, entitled:

(Schools Teachers' Retirement), beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted, as coauthored by Massey and Miller of the Senate.

**CCS for HB 1586**—By Odom (Martin), et al of the House and Terrill and Luton of the Senate—An Act relating to schools; amending Sections 1, 3, 5, 7 and 8 of Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § § 17-101, 17-103, 17-105, 17-107 and 17-108), pertaining to the teachers' retirement system; defining terms; prescribing eligibility of membership of retirement system; providing for retirement allowances and benefits; providing for investment of funds and disposition of interest; providing for contributions by members of the retirement system; providing a date when the provisions of this act shall become operative; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. Section 1 of Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, §17-101), is amended to read as follows:

§ 17-101. The following words and phrases as used in this act, unless a different meaning is clearly required by the context, shall have the following meanings:

(1) "Retirement System" shall mean the Teachers' Retirement System of Oklahoma, as defined in Section [2] 17-102 of this [act] TITLE.

(2) "Public School" shall mean any school conducted within the State of Oklahoma supported wholly or partly by public funds and operating under the authority and supervision of a legally constituted board or agency having authority and responsibility for any function of public education.

(3) "Classified Personnel" shall mean any teacher, principal, superintendent, county superintendent, supervisor, administrator, librarian, certified or registered nurse, college professor, or college president whose salary is paid wholly or in part from public funds. An employee of any state department, board, board of regents or board of trustees, who is in a supervisory or an administrative position, the function of which is primarily devoted to public education, shall be considered classified personnel under the meaning of this act, at the discretion of the Board of Trustees of the Teachers' Retirement System. The term "teacher" shall include instructors and counselors employed by the Department of Corrections and holding valid teaching certificates issued by the State Department of Education. Provided, that a person employed by the Department of Corrections as an instructor or counselor shall have been actively engaged in the teaching profession for a period of not less than three (3) years prior to employment to be eligible to participate in the Oklahoma

Teachers' Retirement System. The Department of Corrections shall contribute the employer's share to the Oklahoma Teachers' Retirement System.

(4) "Nonclassified Optional Personnel" shall include cooks, janitors, maintenance personnel not in a supervisory capacity, bus drivers, noncertified or nonregistered nurses, noncertified librarians, and clerical employees of the public schools, state colleges, universities or any state department, board, board of regents or board of trustees, the functions of which are primarily devoted to public education and whose salaries are paid wholly or in part from public funds.

(5) THE TERM "TEACHER" SHALL INCLUDE INSTRUCTORS AND COUNSELORS EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, AND HOLDING VALID TEACHING CERTIFICATES ISSUED BY THE STATE DEPARTMENT OF EDUCATION. THE DEPARTMENT OF CORRECTIONS SHALL CONTRIBUTE THE EMPLOYER'S SHARE TO THE OKLAHOMA TEACHERS' RETIREMENT SYSTEM.

[(5)] (6) "Employer" shall mean the State of Oklahoma and any of its designated agents or agencies with responsibility and authority for public education, such as boards of education of dependent and independent school districts, boards of regents, boards of control or any other agency of and within the state by which a person may be employed for service in public education.

[(6)] (7) "Member" shall mean any teacher or other employee included in the membership of the system as provided in Section [3] 17-103 of this [act.] TITLE

[(7)] (8) "Board of Trustees" shall mean the board provided for in Section [6] 17-106 of this [act] TITLE to administer the retirement system.

[(8)] (9) "Service" shall mean service as a classified or nonclassified optional employee in the public school system, or any other service devoted pri-

marily to public education in the State of Oklahoma.

[(9)] (10) "Prior Service" shall mean service rendered prior to July 1, 1943.

[(10)] (11) "Membership Service" shall mean service as a member of the classified or nonclassified personnel [or an employee] AS DEFINED IN SECTION 1 (3) AND (4) OF THIS ACT.

[(11)] (12) "Creditable Service" shall mean membership service plus any prior service authorized under Section [4] 17-104 of this [act.] TITLE

[(12)] (13) "Annuitant" shall mean any person in receipt of a retirement allowance as provided in this act.

[(13)] (14) "Accumulated Contributions" shall mean the sum of all amounts deducted from the compensation of a member and credited to his individual account in the Teacher Savings Fund, together with interest as of June 30, 1968.

[(14)] (15) "Earnable Compensation" shall mean the full rate of the compensation that would be payable to a member if he worked the full normal working time.

[(15)] "Average Prior Service Salary" shall mean the sum of the salaries of the members for the last five (5) complete school years taught prior to July 1, 1943, divided by five; provided the average annual salary of a member of the classified personnel who served in the armed forces of the United States during World War II shall be computed only upon the actual number of complete school years taught during the five (5) years immediately preceding July 1, 1943.]

(16) "Average Salary" shall mean the average of the salaries for the five (5) highest years on which the member paid contributions to the Teachers' Retirement System of Oklahoma.

(17) "Annuity" shall mean payments for life derived from the "Accumulated Contributions" of a member. All annuities shall be payable in equal monthly installments.

(18) "Pension" shall mean payments for life derived from money provided by the employer. All pensions shall be payable in equal monthly installments.

(19) "Monthly Retirement Allowance" is the monthly benefit paid a retiree.

(20) "Retirement Benefit Fund" shall mean the fund from which all retirement benefits shall be paid based on such mortality tables as shall be adopted by the Boards of Trustees.

(21) "Actuary" shall mean a person especially skilled through training and experience in financial calculation respecting the expectancy and duration of life.

(22) "Actuarial Equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality and other tables as shall be adopted by the Board of Trustees.

(23) The masculine pronoun, whenever used, shall include the feminine.

SECTION 2. Section 3 of Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § 17-103), is amended to read as follows:

§ 17-103. The membership of the retirement system shall consist of the following:

(1) All classified personnel shall become members of the retirement system as a condition of their employment.

(2) All nonclassified optional personnel regularly employed for more than one (1) year may join the Teachers' Retirement System subject to the rules and regulations as may be adopted pursuant to this act.

(3) (A) ALL PERSONS WHO SHALL BECOME TEACHERS OR WHO ARE REGULARLY EMPLOYED IN ANY SCHOOL SYSTEM AS NEW TEACHERS AFTER JULY 1, 1943, HEREOF, SHALL BECOME MEMBERS OF THE RETIREMENT SYSTEM AS A CONDITION OF THEIR EMPLOYMENT

(B) ANY PERSON WHO IS REGULARLY EMPLOYED AND HAS BEEN FOR MORE THAN ONE (1) YEAR MAY JOIN

THE TEACHERS' RETIREMENT SYSTEM SUBJECT TO THE RULES AND REGULATIONS, BUT IT IS OPTIONAL WITH TEACHERS WHO WERE REGULARLY EMPLOYED AT ANY TIME DURING THE PERIOD JULY 1, 1938 TO JUNE 30, 1943.

(4) ALL OTHER REGULAR SCHOOL EMPLOYEES MAY JOIN THE TEACHERS' RETIREMENT SYSTEM SUBJECT TO THE RULES AND REGULATIONS AS MAY BE ADOPTED BY THE BOARD OF TRUSTEES OF THE TEACHERS' RETIREMENT SYSTEM.

[(3)] (5) The Board of Trustees may, in its discretion, deny the right to become members to any class of members whose compensation is only partly paid by the state, or who is serving on a temporary or other than per annum basis, and it also may, in its discretion, make optional with members in any such class their individual entrance into the retirement system.

[(4)] (6) Should any member, with less than twenty (20) years of teaching service in Oklahoma, in any period of six (6) consecutive years after becoming a member be absent from service more than [seven (7)] FIVE (5) years, withdraw his contributions, retire or die, he shall thereupon cease to be a member. The provisions of this subsection shall not apply to any member of the Teachers' Retirement System who has been a member of such classes of military services as may be approved by the Board of Trustees, until a period of one and one-half (1-1½) years from date of termination of such service shall have elapsed.

[(5)] (7) Any member who shall be absent from the teaching service because of election to the State Legislature shall be allowed to retain his membership in the Teachers' Retirement System upon payment of the five percent (5%) contribution required by Section [8] 17-108 OF THIS TITLE and his service credits shall continue to be accumulated during such absence.



SECTION 3. Section 5, Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § 17-105), is amended to read as follows:

§ 17-105. (1) (a) Any member who has attained age sixty (60) or who has completed thirty (30) years of service in the public schools of Oklahoma may be retired upon filing a written application for such retirement. The application shall be filed on the form provided by the Board of Trustees for this purpose, not less than thirty (30) days nor more than ninety (90) days before the date of retirement.

(b) An individual who becomes a member of the Teachers' Retirement System after July 1, 1967, shall be employed by the public schools, state colleges or universities of Oklahoma for a minimum of ten (10) years and be a contributing member of the Teachers' Retirement System of Oklahoma for a minimum of ten (10) years to qualify for monthly retirement benefits from the Teachers' Retirement System of Oklahoma.

(c) Any member with twenty or more years of creditable service and whose accumulated contributions during such period have not been withdrawn shall be given an indefinite extension of membership beginning with the sixth year following his last contributing membership and shall become eligible to apply for retirement and be retired upon attaining age sixty (60).

(d) No further contributions shall be accepted by the Board of Trustees after the close of the fiscal year in which a member attains age sixty-five (65). Such member shall be given an indefinite extension of membership and be eligible to retire upon the filing of proper application for retirement as hereinbefore provided.

(2) **[Upon retirement a]** A classified member WHO HAS RETIRED OR WHO RETIRES AT SIXTY-TWO (62) YEARS OF AGE OR OLDER OR WHOSE RETIREMENT IS BECAUSE OF DISABILITY shall receive a monthly **[service]**

retirement allowance for life which shall be **[Six Dollars (\$6.00)]** A MINIMUM OF SIX DOLLARS AND FIFTY CENTS (\$6.50) multiplied by the years of creditable service **[accumulated to August 2, 1969, plus an annual benefit of one and one-fourth percent (1¼%) of the average of the five (5) highest years salary, not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00) multiplied by the number of years of creditable service accumulated after August 2, 1969]** OR IF A LARGER MONTHLY ALLOWANCE WOULD RESULT THEREFROM, AN AMOUNT ARRIVED AT BY MULTIPLYING THE AVERAGE OF THE MEMBER'S FIVE (5) HIGHEST SALARIED FISCAL YEARS OF CREDITABLE SERVICE ON WHICH HE MADE CONTRIBUTION TO THE TEACHERS' RETIREMENT SYSTEM, NOT EXCEEDING AN AVERAGE OF SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$7,800.00) BY THE PERCENTAGE HEREIN SET OUT OPPOSITE THE FOLLOWING FISCAL YEARS:

1970-1971	1.25%
1971-1972	1.30%
1972-1973	1.35%
1973-1974	1.40%
1974-1975	1.45%

1975 AND THEREAFTER 1.50%, EACH DIVIDED BY TWELVE AND MULTIPLIED BY THE NUMBER OF YEARS OF CREDITABLE SERVICE; IF THE PERCENTAGE FORMULA IS FOLLOWED THE AMOUNT OF ANY MONTHLY RETIREMENT ALLOWANCE SHALL BE RECALCULATED IN EACH OF THE FISCAL YEARS HERETOFORE ENUMERATED.

(3) **[Upon retirement an]** AN unclassified optional member WHO HAS RETIRED OR RETIRES AT SIXTY-TWO (62) YEARS OF AGE OR OLDER OR WHOSE RETIREMENT IS BECAUSE OF DISABILITY shall receive a monthly **[service]** retirement allowance for life which shall be **[Five Dollars (\$5.00)]** A MINIMUM OF FIVE DOLLARS AND

FIFTY CENTS (\$5.50) multiplied by the years of creditable service [accumulated to August 2, 1969, plus an annual benefit of one and one-fourth percent ( $1\frac{1}{4}\%$ ) of the average of the five (5) highest salaried years not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00) multiplied by the number of creditable years of service accumulated after August 2, 1969] OR IF A LARGER MONTHLY ALLOWANCE WOULD RESULT, AN AMOUNT ARRIVED AT PURSUANT TO APPLICATION OF THE FORMULA PRESCRIBED IN SUBSECTION (2) OF THIS SECTION.

(4) No member shall receive a lesser retirement benefit than he would have received under the law in effect at the time he retired. ANY INDIVIDUAL ON TEACHERS' RETIREMENT, WHO THROUGH ERROR IN STATING THE TITLE OF THE POSITION WHICH HE HELD, MAY, AT THE DISCRETION OF THE BOARD OF TRUSTEES, BE CHANGED FROM THE NONCLASSIFIED OPTIONAL GROUP TO THE CLASSIFIED GROUP FOR THE PURPOSE OF CALCULATING RETIREMENT BENEFITS.

(5) Retirement allowance shall be subject to adjustment to those members retiring before age sixty-two (62).

(6) [Prior service is the service rendered prior to July 1, 1943.] The value of each year of prior service is the total monthly retirement benefit divided by the number of years of creditable service.

[(6)] (7) Beginning July 1, 1967, upon application of a member who is actively engaged in teaching in Oklahoma or his employer, any member who has been a contributing member for ten (10) years may be retired by the Board of Trustees not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, on a disability retirement allowance, provided the Medical Board after medical examination of such member by a duly qualified physician shall certify that such

member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

[(7)] Upon retirement for disability, the member shall receive a monthly disability retirement allowance which shall be Six Dollars (\$6.00) multiplied by the years of creditable service accumulated to August 2, 1969, plus an annual benefit of one and one-fourth percent ( $1\frac{1}{4}\%$ ) of the average of the five (5) highest salaried years not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00) times the number of creditable years of service accumulated after August 2, 1969.]

[(a)] Prior service is the service rendered prior to July 1, 1943. The value of each year of prior service is the total monthly retirement benefit divided by the number of years of creditable service.]

[(b)] (8) (A) A member who at the time of retirement is in the judgment of the Medical Board of the Teachers' Retirement System permanently physically or mentally incapacitated to teach school shall receive a minimum monthly retirement payment for life or until such time as the member may be found to be recovered to the point where he may return to teaching. Any member retired before the effective date of this act shall be eligible to receive the monthly retirement allowance herein provided, but such payment shall not begin until the first payment due him after the effective date of this act, and shall not be retroactive. The Board of Trustees is empowered to make such rules and regulations as it considers proper to preserve equity in retirements under this provision.

[(e)] (B) A member who has qualified for retirement benefits under disability retirement shall have the total monthly payment deducted from his accumulated contributions plus interest earned and any money remaining in the member's account after the above deductions at the

death of the member shall be paid in a lump sum to the beneficiary or to the estate of the member.

[(8)] (C) Once each year the Board of Trustees may require any disabled annuitant who has not yet attained the age of sixty (60) years to undergo a medical examination, such examination to be made at the place of residence for said disabled annuitant or other place mutually agreed upon by a physician or physicians designated by the Board of Trustees. Should any disabled annuitant who has not yet attained the age of sixty (60) years refuse to submit to at least one medical examination in any such year by a physician or physicians designated by the Board of Trustees his allowance may be discontinued until he submits to such examination.

[(a)] (D) Should the Medical Board report and certify to the Board of Trustees that such disabled annuitant is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and the average final compensation, and should the Board of Trustees concur in such report then the amount of his pension shall be reduced to an amount which, together with his retirement allowance and that amount earnable by him, shall equal the amount of his average final compensation. Should his earning capacity be later increased, the amount of his pension may be further modified, provided the new pension shall not exceed that amount of the pension originally granted nor an amount, which when added to the amount earnable by the member, together with his annuity, equals the amount of his average final compensation.

[(b)] (E) Should a disabled annuitant be restored to active service, his disability retirement allowance shall cease and he shall again become a member of the retirement system and shall make regular contributions as required under this article. The unused portion of his accumulated contributions shall be reestablished

to his credit in the Teachers' Savings Fund. Any such prior service certificates on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect.

(9) Should a member before retirement under this act make application for withdrawal duly filed with the Board of Trustees and approved by it, not earlier than four (4) months after the date of termination of such service as a teacher, the contributions standing to the credit of his individual account in the Teachers' Savings Fund shall be paid to him or, in the event of his death before retirement, shall be paid to such person or persons as he shall have nominated by written designation, duly executed and filed with the Board of Trustees; provided, however, if there be no designated beneficiary surviving upon such death, such contributions shall be paid to his administrators, executors, or assigns, together with interest as hereinafter provided. In lieu of a lump sum settlement at the death of the member, the amount of money the member has on deposit in the Teachers' Savings Fund and the money the member has on deposit in the Teachers' Deposit Fund may be paid in monthly payments to a designated beneficiary, who must be the spouse, under the Maximum or Option 1 Plan of Retirement providing the monthly payment shall be not less than Twenty-five Dollars (\$25.00) per month. The monthly payment shall be the actuarial equivalent of the amount becoming due at the member's death based on the sex of the spouse and the age the spouse has attained at the last birthday prior to the member's death. Provided further, if there be no designated beneficiary surviving upon such death, and the contributions standing to the credit of such member do not exceed Two Hundred Dollars (\$200.00) no part of such contributions shall be subject to the payment of any expense of the last illness or funeral of the deceased member or any expense of administration of



the estate of such deceased and the Board of Trustees, upon satisfactory proof of the death of such member and of the name or names of the person or persons who would be entitled to receive such contributions under the laws of descent and distribution of the State of Oklahoma, may authorize the payment of accumulated contributions to such person or persons. A member terminating his membership [after July 1, 1968] BY WITHDRAWAL, shall have the interest [accumulated as of July 1, 1968, returned] COMPUTED AT A RATE OF INTEREST DETERMINED BY THE BOARD OF TRUSTEES AND PAID to him subject to the following schedule:

(a) If termination occurs within [three (3)] SEVEN (7) years from the date membership began, no part of such interest accumulations shall be paid.

(b) With [not less than three (3)] AS MANY AS SEVEN (7) but not less than sixteen (16) years of membership, [seventy percent (70%)] FIFTY PERCENT (50%) of such interest accumulations shall be paid.

(c) With [not less than] AS MANY AS sixteen (16) but less than twenty-one (21) years of membership, [eighty percent (80%)] SIXTY PERCENT (60%) of such interest accumulations shall be paid.

(d) With [not less than] AS MANY AS twenty-one (21) but less than twenty-six (26) years of membership, [ninety percent (90%)] SEVENTY-FIVE PERCENT of such accumulations shall be paid.

(c) With [not less than] AS MANY AS twenty-six (26) years of membership, [all] NINETY PERCENT (90%) of such interest accumulations shall be paid.

In case of death of an active member, the interest shall be calculated and restored to the member's account and paid his beneficiary.

(10) (a) In lieu of his retirement allowance payable throughout life for such an amount as determined under Section 5

(2), the member may select a retirement allowance for a reduced amount payable under any of the following options the present value of which is the actuarial equivalent thereof.

(b) A member may select the option under which he desires to retire at the end of the school year in which he attains age sixty-five (65) and said option shall be binding and cannot be changed. Provided further that if a member retires before age sixty-five (65), no election of an option shall be effective in case an annuitant dies before the first payment due under such option has been received.

(c) The first payment of any benefit selected shall be made on the first day of the month following approval of the retirement by the Board of Trustees.

(D) FOR MEMBERS ON RETIREMENT BEFORE THE EFFECTIVE DATE OF THIS ACT WHO RETIRED UNDER OPTION 2, 3, or 4, ANY INCREASE DUE SHALL GO TO THE MEMBER WITH NO INCREASE TO THE BENEFICIARY.

Option 1. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Trustees at the time of his retirement; or

Option 2. A member takes a reduced retirement allowance for life. Upon the death of the member the payments shall continue to the member's designated beneficiary, who must be a spouse, for the life of the beneficiary. The written designation of the beneficiary, who must be a spouse must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement; or

Option 3. A member receives a reduced retirement allowance for life. Upon the death of the member one-half ( $\frac{1}{2}$ ) of the retirement allowance paid the member

shall be continued throughout the life of the designated beneficiary, who must be a spouse. A written designation of a beneficiary must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement; or

Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Trustees.

(11) The governing board of any "public school" as that term is defined in this act, is hereby authorized and empowered to pay additional retirement allowances or compensation to any teacher who was in the employ of such public school for not less than ten (10) school years preceding the date of his retirement. Payments so made shall be a proper charge against the current appropriation or appropriations of any such public school for teaching salaries for the fiscal year in which such payments are made. Such payments shall be made in regular monthly installments in such amounts as the governing board of any such public school, in its judgment, shall determine to be reasonable and appropriate in view of the length and type of service rendered by any such person to such public school by which such teacher was employed at the time of retirement. All such additional payments shall be uniform, based upon the length of tenure and the type of services performed, to teachers formerly employed by such public school who have retired or been retired in accordance with the provisions of this act.

The governing board of any such public school may adopt rules and regulations of general application outlining the terms and conditions under which such additional retirement benefits shall be paid, and all decisions of such board shall be final.

(12) [After August 2, 1969, any classi-

fied member of the Teacher's Retirement System of Oklahoma having attained the age of sixty-two (62) or older who has met all the other requirements for retirement shall have his monthly retirement benefit calculated at Six Dollars (\$6.00) multiplied by the number of years of creditable service accumulated to August 2, 1969, plus an annual benefit of one and one-fourth percent ( $1\frac{1}{4}\%$ ) of the average of the five (5) highest salaried years, not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00), multiplied by the number of years of creditable service accumulated after August 2, 1969.]

[(13) After August 2, 1969, any non-classified optional member of the Teachers' Retirement System of Oklahoma having attained the age of sixty-two (62) or older who has met all the other requirements for retirement shall have his monthly retirement benefit calculated at Five Dollars (\$5.00) multiplied by the number of years accumulated to August 2, 1969, plus an annual benefit of one and one-fourth percent ( $1\frac{1}{4}\%$ ) of the average of the five (5) highest salaried years, not to exceed Seven Thousand Eight Hundred Dollars (\$7,800.00) multiplied by the number of years of creditable service accumulated after August 2, 1969.]

In addition to the teachers retirement herein provided, teachers may voluntarily avail themselves of the Federal Social Security Program upon a district basis.

SECTION 4. Section 7 of Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § 17-107), is amended to read as follows:

§ 17-107. The Board of Trustees shall be the trustees of the several funds created by this act and shall have full power to invest and reinvest such funds subject to the following limitations and restrictions. All retirement funds as are received by the State Treasurer of Oklahoma from contributions of teachers and employers as herein provided may be invested in

any property, real, personal or mixed in which an individual may invest his own funds. In making investments, the Board of Trustees shall exercise the judgment and care in the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital. The provisions of this section shall not be construed to authorize the trustees to buy or sell property and investments from or to themselves personally or to commingle trust funds with their individual funds.

Provided, however, the investments herein shall not exceed the following limits:

(1) Twenty-five percent (25%) in common stocks not exceeding two percent (2%) of the net retirement funds in any one corporation.

(2) Twenty-five percent (25%) in first mortgages provided the mortgages be guaranteed by an agency of the United States Government.

(3) Fifty percent (50%) in the highest three (3) classifications established by a rating service recognized by the Comptroller of the Currency in corporate bonds, debentures and preferred stocks.

(4) Seventy-five percent (75%) in general indebtedness of the United States Government, any state of the United States or any of the counties or incorporated cities, towns or duly organized school districts of any state or territory of the United States which shall not be in default in the payment of its general obligation bonds either principal or interest at the date of such investment.

(5) Ninety percent (90%) in savings accounts, under certificates of deposit, or in any other form in solvent banks or trust companies in Oklahoma, which are insured by the Federal Deposit Insurance

Corporation; or in share or savings accounts of savings and loan associations in Oklahoma which are insured by the Federal Savings and Loan Insurance Corporation; but only in such banks, trust companies or savings and loan associations to the extent that such deposit is so insured and deposits in checking accounts, under certificates of deposit or in any other form in banks in Oklahoma which have been approved as depositories by the State Depository Board under Section 71 of Title 62 of the Oklahoma Statutes upon deposit by said banks of securities of the type and in the amounts set forth in Section 72 of Title 62 of the Oklahoma Statutes with the State Treasurer to secure said deposits. Investment limitations provided herein shall be determined as of the date of its making or acquisition. Any particular investment held by the Teachers' Retirement System on the effective date of this act, and which was a legal investment at the time it was made, and which the retirement system was legally entitled to possess immediately prior to such effective date, shall be deemed to be an eligible investment.

The retirement system shall also be authorized to hold nonpayable school district warrants received in payment of teachers' contributions as an investment. The Board of Trustees shall have full power by proper resolution to hold, purchase, sell, assign, exchange PAR FOR PAR, transfer and dispose of any of the securities and investments in which any of the funds created herein shall have been invested as well as the proceeds of said investments and any monies belonging to said fund.

The Board of Trustees shall cause, not to exceed one-half on one percent ( $\frac{1}{2}$ ) of 1%) of the annual interest earnings, to be deposited in a fund to be known as the "Reserve for Investment Fluctuations Fund" each year, until an amount equal



to one percent (1%) of the total investments has been accumulated in this fund.

(1) The Board of Trustees may avail themselves of professional investment counseling in determining the various investments which are made.

(2) The interest earned on the investments in the Teachers' Retirement System of Oklahoma shall be credited in the following manner:

(a) Money on deposit in the Teachers' Deposit Fund or Tax-sheltered Annuity Fund shall be credited with interest annually compounded.

(b) One-half of one percent ( $\frac{1}{2}$  of 1%) of the annual interest earned on investments shall be credited to the Investment Fluctuations Fund, not to exceed one percent (1%) of the total investments.

(c) There shall be deducted from the annual interest on investments an amount necessary for the amortization of bonds purchased and owned by the Teachers' Retirement System of Oklahoma.

(d) There shall be deducted from the annual interest on investments an amount of money necessary for the operation of the Teachers' Retirement System of Oklahoma as determined by the Board of Trustees.

(e) Any residue remaining in the interest Fund after the requirements of subsections (a), (b), (c) and (d) have been fully met shall be used for the purpose of paying retirement benefits to the retirees of the Teachers' Retirement System of Oklahoma and transferred to the Retirement Benefit Fund; the interest income for 1968-69 and each succeeding year thereafter shall be distributed to the various funds each month as the interest is collected.

(3) The State Treasurer shall be the custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by the two (2) persons designated by the Board of Trustees. A duly attested copy of a resolu-

tion of the Board of Trustees designating such persons and bearing on its face specimen signatures of such persons shall be filed with the State Treasurer as his authority for making payments upon such vouchers. No voucher shall be drawn unless it has previously been authorized by resolution of the Board of Trustees or included in the budget adopted by the Board.

SECTION 5. Section 8 of Chapter 157, O. S. L. 1969 (70 O. S. Supp. 1969, § 17-108), is amended to read as follows:

§ 17-108. The amount contributed by each **[classified]** member to the retirement system shall be five percent (5%) of the regular annual compensation paid each member up to an annual salary of Seven Thousand Eight Hundred Dollars (\$7,800.00), the amount not to exceed Three Hundred Ninety Dollars (\$390.00) per annum. **[The amount contributed by each nonclassified optional member to the retirement system shall be four percent (4%) of the regular annual compensation paid such type of member up to an annual salary of Seven Thousand Eight Hundred Dollars (\$7,800.00), the amount not to exceed Three Hundred Twelve Dollars (\$312.00).]** Each local school district, or state college or university, or State Board of Education or State Board of Vocational Education, or other state agencies whose employees are members of the Teachers' Retirement System shall match the contributions of **[classified members and non-classified optional]** members whose salaries are paid by Federal funds. The matching funds shall be remitted at the same time as the regular contributions of members are remitted to the Teachers' Retirement System of Oklahoma and deposited in the Retirement Benefit Fund

All the assets of the retirement system shall be credited according to the purpose for which they are held to one of nine funds, namely: The Teachers' Savings Fund, the Retirement Benefit Fund, the Interest Fund, the Permanent Retirement

ment Fund, the Expense Fund, the Suspense Fund, the Reserve for Investment Fluctuations Fund, the Teachers' Deposit Fund, and the Membership Annuity Reserve Fund.

(1) The Teachers' Savings Fund shall be a fund in which shall be accumulated the regular contributions from the compensation of members, including interest earnings prior to July 1, 1968. Contributions to and payments from the Teachers' Savings Fund shall be made as follows:

(a) Each employer shall cause to be deducted from the salary of each *[classified]* member on each and every payroll of such employer for each and every payroll period, five percent (5%) of his earnable compensation; provided, the sum of the deductions made for a member shall not exceed Three Hundred Ninety Dollars (\$390.00) during any one (1) year. *[Each employer shall cause to be deducted from the salary of each nonclassified optional employee on each and every payroll of such employer for each and every payroll period, four percent (4%) of his earnable compensation, provided, the sum of the deductions made for a member shall not exceed Three Hundred Twelve Dollars (\$312.00) during any one (1) year.]* Deductions shall begin with the first payroll period of the school year. In determining the amount earnable by a member in a payroll period, the Board of Trustees shall consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deductions from compensation for any period less than a full period, and to facilitate the making of deductions, it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one percent (1/10 of 1%) of the annual compensation upon the basis of which such deduction is to be made. It is further provided that one who became a member of the Teachers' Retirement System subsequent to July 1, 1943, may

pay his four percent (4%) contributions and membership fees to the retirement system for years of teaching in Oklahoma from the date of establishment of the system beginning in 1943 to the date of his membership, in a lump sum payment, or in individual payments each equal to one (1) year of regular contributions, with interest at five percent (5%) per annum from the date the contributions would have been due to the date of payment. Years for which contributions are paid shall count as membership service. A member may receive credit for not more than five (5) years of teaching service rendered in the public schools, state colleges or state universities outside this state subsequent to July 1, 1943, by paying his contributions and membership fees to the retirement system, subject to the regulations of the Board of Trustees, providing he is not receiving and is not eligible to receive retirement credit or benefits from said service in any other teachers' retirement system subject to the following provisions: 1. The member is required to have two (2) years of employed service teaching earned in Oklahoma for each year of out-of-state or military membership credit granted. 2. The out-of-state payment will be five percent (5%) on the basis of what his annual salary would have been in Oklahoma had he been employed as a teacher, with interest at five percent (5%) per annum from the date the contributions would have been due to the date of payment. 3. Any out-of-state prior service granted under Section *[4, (2), B., 1.]* 17-104 of this *[act]* TITLE shall be deducted from the five (5) years membership service.

In addition to the deductions hereinabove provided for, any member who becomes a member of the Armed Forces of the United States of America during any period of national emergency, including World War II, the Korean conflict or others as may be determined by the Board of Trustees, or whose entrance into

or training for the teaching profession was interrupted by his entrance into said Armed Forces, and who was or shall have become a member of the Teachers' Retirement System shall be granted the privilege of making up his five percent (5%) contributions and membership fees for not to exceed five (5) years of service in the Armed Forces of the United States subsequent to July 1, 1943, by electing to pay said contributions and membership fees by the time he reaches the age of sixty-five (65), on the basis of the rate of pay in his contract as a teacher at the time his service in the Armed Forces commenced or in the case of a teacher who was not teaching prior to entering the Armed Forces, on the basis of the salary of the first year of teaching after being honorably discharged from the Armed Forces. Such contributions shall be credited in the regular manner, and the period for which said contributions were paid shall be counted as creditable years of service.

(b) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for in this act for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and payment of salary or compensation, less said deduction, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this act. The employer shall certify to the Board of Trustees on each and every payroll, or in such other manner as said Board may prescribe, the amounts to be deducted, and each of said amounts shall be deducted, and when deducted shall be paid into said Teachers' Savings Fund, and shall be credited to the individual account of the member from whose compensation said deduction was made.

(c) Following the termination of mem-

bership in the retirement system for any member who has been absent from service for five (5) years in any period of six (6) consecutive years, the Teachers' Savings Fund Account of such member shall be closed and the amount due the member as provided in Section [5] 17-105 of this [act] TITLE shall be paid upon the filing of formal application. At the time such membership is terminated the amount due the member as provided in said Section [5] 17-105 shall be transferred to the Suspense Fund.

(d) Upon the retirement of a member an amount sufficient to pay his annuity benefit for a two-year period shall be transferred from the Teachers' Savings Fund to the Retirement Benefit Fund; an amount sufficient to pay his annuity benefit for one (1) year shall be transferred each succeeding year thereafter. Should a member who has retired under Option 1 die, the balance of money he had in Teachers' Savings Fund shall be transferred to the Retirement Benefit Fund for payment to his beneficiary or estate.

#### (2) Retirement Benefit Fund.

(a) After the effective date of this act there shall be transferred from the Teachers' Savings Fund and the Membership Annuity Reserve Fund for those members drawing retirement benefits from the Teachers' Retirement System of Oklahoma an amount necessary to provide the monthly annuity payments and pension payments. In addition the Fund shall consist of monies received from any state dedicated revenue, monies received from state appropriations, monies received from Federal matching funds, and the residue of the interest on investments after the requirements of Section [7] 17-107 OF THIS TITLE have been fully met. The Retirement Benefit Fund shall consist of an amount of money necessary for the making of retirement payments to retirees.

Should a member have deposits in the Teachers' Deposit Fund or the Tax-Sheltered Annuity Fund and wish to receive



monthly retirement benefits on such deposits, the actuarial equivalent of a two-year period and each succeeding fiscal year thereafter shall be transferred to the Retirement Benefit Fund. The member may choose any of the plans available in the Teachers' Retirement Act as a method of receiving monthly retirement benefits on the money he has on deposit in the Teachers' Deposit Fund or the Tax-Sheltered Annuity Fund. The monthly retirement benefits paid from the Teachers' Deposit Fund or the Tax-Sheltered Annuity Fund shall be in addition to the regular retirement benefits and the money transferred from the Teachers' Deposit Fund or Tax-Sheltered Annuity Fund shall not be matched by the State of Oklahoma.

(b) From the Retirement Benefit Fund shall be paid all monthly retirement benefits.

(c) At the death of a retired member who has retired under the Maximum Plan of Retirement, Option 1 or Option 4a, the balance of money the member has in the Teachers' Savings Fund shall be transferred to the Retirement Benefit Fund and the amount due the beneficiary or his estate under Option 1 or Option 4a shall be paid from the Retirement Benefit Fund.

(d) At the death of both a retired member and the retired member's spouse, who had retired under Option 2 or 3, any balance in the Teachers' Savings Fund shall be transferred from the Teachers, Savings Fund to the Retirement Benefit Fund.

(e) At the death of a retired member who had retired under Option 5, the balance of any monies the member had in the Teachers' Savings Fund shall be transferred to the Retirement Benefit Fund for the purpose of making a lump-sum settlement to the beneficiary or his estate. Providing that if the surviving spouse elects to receive the balance under the Maximum Plan of Retirement or Option 1 the member's money, if any, on a monthly basis,

constituting actuarial equivalent of two (2) years' payments, and each year thereafter the annual actuarial equivalent, shall be transferred from the Teachers' Savings Fund for the purpose of paying monthly retirement benefits to the spouse under this option.

(3) The Interest Fund is hereby created to facilitate the crediting of interest to the various other funds to which interest is to be credited. All income, interest and dividends derived from the deposits and investments authorized by this act shall be paid into the Interest Fund. On June 30, each year, interest shall be transferred to the other funds as herein provided.

(4) The Permanent Retirement Fund shall consist of the accumulated gifts, awards, and bequests made to the retirement system, and transfers from the Suspense Fund, the principal of which is hereby held and dedicated as a perpetual endowment of the retirement system and shall not be diverted or appropriated to any other cause or purpose unless specifically provided for in such gifts, award or bequest.

(5) The Expense Fund shall be the Fund from which the expense of administration and maintenance of the retirement system shall be paid. The Board of Trustees shall cause to be prepared and adopt annually an itemized budget showing the amount required to defray the expense for the ensuing fiscal year.

(a) Transfers to and payments from this Fund shall be made as follows:

1. From the Interest Fund.
2. From any Dedicated Revenue.
3. From appropriation by the Oklahoma Legislature.
4. All monies for the operation of the Teachers' Retirement System of Oklahoma shall be paid from the Expense Fund upon the approval by the Board of Trustees and the checks signed by two (2) people designated to sign such checks

by the Board of Trustees of the Teachers' Retirement System of Oklahoma.

(6) The Suspense Fund shall be comprised of amounts transferred to the Fund as provided in Section [8] 17-108 and [5] 17-105 of the [act] TITLE and obligations of the retirement system to any member or person which cannot be legally discharged.

(7) The Reserve for Investment Fluctuations Fund shall be the fund in which one-half of one percent ( $\frac{1}{2}$  of 1%) of the interest earnings shall be deposited each year until an amount equal to one percent (1%) of the total investments shall be accumulated, and such fund shall thereafter be maintained at such level. Upon proper resolution by the Board of Trustees transfers may be made from this fund to reimburse the investment account of other funds wherein a deficit shall have accrued.

#### (8) Teachers' Savings Fund.

(a) Any member may make additional direct deposits or request prior to the first pay period of the current school year that his employer make additional deposits for him, for tax-sheltered annuity purposes. Provided, the amount deposited does not exceed the employees "Exclusion Allowance" the employee is permitted by the Federal Internal Revenue Code, which shall be credited to the member's account in the Teachers' Deposit Fund for the purchase of a Tax-Sheltered Annuity. The amount thus accumulated, or any portion thereof, with interest at a rate fixed by the Board of Trustees, not to exceed the rate of interest earned, may be used: 1. as a deposit in the Retirement Benefit Fund for the purpose of providing an annuity in addition to his regular service retirement allowance at the time of retirement; 2. a member may withdraw any part or all of the money he has in the Teachers' Deposit Fund with all or any part of the interest at the last interest paying date. Providing that any teacher who has been a member of a retirement

system of another state, upon becoming a member of the Teachers' Retirement System of Oklahoma, may deposit in this Fund all or part of the accumulated contributions received by him upon his withdrawal from the said retirement system.

(b) The additional annuity provided from said deposits shall not be matched by the employer. Such deposits, together with interest, may be refunded to the member at retirement or to his beneficiary or estate in the event of death of the member prior to retirement. Such deposits shall also be refunded in the event of the withdrawal of the accumulated contributions of the member prior to retirement.

(9) The Membership Annuity Reserve Fund is composed of teachers' contributions and state matching funds for those members who retired before August 2, 1968. From this fund there shall be transferred the actuarial equivalent necessary to pay retirement benefits for a period of two (2) years and thereafter the actuarial equivalent necessary to pay retirement benefits for one (1) succeeding year.

#### (10) Collection of Contributions.

(a) The collection of members' contributions shall be as follows:

1. Each employer shall cause to be deducted on each and every payroll or claim of a member for each and every payroll claim period subsequent to the date of establishment of the retirement system the contribution payable by such member as provided in this act. With each and every payroll or claim the employer shall deliver to the treasurer of said employer, warrants issued to the employees as shown to be due by said payroll or claim, together with a warrant or warrants in favor of the Teachers' Retirement System as shown by said payroll or claim.

2. The treasurer or disbursing officer upon delivery of the warrants and a true copy of the payroll or claims as provided above shall register said warrants as provided for the registration of other school warrants, and shall deliver to the employ-

er warrants issued in favor of the employees, and shall deliver warrants issued in favor of the Teachers' Retirement System and the copy of the payroll or claims, to the county or city superintendent as designated by the Board of Trustees. For the purpose of collecting contributions of teachers in the public schools the county superintendent or superintendent of an independent district is hereby designated to receive the Teachers' Retirement warrants from the treasurer or proper disbursing office of the several school districts for the purpose of transmitting such warrants and payroll or claims to the Executive Secretary of the Teachers' Retirement System of the State of Oklahoma. Any college or university or other educational institution or agency operated in whole or in part by the state shall have the amount retained or deducted from the funds regularly appropriated by the state for the current maintenance for such educational departments and institutions.

3. For the purpose of enabling the collection of the contributions of the members of the retirement system to be made as simple as possible, the Board of Trustees shall require the secretary or other officer of each employer-board or agency, within thirty (30) days after the beginning of each school year, to make a list of all teachers in its employ who are members of the retirement system, certify to the correctness of this list, and file the same with the Executive Secretary of the Board of Trustees of the Teachers' Retirement System. If additions to or deductions from this list should be made during the year such additions or deductions shall likewise be certified to the Board of Trustees of the Teachers' Retirement System.

4. The State Treasurer shall furnish annually to the Board of Trustees a sworn statement of the amount of the funds in his custody belonging to the retirement system. The records of the Board of Trustees shall be open to public inspection and any member of the retirement system

shall be furnished with a statement of the amount of the credit to his individual account upon written request by such member, provided the Board of Trustees shall not be required to answer more than one such request of a member in any one (1) year.

5. Failure of any superintendent, officer, or other person to discharge the duties imposed upon him by this act shall render him or his bondsman liable for any loss occasioned thereby to the Teachers' Retirement System or the employees of the school district, or both.

6. On a showing by the Teachers' Retirement System that a warrant, voucher or check issued to it has, for any reason, been lost or never received, after ninety (90) days from the date of issue or from transmittal for payment, it shall be the duty of the issuing authority forthwith, without any indemnifying bond or other requirements, to issue a duplicate thereof in lieu of that which was lost, to the Teachers' Retirement System; and the Teachers' Retirement System shall save harmless any school district or agency of state government making payment under the provisions hereof to the State Teachers' Retirement System and if the original warrant, voucher or check is later presented for payment and same is paid after a duplicate warrant, voucher or check has been issued and paid to the Teachers' Retirement System, and any loss sustained therefrom shall be charged to the Interest Fund.

SECTION 6. The provisions of this act shall become operative August 2, 1970.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Terrill, Hamilton, Massey, Short, Baldwin.



FOR THE HOUSE: Odom (Martin), Abbott, Allard, Willis, Musgrave.

#### PENDING SENATE ACTION

**HCR 1064** by Hutchens, et al, of the House and Field of the Senate was called up for consideration, read at length and adopted upon motion of Senator Field upon a roll call as follows:

Aye: Atkinson, Baggett, Crow, Field, Garrett, Garrison, Horn, Lane, Luton, Massey, Miller, Phillips, Smith, Taliaferro, Terrill, Williams.—16.

Nay: Baldwin, Breckinridge, Ferrell, Grantham, Hamilton, McCune, McGraw, Romang, Short, Smalley, Stipe, Young.—12.

Excused: Berrong, Birdsong, Boecher, Bradley, Dacus, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Keels, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Porter, Stansberry.—20.

**HCR 1064** was properly signed and ordered returned to the Honorable House.

**HCR 1060** by Cox, et al, of the House and Ferrell and Baggett of the Senate was called up for consideration.

Senator Short asked to be made a co-author of **HCR 1060**, which was the order.

**HCR 1060**, as coauthored, was read at length, and adopted upon motion of Senator Ferrell.

**HCR 1060** was properly signed and ordered returned to the Honorable House.

**SCR 77** by Massey was called up for consideration and read.

Senator Smalley asked to be made a co-author of **SCR 77**, which was the order.

**SCR 77**, as coauthored, was read at length, adopted upon motion of Senator Massey and ordered referred for engrossment.

**SCR 83** by Phillips and Smith of the Senate and Finch, et al, of the House was called up for consideration, read at length, adopted upon motion of President Pro Tempore Smith and ordered referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1590**, requesting Conference and naming Conferees as follows: Allard, Abbott, Clemons, Tabor and Ford.

Senator Terrill moved that the request of the Honorable House for a Conference on **HB 1590** be granted, which motion was declared adopted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1590**: Terrill, Howard, Hamilton, Miller and Baggett.

Senator Terrill moved when the Clerk's desk is clear, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was declared adopted.

The desk being clear, the Senate was declared adjourned until 10:00 a.m., tomorrow.

## Fifty-first Legislative Day

Thursday, April 2, 1970

Pursuant to adjournment, the Senate was called to order by Senator Grantham, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—38.

Excused: Bradley, Crow, Hamilton, Hargrave, Inhofe, Lane, Payne, Porter, Stansberry, Stipe.—10.

The Presiding Officer declared a quorum present.

The Journal for the last legislative day was declared approved.

The following prayer was offered by the Permanent Senate Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Smalley:

O God, we have not the Courage to ask for, nor do we deserve great gifts. But we do ask for small favors. Give us the patience to smile even when all is not well, the faith to accept our neighbor as brother even if we don't like him, the willingness to consider another point of view, even if we are sure it is wrong.

Give us the courage to stand for what we believe in the face of a flood of contrary opinions, yet the openness to con-

sider and test our own position. Give us the strength of knowing we can know and do right, yet the humility to know we can be wrong.

We do not dare ask for the faith to remove mountains, but for the strength to yield a shovel. We do not ask for the wisdom to see far into the future, but the grace to see Your will for us today, Through Christ Our Lord. Amen.

### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SBs 281, 557, 560 and 601, and naming House Conferees as follows:

**SB 281:** Derryberry, Finch, Greenhaw.

**SB 557:** McCune, Connor, Sparkman.

**SB 560:** Hesser, Miskelly, Hopkins.

**SB 601:** Willis, Sparkman, Rogers.

### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed SBs 413, 416, 417, 425, 432 and 437.

The above numbered Bills as amended in Conference were referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 553-coauthored by Payne, Wixson, Nance, Trent, Hutchens, Gooden and Bernard; SB 599-coauthored by Sullivan; SB 641-coauthored by York, each as amended.

**HAs to SB 553** read as follows, and consideration deferred:

Amendment No. 1. Amend by striking the Title and insert in lieu thereof the following:

"An Act relating to oil and gas; amending Sections 1 and 2, Chapter 191, O. S. L. 1965 (52 O. S. Supp. 1969, § § 309 and 310); providing for plugging, replugging, or repairing of abandoned wells drilled for the exploration, development, or production of oil or gas, or as injection or salt water disposal wells; defining the rights, authority and responsibility of the Corporation Commission and of the persons plugging, replugging or repairing such wells under the authority and direction of the Corporation Commission; providing for contracts to be let on competitive bids when Corporation Commission undertakes such remedial work; providing for the furnishing of bonds by persons drilling or operating wells for oil or gas or as injection or disposal wells and prescribing conditions thereof; directing codification; setting an effective date; and declaring an emergency."

Amendment No. 2. Amend Page 2, Section 4, Line 36, by inserting after the words "SECTION 4.", the following: "After January 1, 1971," and lower case "Any".

Amendment No. 3. Amend Page 3, Section 4, Line 21, by striking the words "corporate surety".

Amendment No. 4. Amend Page 3, Section 4, Lines 25, 26 and 27, by striking the following language after the word "Fund.": "Upon reasonable proof satisfactory to the Commission that a person is unable to obtain a corporate surety bond herein required," and upper case "The".

Amendment No. 5. Amend Page 3, Section 4, Line 27, by striking the word "thereof" and inserting: "of a corporate surety bond".

Amendment No. 6. Amend Page 3, Section 4, Line 28, by adding after the word "cash", the words, ", certificates of deposit."

Amendment No. 7. Amend Page 4, Section 6, Line 6, by deleting the entire Section 6 and inserting in lieu thereof the Emergency Clause, as follows:

"It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HA to SB 599** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 3, Lines 10, 11, 12 and 13, by striking all of "SECTION 4".

Amend Title to conform.

**HAs to SB 641** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 21, by inserting a new Section 2 as follows:

"SECTION 2. State Representative District Number Eighty-two shall comprise the following area:

District No. 82. That part of Oklahoma County beginning at the intersection of May Avenue and Northwest One Hundred Eighth Street; thence North along the center line of May Avenue to the half-section line which runs East to West through Section 24, Township 14 North, Range 4 West; thence West along the said half-section line to the half-section line running North to South through Section 24, Township 14 North, Range 4 West; thence South along said half-section line to Northwest One Hundred Ninety-second Street; thence West along the center line of said Northwest One Hundred Ninety-second Street to the half-section line which runs North to South through Sections 26 and 35, Township 14 North, Range 4 West; thence South along the said half-section line to Northwest One Hundred Sixty-fourth Street; thence West along Northwest One Hundred Sixty-fourth Street to the West boundary line of Oklahoma County; thence South to U. S. Highway 66; thence East along the center line of U. S. Highway 66 to Eagle Lane; thence South along the



center line of Eagle Lane to Northwest Thirty-second Street; thence East along the center line of Northwest Thirty-second Street to Council Road; thence North along the center line of Council Road to Northwest Thirty-sixth Street; thence East on Northwest Thirty-sixth Street to Peniel; thence South along the center line of Peniel to Northwest Thirty-fourth Street; thence East along the center line of Northwest Thirty-fourth Street to Hammond; thence South along the center line of Hammond to Northwest Thirty-third Street; thence East along the center line of Northwest Thirty-third Street to MacArthur; thence North along the center line of MacArthur to Northwest Thirty-sixth Street; thence East along the center line of Northwest Thirty-sixth Street to Ann Arbor; thence North along the center line of Ann Arbor to Northwest Forty-second Street; thence East along the center line of Northwest Forty-second Street to Meridian; thence North along the center line of Meridian to Northwest Forty-fifth Street; thence East along the center line of Northwest Forty-fifth Street to Tulsa; thence North along the center line of Tulsa to Northwest Fifty-fifth Street; thence East along the center line of Northwest Fifty-fifth Street to Portland; thence North along the center line of Portland to Northwest Sixty-third Street; thence East along the center line of Northwest Sixty-third Street to May; thence North along the center line of May to Wilshire Boulevard; thence West along the center line of Wilshire Boulevard to the half-section line running South and North along the East side of Lake Hefner; thence North on said half-section line to Britton Road; thence West on Britton Road to Guilford; thence North along the West boundary line of the Village to Northwest One Hundred Eighth Street; thence East to May Avenue, the point of beginning.

Amendment No. 2. Amend Page 1, Line 23 by inserting a new Section 3 as follows:

"SECTION 3. State Representative Dis-

trict Number Eighty-four shall comprise the following area:

District No. 84. That part of Oklahoma County beginning at the intersection of the West boundary line of Oklahoma County to U. S. Highway 66; thence East along the center line of U. S. Highway 66 to Eagle Lane; thence South along the center line of Eagle Lane to Northwest Thirty-second Street; thence East along the center line of Northwest Thirty-second Street to Council Road; thence North along the center line of Council Road to Northwest Thirty-sixth Street; thence East on Northwest Thirty-sixth Street to Peniel; thence South along the center line of Peniel to Northwest Thirty-fourth Street; thence East along the center line of Northwest Thirty-fourth Street to Hammond; thence South along the center line of Hammond to Northwest Thirty-third Street; thence East along the center line of Northwest Thirty-third Street to MacArthur; thence North along the center line of MacArthur to Northwest Thirty-sixth Street; thence East along the center line of Northwest Thirty-sixth Street to Ann Arbor; thence North along the center line of Ann Arbor to Northwest Forty-second Street; thence East along the center line of Northwest Forty-second Street to Meridian; thence North along the center line of Meridian to Northwest Forty-fifth Street; thence East along the center line of Northwest Forty-fifth Street to Tulsa; thence South along the center line of Tulsa as extended to Northwest Twentieth Street; thence East along the center line of Northwest Twentieth Street to Portland; thence South along the center line of Portland to Northwest Thirteenth; thence East along the center line of Northwest Thirteenth Street to May; thence South along the center line of May to Reno; thence West along the center line of Reno to the West boundary line of Oklahoma County; thence North on the West boundary line of Oklahoma County to U. S. Highway 66, the point of beginning."

Amendment No. 3. Amend by renum-

bering "Section 2" as "Section 4", and renumbering "Section 3" as "Section 5".

Amendment No. 4. Amend the Title to read as follows:

"An Act relating to Legislative Districts; defining area to be included in Representative Districts Number Twelve, Eighty-two and Eighty-four; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

### CITATIONS

Upon motion of Senator Williams, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the City of Woodward upon being awarded second place in its division at the 10th Annual Community Achievement Awards presentation.

Upon motion of Senator Martin, pursuant to Rule 8-b, a Citation of Condolence was ordered issued to the Family of Herbert G. Poe, Ardmore, Oklahoma.

Upon motion of Senator McCune, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Juanita Millsap, R. N. from the Oklahoma Baptist University School of Nursing for serving as Nurse of the Day on April 2, 1970.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1653, 1762, 1766, 1777 and 1790** each correctly engrossed.

**SBs 367, 388, 399, 400, 520, 536 and 551** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1653, 1762, 1766, 1777 and 1790**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 367, 388, 399, 400, 520, 536 and 551** were each, after fourth read-

ing, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### SECOND READING

The following Bill was read for the second time: **HB 1214**.

Senator Terrill asked unanimous consent, which was granted, that **HB 1214** be ordered printed and placed upon the Calendar, without reference to a Committee.

### MOTION

Senator Luton moved that **SB 556**, be recalled from the Engrossing and Enrolling Department for the purpose of attaching the Emergency Section thereto, which motion was declared adopted.

### MOTION TO RECONSIDER VOTE

Senator Smalley asked for an extension of one day for consideration of his motion to reconsider the vote by which **HB 1568**, as amended in Conference, passed; and, the vote by which the Emergency Section thereto passed, which was the order.

### PENDING CONSIDERATION OF HAS

Upon motion of Senator McSpadden, the Senate concurred in **HA** to Engrossed **SB 632**.

**SB 632**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-  
rong, Birdsong, Boecher, Dacus, Ferrell,  
Field, Grantham, Graves, Ham, Holden,  
Horn, Howard, Keels, Luton, McCune, Mc-  
Spadden, Martin, Massey, Medearis, Mil-  
ler, Murphy, Nichols, Phillips, Romang,  
Short, Smalley, Smith, Taliaferro, Terrill,  
Williams, Young.—34.

Excused: Bradley, Breckinridge, Crow,  
Garrett, Garrison, Hamilton, Hargrave,

Inhofe, Lane, McGraw, Payne, Porter, Stansberry, Stipe.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Dacus, Ferrell, Field, Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Excused: Bradley, Breckinridge, Crow, Garrett, Garrison, Hamilton, Hargrave, Inhofe, Lane, McGraw, Payne, Porter, Stansberry, Stipe.—14.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Luton, the Senate concurred in **HA** to Engrossed **SB 513**.

**SB 513**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Nichols, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—33.

Excused: Berrong, Bradley, Crow, Garrett, Hamilton, Hargrave, Inhofe, Lane, Massey, Miller, Murphy, Payne, Porter, Stansberry, Stipe.—15.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrison, Grantham, Graves,

Ham, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Nichols, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—33.

Excused: Berrong, Bradley, Crow, Garrett, Hamilton, Hargrave, Inhofe, Lane, Massey, Miller, Murphy, Payne, Porter, Stansberry, Stipe.—15.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senators Payne, Hamilton, Stipe, Lane and Crow asked to be shown present, which was the order.

Upon motion of Senator Ferrell, the Senate concurred in **HA** to Engrossed **SJR 22**.

**SJR 22**, as amended by the Honorable House, was read at length.

On question of passage of Resolution as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Baldwin, Lane, Medearis.—3.

Excused: Berrong, Bradley, Garrett, Garrison, Hargrave, Horn, Inhofe, Massey, Nichols, Porter, Smalley, Stansberry.—12.

The Resolution, as amended, was declared passed.

House Amendment was properly signed and above numbered Resolution, as amended, was referred for enrollment.

## BILL RETURNED

**SB 556** having been returned by Engrossing and Enrolling Department, Senator Luton asked that the roll be called on the Emergency Section.



On the question of passage of Emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Breckinridge, Crow, Dacus, Ferrell, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—32.

Nay: Atkinson, Boecher, Field, Graves, Medearis, Payne, Young.—7.

Excused: Berrong, Bradley, Garrett, Hargrave, Inhofe, Lane, Massey, Porter, Stansberry.—9.

**SB 556**, as amended, was referred for enrollment.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Smalley, the Senate concurred in **HA** to Engrossed **SJR 53**.

**SJR 53**, as amended by the Honorable House, was read at length. On question of passage of Resolution, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smalley, Stipe, Terrill, Williams, Young.—32.

Excused: Baggett, Birdsong, Bradley, Garrett, Hargrave, Holden, Inhofe, Lane, Martin, Massey, Murphy, Porter, Short, Smith, Stansberry, Taliaferro.—16.

The Resolution, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Nichols, Payne, Phil-

lips, Romang, Smalley, Stipe, Terrill, Williams, Young.—32.

Excused: Baggett, Birdsong, Bradley, Garrett, Hargrave, Holden, Inhofe, Lane, Martin, Massey, Murphy, Porter, Short, Smith, Stansberry, Taliaferro.—16.

The emergency was declared passed.

House Amendment was properly signed and above numbered Resolution, as amended, was referred for enrollment.

Senator Smalley presiding.

#### THIRD READING

Upon motion of Senator Garrett, **SB 591** was stricken from the Calendar.

#### GENERAL ORDER

**HB 1591** by Bradley, et al, of the House and Crow of the Senate was considered further.

Senator Breckinridge, as a substitute for his amendment to **HB 1591**, page 2, line 9, submitted on March 19, 1970, and appearing upon page 564 of the Journal, moved to amend **HB 1591**, page 2, beginning on line 6 after the word "act" and before the word "no" by inserting the words "except that" and on line 7, after the word "statute" by striking the language "except in counties having a population in excess of 100,000 according to the last federal decennial census"

Senator Baggett moved to table the Breckinridge amendment, which motion was declared failed of adoption.

The vote occurring upon the Breckinridge amendment, it was declared adopted upon a roll call as follows:

Aye: Baldwin, Breckinridge, Crow, Ferrell, Garrison, Holden, Howard, Keels, McSpadden, Massey, Miller, Nichols, Phillips, Romang, Short, Smith, Taliaferro, Young.—18.

Nay: Atkinson, Baggett, Berrong, Birdsong, Boecher, Dacus, Field, Grantham, Graves, Ham, Horn, McCune, McGraw, Martin, Murphy, Williams.—16.

Excused: Bradley, Garrett, Hamilton, Hargrave, Inhofe, Lane, Luton, Medearis,

Payne, Porter, Smalley, Stansberry, Stipe, Terrill.—14.

Upon motion of Senator Crow, **HB 1591** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **HB 1591** was placed upon third reading and final passage.

### THIRD READING

**HB 1591** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Hamilton, Horn, Howard, Keels, McSpadden, Massey, Miller, Nichols, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—26.

Nay: Baggett, Ferrell, Grantham, Graves, Ham, Holden, McCune, McGraw, Martin, Murphy, Payne, Phillips.—12.

Excused: Bradley, Hargrave, Inhofe, Lane, Luton, Medearis, Porter, Smalley, Stansberry, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Miller, Nichols, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Nay: Ferrell, Graves, McCune, McGraw, Martin, Murphy, Payne, Phillips.—8.

Excused: Bradley, Hargrave, Inhofe, Massey, Medearis, Porter, Smith, Stansberry.—8.

The emergency was declared passed.

**HB 1591** was properly signed and ordered returned to Honorable House.

Senator Grantham presiding.

### GENERAL ORDER

**HB 1726** by York, et al, of the House

and Keels of the Senate was read and considered.

Senators Payne, Lane and Crow asked to be made coauthors of **HB 1726**, which was the order.

Upon motion of Senator Keels, **HB 1726** was advanced to engrossment.

By unanimous consent, upon request of Senator Keels, **HB 1726** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1726** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baggett, Bradley, Ham, Hargrave, Inhofe, Luton, Massey, Medearis, Porter, Smith, Stansberry, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baggett, Bradley, Ham, Hargrave, Inhofe, Luton, Massey, Medearis, Porter, Smith, Stansberry, Stipe.—12.

The emergency was declared passed.

**HB 1726**, as amended, was referred for engrossment.

**PENDING CONSIDERATION OF HAS**

Upon motion of Senator Smalley, the Senate concurred in **HA** to **SB 401**.

**SB 401**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Hamilton, Horn, Me-dearis, Young.—5.

Excused: Baggett, Bradley, Crow, Hargrave, Inhofe, Luton, Massey, Porter, Smith, Stansberry.—10.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Hamilton, Horn, Me-dearis, Young.—5.

Excused: Baggett, Bradley, Crow, Hargrave, Inhofe, Luton, Massey, Porter, Smith, Stansberry.—10.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Smalley presiding.

Senator Stansberry asked to be shown present, which was the order.

**REPORT OF ENGROSSED AND ENROLLED BILLS**

**SCRs 77** and **83** and **HBs 1517, 1767** and **HJR 1053** each correctly engrossed.

**SB 556** correctly enrolled.

Engrossed **SCRs 77** and **83** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HBs 1517, 1767** and **HJR 1053**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 556** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1548, 1658, 1775** and **1808**, as amended.

**MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCRs 1060** and **1064**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1551, 1581, 1630** and **1696**.

The above numbered Enrolled Bills, were after fourth reading, properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1752** by Smith (Norman) of the House and Grantham of the Senate was read and considered.

Senator Romang moved to amend **HB 1752**, page 2, line 3, by striking the word "benefits" and substituting therefor the word "services" which amendment was declared adopted.

Senator Romang moved to amend **HB 1752**, page 3, line 5, by striking the period



(.) after the word "only" and adding a comma (,) and the language "nor to single payment contracts costing less than Fifty Dollars (\$50.00)" which amendment was tabled upon motion of Senator Grantham, upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Crow, Dacus, Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, McGraw, McSpadden, Martin, Massey, Nichols, Payne, Phillips, Smalley, Stipe, Williams.—24.

Nay: Baggett, Breckinridge, Ferrell, Garrett, Garrison, Howard, Luton, McCune, Medearis, Miller, Romang, Short, Stansberry, Taliaferro, Terrill, Young.—16.

Excused: Baldwin, Boecher, Bradley, Hargrave, Inhofe, Murphy, Porter, Smith.—8.

Senator Young moved to amend **HB 1752**, page 4, line 2, by inserting after the word "costs" and before the word "in" the words "to the funeral director" which amendment was tabled upon motion of Senator Grantham, upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Crow, Dacus, Field, Grantham, Graves, Ham, Hamilton, Holden, Horn, Keels, Lane, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Short, Smalley, Williams.—27.

Nay: Boecher, Ferrell, Garrett, Garrison, Howard, Medearis, Miller, Romang, Smith, Stansberry, Taliaferro, Terrill, Young.—13.

Excused: Baldwin, Bradley, Hargrave, Inhofe, Luton, Massey, Porter, Stipe.—8.

Senator Young moved to amend **HB 1752**, page 4, line 2, by adding after the word "funeral" and before the period (.) the language "and all charges made by the funeral director in performing said funeral" which amendment was declared adopted.

Senator Terrill moved that the Senate stand recessed until 1:10 p.m., which motion was declared adopted.

At 1:10 p.m., the Senate reassembled with Senator Smalley presiding.

Senator Terrill raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

**HB 1752** was considered further.

Senator Short moved to amend **HB 1752**, page 4, line 2, by striking after the word "costs" and substituting therefor the word "charges" which amendment was declared adopted.

Senator Stipe moved to amend **HB 1752**, page 8, line 13½, by inserting a new Section to read as follows: "Section 7. Any organization subject to the terms of this Act or any licensed funeral director, personally or through the act of a representative or employee shall, when offering caskets or other merchandise for sale, prominently display thereon the fixed wholesale cost of said item and such cost price shall not be removed therefrom or changed" and by renumbering succeeding sections accordingly.

Senator Grantham moved to table the Stipe amendment, which motion was declared failed of adoption, upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Crow, Dacus, Field, Grantham, Graves, Ham, Keels, Luton, McCune, McGraw, Martin, Nichols, Short, Smalley, Williams.—18.

Nay: Baggett, Boecher, Garrett, Garrison, Hamilton, Holden, Horn, Howard, Lane, McSpadden, Massey, Miller, Murphy, Payne, Romang, Stansberry, Stipe, Taliaferro, Young.—19.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Hargrave, Inhofe, Medearis, Phillips, Porter, Smith, Terrill.—11.

Senator Baggett moved to amend the Stipe amendment by striking the word "fixed wholesale cost" and substituting therefor the language manufacturer's suggested retail price" which amendment was declared adopted.

The vote occurring upon the Stipe amend-

ment as amended, it was declared adopted upon a roll call as follows:

Aye: Baggett, Boecher, Crow, Garrett, Garrison, Holden, Horn, Lane, McCune, McGraw, McSpadden, Massey, Murphy, Payne, Romang, Short, Stansberry, Stipe, Taliaferro, Terrill, Young.—21.

Nay: Atkinson, Berrong, Birdsong, Dacus, Field, Grantham, Graves, Ham, Hamilton, Howard, Keels, Luton, Martin, Miller, Nichols, Smalley, Williams.—17.

Excused: Baldwin, Bradley, Breckinridge, Ferrell, Hargrave, Inhofe, Medearis, Phillips, Porter, Smith.—10.

President Pro Tempore Smith presiding.

Senator Garrison moved to amend **HB 1752**, page 12, line 5, by adding after the word "assignment" and before the word "over" the word "of" which amendment was declared adopted.

Senator Garrett moved to amend **HB 1752**, page 11, line 14, by inserting a new Section 10 to read as follows: "Section 10. Any person who deals with the disposal of or burial of deceased persons who willfully misquotes requirements of state law regarding such shall be guilty of a misdemeanor" which amendment was declared adopted.

Upon motion of Senator Grantham, **HB 1752**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1752**, as amended was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1752** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols,

Payne, Short, Smalley, Stansberry, Stipe, Williams, Young.—34.

Nay: Garrett, Hamilton, Howard, Romang, Taliaferro, Terrill.—6.

Excused: Baldwin, Bradley, Hargrave, Inhofe, Medearis, Phillips, Porter, Smith.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Short, Smalley, Stansberry, Stipe, Williams, Young.—34.

Nay: Garrett, Hamilton, Howard, Romang, Taliaferro, Terrill.—6.

Excused: Baldwin, Bradley, Hargrave, Inhofe, Medearis, Phillips, Porter, Smith.—8.

The emergency was declared passed.

**HB 1752**, as amended, was referred for engrossment.

Senator Hamilton presiding.

### PENDING CONSIDERATION OF HAS

Senator Martin moved that the Senate refuse to concur in **HAs** to **SB 133** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 133**: Martin, Birdsong and Smalley.

### PENDING SENATE ACTION

Senator Terrill moved that the request of the Honorable House for conferences on **HBs 1547** and **1780** be granted, said Bills to be referred to the General Con-

ference Committee on Appropriations, which motion was declared adopted.

Upon motion of Senator Nichols, the request of the Honorable House for a conference on **HB 1612** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1612**: Smith, Atkinson and Hamilton.

### PENDING SENATE ACTION

Senator McSpadden moved that the request of the Honorable House for a conference on **HB 1579** be granted, said Bill to be referred to the General Conference Committee on Appropriations, which motion was declared adopted.

President Pro Tempore Smith presiding.

### PENDING CONSIDERATION OF CCR

Upon motion of Senator McSpadden, the 2nd Conference Committee Report on **SB 414** was declared adopted.

**SB 414**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Bradley, Garrett, Hargrave, Inhofe, Luton, Massey, Medearis, Phillips, Porter.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—38.

Excused: Baldwin, Bradley, Garrett, Hargrave, Inhofe, Luton, Massey, Medearis, Phillips, Porter.—10.

The emergency was declared passed.

**SB 414**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

### THIRD READING

Senator Garrett asked unanimous consent that **SB 591** be stricken from the Calendar, which was the order.

### GENERAL ORDER

**HB 1361** by Abbott, et al, of the House and Miller of the Senate was read and considered.

Senator Baggett asked to be made a coauthor of **HB 1361**, which was the order.

Senator Berrong moved to amend **HB 1361**, page 2, line 2, by adding after the word "furnished" and before the word "one" the sentence "The required audit shall adhere to standards set by the State Examiner and Inspector" which amendment was declared adopted.

Upon motion of Senator Miller, **HB 1361**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Miller, **HB 1361**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1361** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:



Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Bradley, Hargrave, Inhofe, McSpadden, Massey, Medearis, Phillips, Porter.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baldwin, Bradley, Hargrave, Inhofe, McSpadden, Massey, Medearis, Phillips, Porter.—9.

The emergency was declared passed.

**HB 1361**, as amended, was referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 367, 388, 399, 400, 520, 536, 551 and 556**.

The above numbered bills were referred to the Governor.

#### CONFERENCE COMMITTEE REPORT

The following **CCR on SB 281** was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

The Conference Committee, to which was referred **SB 281**—By Luton, Payne, Phillips and Atkinson, entitled: An Act relating to employment Security; \*\*\* and declaring an

emergency, together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

The House Conferees recede from Amendment No. 1.

The Senate Conferees concur in Amendments No. 2, No. 3, and No. 4.

FOR THE SENATE: Stipe, Birdsong, Luton.

FOR THE HOUSE: Derryberry, Greenhaw, Finch.

#### MESSAGE FROM THE HOUSE

Advising the House grants further conference on **SB 415**, and re-referring said Bill to the General Conference Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 490** - coauthored by Hancock, Sandlin, Holaday, McCune and Green; and, **SB 623**.

The above numbered Bills were referred for enrollment.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1648 and 1677** each correctly engrossed.

Engrossed **SAs** to and Engrossed **HBs 1648 and 1677**, as amended, were properly signed and ordered returned to the Honorable House.

#### PENDING CONSIDERATION OF CCR

**HB 1586**, as amended in Conference, was called up for consideration.

Senators Keels, Breckinridge, McGraw, Birdsong and Short asked to be made coauthors of **HB 1586**, as amended in Conference, which was the order.

Senator Terrill moved that the Senate

adopt the Conference Committee Report on **HB 1586**.

Senator Baggett, as a substitute for the Terrill motion, submitted, in writing, the following motion:

"I move to reject the Conference Committee Report on House Bill No. **1586**, request a further conference, and to instruct the Senate representatives to the Joint Conference Committee on Engrossed House Bill No. **1586** as follows: To amend House Bill **1586** to provide that in lieu of the \$400 annual salary increase now scheduled for teachers for the school year 1970-1971 in accordance with Chapter 48 of 1968 Oklahoma Session Laws (70 O.S. 1969 Supp., § 1210.53), that the requirement that teachers contribute to the Teacher Retirement System be repealed and the State of Oklahoma assume the full cost of the Teacher Retirement System, in order to accomplish the following purposes:

1. To provide teachers with a greater increase in their actual net income after taxes than they would otherwise receive in 1970-1971 and subsequent years under said Chapter 48 and House Bill No. **1586** with a 5% teacher contribution provision as set forth in Section 5 of the bill on Page 732 of the 1970 Senate Journal.

2. To eliminate any grounds for dispute over paying interest on Teachers' contributions as set forth in Section 3 of the bill on Page 729 of the 1970 Senate Journal by eliminating such contributions altogether.

3. To free the investment funds of the Teacher Retirement System from undue restrictions set forth in Section 4 of the bill on Page 730 of the 1970 Senate Journal which now exist so as to permit more freedom in investment policies and correspondingly greater yields in investment income."

Senator Payne raised a point of order, which was overruled, against consideration of the Baggett motion, stating it contained the same subject matter which previously had been considered and rejected.

Senator Terrill moved to table the Baggett substitute motion, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Boecher, Crow, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Miller, Payne, Short, Smith, Stipe, Taliaferro, Terrill, Williams.—23.

Nay: Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Ham, Holden, McCune, McGraw, Murphy, Nichols, Romang, Smalley, Stansberry, Young.—17.

Excused: Baldwin, Bradley, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter.—8.

The vote occurring upon the Terrill motion, it was declared adopted.

**HB 1586**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baldwin, Bradley, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Baldwin, Bradley, Dacus, Hargrave, Inhofe, Medearis, Phillips, Porter.—8.

The emergency was declared passed.

**HB 1586**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## GENERAL ORDER

**HB 1240** by Stratton, et al, of the House and Holden of the Senate was read and considered.

Senator Crow asked to be made a co-author of **HB 1240**, which was the order.

Upon motion of Senator Holden, **HB 1240** was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, **HB 1240** was placed upon third reading and final passage.

## THIRD READING

**HB 1240** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Lane, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—29.

Nay: Hamilton, Howard, Keels, Short, Stansberry.—5.

Excused: Atkinson, Baggett, Baldwin, Boecher, Bradley, Dacus, Hargrave, Inhofe, McCune, McGraw, Medearis, Phillips, Porter, Young.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Nichols, Payne, Romang, Short,

Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Excused: Atkinson, Baldwin, Boecher, Bradley, Dacus, Hargrave, Inhofe, McGraw, Medearis, Murphy, Phillips, Porter.—12.

The emergency was declared passed.

**HB 1240** was properly signed and ordered returned to Honorable House.

## PENDING CONSIDERATION OF HAS

President Pro Tempore Smith moved that the Senate reject the **HA** to **SB 214** and request a Conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 214**: Smith, Birdsong and Lane.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1517**, requesting Conference and naming Conferees as follows: Camp, Boren, Thornhill, Barker and Poulos.

Upon motion of Senator Terrill, the request of the Honorable House for a conference on **HB 1517** was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1517**: Howard, Terrill, Garrison, Baggett and Keels.

## PENDING CONSIDERATION OF HAS

Senator Garrett moved that the Senate reject the **HA** to **SB 544** and request a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the ap-



pointment of the following Senate Conferees under **SB 544**: Garrett, Grantham and Young.

### **PENDING SENATE ACTION**

**HCR 1066** by Connor, et al, of the House and Garrison of the Senate was called up for consideration, read at length, and adopted upon motion of Senator Garrison.

**HCR 1066** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1676** by Hancock, et al, of the House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1676** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1676** was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**HB 1676** was read for the third time at length.

On question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Baldwin, Boecher, Bradley, Dacus, Garrison, Grantham, Hargrave, Inhofe, McGraw, Medearis, Miller, Phillips, Porter, Stansberry, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Crow, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—32.

Excused: Atkinson, Baldwin, Boecher, Bradley, Dacus, Garrison, Grantham, Hargrave, Inhofe, McGraw, Medearis, Miller, Phillips, Porter, Stansberry, Taliaferro.—16.

The emergency was declared passed.

**HB 1676**, as amended, was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising rejection of SAs to Engrossed **HB 1705** requesting Conference and naming Conferees as follows: Cate, Hesser, Connor.

Upon motion of Senator Smalley, the request of the Honorable House for a conference on **HB 1705** was ordered granted.

### **CC APPOINTMENT**

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1705**: Smalley, Murphy and Garrison.

### **GENERAL ORDER**

**HB 1719** by Tarwater of the House and Berrong, Luton, Payne, Birdsong, Phillips, Inhofe, Romang, Stipe, Young and Murphy of the Senate was read and considered.

Senator Short moved to amend **HB 1719**, page 5, beginning on line 11, by striking the language "and there shall be at least a thirty-day delay after evidence is heard before final action is taken" which amendment was tabled upon motion of Senator Luton.

Upon motion of Senator Berrong, **HB 1719** was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1719** was considered engrossed and placed upon third reading and final passage.

### **THIRD READING**

**HB 1719** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Murphy, Nichols, Payne, Romang, Smalley, Smith, Stipe, Terrill, Williams, Young.—31.

Nay: McCune, Short.—2.

Excused: Baldwin, Boecher, Bradley, Crow, Dacus, Hargrave, Inhofe, McGraw, Massey, Medearis, Miller, Phillips, Porter, Stansberry, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stipe, Terrill, Williams, Young.—33.

Nay: Short.—1.

Excused: Atkinson, Baldwin, Boecher, Bradley, Crow, Dacus, Hargrave, Inhofe,

McGraw, Massey, Medearis, Porter, Stansberry, Taliaferro.—14.

The emergency was declared passed.

**HB 1719**, as amended, was referred for engrossment.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 10:00 a.m., Monday, which motion was declared adopted.

## MESSAGE FROM THE GOVERNOR

Advising approval by him, April 2, 1970, of Enrolled **SB 568** entitled:

**SB 568**—By Murphy of the Senate and Williamson, Skeith, Allard and Patterson of the House—An Act relating to Agriculture; amending 2 O.S. 1961, § 3-82, as amended by Section 1, Chapter 105, O.S.L. 1968, Section 1, Chapter 298, O.S.L. 1965, and Section 1, Chapter 509, O.S.L. 1965 (2 O.S. Supp. 1969, § 3-82); relating to pesticide applicators laws; requiring surety bond for applicator; providing that no action for alleged damages may be maintained unless certain procedures are followed.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m., Monday, April 6, 1970.

## Fifty-second Legislative Day

Monday, April 6, 1970

Pursuant to adjournment, the Senate was called to order by Senator Massey, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Ferrell, Ham, Hargrave, Howard, Inhofe, Stansberry, Stipe.—8.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain, the Reverend LeRoy K. Jordan, Pastor of the First Baptist Church, North Tulsa, and is incorporated herein, by unanimous consent, upon request of Senator Breckinridge:

We praise Thee, O God, for men of long ago and men of only yesterday who had assurance of things hoped for and conviction of things not seen. We rejoice in those who endured as seeing the invisible, and left to their children and their children's children, even unto us, a great and noble heritage. May we in our day become men of like character, and by our lives neither depreciate nor diminish that heritage, but appreciate it and add thereto.

We thank Thee for the Christ who drew out greatness to its largest dimensions by

his perfect obedience to Thee, and his sacrificial love for humanity. Looking unto Him may we indeed run with patience the race that is set before us—his kingdom, our goal; his character, our aspiration; his wisdom, our guide; his strength, our power; his comfort, our endurance; his love, our encouragement; his gift, our peace.

Grant unto our country, O God, the leadership of dedicated and consecrated men and women. May there be a revival of true religion in our land and a surge of true patriotism; may these stir our hearts to achieve character and abilities, because of our love of Thee and our love of country. This we ask to Thine own glory and in the name of Christ. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, April 3, 1970, of Enrolled SBs 430, 435, 436, 489 and 534, entitled:

**SB 430**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the office of the Governor—Division of Economic Opportunity and making an appropriation thereto; \*\*\* provisions of this act severable; and declaring an emergency.

**SB 435**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the office of Civil Defense and making appropriations thereto; \*\*\* and declaring an emergency.

**SB 436**—By McSpadden and Massey of the Senate and Willis and Miskelly of the



House—An Act relating to the State Bureau of Investigation and making an appropriation thereto; \*\*\* and declaring an emergency.

**SB 489**—By Graves of the Senate and Wayland and Townsend of the House—An Act relating to cities and towns; amending 11 O. S. 1961, § 171 to authorize governing body of a city or town to acquire by negotiation real estate or interests therein for streets by expenditure of moneys on hand in any appropriate funds; and declaring an emergency.

**SB 534**—By Young and Grantham of the Senate and McCune of the House—An Act relating to elections; amending Section 11, Chapter 387, O. S. L. 1968 (26 O. S. Supp. 1969, § 162 I), to provide existing judicial and nominating districts for election of district judges shall remain as formerly constituted and to define nominating districts for former superior court judges; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 133**, and naming House Conferees as follows: Sandlin, Miskelly and Payne.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **SB 419** was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 419**, entitled:

An Act relating to the office of the attorney general and offices of district attorneys and making appropriation thereto; \*\*\* and declaring an emergency. together with engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. The Conference Committee recommends the adoption of the following amendments:

1. Page 1, Lines 17 and 18, strike the words and figures "Eight Hundred Ninety-three Thousand Six Hundred Ten Dollars (\$893,610.00) and insert in lieu thereof the words and figures "Nine Hundred Forty-seven Thousand Six Hundred Ten Dollars (\$947,610.00)".

2. Page 1, Line 21½, insert a new section to be numbered Section 2 to read as follows: "SECTION 2. There is hereby created the positions of District Attorneys' Payroll Clerk and Assistant Payroll Clerk whose duties shall be to prepare and process payroll and other claims and do all other necessary acts connected with receiving funds from counties, disbursing such funds together with any funds appropriated from state funds to the District Attorneys for payroll, travel and other expenses. Such Payroll Clerk and Assistant Payroll Clerk shall work under the supervision of the Attorney General and shall be paid not to exceed \$8,400.00 and \$6,000.00 per year, respectively, from state funds appropriated to the District Attorney System."

3. Amend the title to read as follows: An Act relating to the office of the attorney general and offices of district attorneys, and making appropriations thereto; stating the purpose; creating certain positions and providing duties and salaries; providing lapse date; making the appropriations of this act severable and declaring an emergency.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Baldwin, Berrong, Boecher, Garrison, Grantham, Keels, Nichols, Williams.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-chairman, Cate, Connor, Odom (V. H.), Sanguin, Sparkman, Townsend.

The following **CCR** on **SB 429** was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 429**, entitled:

An Act relating to the office of the Department of Charities and Corrections and making appropriations thereto; \*\*\* and declaring an emergency

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendments No. 1, No. 2 and No. 3.

2. That the following Conference Committee Amendment be adopted:

1. Page 1, Line 23, strike the figure \$64,575.00 and insert in lieu thereof \$82,550.00.

2. Page 1, Line 24, strike the figure \$26,170.00 and insert \$24,345.00.

3. Page 1, Line 25, strike the figure \$90,745.00 and insert in lieu thereof the figure \$106,895.00.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Baldwin, Berrong, Boecher, Garrison, Grantham, Keels, Nichols, Williams.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-chairman, Cate, Connor, Odom (V. H.), Sanguin, Sparkman, Townsend.

The following **CCR** on **SB 565** was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 565**, entitled:

An Act relating to motor vehicles; \*\*\* and declaring an emergency

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and

herewith return same with the recommendation: that the House recede from its Amendment No. 1.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Baldwin, Berrong, Boecher, Garrison, Grantham, Keels, Nichols, Williams.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-chairman, Cate, Connor, Odom (V. H.), Sanguin, Sparkman, Townsend.

## CITATIONS

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Janice Jennings, upon being selected as Miss Tipton Highschool.

Upon motion of Senator Crow, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Scott Pinson, upon being selected as Mr. Tipton Highschool.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

Senator Smalley presiding.

## GENERAL ORDER

**HB 1721** by Smith (E. W.), et al, of the House and Atkinson of the Senate was read and considered.

Senator Birdsong asked to be made a coauthor of **HB 1721**, which was the order.

Upon motion of Senator Atkinson, **HB 1721** was advanced to engrossment.

By unanimous consent, upon request of Senator Atkinson, **HB 1721** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1721** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows;

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Field, Garrison,

Graves, Holden, Horn, Keels, Lane, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Phillips, Romang, Smalley, Smith, Taliaferro.—25.

Nay: Boecher, Breckinridge, Grantham, McCune, Payne, Porter, Short, Williams, Young.—9.

Excused: Baggett, Dacus, Ferrell, Garrett, Ham, Hamilton, Hargrave, Howard, Inhofe, McGraw, Medearis, Stansberry, Stipe, Terrill.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hamilton, Holden, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—33.

Excused: Dacus, Ferrell, Garrett, Ham, Hargrave, Horn, Howard, Inhofe, Medearis, Miller, Murphy, Porter, Stansberry, Stipe, Terrill.—15.

The emergency was declared passed.

**HB 1721**, as amended, was referred for engrossment.

Senators Ferrell, Howard and Inhofe asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1789** by Raibourn, et al, of the House and Boecher of the Senate was read and considered.

Senator Smalley asked to be made a coauthor of **HB 1789**, which was the order.

Senator Boecher moved to amend **HB 1789**, page 5, lines 12 through 15, by striking all of Section 6 and renumbering remaining Sections accordingly, and by amending Title to conform thereto, which amendment was declared adopted.

Senator Baggett moved to amend **HB 1789**, page 6, line 9, by inserting after the word "any" and before the word

"wildlife" the word "undesirable" which amendment was declared adopted.

Senator Short moved to amend **HB 1789**, page 7, line 12, by inserting after the word "all" and before the word "wildlife" the word "undesirable" which amendment was declared adopted.

Senator Baggett moved to reconsider the vote by which his amendment to **HB 1789** page 6, line 9, was adopted, which motion was declared adopted.

The Baggett amendment was considered further.

Following discussion, Senator Boecher moved to table the Baggett amendment, which motion was declared adopted.

Upon motion of Senator Boecher, **HB 1789**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boecher, **HB 1789**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1789** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Lane, Luton, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Terrill, Williams, Young.—25.

Nay: Baggett, Bradley, Breckinridge, Ferrell, Keels, McCune, McGraw, Short.—8.

Excused: Berrong, Crow, Dacus, Ham, Hamilton, Hargrave, Howard, Massey, Medearis, Miller, Porter, Smith, Stansberry, Stipe, Taliaferro.—15.

The bill was declared passed.

**HB 1789**, as amended, was referred for engrossment.

Senator Stipe asked to be shown present, which was the order.



## REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1361, 1676, 1726 and 1752** each correctly engrossed.

**SBs 401, 417, 425, 437, 490, 513, 623 and SJRs 22 and 53** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1361, 1676, 1726 and 1752**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 401, 417, 425, 437, 490, 513, 623 and SJRs 22 and 53** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## PENDING CONSIDERATION OF CCR

Upon motion of Senator Garrett, the Conference Committee Report on **HB 1525** was declared adopted.

**HB 1525**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Terrill, Williams, Young.—35.

Excused: Baggett, Birdsong, Dacus, Ham, Hamilton, Hargrave, Massey, Medearis, Miller, Smith, Stansberry, Stipe, Taliaferro.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Bradlev, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Mc-

Graw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Terrill, Williams, Young.—35.

Excused: Baggett, Birdsong, Dacus, Ham, Hamilton, Hargrave, Massey, Medearis, Miller, Smith, Stansberry, Stipe, Taliaferro.—13.

The emergency was declared passed.

**HB 1525**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Hargrave asked to be shown present, which was the order.

## GENERAL ORDER

**HJR 1033** by Robinson of the House and Field and Baggett of the Senate was called up for further consideration.

Senator McSpadden asked to be made a coauthor of **HJR 1033**, which was the order.

Senator Hamilton raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

Senator Baggett moved the adoption of his amendment to **HJR 1033**, page 2, line 11, submitted on March 31, 1970, and shown on page 697 of the Senate Journal.

Senator Hamilton moved to table the Baggett amendment, which motion was declared adopted, upon a roll call as follows:

Aye: Berrong, Crow, Ferrell, Garrison, Hamilton, Horn, Howard, Keels, Lane, McSpadden, Martin, Massey, Miller, Phillips, Romang, Taliaferro, Williams, Young.—18.

Nay: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Field, Graves, Hargrave, Inhofe, Luton, McCune, McGraw, Murphy, Porter, Short, Smalley, Smith.—17.

Excused: Baldwin, Boecher, Dacus, Garrett, Grantham, Ham, Holden, Medearis, Nichols, Payne, Stansberry, Stipe, Terrill.—13.

Upon motion of Senator Baggett, **HJR**

**1033**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HJR 1033**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HJR 1033**, as amended, was read for the third time at length, as follows:

**HJR 1033**, as amended—by Robinson of the House and Field, Baggett and McSpadden of the Senate.—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the constitution of the State of Oklahoma; adding a new Section to Article X thereof to be designated as Article X, Section 39, authorizing a duly organized and authorized hospital district to issue bonds in sums provided by majority of taxpaying voters in a hospital district for purpose of building, operating and maintaining district hospital; providing for interest on bonds; providing procedure for sale of bonds; authorizing special annual recurring ad valorem tax upon approval by majority of electors in the hospital district at election called for that purpose; providing for exchange, payment, maturity and maximum amount of bonds; providing for appropriate legislation; providing a ballot title; and ordering a special election.

Be it resolved by the House of Representatives and the Senate of the 2nd Session of the 32nd Oklahoma Legislature:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Constitution of Oklahoma, said amendment to be a new section to be numbered Section 39 of Article X thereof, as follows:

**[Section 39. (a) The Legislature may provide by general law for the organi-**

**zation, government and operation of hospital districts embracing one or more counties or parts of a county or counties within such a hospital district.]**

**[(b)]** Any duly organized and authorized hospital district [as now or hereafter defined by law] may issue, by and with the consent of the majority of the qualified tax-paying voters of said hospital district voting on the question at an election held for the purpose, bonds in sums provided by such majority at such election for the purpose of building, operating and maintaining a district hospital within said hospital district holding the election.

**[(c)]** Such bonds shall bear interest at a rate not to exceed the rate provided by general law enacted by the Legislature and shall be sold only at public sale after twenty (20) days' advertisement in a newspaper having a bona fide circulation in the hospital district issuing such bonds; provided, however, that the said hospital district may exchange such bonds for bonds of like amount, rate of interest, and length of issue.

**[(d)]** To provide for the payment of all such bonds outstanding, principal, and interest as they mature, the hospital district may, upon approval by a majority vote of the qualified electors of the district voting at an election called for that purpose, levy a special, annual, recurring ad valorem tax, upon the property within the district, payable annually, in a total amount not to exceed ten (10) mills on the dollar, in addition to the legal rate permitted, on the real and personal taxable property therein; provided, however, the hospital district may, from time to time, suspend the collection of such annual levy when not required for the payment of its bonds; and provided further, however, that in no event shall the real and personal taxable property in any city or town be subject to a special tax in excess of ten (10) mills for bonds issued hereunder.

**[(e)]** There shall be pledged to the

payment of principal and interest of the bonds herein authorized to be issued: (1) Any net proceeds from operation of the district hospital as the board of directors of the hospital district shall deem not to be necessary to the future operation and maintenance of said hospital; (2) Any monies available from other funds of the hospital district not otherwise obligated; and (3) The proceeds of any tax which may be imposed for such purposes.

[(f)] Such bonds shall be serial, maturing annually after three (3) years from date of issue, and shall be paid as they mature, and no such bonds shall be issued for a period longer than thirty (30) years; [provided, however, the hospital district may in its discretion schedule the payment of principal over such period so that when added to the interest there will be approximately level annual payments of principal and interest.]

[(g)] The hospital district may, upon approval by a majority vote of the qualified electors of the district voting at an election called for that purpose, levy an annual recurring ad valorem tax not to exceed five (5) mills upon the property within the district, for the operation and maintenance of district hospitals including purchase and rental of equipment.

[(h)] The board of directors of the hospital district shall exercise jurisdiction over the sale or exchange of any such bonds voted by the electors at an election held for that purpose and shall expend economically the funds so provided.

[(i)] The Legislature shall enact appropriate legislation pertaining to procedure, terms and necessary covenants for issuance of said bonds herein authorized and pertaining to the establishment, operation and regulation of such district hospitals and hospital districts, and all expenditures of the proceeds of the levies herein authorized shall be made in accordance with laws heretofore or hereafter enacted concerning such district

hospitals and hospital districts. Nothing herein shall prohibit other levies for public hospitals and hospital districts or the use of other public funds for such purposes. The provisions hereof shall be self-executing.

SECTION 2. The ballot title for the proposed constitutional amendment shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....

#### THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Constitutional amendment

[authorizing the creation of hospital districts by law and] authorizing a duly organized and authorized hospital district to issue bonds in sums provided by a majority of taxpaying voters in a hospital district for purposes of building, operating and maintaining a district hospital; providing for interest on the bonds; providing procedure for sale of bonds; authorizing a special, annual, recurring ad valorem tax upon the property within the hospital district not to exceed ten (10) mills on the dollar after approval of a majority of the qualified electors of a hospital district voting at an election called for that purpose; providing for exchange, maturity, and maximum outstanding amount of bonds;

[authorizing a five-mill tax for operation after approval by the voters of the district at an election] and providing for appropriate legislation be approved by the people?

☐ YES

SHALL THE PROPOSED  
AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The Speaker of the House of Representatives shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the ballot title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.



SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide runoff primary election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in Section 1 of this Resolution, shall be submitted to the people of Oklahoma for their approval or rejection, as and in the manner provided by law.

On the question of passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Graves, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Porter, Romang, Short, Smalley, Smith, Terrill, Williams.—32.

Excused: Baldwin, Boecher, Dacus, Garrett, Grantham, Ham, Hargrave, Holden, Medearis, Nichols, Payne, Phillips, Stansberry, Stipe, Taliaferro, Young.—16.

The Resolution was declared passed.

The question being, "Shall **HJR 1033**, by Robinson of the House and Field, Baggett and McSpadden of the Senate entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma; adding a new Section to Article X thereof to be designated as Article X, Section 39, authorizing a duly organized and authorized hospital district to issue bonds in sums provided by majority of taxpaying voters in a hospital district for the purpose of building, operating and maintaining district hospital; providing for interest on bonds; providing procedure for sale of bonds; authorizing special annual recurring ad valorem tax upon approval by majority of electors

in the hospital district at election called for that purpose; providing for exchange, payment, maturity and maximum amount of bonds; providing for appropriate legislation; providing ballot title; and ordering a special election,

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the date of the next statewide runoff primary election as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on the date of the next statewide runoff primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?"

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Phillips, Porter, Romang, Short, Smalley, Smith, Williams, Young.—34.

Nay: Breckinridge, Keels.—2.

Excused: Boecher, Bradley, Dacus, Ham, Hargrave, Medearis, Nichols, Payne, Stansberry, Stipe, Taliaferro, Terrill.—12.

The Presiding Officer, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**HJR 1033**, as amended, was ordered referred for engrossment.

## RESOLUTION

By unanimous consent, **SCR 85** by McSpadden and Massey of the Senate and Willis, et al, of the House was introduced and read as follows:

A Concurrent Resolution recalling from the Office of the Governor Senate Bill No. 442 passed by the Second Session of the Thirty-Second Oklahoma Legislature.

**SCR 85** was read at length, adopted upon motion of Senator Massey and ordered referred for engrossment.

### GENERAL ORDER

**HB 1512** by Green of the House and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1512** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1512** was considered engrossed and placed upon third reading and final passage.

Senator Hamilton raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

### THIRD READING

**HB 1512** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Howard, Keels, McSpadden, Martin, Massey, Medearis, Miller, Phillips, Porter, Short, Smalley, Williams, Young.—23.

Nay: Baggett, Baldwin, Birdsong, Breckinridge, Crow, Hamilton, Holden, Horn, Inhofe, Lane, Luton, McCune, Murphy, Romang, Taliaferro, Terrill.—16.

Excused: Boecher, Dacus, Ham, McGraw, Nichols, Payne, Smith, Stansberry, Stipe.—9.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Young moved that the vote be reconsidered by which **HB 1512** failed of passage.

### GENERAL ORDER

**HB 1435** by Hill (Ben) of the House and Porter of the Senate was read and considered.

Upon motion of Senator Porter, **HB 1435** was advanced to engrossment.

By unanimous consent, upon request of Senator Porter, **HB 1435** was placed upon third reading and final passage.

### THIRD READING

**HB 1435** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—36.

Excused: Boecher, Crow, Dacus, Ham, Hargrave, Inhofe, McGraw, Miller, Payne, Smith, Stansberry, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—36.

Excused: Boecher, Crow, Dacus, Ham, Hargrave, Inhofe, McGraw, Miller, Payne, Smith, Stansberry, Stipe.—12.

The emergency was declared passed.

**HB 1435** was properly signed and ordered returned to Honorable House.

Senator Ham asked to be shown present, which was the order.

Senator Terrill moved that the Senate stand recessed until 1:00 p.m., which motion was declared adopted.

At 1:00 p.m., the Senate reassembled with Senator Terrill presiding.

Senator Field raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

Senator Crow presiding.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1068**—By Atkins of the House and Baggett of the Senate—A Concurrent Resolution relating to interim study by the State Legislative Council; directing the Executive Committee of Legislative Council to recreate a ten-member special committee on development of the Oklahoma State Capitol Area; designating study jurisdiction; directing committee, jointly with the State Board of Public Affairs, State Highway Department, State Capitol Improvement Authority, State Capitol Planning and Zoning Commission and other departments and agencies affected, to study and prepare a long-range program for development of the Oklahoma State Capitol Area and other areas under jurisdiction and control of State Board of Public Affairs for submission to the 1st Session of the 33rd Legislature: directing committee to study the need for specific legislation to vitalize the recommended program and to suggest alternative methods for adequate financing thereof.

Consideration of the Resolution was deferred for this Legislative day.

#### MESSAGES FROM THE HOUSE

Advising Conference granted on Engrossed **SB 214**, and naming House Conferees as follows: Wolfe (Stephen), Skeith, and Green.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 544**, and naming House Conferees as follows: Sandlin, Boettcher and Sullivan.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **SB 133** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred **SB 133**—By Martin, entitled:

An Act relating to Cities and Towns; \*\*\* and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. Recede from Amendment No. 1.
2. Concur in Amendment No. 2.
3. Page 2, line 12, after the word "AREA." insert the following; "Provided that within a five (5) year period from the date of annexation, if no city facilities, water, sewer, fire protection or police protection have been provided within five (5) miles of said area, the land area will revert to county jurisdiction and be deannexed from the city upon the filing of a valid petition with the governing board of the city and with the Board of County Commissioners requesting deannexation from the city signed by 50 percent (50%) or more of the registered voters in the affected area. This provision shall not apply to any counties under 300,000 population according to the last Federal Census where a city has annexed any area to protect a municipal water supply.
4. Page 2, line 15, after the word "BEEN" and before the word "VOTED" insert the word "PREVIOUSLY". After the word "VOTED" insert a "period (.)"



and delete the remainder of the sentence and add the following language, "IN ANY AREAS ANNEXED AFTER THE EFFECTIVE DATE OF THIS ACT, THE CITY SHALL HAVE A PERIOD OF THREE (3) YEARS IN WHICH TO FURNISH CITY SERVICES TO THE AREA OR SAID AREA SHALL BE DEANNEXED IN THE SAME MANNER AS PROVIDED IN SECTION 1 OF THIS ACT."

5. Add a new Section 2, "severability clause".

6. Add a new Section 3, "The effective date of this act shall be July 1, 1970"

7. Renumber Section 2 to Section 4.

8. Amend title to conform.

FOR THE SENATE: Martin, Smalley.

FOR THE HOUSE: Sandlin, Miskelly.

The following CCR on SB 311 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred SB 311—By Nichols and McSpadden, of the Senate, and Sparkman of the House, entitled:

An Act relating to the State Department of Public Welfare; providing for recovery from tortfeasors and insurers of amounts paid by the State Department of Public Welfare for medical expenses of injured and diseased persons; and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

That the Senate accepts the House Amendments to said bill.

FOR THE SENATE: Nichols, Garrison, Hargrave.

FOR THE HOUSE: Sparkman, Tarwater, Greenhaw.

The following CCR on SB 446 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 446, entitled:

(State Department of Agriculture an emergency),

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, Line 22, strike the figure \$101,690.00 and insert in lieu thereof the figure \$126,067.00.

2. Page 1, Line 24, strike the figure \$516,253.00 and insert in lieu thereof the figure \$482,754.00.

3. Page 1, Line 25, strike the figure \$454,212.00 and insert in lieu thereof the figure \$460,718.00.

4. Page 1, Line 26, strike the figure \$39,613.00 and insert in lieu thereof the figure \$44,964.00.

5. Page 1, Line 27, strike the figure \$92,353.00 and insert in lieu thereof the figure \$109,724.00.

6. Page 1, Line 30, strike the figure \$130,525.00 and insert in lieu thereof the figure \$133,134.00.

7. Page 2, Line 4, strike the figure \$575,250.00 and insert in lieu thereof the figure \$600,581.00.

8. Page 2, Line 4½, insert the following: Agriculture Laboratory ..... \$30,000.00.

9. Page 2, Line 14, strike the figure \$115,180.00 and insert in lieu thereof the figure \$115,817.00.

10. Page 2, Line 15, strike the figure

\$30,000.00 and insert in lieu thereof the figure \$10,000.00.

11. Page 2, Line 16, strike the figure \$2,075,076.00 and insert in lieu thereof the figure \$2,133,759.00.

12. Page 2, Line 24½, insert a new Section to be numbered Section 4 to read as follows: "SECTION 4. There is hereby appropriated to the State Department or Agriculture, from the State of Oklahoma Institutional Building Bonds of 1965 Sinking Fund, not otherwise appropriated, the sum of Eighteen Thousand Eight Hundred Fifty-one Dollars (\$18,851.00), and from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Eleven Thousand One Hundred Forty-nine Dollars (\$11,149.00), for the purpose of purchasing motor vehicles and equipment for the Forestry Division."; and renumber succeeding sections accordingly.

13. Restore the title to read as follows: An Act relating to the State Department of Agriculture and making appropriations thereto; stating the purpose; requiring that expenditures for Brucellosis Eradication shall be in conjunction with the Federal Government's eradication program; authorizing appointment and compensation of personnel; appropriating funds for the purchase of motor vehicles and equipment for the forestry division; providing lapse date; making the provisions of this act severable; and declaring an emergency.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Baldwin, Berrong, Boecher, Garrison, Grantham, Keels, Nichols, Williams.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-chairman, Cate, Connor, Odom (V. H.), Sanguin, Sparkman, Townsend.

#### **MESSAGE FROM THE HOUSE**

Transmitting following Bills, together with Conference Committee Reports there-

on, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1292, 1521, 1557, 1559, 1563, 1574, 1575, 1580, 1612, 1753 and 1782.

#### **CONFERENCE COMMITTEE REPORTS**

The following CCR on HB 1292 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1292, and Engrossed Senate Amendments thereto, by Bengtson, et al of the House, entitled:

An Act relating to children; amending Section 109, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1109); pertaining to the questions of children by law enforcement officers and others, beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

An Act relating to children; amending Section 109, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1109); pertaining to the questioning of children by law enforcement officers and others.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS for HB 1292**—By Bengtson, et al, of the House and Romang of the Senate—An Act relating to children; amending Section 109, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1109); pertaining to the questioning of children by law enforcement officers and others; defining terms; and directing codification of definitions.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Section 109, Chapter 282, O. S. L. 1968 (10 O. S. Supp. 1969, § 1109), is amended to read as follows:

§ 1109. (a) No INFORMATION GAINED BY QUESTIONING A child shall be [questioned] ADMISSIBLE INTO EVIDENCE AGAINST THE CHILD UNLESS THE QUESTIONING about any alleged offense by any law enforcement officer [.] OR investigative agency, or employee of the court, or the Department [unless his] IS DONE IN THE PRESENCE OF SAID CHILD'S parents, guardian, attorney or [their] THE legal custodian [are present at the interrogation] OF THE CHILD, and not until the child and his parents, or guardian, or other legal custodian shall be fully advised of their constitutional and legal rights, including the right to a jury trial as herein provided, and the right to be represented by counsel at every stage of the proceedings, and the right to have counsel appointed by the court and paid out of the court fund if the parties are without sufficient financial means; provided, however, that no legal aid or other public or charitable legal service shall make claim for compensation as contemplated herein.

(b) If the child or his parents, guardian, or other legal custodian requests an attorney and is found to be without sufficient financial means, counsel shall be appointed by the court if the child is being proceeded against as a delinquent child, or a child in need of supervision, or if termination of parental rights is a possible remedy, provided that the court may appoint counsel without such request, if it deems representation by counsel necessary to protect the interest of the child or of other parties.

(c) Upon the request of the court, the District Attorney shall prepare and prosecute any case or proceeding within the purview of this act.

SECTION 2. As used in Title 10 of the Oklahoma Statutes, § § 1101 et seq., the term "child" means any person under the age of eighteen (18) years. The term "delinquent child" means (1) any male person under the age of sixteen (16) years

and any female person under the age of eighteen (18) years who has violated any federal or state law or municipal ordinance, excepting a traffic statute or ordinance, or any lawful order of the court made under this act; or (2) a child who has habitually violated traffic laws or ordinances.

SECTION 3. The preceding section shall be codified as Section 1101A of Title 10 of the Oklahoma Statutes.

FOR THE SENATE: Romang, Baggett, McCune.

FOR THE HOUSE: Bengtson, Hutchens, McCune.

The following CCR on HB 1521 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed House Bill Number 1521, entitled:

(An Act relating to the Oklahoma Historical Society; and declaring an emergency),

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation: that the Conference Committee Substitute be adopted:

CCS for HB 1521—By Spearman of the House and Grantham of the Senate—An Act relating to salaries of elective State officers; amending Sections 2 and 4 of Enrolled Senate Bill No. 362 of the Second Session of the Thirty-second Oklahoma Legislature, to provide that such sections shall become effective January 11, 1971.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. Section 2 of Enrolled Senate Bill No. 362 of the Second Session of the Thirty-second Oklahoma Legislature, adopted by the Legislature and signed into law by the Governor of the State of Okla-



homa on the 27th day of March, 1970, is amended to read as follows:

Section 2. 74 O.S. 1961, § 250, and Section 1, Chapter 68, O.S.L. 1969 (74 O.S. Supp. 1969, § 250.5), are hereby repealed EFFECTIVE JANUARY 11, 1971.

SECTION 2. Section 4 of Enrolled Senate Bill No. 362 of the Second Session of the Thirty-second Oklahoma Legislature, adopted by the Legislature and signed into law by the Governor of the State of Oklahoma on the 27th day of March, 1970, is amended to read as follows:

Section 4. Section 4, Chapter 398, O.S.L. 1965, as amended by Section 1, Chapter 303, O.S.L. 1967 (74 O.S. Supp. 1969, § 1104), is amended to read as follows:

§ 1104. (a) The Commission shall consist of one member from each of the six Congressional Districts, as said districts are now constituted or as hereinafter defined, who shall be a resident and qualified elector in the district from which he is appointed. The Lieutenant Governor shall serve ex officio as a member and chairman of the Commission. Appointive Commission members shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall serve at the pleasure of the Governor. Of the members first appointed, the member from District One shall be appointed for a term of one year; the member from District Two shall be appointed for a term of two years; the member from District Three shall be appointed for a term of Three years; the member from District Four shall be appointed for a term of four years; the member from District Five shall be appointed for a term of five years; and the member from District Six shall be appointed for a term of six years. At the expiration of the term of each member and of each succeeding member, the Governor shall appoint a successor who shall serve for a term of six years. Whenever a vacancy on the Commission shall occur by death, resignation, or otherwise, the Governor shall fill the same by appointment, with the advice and consent

of the Senate, and the appointee shall hold office during the unexpired term. Each member shall hold office until his successor has been appointed and qualified.

(b) The Lieutenant Governor of the State of Oklahoma, as Chairman of the Commission, shall be reimbursed for official travel on behalf of the Commission for actual and necessary expenses from monies appropriated to the Commission.

(c) Each appointive member of the Commission, before entering upon his duties, shall take and subscribe to the constitutional and statutory oaths of office and file the same with the Secretary of State. Members of the Commission, including the Chairman, shall receive as compensation for their services the sum of Twenty Dollars (\$20.00) per day for each day actually spent in the attendance of said Commission meetings and appointive members shall be reimbursed for travel expenses as provided in the general travel law for State officers and employees and shall be reimbursed for their necessary living and travel expenses resulting from trips approved by the Commission outside the State of Oklahoma in the performance of their duties in accordance with the general travel laws of the State, to be paid on approval of the Chairman of the Commission by warrant properly drawn by the State, from appropriations made for such purpose.

(d) Within three days after appointment of the Commission, or as soon thereafter as is convenient, the Governor shall call said Commission to meet at Oklahoma City, and said Commission shall be organized by the Governor who shall appoint from the Commission the Vice Chairman and the Secretary. The Commission is hereby authorized and directed to adopt rules and regulations for conducting its proceeding; provided, that any four members thereof shall constitute a quorum for transacting business. The Commission shall meet at least monthly and may meet at such other times as it may deem necessary for effectively carrying out its duties

and responsibilities. Special meetings may be called by the Chairman or by any three members of the Commission.

(E) THIS SECTION SHALL BECOME EFFECTIVE JANUARY 11, 1971.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on HB 1557 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed House Bill Number 1557, entitled:

AN ACT RELATING TO THE OFFICE OF THE COURT OF CRIMINAL APPEALS AND DECLARING AN EMERGENCY)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House concur in Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 23, delete the figure "136,436.00" and insert "139,336.00"

2. Page 1, line 25, delete the figure "145,700.00" and insert "148,600.00"

3. Page 1, line 33, strike the figures "22,500.00 and 22,500.00" and insert the figures "25,000.00 and 25,000.00"

4. Page 1, line 34, strike the figures "14,500.00 and 14,500.00" and insert the figures "15,950.00 and 15,950.00"

5. Restore the title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkin-

son, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on HB 1559 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1559, entitled:

(An Act relating to the Office of the State Supreme Court and Declaring an Emergency)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 21, strike the figure "574,895.00" and insert "592,295.00"

2. Page 1, line 23, strike the figure "621,704.00" and insert "639,104.00"

3. Page 1, line 31, strike the figures "22,500.00" and "22,500.00" and insert "25,000.00" and "25,000.00"

4. Page 1, line 33, strike the figures "17,500.00" and "17,500.00" and insert "18,000.00" and "19,500.00"

5. Page 1, line 35, strike the figures "14,500.00 and 14,500.00" and insert "15,950.00 and 15,950.00"

6. Page 1, line 36, strike the figures "14,500.00 and 14,500" and insert "15,950.00 and 15,950.00"

7. Page 2, line 2, strike the figures "14,500.00 and 14,500.00" and insert "15,950.00 and 15,950.00"

Restore the Title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkin-

son, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on HB 1563 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed House Bill Number 1563, entitled:

(An Act relating to the Oklahoma Educational Television Authority; and declaring an emergency)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee Amendments be accepted:

1. Page 1, line 17 and 18, delete the words and figures "Two Hundred Twenty-Five Thousand Dollars (\$225,000.00) and insert in lieu thereof the words and figures "One Hundred Eighty-Five Thousand Dollars (\$185,000.00)".

Restore the Title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on HB 1574 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1574, entitled:

(An Act relating to the Oklahoma Department of Public Safety and declaring an emergency)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 20, strike figure "4,569,541.00" and insert "4,632,310.00"

2. Page 1, after line 20, insert a new line "21" to read as follows:

Waterways Patrol Divisions -----200,000.00

Re-number succeeding lines accordingly.

3. Page 1, line 30, strike figure "6,536,010.00" and insert "6,798,779.00"

4. Restore the Title.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on HB 1575 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1575, entitled:

(An Act Making the Department of Corrections; Declaring an Emergency.)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the House concur in Senate Amendments Nos. 2, 3, 4, and 5.



3. That the Senate recede from Senate Amendments Nos. 6 and 7.

4. That the following Conference Committee Amendments be adopted:

1. Page 1, lines 17 and 18, delete the words and figures "Nine Hundred Twenty Thousand Forty-eight Dollars (\$920,048.00)" and insert in lieu thereof the words and figures "One Million Twenty Thousand Forty-eight Dollars (\$1,020,048.00)"

2. Page 1, after line 29, insert a new line 30 to read as follows:

"Operating of Halfway Houses...100,000.00"

3. Page 1, change present line 30 to read "31" and present 31 to read "32"

4. Page 1, change present line 32 to read as follows:

"Total .....\$264,837.00"  
and renumber to read line "33"

Renumber succeeding lines accordingly.

5. Page 3, Delete present Section 5 and insert a new Section 5 to read as follows:

"There is hereby appropriated to the Department of Corrections for the operation of the State Penitentiary, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Three Million Six Hundred Thirty-nine Thousand Eight Hundred Fifty-four Dollars (\$3,639,854.00) or so much thereof as shall be necessary for the operation of the Penitentiary. The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) of the amount appropriated in this Section is hereby dedicated to the operation of the "Ouachita Vocational and Technical Camp." It is the intent of the Legislature that an amount not to exceed Thirty Thousand Dollars (\$30,000.00) of the appropriation made by this Section be used by the Oklahoma State Penitentiary for repairs, maintenance and improvements of the roads serving the Penitentiary, Vocational Training School and the McLeod Honor Farm.

6. Page 3, Delete present Section 6 and insert a new Section 6 to read as follows:

"There is hereby appropriated to the Department of Corrections for the operation of the Oklahoma State Reformatory, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of One Million Two Hundred Forty-one Thousand Seven Hundred Forty-one Dollars (\$1,241,741.00) or so much thereof as shall be necessary for the operation of the Reformatory. The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) of the amount appropriated in this Section is hereby dedicated for the operation of the school at that institution.

7. Page 4, line 4, insert new Section 7 to read as follows:

Effective July 1, 1970, full-time employees of the Department of Corrections shall not be employed by other state Departments or Institutions as part-time or full-time employees.

Renumber succeeding sections accordingly.

8. Amend title to read as follows:

An Act relating to the Department of Corrections, the Oklahoma State Penitentiary; and the Oklahoma State Reformatory and making appropriations thereto; stating the purpose; providing that the Director of the Department of Corrections shall appoint personnel and fix duties and compensation within prescribed limits; providing for employment of college student help; appropriating funds for the operation of the State Penitentiary and expressing Legislative intent; appropriating funds for the operation of the Oklahoma State Reformatory and dedicating funds for operation of school; providing employees of the Department of Corrections shall not be employed by other state departments or institutions; providing offices and residences for the wardens at the Oklahoma State Penitentiary and Reformatory; prescribing salary grade of the wardens of the Penitentiary and Reformatory, and establishing minimum salary of other em-

ployees; limiting the expenditure of medical research program funds; providing lapse date; making provisions of this Act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on **HB 1580** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **HB 1580**, entitled:

An Act relating to the Office of the Insurance Commissioner and making appropriations thereto; \*\*\* and declaring an emergency,

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 25, strike "305,159.00" and insert "335,159.00"

2. Page 1, line 26, strike "71,463.00" and insert "81,463"

3. Page 1, line 27, strike "376,622.00" and insert "416,622.00"

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on **HB 1612** was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1612**, and Engrossed Senate Amendments thereto, by Miskelly, et al of the House and Atkinson of the Senate entitled:

An Act relating to Community Junior Colleges; amending Section 1408 of Section 2, Chapter 100, Oklahoma Session Laws 1967 (70 O.S. Supp. 1969, § 4408); increasing amount of state-appropriated allocations to Community Junior Colleges; fixing effective date of Act; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS for HB 1612**—By Miskelly, et al of the House and Atkinson, Crow, Hamilton and Payne of the Senate—An Act relating to Community Junior Colleges; amending Section 1408 of Section 2, Chapter 100, O. S. L. 1967 (70 O. S. Supp. 1969, § 4408); increasing amount of state-appropriated allocations to Community Junior Colleges; fixing effective date of act; providing for severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 1408 of Section 2, Chapter 100, O. S. L. 1967 (70 O. S. Supp. 1969, § 4408), is amended to read as follows:

§ 4408. Any community junior college established, operated, and accredited as provided for herein shall be eligible to receive assistance from the State of Oklahoma in funds for educational and general operation of the institution, which funds shall be allocated by the State Regents from monies appropriated by the Legislature, which allocation shall be on a per capita basis in an amount equal to **[50 per cent]** SEVENTY-FIVE PERCENT (75%) of the per capita state-appropriated

allocation made to the two-year college member institutions of The Oklahoma State System of Higher Education. Any municipality or subdivision of the state government represented in the jurisdiction of the community junior college shall have authority to use any of its funds, now or hereafter available, to assist in the establishment, maintenance, and operation of the community junior college. COMMUNITY JUNIOR COLLEGES ARE HEREBY AUTHORIZED TO BE ESTABLISHED AT HENRYETTA, ARDMORE AND WOODWARD, OKLAHOMA.

SECTION 2. This act shall not become operative or take effect until July 1, 1970.

SECTION 3. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Smith, Hamilton, Atkinson.

FOR THE HOUSE: Boren, Sullivan, Odom (Martin).

The following CCR on HB 1753 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed House Bill Number 1753, entitled:

(AN ACT RELATING TO MOTOR VEHICLES AND DECLARING AN EMERGENCY)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration

and herewith return same with the following recommendations:

1. That the House concur in all Senate Amendments.

2. That the following Conference Committee Amendments be adopted:

1. Insert a new Section to be numbered Section 5 to read as follows:

"Section 5. Subject to State Laws providing for a Merit System of Personnel Administration and regulations adopted pursuant to said laws, the following positions and minimum and maximum salaries for such positions are created in the Department of Public Safety Waterways Patrol Division, as established by Section 9, of Senate Bill No. 556 of the Second Regular Session of the Thirty-second Oklahoma Legislature:

	MINI-MUM	MAXI-MUM
1 Water Information Officer .....	\$5,580	\$7,380
5 Water Enforcement Officer II .....	4,680	6,240
20 Water Enforcement Officer I .....	4,200	5,580
15 Water Enforcement Officer I—Seasonal ...	4,200	5,580

The Commission of Public Safety shall have authority to appoint employees to positions created in this Section and prescribe duties and compensation of such employees within the amounts authorized. The positions and salaries set out above shall become effective July 1, 1970, however, all provisions of this Section are subject to availability of funds to the Department of Public Safety for operation of the Waterways Patrol Division."

2. Restore Title to read as follows:

An Act relating to Motor Vehicles; amending 47 O.S. 1961, § § 2-104, 2-105 and 2-106, as last amended by Sections 1, 2, 3 and 4, Chapter 284, O.S.L. 1969 (47 O.S. Supp. 1969, § § 2-104, 2-105 and 2-106); Section 1, Chapter 366, O.S.L. 1968 (47 O.S. Supp. 1969, § 377.1); providing for increases in minimum and maximum salaries and



longevity for members of the Oklahoma Highway Patrol, Drivers License Division and Communications Division; creating the positions and setting the salaries for the positions of the Department of Public Safety Waterways Patrol Division; repealing all Acts in conflict herewith; making provisions of Act severable; and declaring an emergency.

Add as co-author: Keels of the Senate.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

The following CCR on **HB 1782** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed House Bill Number 1782, entitled:

(AN ACT MAKING APPROPRIATIONS FROM DESIGNATED STATE FUNDS AND DECLARING AN EMERGENCY)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

No. 1. Page 2, line 9½, insert the following:

"424307	E. James	
	E. James	57.36
426079	H. W. Smith	
	H. W. Smith	876.15
543817	M. G. Worthington	
	M. G. Worthington	73.42"

No. 2. Page 3, line 15½, insert the following:

"109910	John R. Owen M.D.	
	John R. Owen M.D.	5.00"

No. 3. Page 3, line 25½, insert the following:

"188856	Billie G. Henley M.D.	
	Billie G. Henley M.D.	281.00

189093	Robert R. Hollis M.D.	
	Robert R. Hollis M.D.	500.00"

No. 4. Page 4, line 9½, insert the following:

"50857	Gladys M. Dean	
	Gladys M. Dean	45.00

698222	Joseph W. Haas	
	Joseph W. Haas	20.00

155351	Frances Lorange	
	Frances Lorange	87.00"

No. 5. Page 4, line 15½, insert the following:

"7175	John R. Adair M.D.	
	John R. Adair M.D.	65.00"

No. 6. Page 5, line 6½, insert a new Section to be numbered Section 12 to read as follows:

"Section 12. There is hereby appropriated out of any monies in the State Department of Health Special Cash Fund-Federal, the following amount for payment to the current holder of the following warrant:

WARRANT

NUMBER TO WHOM ISSUED

446757	Nevin Starkey	
	CURRENT	
	HOLDER	AMOUNT
	Nevin Starkey	\$ 20.23"

No. 7. Page 5, following new Section 12, insert a new Section to be numbered Section 13, to read as follows:

"Section 13. There is hereby appropriated out of any monies in the Department of Highway Construction and Maintenance Fund the sum of One Thousand Forty-seven Dollars and Ninety-four Cents (\$1,047.94) for the payment of an unpaid claim by Ray W. Lynch, Contractor."

And renumber succeeding Sections accordingly.

No. 8. Restore a title to read as follows:

"An Act making appropriations from designated State funds to pay unpaid claims and warrants cancelled by statutes; providing lapse date; providing that provisions of this Act are severable; and declaring an emergency."

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Berrong, Boecher, Garrison, Grantham, Nichols, Smalley.

HOUSE CONFEREES: Willis, Chairman, Allard, Bradley, Cate, Connor, Hesser, Odom (V.H.), Sanguin, Skeith, Townsend.

### CONFERENCE COMMITTEE REPORTS

The following CCR on SB 461 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred SB 461—By Young, entitled:

An Act relating to the Judiciary; amending Section 1, Chapter 350, O. S. L. 1968 (20 O. S. Supp. 1969 § 122), by providing that a Special Judge shall be appointed for each county within the Administrative District with a population of at least 24,000, as determined by the 1960 Federal Decennial Census; etc.,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from its Amendment No. 1.

FOR THE SENATE: Young, Grantham, Garrett.

FOR THE HOUSE: Bamberger, Wayland.

The following CCR on SB 560 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred SB 560—By Murphy, Birdsong, et al, entitled:

An Act relating to State Officers; \*\*\* and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. Recede from House Amendment No. 1.

2. Concur in House Amendment No. 2.

FOR THE SENATE: Murphy, Holden, Atkinson.

FOR THE HOUSE: Hesser, Miskelly, Hopkins.

The following CCR on SB 587 was read and consideration deferred:

Mr. President

and

Mr. Speaker

The Conference Committee, to which was referred SB 587—By Terrill, et al of the Senate, entitled:

An act relating to crimes and punishments; \*\*\* and declaring an emergency together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, to recede from all House amendments and substitute therefor the following Conference Committee substitute:

CCS for SB 587—By Terrill, Breckinridge, Keels, McCune, McGraw, Payne and Taliaferro of the Senate and Rogers, et al, of the House—An Act relating to crimes and punishments; defining offenses relating to theft, use, possession,

purchase, sale, retention, forgery, fraud, possession of equipment or materials, and other activities connected with credit cards; prescribing penalties; and declaring an emergency.

Be it enacted by the People of The State of Oklahoma:

SECTION 1. As used in this act:

(1) "Cardholder" means the person or organization named on the face of a credit card to whom or for whose benefit the credit card is issued.

(2) "Credit card" means any instrument or device, whether known as a credit card, credit plate, charge plate, or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, goods, services, or anything else of value, on credit.

(3) "Issuer" means any person, firm, corporation, financial institution or its duly authorized agent which issues a credit card.

(4) "Receives" or "receiving" means acquiring possession or control or accepting as security for a loan.

(5) "Revoked credit card" means a credit card which is no longer valid because permission to use it has been suspended or terminated by the issuer.

SECTION 2. (a) A person who takes a credit card from the person, possession, custody or control of another without the cardholder's consent, or who, with knowledge that it has been so taken, receives the credit card with intent to use it or to sell it, or to transfer it to a person other than the issuer or the cardholder, is guilty of credit card theft and is subject to the penalties set forth in Section 13 (a) of this act.

(b) Taking a credit card without consent includes obtaining it by the crime of larceny, larceny by trick, larceny by the bailee, embezzlement, or obtaining property by false pretense, false promise or extortion.

(c) A person who has in his posses-

sion or under his control any credit card obtained under subsection (b) of this section is presumed to have violated this section.

SECTION 3. A person who receives a credit card that he knows to have been lost or mislaid and who retains possession with intent to use it or to sell it or to transfer it to a person other than the issuer or the cardholder is guilty of credit card theft and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 4. A person other than the issuer who sells a credit card or a person who buys a credit card from a person other than the issuer is guilty of credit card theft and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 5. A person with intent to defraud (a) the issuer, (b) a person or organization providing money, goods, services, or anything else of value, or (c) any other person, who obtains control over a credit card as security for debt is guilty of credit card theft and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 6. A person, other than the issuer, who receives, on giving of any consideration, a credit card issued in the name of any other person, which he has reason to know was taken or retained under circumstances which constitute credit card theft, is guilty of credit card theft, and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 7. (a) A person with intent to defraud (a) a purported issuer, (b) a person or organization providing money, goods, services or anything else of value, or (c) any other person, who falsely makes or falsely embosses a purported credit card or utters such a credit card is guilty of credit card forgery and is subject to the penalties set forth in Section 13 (a) of this act.

(b) A person other than the purport-



ed issuer who possesses two or more credit cards which are falsely made or falsely embossed is presumed to have violated this section.

(c) A person "falsely makes" a credit card when he makes or draws, in whole or in part, a device or instrument which purports to be the credit card of a named issuer but which is not such a credit card because the issuer did not authorize the making or drawing, or when he alters a credit card which was validly issued.

(d) A person "falsely embosses" a credit card when, without the authorization of the named issuer, he completes a credit card by adding any of the matter, other than the signature of the cardholder, which an issuer requires to appear on the credit card before it can be used by a cardholder.

SECTION 8. (a) A person other than the cardholder or a person authorized by him who with intent to defraud (a) the issuer, (b) a person or organization providing money, goods, services or anything else of value, or (c) any other person, signs a credit card violates this subsection and is subject to the penalties set forth in Section 13 (a) of this act.

(b) When a person, other than the cardholder or a person authorized by him, possesses any credit card which is not signed, such possession shall be prima facie evidence that said cards were obtained in violation of this section.

SECTION 9. A person who, with intent to defraud (a) the issuer, (b) a person or organization providing money, goods, services or anything else of value, or (c) any other person, uses for the purpose of obtaining money, goods, services or anything else of value a credit card obtained or retained in violation of any provision of Sections 2 through 8, both inclusive, of this act or a credit card which he knows is forged or revoked, or obtains money, goods, services or anything else of value by representing, without the con-

sent of the cardholder, that he is the holder of a specified card or by representing that he is the holder of a card and such card has in fact not been issued, has violated this subsection and is guilty of an offense and is subject to the penalties set forth in Section 13 (a) of this act. Knowledge of revocation shall be presumed to have been received by a cardholder fourteen (14) days after it has been mailed to him at the address in this state set forth on the credit card application or at his last-known address by registered or certified mail, return receipt requested.

SECTION 10. A person who is authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card by the cardholder, or any agent or employee of such person, who, with intent to defraud the issuer or cardholder, fails to furnish money, goods, services or anything else of value which he represents in writing to the issuer that he has furnished violates this subsection and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 11. (a) A person other than the cardholder possessing one or more incomplete credit cards, with intent to complete them without the consent of the issuer, or a person possessing, with knowledge of its character, machinery, plates or any other contrivance designed to reproduce instruments purporting to be the credit cards of an issuer who has not consented to the preparation of such credit cards, is guilty of an offense and is subject to the penalties set forth in Section 13 (b) of this act.

(b) A credit card is "incomplete" if part of the matter, other than the signature of the cardholder, which an issuer requires to appear on the credit card before it can be used by a cardholder has not yet been stamped, embossed, imprinted, or written on it.

SECTION 12. A person who receives

money, goods, services, or anything else of value obtained in violation of Section 9 of this act, with the knowledge or belief that it was so obtained, is guilty of an offense and is subject to the penalties set forth in Section 13 (a) of this act.

SECTION 13. (a) A person who is subject to the penalties of this subsection shall be fined not more than Three Thousand Dollars (\$3,000.00) or imprisoned in the penitentiary not more than three (3) years, or both.

(b) A person who is subject to the penalties of this subsection shall be imprisoned in the penitentiary not more than seven (7) years, nor less than three (3) years.

(c) A person who violates any provision of this act shall be deemed guilty of a felony.

SECTION 14. This act shall not be construed to preclude the applicability of any other provision of the criminal law of this state which presently applies or may in the future apply to any transaction which violates this act, unless such provision is inconsistent with the terms of this act.

SECTION 15. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 16. The provisions of this act shall be cumulative to any existing laws.

SECTION 17. This act shall be known and may be cited as the "Oklahoma Credit Card Crime Act of 1970."

SECTION 18. The Legislature of the State of Oklahoma finds the theft, abuse and misuse of credit cards has damaged the economic security of the people of the state and such activity must be con-

trolled immediately to prevent further harm and that the immediate passage of this act is necessary to establish uniform and effective methods for protection against the danger so as to discourage practices contrary to this act. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

FOR THE SENATE: Terrill, Breckinridge, Garrison.

FOR THE HOUSE: Rogers, Connor.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1240, 1548, 1591, 1658, 1775 and 1808.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1066.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 401, 417, 425, 437, 490, 513, 623 and SJRs 22 and 53.

The above numbered Enrolled Bills and/or Resolutions were referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HBs 1762 and 1767, as amended.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 85 and HB 1719 each correctly engrossed.

**SB 632** correctly enrolled.

Engrossed **SCR 85** was properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1719**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 632** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### GENERAL ORDER

**HB 1692** by Wolfe (Stephen), et al, of the House and Nichols of the Senate was read and considered.

Senator Graves moved to amend **HB 1692**, page 3, line 11½ by inserting a new section to read as follows: "Section 2. 28 O. S. 1961, § 86, as last amended by Section 1, Chapter 199, O. S. L. 1968 (28 O. S. Supp. 1969, § 86), is amended to read as follows: § 86. Jurors shall be paid the following fees out of the Court Cash Fund: For each day's attendance before any court of record, Seven Dollars and fifty cents (\$7.50): for each mile necessarily traveled outside the corporate limits of the municipality where the court meets, in going to or returning from the place of attendance, eight cents (\$0.08), and such mileage shall be allowed each day except for the days a juror is confined overnight by the court."

Senator Nichols, raised a point of order, which was overruled, against the Graves amendment, stating it was not germane to the subject matter contained in the bill.

Senator Nichols moved to table the Graves amendment, which motion was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrison, Grantham, Hamilton, Hargrave, Inhofe, McGraw, Massey, Nichols, Romang, Short, Smith, Williams.—20.

Nay: Crow, Ferrell, Garrett, Graves, Ham, Holden, Horn, Howard, Keels, Lane, McCune, McSpadden, Martin, Medearis,

Murphy, Payne, Phillips, Taliaferro, Young.—19.

Excused: Baldwin, Dacus, Luton, Miller, Porter, Smalley, Stansberry, Stipe, Terrill.—9.

Senator Graves moved to amend **HB 1692**, page 1, line 4 of the Title by inserting after the word "exemptions;" and before the word "providing" the words "providing compensation and mileage for jurors;"

Senator Nichols asked that further consideration of **HB 1692** be deferred for this legislative day, which was the order.

### BILL WITHDRAWN FROM COMMITTEE

Senator Grantham asked unanimous consent that the Rules be suspended for the purpose of withdrawing **HB 1787** from the Judiciary Committee; and, that said Bill be printed and placed upon the Calendar, which was the order.

### GENERAL ORDER

**HB 1660** by Boren, et al, of the House and Hargrave of the Senate was read and considered.

Upon motion of Senator Hargrave, **HB 1660** was advanced to engrossment.

By unanimous consent, upon request of Senator Hargrave, **HB 1660** was placed upon third reading and final passage.

### THIRD READING

**HB 1660** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Stipe, Terrill, Young.—32.

Excused: Baggett, Baldwin, Boecher, Dacus, Garrison, Hamilton, Howard, McSpadden, Massey, Miller, Porter, Smalley, Smith, Stansberry, Taliaferro, Williams.—16.



The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Stipe, Terrill, Young.—32.

Excused: Baggett, Baldwin, Boecher, Dacus, Garrison, Hamilton, Howard, McSpadden, Massey, Miller, Porter, Smalley, Smith, Stansberry, Taliaferro, Williams.—16.

The emergency was declared passed.

**HB 1660** was properly signed and ordered returned to Honorable House.

#### MESSAGE FROM THE HOUSE

The House respectfully requests the Honorable Senate to return Conference Committee Reports on the following numbered Senate Bills, for further consideration: **SBs 413, 416 and 432.**

Senator Terrill moved that the request of the Honorable House for the return of Conference Committee Reports on **SBs 413, 416 and 432** be granted, which motion was declared adopted.

#### PENDING CONSIDERATION OF CCR

Upon motion of Senator Luton the Conference Committee Report on **SB 281** was declared adopted.

**SB 281**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—38.

Excused: Baggett, Baldwin, Boecher, Dacus, Inhofe, Massey, Miller, Stansberry, Taliaferro, Williams.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Young.—38.

Excused: Baggett, Baldwin, Boecher, Dacus, Inhofe, Massey, Miller, Stansberry, Taliaferro, Williams.—10.

The emergency was declared passed.

**SB 281**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### MOTION TO RECONSIDER VOTES

The vote occurring upon the Young motion to reconsider the vote by which **HB 1641** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Crow, Field, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—34.

Nay: Bradley, Breckinridge, Short.—3.

Excused: Baggett, Baldwin, Boecher, Dacus, Ferrell, Grantham, Hamilton, Inhofe, Massey, Stansberry, Williams.—11.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols,

Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Terrill, Young.—32.

Nay: Bradley, Breckinridge, Garrison, Short.—4.

Excused: Baggett, Baldwin, Berrong, Boecher, Crow, Dacus, Hamilton, Inhofe, Massey, Stansberry, Taliaferro, Williams.—12.

The bill was declared passed.

**HB 1641** was properly signed and ordered returned to Honorable House.

The vote occurring upon the Smalley motion to reconsider the vote by which **HB 1568**, as amended in Conference, passed, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Stipe, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Boecher, Dacus, Grantham, Hamilton, Howard, Inhofe, Martin, Massey, Payne, Smith, Stansberry, Taliaferro.—14.

Senator Smalley moved to reconsider the vote by which the Conference Committee Report on **HB 1568** was adopted, which motion was declared adopted.

Senator Smalley moved that the Senate reject the Conference Committee Report on **HB 1568** and request a further Conference, said Bill to be re-referred to the General Conference Committee on Appropriations, which motion was declared adopted.

Senator Stansberry asked to be shown present, which was the order.

The vote occurring upon the Berrong motion to reconsider the vote by which **HB 1461** failed of passage, it was declared adopted upon a roll call as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Garrison, Grantham, Ham, Hargrave, Horn, Inhofe, Keels,

McCune, McGraw, McSpadden, Miller, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—28.

Nay: Ferrell, Field, Graves, Lane, Luton, Medearis, Phillips, Stipe.—8.

Excused: Baggett, Baldwin, Boecher, Dacus, Garrett, Hamilton, Holden, Howard, Martin, Massey, Murphy, Young.—12.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Porter, Romang, Short, Smalley, Stansberry, Taliaferro, Terrill, Williams, Young.—32.

Nay: Crow, Ferrell, Field, Hamilton, Lane, Luton, Medearis, Murphy, Phillips, Stipe.—10.

Excused: Baggett, Baldwin, Dacus, Massey, Payne, Smith.—6.

The bill was declared passed.

**HB 1461**, as amended, was referred for engrossment.

## PENDING CONSIDERATION OF HAS

Senator Garrison moved that the Senate concur in **HA** to **SB 539**, which motion was declared adopted.

Senator McSpadden asked to be made a coauthor of **SB 539**, as amended, which was the order.

**SB 539**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—36.

Nay: Keels.—1.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, Martin, Massey, Miller, Nichols, Payne, Porter.—11.

The bill, as amended, was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Garrison moved that the Senate concur in **HA** to **SB 541**, which motion was declared adopted.

Senator McSpadden asked to be made a coauthor of **SB 541**, as amended, which was the order.

**SB 541**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luten, McCune, McGraw, McSpadden, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Boecher, Dacus, Garrett, Holden, Martin, Massey, Miller, Nichols, Payne, Porter, Taliaferro.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luten, McCune, McGraw, McSpadden, Medearis, Murphy, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Boecher, Dacus, Garrett, Holden, Martin, Massey, Miller, Nichols, Payne, Porter, Taliaferro.—13.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

## GENERAL ORDER

Senator Smalley moved that **HJR 1021** be stricken from the Calendar, which motion was declared adopted.

Senator Short moved that **HJR 1022** be stricken from the Calendar, which motion was declared adopted.

**HB 1206** by Harrison, et al, of the House and Keels of the Senate was read and considered.

Senator Berrong moved to amend **HB 1206**, page 2, lines 8 through 12, by striking all of Subsection (a) and substituting therefor a new Subsection to read as follows:

“(a) bodily injury liability [*Five Thousand Dollars (\$5,000.00)*] ~~Ten Thousand Dollars (\$10,000.00)~~ each person, [*Ten Thousand Dollars (\$10,000.00)*] ~~Twenty Thousand Dollars (\$20,000.00)~~ each accident” which amendment was declared adopted.

Senator Berrong moved to amend **HB 1206**, page 2, lines 16 through 18, by striking all of Subsection (c) and substituting therefor a new Subsection to read as follows: “(c) medical and hospital insurance, One Thousand Dollars (\$1,000.00)” which amendment was declared adopted.

Senator Phillips moved to amend **HB 1206**, page 3, line 16, by adding after the word “agency.” the words “but may also be brought against the insurer” which amendment was declared adopted.

Senator Berrong moved to amend **HB 1206**, page 6, beginning on line 2, by striking after the word “found.” the remainder of said line, all of lines 3, 4, 5 and 6, and the words “for the State Insurance Fund.” on line 7, which amendment was declared adopted.

Senator Romang moved to amend **HB 1206**, page 1, by striking from the Title the words “prohibiting mention of insurance coverage at trial” which amendment was declared adopted.



Senator Romang moved to amend **HB 1206**, page 4, beginning on line 7, by striking after the word "policy" the remainder of said line 7, all of lines 8 through 13, and the word "and" on line 14, which amendment was declared adopted.

Senator Murphy moved to amend **HB 1206**, page 6, line 2, by adding after the word "found" the words "such insurance shall be purchased through the Central Purchasing Division of the Board of Public Affairs" which amendment was declared adopted.

Upon motion of Senator Keels, **HB 1206**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keels, **HB 1206**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1206** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Horn, Howard, Inhofe, Keels, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Terrill, Young.—28.

Nay: Bradley, Crow, Graves, Hamilton, Hargrave, Lane, McCune, Williams.—8.

Excused: Baggett, Baldwin, Dacus, Ham, Holden, Massey, Medearis, Payne, Phillips, Porter, Smalley, Taliaferro.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hargrave, Holden, Horn, Howard, Inhofe, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Nay: Bradley, Graves, Hamilton, Lane, —4.

Excused: Baldwin, Dacus, Ham, Keels, Luton, Massey, Medearis, Payne, Phillips, Porter, Smalley, Taliaferro.—12.

The emergency was declared passed.

**HB 1206**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1768**, by Boren, et al, of the House and Hargrave of the Senate was read and considered.

Senator Baggett moved to amend **HB 1768**, page 1, line 5, by striking the words and figures "within forty-eight (48) hours" and substituting therefor the words "without reasonable delay" which amendment was declared failed of adoption.

Upon motion of Senator Hargrave, **HB 1768** was advanced to engrossment.

By unanimous consent, upon request of Senator Hargrave, **HB 1768** was placed upon third reading and final passage.

### THIRD READING

**HB 1768** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Nay: Baggett, Bradley, Field, Garrett, Keels.—5.

Excused: Baldwin, Dacus, Ferrell, Hamilton, Massey, Medearis, Murphy, Phillips, Porter, Smith, Stansberry.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boe-

cher, Breckinridge, Crow, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Nay: Baggett, Bradley, Field, Garrett, Keels.—5.

Excused: Baldwin, Dacus, Ferrell, Hamilton, Massey, Medearis, Murphy, Phillips, Porter, Smith, Stansberry.—11.

The emergency was declared passed.

**HB 1768** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1809** by Odom (Martin) was read and considered.

Senator Smalley asked to be shown as the Senate Author of **HB 1809**, which was the order.

Upon motion of Senator Smalley, **HB 1809** was advanced to engrossment.

By unanimous consent, upon request of Senator Smalley, **HB 1809** was placed upon third reading and final passage.

### THIRD READING

**HB 1809** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Grantham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Romang.—1.

Excused: Baldwin, Berrong, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Lane, Massey, Medearis, Smith, Stansberry, Williams.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Grantham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Stipe, Taliaferro, Terrill, Young.—32.

Nay: Romang.—1.

Excused: Baldwin, Berrong, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Lane, Massey, Medearis, Smith, Stansberry, Williams.—15.

The emergency was declared passed.

**HB 1809** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1714** by Townsend was read and considered.

Senator Birdsong asked to be made the Senate Author of **HB 1714**, which was the order.

Upon motion of Senator Birdsong, **HB 1714** was advanced to engrossment.

By unanimous consent, upon request of Senator Birdsong, **HB 1714** was placed upon third reading and final passage.

### THIRD READING

**HB 1714** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Terrill, Williams, Young.—32.

Excused: Baggett, Baldwin, Breckinridge, Dacus, Ferrell, Garrett, Garrison,

Ham, Hamilton, Lane, Massey, Medearis, Nichols, Smith, Stipe, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Field, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Terrill, Williams, Young.—32.

Excused: Baggett, Baldwin, Breckinridge, Dacus, Ferrell, Garrett, Garrison, Ham, Hamilton, Lane, Massey, Medearis, Nichols, Smith, Stipe, Taliaferro.—16.

The emergency was declared passed.

**HB 1714** was properly signed and ordered returned to Honorable House.

#### GENERAL ORDER

**HB 1776** by Spearman, et al, of the House and Baggett and McGraw of the Senate was called up for further consideration.

Senator Boecher asked that his amendment to **HB 1776**, page 3, line 7, submitted on April 1, 1970, and appearing on page 722 of the Senate Journal, be withdrawn, which was the order.

Senator Williams moved to amend **HB 1776**, page 3, line 9, by adding after the word "highways" the language "However, this shall not prohibit occasional necessary movement of such golf carts, go-karts, power lawn mowers and other such vehicles on streets, which amendment was declared adopted.

Senator Ferrell, joined by Senators Terrill and Smalley moved to amend **HB 1776**, page 3, line 9, by adding after the word "highways" the language "Nothing in this act shall be interpreted as prohibiting farm vehicles from using the public highways" which amendment was declared adopted.

Senator Garrett moved to amend **HB 1776**, page 2, line 10, by striking after the word "streets" the remainder of line 10 and by

striking the word "state" on line 11, and inserting in lieu thereof the language "outside of the city limits of an incorporated city or town" which amendment was declared failed of adoption.

Senator Luton moved to amend **HB 1776**, page 2, line 11, by adding after the word "state" the language "Minibikes used by regularly organized units of any Shrine Temple shall be exempt from the provisions of this act while being used in any parade or other function of said body" which amendment was declared adopted.

Upon motion of Senator Baggett, **HB 1776**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HB 1776**, as amended, was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

**HB 1776** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Holden, Howard, Inhofe, Keels, Luton, McCune, Martin, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Terrill, Williams.—25.

Nay: Garrett, Graves, Hamilton, Hargrave, Horn, Medearis, Young.—7.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Ham, Lane, McGraw, McSpadden, Massey, Payne, Porter, Smith, Stansberry, Stipe, Taliaferro.—16.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boccher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Holden, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—32.

Nay: Graves, Hamilton, Horn.—3.



Excused: Baldwin, Dacus, Ferrell, Ham, Hargrave, Keels, Lane, Payne, Porter, Stansberry, Stipe, Taliaferro, Young.—13.

The emergency was declared passed.

**HB 1776**, as amended, was referred for engrossment.

## GENERAL ORDER

Senator Terrill moved that **HB 1526** be stricken from the Calendar, which motion was declared adopted.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Hamilton, the Senate concurred in **Has** to **SB 450**.

**SB 450**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams, Young.—34.

Excused: Baldwin, Boecher, Dacus, Ferrell, Ham, Howard, Lane, McSpadden, Massey, Porter, Smith, Stansberry, Stipe, Taliaferro.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams, Young.—34.

Excused: Baldwin, Boecher, Dacus, Ferrell, Ham, Howard, Lane, McSpadden, Massey, Porter, Smith, Stansberry, Stipe, Taliaferro.—14.

The emergency was declared passed.

House Amendments were properly signed

and above numbered bill, as amended, was referred for enrollment.

Senator Hamilton moved that the Senate reject the **HA** to **SB 599** and request a Conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 599**: Hamilton, Horn and Lane.

## MESSAGE FROM THE HOUSE

Requesting further Conference on **HB 1578** and re-referring said Bill to General Conference Committee on Appropriations.

Upon motion of Senator Terrill, the request of the Honorable House for further Conference on **HB 1578** was ordered granted, said Bill to be re-referred to the General Conference Committee on Appropriations.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 632**.

The above numbered Enrolled Bill was referred to the Governor.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1586**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

## GENERAL ORDER

**HB 1701** by Boren, et al, of the House and Nichols of the Senate was read and considered.

Senator Romang moved to amend **HB 1701**, page 2, lines 4 and 6, by striking the word "funds" on each of said lines and substitute therefor the word "moneys" and by correcting the title to conform thereto, which amendment was declared adopted.

Upon motion of Senator Nichols, **HB**

**1701**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **HB 1701**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1701** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Terrill, Williams, Young.—32.

Nay: Short.—1.

Excused: Baldwin, Boecher, Dacus, Ferrell, Garrett, Garrison, Ham, Lane, McSpadden, Massey, Porter, Smith, Stansberry, Stipe, Taliaferro.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Terrill, Williams, Young.—32.

Nay: Short.—1.

Excused: Baldwin, Boecher, Dacus, Ferrell, Garrett, Garrison, Ham, Lane, McSpadden, Massey, Porter, Smith, Stansberry, Stipe, Taliaferro.—15.

The emergency was declared passed.

**HB 1701**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1509** by McCune, et al, of the House

and Young of the Senate was called up for further consideration.

Senator Young moved the adoption of his amendment to **HB 1509**, page 3, line 6½, submitted on March 26 and appearing on page 639 of the Senate Journal.

Senator Payne, as a substitute for the Young motion, moved that **HB 1509**, as amended, be re-referred to the Judiciary Committee, which motion was tabled upon motion of Senator Young upon a roll call as follows:

Aye: Baggett, Berrong, Bradley, Breckinridge, Garrison, Grantham, Hargrave, Holden, Howard, Inhofe, McCune, McGraw, Martin, Miller, Romang, Short, Smith, Williams, Young.—19.

Nay: Atkinson, Birdsong, Crow, Graves, Hamilton, Horn, Keels, Luton, Murphy, Payne, Smalley, Taliaferro, Terrill.—13.

Excused: Baldwin, Boecher, Dacus, Ferrell, Field, Garrett, Ham, Lane, McSpadden, Massey, Medearis, Nichols, Phillips, Porter, Stansberry, Stipe.—16.

Senator Baggett moved to amend the Young amendment to page 3, line 6½, by striking after the word "services" all new language thereafter, comprising the last three sentences of the amendment, which amendment was declared adopted.

Senator Payne raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

Senator Baggett moved to amend the Young amendment to **HB 1509** by substituting the words "District Attorney" for the words "County Attorney" where the latter words thrice appear in subsections (a) and (b) of § 180.43, which amendment was declared adopted.

The vote occurring upon the Young amendment, as amended, it was declared adopted.

Senator Atkinson moved to amend **HB 1509**, page 2, line 14, by striking the words and figures "Three Dollars (\$3.00)" and substituting therefor the words and fig-

ures "Six Dollars (\$6.00)" which amendment was tabled upon motion of Senator Young.

Senator Smalley moved to amend **HB 1509**, page 1, the Title thereof, by striking after the word "fees" the remainder of the Title, which amendment was declared adopted.

Senator Baggett moved to amend **HB 1509**, page 3, line 6½, by inserting a new section to read as follows: "Section 3. The board of county commissioners may appropriate and the county excise board may approve an appropriation to the county sheriff to provide a fund from which the sheriff or his deputies or the district attorney or his deputies may make purchases of regulated drugs for evidence in criminal cases. Such fund shall not be subject to any requirement that claims be filed therefor by the ultimate recipient, but the district attorney or the sheriff shall execute such claims" which amendment was declared adopted.

Upon motion of Senator Young, **HB 1509**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1509**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1509** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Bradley, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Howard, Inhofe, McCune, McGraw, Martin, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Williams, Young.—23.

Nay: Atkinson, Birdsong, Crow, Field, Hamilton, Holden, Horn, Keels, Luton, Payne, Taliaferro, Terrill.—12.

Excused: Baldwin, Berrong, Boecher, Dacus, Ferrell, Hargrave, Lane, McSpadden, Massey, Medearis, Porter, Stansberry, Stipe.—13.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Payne moved that the vote be reconsidered by which **HB 1509**, as amended, failed of passage.

### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 85**.

The above numbered Resolution was referred for enrollment.

Senator Williams presiding.

### GENERAL ORDER

**HB 1510** by Hancock, et al, of the House and Young of the Senate was read and considered.

Senator Crow presiding.

Senator Martin moved to amend **HB 1510**, page 9, line 1, by adding after the word "commission" and before "Section 2" a new section to read as follows: "Section 2. Any person who knowingly purchases for, delivers, or furnishes to any person under twenty-one (21) years any malt beverage containing more than one-half of one percent (½ of 1%) of alcohol measured by volume shall be guilty of a misdemeanor. Nothing herein contained shall be construed as repealing 37 O.S. § 241" and renumbering succeeding section; and, by amending Title to conform thereto.

Senator Grantham moved to table the Martin amendment, which motion was declared failed of adoption, upon a roll call as follows:

Aye: Boecher, Garrett, Garrison, Grantham, Inhofe, McGraw, Nichols, Payne.—8.

Nay: Atkinson, Birdsong, Crow, Field, Graves, Ham, Holden, Keels, Luton, McCune, McSpadden, Martin, Miller, Murphy, Phillips, Romang, Short, Williams, Young.—19.

Excused: Baggett, Baldwin, Berrong, Bradley, Breckinridge, Dacus, Ferrell,



Hamilton, Hargrave, Horn, Howard, Lane, Massey, Medearis, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill.—21.

The vote occurring upon the Martin amendment, it was declared adopted, upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Field, Graves, Ham, Hamilton, Holden, Howard, Keels, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Phillips, Romang, Short, Smalley, Williams, Young.—24.

Nay: Boecher, Garrett, Garrison, Grantham, Horn, Inhofe, McGraw, Nichols, Payne, Terrill.—10.

Excused: Baldwin, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Hargrave, Lane, Medearis, Porter, Smith, Stansberry, Stipe, Taliaferro.—14.

Senator Miller moved to amend **HB 1510**, page 9, line 1½ by adding a new section to read as follows: "Section 2. It shall be unlawful for any person to knowingly transport in any vehicle upon a public highway, street or alley any nonintoxicating beverage containing more than one-half of one percent (½ of 1%) alcohol by volume and not more than three and two-tenths per cent (3.2%) alcohol by weight except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment" and by renumbering succeeding sections accordingly and by amending the Title to conform thereto,

which amendment was declared adopted upon a roll call as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Field, Graves, Ham, Holden, Howard, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Williams, Young.—23.

Nay: Boecher, Garrett, Garrison, Grantham, Horn, Inhofe, McGraw, Terrill.—8.

Excused: Baldwin, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Hamilton, Hargrave, Keels, Lane, Medearis, Payne, Porter, Smith, Stansberry, Stipe, Taliaferro.—17.

Senator Baggett presiding.

Upon motion of Senator Young, **HB 1510**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1510**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1510** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams, Young.—29.

Nay: Boecher, Garrett, Horn, McGraw.—4.

Excused: Baldwin, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Hargrave, Keels, Lane, Medearis, Porter, Smith, Stansberry, Stipe, Taliaferro.—15.

The bill was declared passed.

**HB 1510**, as amended, was referred for engrossment.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, ad-

vising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1492**.

### CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1492** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1492**, and Engrossed Senate Amendments thereto by Bamberger, et al of the House and Murphy and Smalley of the Senate, entitled:

An Act relating to courts; amending Sections 2 and 3 of Chapter 378, O.S.L. 1968 (74 O.S. Supp. 1969, § § 295 and 296); increasing the salaries of special judges and associate district judges of the District Court; providing for an effective date; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS for HB 1492**—By Bamberger, et al, of the House; Murphy, Birdsong and Smalley of the Senate—An Act relating to courts; amending Sections 2 and 3 of Chapter 378, O.S.L 1968 (74 O.S. Supp. 1969, § § 295 and 296); increasing the salaries of special judges and certain associate district judges of the District Court; providing for an effective date; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

**SECTION 1.** Section 3, Chapter 378, O. S. L. 1968 (74 O. S. Supp. 1969 § 296) is amended to read as follows:

§ 296. The annual salary of each special judge shall be as follows: **[\$10,000.00]** NOT LESS THAN TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) NOR MORE THAN THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00) for

lawyer special judges, and **[\$5,000.00]** EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00) for nonlawyer special judges, payable monthly by the state.

**SECTION 2.** Section 2, Chapter 378, O. S. L. 1968 (74 O. S. Supp. 1969, §295) is amended to read as follows:

§295. The annual salary of each associate district judge in each county, the population of which is three hundred thousand (300,000), or more, according to the latest Federal Decennial Census, shall be Sixteen Thousand Five Hundred Dollars (\$16,500.00), payable monthly by the state. Except that any associate district judge who was, on January 1, 1968, receiving an annual salary as judge, larger than that herein provided shall not be subject to a reduction in amount thereof but the difference between the rate of his salary prior to said date and that herein specified shall be paid from the court fund of the county. The total of such judicial salaries when paid in part from the court fund shall be used in calculation of any other benefits such as entitlement to retirement or supernumerary benefits.

The annual salary of each associate district judge in counties under three hundred thousand (300,000) population, according to the latest Federal Decennial Census, shall be as follows: in counties of less than ten thousand (10,000) population, a salary of **[\$10,500.00]** NOT LESS THAN TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) NOR MORE THAN THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00); in counties of ten thousand (10,000) to three hundred thousand (300,000) population, a salary of Fourteen Thousand Five Hundred Dollars (\$14,500.00) per year; and all salaries shall be payable monthly by the state.

**SECTION 3.** The effective date of this act shall be July 1, 1970.

**SECTION 4.** It being immediately nec-

essary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Murphy, Smalley, Massey.

FOR THE HOUSE: Bamberger, Stratton.

#### MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed **HB 1568**, and re-referring said Bill to the General Conference Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 569**, **SB 586**, **SB 649**-coauthored by York; and **SB 658**-coauthored by Sullivan.

The above numbered Bills were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising that the House has reconsidered the vote by which the following numbered Bills passed; has reconsidered the vote by which Conference Committee Reports on said Bills were adopted; the House rejects the Conference Committee Reports and requests further Conference on **SBs 413**, **416** and **432**, said Bills to be re-referred to the General Conference Committee on Appropriations.

Senator McSpadden moved that the request of the Honorable House for a further conference on **SBs 413**, **416** and **432** be granted, which motion prevailed, said Bills to be re-referred to the General Conference Committee on Appropriations.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 85** correctly enrolled.

Enrolled **SCR 85** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Payne presiding.

#### GENERAL ORDER

**HB 1508** by McCune, et al, of the House and Grantham, Romang, Young and Nichols of the Senate was read and considered.

Senator Baggett moved to amend **HB 1508**, page 2, line 11, by inserting after the word "date" and before the words "of this act" the words "of the preceding section" and by adding after line 12 the following new Section 3.

"SECTION 3. 28 O. S. 1961, § 31, as amended by Section 6, Chapter 122, O. S. L. 1967 (28 O. S. Supp. 1969, § 31), is amended to read as follows:

§ 31. The clerk of the district court, or the clerk of any other court of record, shall charge and collect the following fees for services by them respectively rendered and none others, except as otherwise provided by law:

Docket fees in each case, which shall include the entry of cause upon the appearance docket, indexing .....	\$2.00
Each entry of order, rule, motion, decree, return or verdict upon the appearance docket .....	.20
Swearing jurors and witnesses .....	.20
Issuing warrants, attachments, replevins, executions or orders of sale, each page .....	1.00
Issuing subpoena, including all names on one praecipe .....	.50
Issuing summons .....	.50
Approving bond or undertaking, including certificate and seal .....	1.25
Administering oath to each person in open court .....	.20
Swearing jury to cause (each) .....	.20
Commission to take deposition .....	1.00
Docketing judgment (each) .....	.50
Recording any instrument of record, first page .....	1.00
subsequent pages (each) .....	.50
Making copy of an instrument of record or on file, first page .....	1.00
subsequent pages (each) .....	.50



Certifying to any instrument (each) -	.25
Issuing or filing commitment in felony cases, including certified copies	1.00
Issuing commitment in any other cases	.50
Issuing release	.50
Issuing any order, writ or process not otherwise provided for, per folio	\$1.00
Filing, docketing laborer's or materialman's lien, including written or marginal release	1.25
Receiving and paying out money in pursuance of law or order of court provided, however that such charge shall not exceed \$200.00, PROVIDED, FURTHER, THAT ALIMONY AND CHILD SUPPORT, OR PAYMENTS IN LIEU THEREOF, WHETHER TEMPORARY OR PERMANENT, SHALL NOT BE SUBJECT TO SUCH CHARGE.	1%,

In any case which has been on file and pending without activity for a period of five (5) years and in which there is on hand, unexpended, a balance of deposits for costs, there shall be a charge annually thereafter for accounting, to be deducted from any such balance, and to the extent available therefor, an annual fee of .....\$2.00

Application, issuing, entering return and recording marriage license .... 5.00

Issuing letters testamentary, administration or guardianship ..... 1.00

Conveyance of full blood Indian heirs to interest in inherited lands, same to be accounted for as other fees ..... 5.00";

and, by adding the Emergency Clause as Section 4, and by amending Title to conform thereto, which amendment was tabled upon motion of Senator Grantham, upon a roll call as follows:

Aye: Boecher, Garrison, Grantham, Graves, Ham, Holden, Horn, McCune, McSpadden, Massey, Murphy, Payne, Romang, Short, Smalley, Smith, Williams.—17.

Nay: Atkinson, Baggett, Birdsong, Field, Garrett, Hamilton, Howard, Luton, Martin, Miller, Terrill.—11.

Excused: Baldwin, Berrong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Hargrave, Inhofe, Keels, Lane, McGraw, Medearis, Nichols, Phillips, Porter, Stansberry, Stipe, Taliaferro, Young.—20.

Upon motion of Senator Grantham, **HB 1508** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1508** was placed upon third reading and final passage.

### THIRD READING

**HB 1508** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Short, Smalley, Smith, Terrill, Williams, Young.—29.

Excused: Baldwin, Berrong, Bradley, Breckinridge, Dacus, Ferrell, Hargrave, Inhofe, Keels, Lane, McGraw, Medearis, Nichols, Phillips, Porter, Romang, Stansberry, Stipe, Taliaferro.—19.

The bill was declared passed.

**HB 1508** was properly signed and ordered returned to Honorable House.

### RESOLUTIONS

By unanimous consent, **SCR 86** by Smith and Miller of the Senate and McCune of the House was introduced, read as follows, and consideration deferred for this legislative day:

A Concurrent Resolution relating to elections; expressing legislative intention that laws authorizing a candidate to challenge the correctness of the result of an election only apply to elections in which there are candidates.

By unanimous consent, the following

Resolution was introduced and consideration deferred for this legislative day:

**SR 65** by Breckinridge—A resolution relating to interim study by the State Legislative Council; requesting the Executive Committee of the Council to refer to an appropriate standing committee the assignment of conducting a detailed study, analysis and evaluation of the merit system salary plan for teacher compensation; and requiring that a final report and recommendations be submitted to the Executive Committee of the Council.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1653**, requesting Conference and naming Conferees as follows: Mountford, Odom (V. H.), and Green.

Upon motion of Senator Terrill, the request of the Honorable House for a Conference on **HB 1653** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, Senator Birdsong, designated by President Pro Tempore Smith so to do, announced the appointment of the following Senate Conferees under **HB 1653**: Phillips, McSpadden and Luton.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1677**, requesting Conference and naming Conferees as follows: Skeith, Monks and Barker.

Upon motion of Senator Terrill, the request of the Honorable House for a Conference on **HB 1677** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, Senator Birdsong, designated by President Pro Tempore Smith so to do, announced the appointment of the following Senate Conferees under **HB 1677**: Grantham, Murphy and Birdsong.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned until 10:00 a.m. tomorrow, which motion was declared adopted.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HBs 1719, 1766** and **HJR 1053**, requesting Conference and naming Conferees as follows:

**HB 1719**—Tarwater, Greenhaw, Musgrave.

**HB 1766**—Smith (E.W.), Hopkins, Rogers.

**HJR 1053**—Converse, Abbott, Bradley.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 85**.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

As provided under the Birdsong motion, the Senate was declared adjourned until 10:00 a.m. tomorrow.





## Fifty-third Legislative Day

Tuesday, April 7, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—37.

Excused: Boecher, Dacus, Garrison, Ham, Howard, Keels, Miller, Murphy, Short, Stansberry, Terrill.—11.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Chaplain and is incorporated herein, by unanimous consent, upon request of Senator Hargrave:

Almighty and Eternal God, Ruler of the nations, whose wisdom is infinite and power everlasting, we humbly ask Thy blessing upon our Republic in the difficult days of confusion and tension through which we are passing. Guide, we pray Thee, our President, our Legislators and all to whom have been committed the government and well-being of our Nation. Grant them an added measure of insight, understanding and courage, that in the support of our liberties they may be instruments of a just and lasting peace for all mankind. Help us to commend the true democratic way of life to all peoples, not by lip service, but by upholding those principles that emancipate hu-

manity from despotism and injustice and that lead to all that is best and noblest in and for mankind.

These things we ask in the name of Him who we revere as Master and Lord, our Saviour, Jesus Christ. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising you that on this date, I have returned **SB 442** for correction as requested by the State Senate.

### INTRODUCTION OF GUEST

By unanimous consent, Senator Baggett was recognized for a special introduction; whereupon, he introduced Lance Christian Lenhart and asked that Lance be made Honorary Chief Page for this legislative day.

The above is incorporated herein, by unanimous consent, upon request of Senator Baggett.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 232**-coauthored by Cate; **SB 478**; **SB 563**-coauthored by York, McCune and Sparkman; **SB 590**; **SB 604**-coauthored by Hutchens, Hancock and Sandlin; **SB 648**-coauthored by Ferrell, each as amended.

**HAS** to **SB 232** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act relating to the Uniform Commercial Code; amending 12A O. S. 1961,

§ § 2-702, 3-501, 7-209, 8-102 and 8-313; providing, respectively, seller's right to reclaim goods sold an insolvent does not extend to lienholder; broadening area wherein protest of dishonor of a draft is necessary, and clarifying a warehouseman's lien as to household goods; adding a new section providing an obligation may be issued subordinate to the payment of another obligation; providing for the contents, filing and recording financing statements which pertain to real estate and continuation and termination statements pertaining to real estate; prescribing duties of the County Clerk and fixing fees for filing, recording and certifying; defining clearing corporation, defining custodian bank, delivery of security by appropriate entries on the books of a clearing corporation where a security is part of a fungible bulk the purchaser is the owner of a proportionate property interest in the fungible bulk; adding a new section providing for transfer or pledge of securities within a central depository system; providing the conditions therefor; providing this method of transfer or pledge in addition to other methods, that a transfer or pledge under this section has effect of delivery in bearer form or duly endorsed in blank, that transferee or pledgee under this section is a holder, that a transfer or pledge under this section is not registration under Part 4 of this article; and providing for codification."

Amendment No. 2. Amend Page 1, Section 1, Lines 29 through 36, by deleting all of Section 1, and renumbering the succeeding Sections.

Amendment No. 3. Amend Page 4, Section 4, Line 30, by deleting the word and figure "Section 5" and substituting in lieu thereof the word and figure "Section 4".

Amendment No. 4. Amend Page 5, Section 11, Line 22, by deleting the figures "7, 8, 9 and 10" and substituting in lieu thereof the figures "6, 7, 8 and 9".

Amendment No. 5. Amend Page 8, Section 15, Line 28, by deleting the word and

figure "Section 14" and substituting in lieu thereof the word and figure "Section 13".

**HAs to SB 478** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act relating to insurance; amending 36 O. S. 1961, § § 903, 1004 and 1016, to provide that all meetings of the State Board for Property and Casualty Rates shall be formal and no official action shall be taken except at a formal, open, public meeting; providing that minutes of all meetings shall be recorded and made a matter of public record; providing that no final action on rates shall be taken until the expiration of fifteen days from the notice of such meeting; providing that any conferences held prior to official meetings shall be official conferences with minutes recorded in the same manner as official meetings; and declaring an emergency."

Amendment No. 2. Amend Page 2, Section 1, Line 31, by deleting the word and figures "thirty (30)" and inserting in lieu thereof the word and figures "fifteen (15)".

Amendment No. 3. Amend Page 4, Section 2, Line 22, by deleting the word and figures "thirty (30)" and inserting in lieu thereof the word and figures "fifteen (15)".

**HA to SB 563** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 4, Section 7, Lines 15 and 16, by striking the language on Line 15 starting with the word "by" and all of Line 16, and substituting in lieu thereof the following language: "for by the State of Oklahoma, under the supervision of the Administrative Director of the Courts."

**HAs to SB 590** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Line 35, by striking the language commencing

with the word "and", all of Line 36, and "\$2.00" on Page 2, Line 2, and substituting the following "at the rate of Five Dollars (\$5.00)".

Amendment No. 2. Amend Page 2, Section 1, Lines 14 to 18, by striking Lines 14 to 18, inclusive, and renumbering subsection "(f)" to be subsection "(e)".

Amendment No. 3. Amend Page 2, Line 23, by inserting after the word "form" and before the word "its" the following: ", either printed or typed," and inserting after the word "effective" and before the word "ordinances" the word "penal".

**HAs to SB 604** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

"An Act relating to criminal procedure; providing certain remedies to persons convicted of commission of crimes; providing procedure, for presenting evidence, for costs and for disposition; providing conditions under which relief herein afforded is waived; providing for appeals; repealing Section 1, Chapter 165, O. S. L. 1965 (22 O. S. Supp. 1969, § 1073) on the effective date of this act; providing for effective date; and declaring an emergency."

Amendment No. 2. Amend Page 1, Section 1, Line 26, by adding the language "suspended sentence," after the word "his" and before the word "probation".

Amendment No. 3. Amend Page 2, Section 2, Line 5, by adding a new sentence after the word "pending." to read as follows: "When such a proceeding arises from the revocation of parole or conditional release, the proceeding shall be commenced by filing a verified "application for post-conviction relief" with the Clerk of the District Court in the county in which the parole or conditional release was revoked."

Amendment No. 4. Amend Page 2, Section 3, Line 16, by deleting the words "and other aids".

Amendment No. 5. Amend Page 4, Line 19, by adding a new SECTION 12, to

read as follows: "SECTION 12. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HAs to SB 648** read as follows, and consideration deferred:

Amendment No. 1. Amend Title to read as follows:

An Act relating to contracts; defining the term "interest"; directing codification; amending 15 O. S. 1961, § 266; deleting provisions fixing maximum rate of interest; repealing 15 O. S. 1961, § 271; and declaring an emergency."

Amendment No. 2. Amend Page 1, Section 3, Line 20, by deleting the words and figure "seven percent (7%)" and placing in lieu thereof the words and figure "six percent (6%)".

Amendment No. 3. Amend Page 1, Line 21, after the word "interest" insert the following language: ", and by contract the parties may agree to any rate as may be authorized by law, now in effect or hereinafter enacted".

## MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HB 1810**—By Camp, Ford, Williams, Hatchett, Goodfellow and Monks—An Act relating to schools; amending 70 O. S. 1961, § 20-1; providing authority to principal teacher to suspend and expel child from school where his use or possession of dangerous weapons, narcotic drugs, stimulants, or barbiturates, jeopardizes safety of others; providing severability; and declaring an emergency.

The above numbered **HB** was read for the first time.

## MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1735**, as amended.



**MESSAGE FROM THE HOUSE**

Advising Conference granted on Engrossed **SB 599**, and naming House Conferees as follows: Sullivan, Payne and Murphy.

**CITATIONS**

Upon motion of Senator Romang, joined by Senators Inhofe, Breckinridge, McGraw, Smith, Hargrave, Bradley and Howard, Citation of Congratulations was ordered issued to Mrs. Marjorie Morgan of the Women's Staff, Tulsa Tribune, for significant contribution to public understanding of legislative process through recent articles on services performed by the "Ladies of the Oklahoma Legislature"—the Chief Clerks and Engrossing and Enrolling Clerks of the Senate and House of Representatives, whose performance of essential roles contribute to the smooth functioning of legislative machinery.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Randy L. Clark upon being named "Citizen of the Month" by the Downtown Optimist Club.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Mrs. Wanda Foster of Tulsa, Oklahoma, upon being named Oklahoma's outstanding Young Woman of 1970.

Upon motion of Senator Howard, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Tom Putnam of Tulsa, Oklahoma upon being named "Suggester of the Year" by the New York Chapter of the National Suggestion Systems.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

**GENERAL ORDER**

**HB 1214** by Hopkins, et al, of the House was read and considered.

Senator Hargrave moved to amend **HB**

**1214**, page 4, line 9, by striking after the word "of" and before the word "trustees" the language "from eighteen (18) to thirty-six (36)" and substituting therefor the word and figure "nine (9)" which amendment was declared adopted.

Upon motion of Senator Hargrave, **HB 1214**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hargrave, **HB 1214**, as amended, was considered engrossed and placed upon third reading and final passage.

**THIRD READING**

**HB 1214** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hargrave, Holden, Horn, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Boecher, Breckinridge, Dacus, Garrison, Ham, Hamilton, Howard, Inhofe, Keels, McGraw, Miller, Murphy, Short, Stansberry, Terrill.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hargrave, Holden, Horn, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Nichols, Payne, Phillips, Porter, Romang, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Boecher, Breckinridge, Dacus, Garrison, Ham, Hamilton, Howard, Inhofe, Keels, McGraw, Miller, Murphy, Short, Stansberry, Terrill.—15.

The emergency was declared passed.

**HB 1214**, as amended, was referred for engrossment.

Senators Keels, Miller, Short, Garrison

and Murphy asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1260** by Cate of the House and Baggett, Nichols and Breckinridge of the Senate was read and considered.

Upon motion of Senator Baggett, **HB 1260** was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HB 1260** was placed upon third reading and final passage.

### THIRD READING

**HB 1260** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Field, Garrison, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Williams.—32.

Nay: Hamilton.—1.

Excused: Berrong, Birdsong, Boecher, Crow, Dacus, Garrett, Grantham, Ham, Howard, Lane, Miller, Stansberry, Stipe, Terrill, Young.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Bradley, Breckinridge, Ferrell, Field, Garrison, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Williams.—32.

Nay: Hamilton.—1.

Excused: Berrong, Birdsong, Boecher, Crow, Dacus, Garrett, Grantham, Ham, Howard, Lane, Miller, Stansberry, Stipe, Terrill, Young.—15.

The emergency was declared passed.

**HB 1260** was properly signed and ordered returned to Honorable House.

Senator Howard asked to be shown present, which was the order.

Senator Smalley presiding.

### GENERAL ORDER

**HB 1690** by Bickford of the House and Nichols and Williams of the Senate was read and considered.

Senator Williams asked that his name be removed as coauthor of **HB 1690**, which was the order.

Upon motion of Senator Nichols, **HB 1690** was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **HB 1690** was placed upon third reading and final passage.

### THIRD READING

**HB 1690** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Breckinridge, Crow, Garrett, Garrison, Grantham, Hargrave, Holden, Inhofe, Lane, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Young.—26.

Nay: Baldwin, Berrong, Ferrell, Field, Graves, Hamilton, Horn, Howard, Keels, McCune, Massey, Murphy, Taliaferro, Williams.—14.

Excused: Boecher, Dacus, Ham, Luton, Medearis, Smith, Stansberry, Terrill.—8.

The bill was declared passed.

**HB 1690** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1637** by Bickford of the House and Nichols of the Senate was read and considered.

Upon motion of Senator Nichols, **HB 1637** was advanced to engrossment.

By unanimous consent, upon request of

Senator Nichols, **HB 1637** was placed upon third reading and final passage.

### THIRD READING

**HB 1637** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Garrett, Hargrave, Martin, Miller, Nichols, Stipe.—7.

Nay: Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Williams.—30.

Excused: Baggett, Bradley, Crow, Dacus, Ham, Holden, Medearis, Phillips, Stansberry, Terrill, Young.—11.

The bill was declared failed of passage.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Nichols moved that the vote be reconsidered by which **HB 1637** failed of passage.

### MOTION

Senator Hamilton moved that the Honorable House be requested to return **HB 1690** for further consideration.

Senator Stipe moved to table the Hamilton motion, which motion was declared failed of adoption.

The vote occurring upon the Hamilton motion, it was declared adopted.

Senator Boecher asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1655** by Barker, et al, of the House and Nichols of the Senate was read and considered.

Upon motion of Senator Nichols, **HB 1655** was advanced to engrossment.

By unanimous consent, upon request of Senator Nichols, **HB 1655** was placed upon third reading and final passage.

### THIRD READING

**HB 1655** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Birdsong, Boecher, Bradley, Breckinridge, Garrett, Garrison, Graves, Hargrave, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—26.

Nay: Baldwin, Ferrell, Grantham, Hamilton, Lane, Payne, Porter, Taliaferro.—8.

Excused: Atkinson, Berrong, Crow, Dacus, Field, Ham, Holden, Horn, McSpadden, Massey, Medearis, Phillips, Stansberry, Terrill.—14.

The bill was declared passed.

**HB 1655** was properly signed and ordered returned to Honorable House.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1435, 1508, 1525, 1641, 1660, 1714, 1735, 1762, 1767, 1768** and **1809**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HJR 1033** correctly engrossed.

**SBs 539** and **541** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HJR 1033**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 539** and **541**, were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### MOTION TO RECONSIDER VOTE

Senator Payne asked for consideration of his motion to reconsider the vote by which **HB 1509**, as amended, failed of passage.



Senator Keels moved to table the Payne motion, which motion was declared adopted.

### GENERAL ORDER

**HB 1772** by Sanguin, et al, of the House and Stipe of the Senate was read and considered.

Upon motion of Senator Stipe, **HB 1772** was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1772** was placed upon third reading and final passage.

### THIRD READING

**HB 1772** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams.—33.

Excused: Baggett, Crow, Dacus, Ferrell, Grantham, Ham, McSpadden, Medearis, Miller, Nichols, Phillips, Porter, Stansberry, Terrill, Young.—15

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Payne, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams.—33.

Excused: Baggett, Crow, Dacus, Ferrell, Grantham, Ham, McSpadden, Medearis, Miller, Nichols, Phillips, Porter, Stansberry, Terrill, Young.—15

The emergency was declared passed.

**HB 1772** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1488** by Privett, et al, of the House and Smith, Medearis and Graves of the Senate was read and considered.

Senators Bradley, Ferrell, Short and Smalley asked to be made coauthors of **HB 1488**, which was the order.

Upon motion of President Pro Tempore Smith, **HB 1488** was advanced to engrossment.

By unanimous consent, upon request of President Pro Tempore Smith, **HB 1488** was placed upon third reading and final passage.

### THIRD READING

**HB 1488** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Breckinridge, Crow, Dacus, Ham, Hamilton, Inhofe, Martin, Medearis, Payne, Porter, Stansberry, Terrill.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Breckinridge, Crow, Dacus, Ham, Hamilton, Inhofe, Martin,

Medearis, Payne, Porter, Stansberry, Terrill.—13.

The emergency was declared passed.

**HB 1488** was properly signed and ordered returned to Honorable House.

Senator Terrill asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1684** by Tarwater, et al, of the House and Holden of the Senate was read and considered.

Senator Payne asked to be made a co-author of **HB 1684**, which was the order.

Upon motion of Senator Holden, **HB 1684** was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, **HB 1684** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1684** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—34.

Excused: Atkinson, Baggett, Bradley, Crow, Dacus, Ham, Hamilton, Howard, McSpadden, Martin, Medearis, Porter, Stansberry, Young.—14.

The bill was declared passed.

**HB 1684**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1595** by Holaday, et al, of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1595** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1595** was placed upon third reading and final passage.

### THIRD READING

**HB 1595** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—38.

Excused: Crow, Dacus, Garrett, Ham, Howard, Massey, Medearis, Murphy, Stansberry, Taliaferro.—10.

The bill was declared passed.

**HB 1595** was properly signed and ordered returned to Honorable House.

### PENDING SENATE ACTION

Pursuant to the request of the Honorable House, President Pro Tempore Smith moved that the Senate reconsider the vote by which **HB 1522**, as amended in Conference passed, which motion was declared adopted upon a roll call as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—36.

Excused: Atkinson, Crow, Dacus, Garrett, Ham, Howard, Massey, Medearis, Murphy, Stansberry, Stipe, Taliaferro.—12.

President Pro Tempore Smith asked unanimous consent, which was granted,

that the vote be reconsidered by which the Conference Committee Report on **HB 1522** was adopted.

President Pro Tempore Smith moved that the Senate reject the Conference Committee Report on **HB 1522** and request a further Conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1522**: Stipe, Terrill and Bradley.

### MESSAGE FROM THE HOUSE

The House respectfully requests the return of **HB 1575** together with Conference Committee Report thereon, for further consideration.

Upon motion of Senator McSpadden, the request of the Honorable House was ordered granted.

### PENDING CONSIDERATION OF CCR

Senator Murphy moved that the Senate reject the Conference Committee Report on **SB 560** and request further conference thereon, which motion was declared adopted, President Pro Tempore Smith re-appointing the original Senate Conferees: Murphy, Holden and Atkinson.

Senator Hamilton presiding.

### GENERAL ORDER

**HB 1645** by McCune of the House and Grantham and Smalley of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1645** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1645** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1645** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Bradley, Ferrell, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Williams, Young.—30.

Nay: Berrong, Boecher, Field, Horn, Taliaferro, Terrill.—6.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Holden, McSpadden, Massey, Medearis, Phillips, Stansberry, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Nay: Horn.—1.

Excused: Baggett, Bradley, Breckinridge, Crow, Dacus, Ferrell, Ham, Howard, Massey, Medearis, Phillips, Stansberry, Stipe.—13.

The emergency was declared passed.

**HB 1645**, as amended, was referred for engrossment.

### GENERAL ORDER

**HJR 1044** by Briscoe of the House and McSpadden of the Senate was read and considered.

Upon motion of Senator McSpadden, **HJR 1044** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HJR 1044** was placed upon third reading and final passage.

### THIRD READING

**HJR 1044** was read for the third time at length.



On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Inhofe, Lane, Luton, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Smalley, Taliaferro, Terrill, Williams, Young.—26.

Nay: Baldwin, Grantham, Horn, Keels, McCune, McGraw, Nichols, Short.—8.

Excused: Baggett, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ham, Howard, Massey, Medearis, Porter, Smith, Stansberry, Stipe.—14.

The Resolution was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—33.

Nay: Keels.—1.

Excused: Baggett, Birdsong, Bradley, Dacus, Ferrell, Ham, Horn, Massey, Medearis, Miller, Smith, Stansberry, Stipe, Young.—14.

The emergency was declared passed.

**HJR 1044** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HJR 1056** by Smithey of the House and Hargrave of the Senate was read and considered.

Upon motion of Senator Hargrave, **HJR 1056** was advanced to engrossment.

By unanimous consent, upon request of Senator Hargrave, **HJR 1056** was placed upon third reading and final passage.

### THIRD READING

**HJR 1056** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Howard, Inhofe, Lane, McGraw, McSpadden, Martin, Murphy, Payne, Phillips, Porter, Romang, Smalley, Taliaferro, Terrill.—28.

Nay: Baldwin, Grantham, Horn, Keels, McCune, Nichols, Short, Williams.—8.

Excused: Bradley, Dacus, Ham, Holden, Luton, Massey, Medearis, Miller, Smith, Stansberry, Stipe, Young.—12.

The Resolution was declared passed.

**HJR 1056** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HJR 1057** by Smithey of the House and Hargrave of the Senate was read and considered.

Upon motion of Senator Hargrave, **HJR 1057** was advanced to engrossment.

By unanimous consent, upon request of Senator Hargrave, **HJR 1057** was placed upon third reading and final passage.

### THIRD READING

**HJR 1057** was read for the third time at length.

On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Howard, Inhofe, Lane, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Romang, Smalley, Taliaferro, Terrill.—25.

Nay: Baldwin, Grantham, Horn, Keels, McCune, Porter, Short, Williams.—8.

Excused: Baggett, Bradley, Dacus, Ferrell, Ham, Holden, Luton, Massey, Medearis, Nichols, Phillips, Smith, Stansberry, Stipe, Young.—15.

The Resolution was declared passed.

**HJR 1057** was properly signed and ordered returned to Honorable House.

## RESOLUTION

By unanimous consent, **SCR 87** by Berrong and Terrill of the Senate and Stratton of the House was introduced as follows:

A Concurrent Resolution commending astronaut Colonel Thomas P. Stafford in whose name Weatherford is dedicating its airport as "Thomas P. Stafford Field"; and directing distribution.

Senator Inhofe asked that he be made a coauthor of **SCR 87**, which was the order.

By unanimous consent, upon request of Senator Berrong, all other members of the Senate were made coauthors of the Resolution.

**SCR 87**, as coauthored, was read at length, adopted upon motion of Senator Berrong and ordered referred for engrossment.

Senator Stansberry asked to be shown present, which was the order.

## MESSAGE FROM THE HOUSE

The House returns herewith **HB 1690** for further consideration by the Senate pursuant to request of the Honorable Senate.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Hamilton moved that the vote be reconsidered by which **HB 1690** passed.

Senator Terrill moved that the Senate stand recessed until 1:15 p.m., which motion was declared adopted.

At 1:15 p.m., the Senate reassembled with Senator Smalley presiding.

Senator Terrill raised the question of "no quorum".

The Presiding Officer ordered the roll called and declared a quorum was present.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 539** and **541**.

The above numbered Enrolled Bills were referred to the Governor.

## MESSAGE FROM THE HOUSE

Advising further Conference granted on **HB 1522** and naming same Conferees.

## MESSAGE FROM THE HOUSE

Advising further Conference granted on **SB 550** and naming same Conferees.

Senator Luton asked unanimous consent that he and Senators Murphy and Baggett be excused for purpose of a conference committee meeting, which was the order.

Senator Crow presiding.

## GENERAL ORDER

**HB 1743** by McCune of the House and Grantham of the Senate was read and considered.

Senator Grantham moved to amend **HB 1743**, page 2, line 11, by adding after the word "injunction" and before the comma (,) the words "and it becomes operative" which amendment was declared adopted.

Senator Baggett moved to amend **HB 1743**, page 2, line 3½, by inserting after line 3 and before line 4 the following: "(5) directs the payment of the money pendente lite" which amendment was declared adopted.

Upon motion of Senator Grantham, **HB 1743**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1743**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1743** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Martin, Miller, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams, Young.—35.

Excused: Dacus, Ham, Holden, Luton, McSpadden, Massey, Medearis, Murphy, Porter, Smalley, Smith, Stipe, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Martin, Miller, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams, Young.—35.

Excused: Dacus, Ham, Holden, Luton, McSpadden, Massey, Medearis, Murphy, Porter, Smalley, Smith, Stipe, Taliaferro.—13.

The emergency was declared passed.

**HB 1743**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1749** by McCune of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1749** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1749** was placed upon third reading and final passage.

### THIRD READING

**HB 1749** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Miller, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams, Young.—34.

Excused: Baggett, Dacus, Ham, Howard, Lane, McSpadden, Massey, Murphy,

Nichols, Porter, Smith, Stansberry, Stipe, Taliaferro.—14.

The bill was declared passed.

**HB 1749** was properly signed and ordered returned to Honorable House.

Senator Ham asked to be shown present which was the order.

### GENERAL ORDER

**HB 1801** by Green, et al, of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1801** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1801** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1801** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Stansberry, Terrill, Williams, Young.—37.

Excused: Baggett, Dacus, Hamilton, McGraw, McSpadden, Massey, Porter, Smalley, Smith, Stipe, Taliaferro.—11.

The bill was declared passed.

**HB 1801**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1787** by McCune of the House and Grantham of the Senate was read and considered.

Upon motion of Senator Grantham, **HB 1787** was advanced to engrossment.

By unanimous consent, upon request of



Senator Grantham, **HB 1787** was placed upon third reading and final passage.

### THIRD READING

**HB 1787** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Martin, Massey, Miller, Murphy, Nichols, Payne, Romang, Terrill, Young.—25.

Nay: Berrong, Boecher, Ferrell, Field, Horn, McCune, McGraw, Medearis, Phillips, Short, Stansberry, Williams.—12.

Excused: Dacus, Garrison, Hamilton, Keels, Luton, McSpadden, Porter, Smalley, Smith, Stipe, Taliaferro.—11.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Luton, McCune, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Stansberry, Stipe, Terrill, Williams, Young.—32.

Nay: Horn, Keels, Medearis, Short.—4.

Excused: Birdsong, Dacus, Ferrell, Garrison, Hamilton, Lane, McGraw, McSpadden, Porter, Smalley, Smith, Taliaferro.—12.

The emergency was declared passed.

**HB 1787** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1678** by McCune of the House and Garrett of the Senate was read and considered.

Senator McCune asked to be made a coauthor of **HB 1678**, which was the order.

Upon motion of Senator Garrett, **HB 1678** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1678** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1678** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Graves, Ham, Howard, Inhofe, Keels, Luton, McCune, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Terrill, Williams.—27.

Nay: Crow, Hargrave, Holden, Horn, Lane, Martin, Nichols, Stansberry.—8.

Excused: Birdsong, Dacus, Garrison, Hamilton, McGraw, McSpadden, Massey, Porter, Smalley, Smith, Stipe, Taliaferro, Young.—13.

The bill was declared passed.

**HB 1678**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1675** by McCune of the House and Garrett of the Senate was read and considered.

Senator Garrett moved to amend **HB 1675**, page 1, line 5, by striking after the word "case" the language "any proceeds from such sale shall be deposited in the court fund" which amendment was declared adopted.

Senator Short moved to amend **HB 1675**, page 1, beginning on line 1, by striking the language "and deputy District Attorney are" and substituting therefor the word "is" which amendment was declared adopted.

Upon motion of Senator Garrett, **HB 1675**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1675**, as amended,

was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1675** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Lane, McCune, McGraw, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Stipe, Terrill, Williams, Young.—33.

Nay: Horn, Nichols, Stansberry.—3.

Excused: Baldwin, Dacus, Garrison, Ham, Hamilton, Luton, McSpadden, Martin, Porter, Smalley, Smith, Taliaferro.—12.

The bill was declared passed.

**HB 1675**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1206, 1461, 1701, 1721 and 1776** each correctly engrossed.

**SBs 450, 569, 586, 649 and 658** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1206, 1461, 1701, 1721 and 1776**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 450, 569, 586, 649 and 658** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

### GENERAL ORDER

**HB 1741** by McCune of the House and Garrett of the Senate was read and considered.

Senator McCune asked to be made a coauthor of **HB 1741**, which was the order.

Upon motion of Senator Garrett, **HB 1741** was advanced to engrossment.

By unanimous consent, upon request of Senator Garrett, **HB 1741** was placed upon third reading and final passage.

### THIRD READING

**HB 1741** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill.—26.

Nay: Crow, Ferrell, Garrison, Ham, Hamilton, Holden, Horn, Lane, Luton, Massey, Medearis, Stansberry, Stipe, Williams, Young.—15.

Excused: Baldwin, Berrong, Dacus, Hargrave, Porter, Smith, Taliaferro.—7.

The bill was declared passed.

**HB 1741** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1528** by Hutchens, et al, of the House and Romang of the Senate was read and considered.

Senator Inhofe asked to be made a coauthor of **HB 1528**, which was the order.

Senator Stipe moved to amend **HB 1528**, page 2, line 3, by inserting after the word "shown." the language "Provided that all movies advertised must be rated and the rating advertised."

Senator Romang moved to table the Stipe amendment, which motion was declared failed of adoption upon a roll call as follows:

Aye: Berrong, Garrett, Grantham, Howard, Inhofe, Keels, Romang, Williams, Young.—9.

Nay: Atkinson, Baggett, Baldwin,

Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Ham, Horn, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Murphy, Short, Smalley, Smith, Stansberry, Stipe, Terrill.—26.

Excused: Birdsong, Dacus, Graves, Hamilton, Hargrave, Holden, Luton, Massey, Nichols, Payne, Phillips, Porter, Taliaferro.—13.

The vote occurring upon the Stipe amendment, it was declared adopted.

Senator Stipe moved to amend **HB 1528**, page 2, beginning on line 13, by striking the word and figures "July 1, 1970" and substitute therefor the word and figures "January 1, 1971" which amendment was tabled upon motion of Senator Smalley upon a roll call as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Howard, Inhofe, Keels, McCune, McSpadden, Miller, Murphy, Romang, Short, Smalley, Stansberry, Terrill, Williams, Young.—27.

Nay: Atkinson, Bradley, Crow, Lane, Luton, McGraw, Martin, Medearis, Payne, Stipe.—10.

Excused: Baggett, Dacus, Graves, Hamilton, Horn, Massey, Nichols, Phillips, Porter, Smith, Taliaferro.—11.

Upon motion of Senator Romang, **HB 1528**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Romang, **HB 1528** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1528** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison,

Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Boecher, Dacus, Horn, Luton, Massey, Nichols, Phillips, Porter, Taliaferro.—9.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Boecher, Dacus, Horn, Luton, Massey, Nichols, Phillips, Porter, Taliaferro.—9.

The emergency was declared passed.

**HB 1528**, as amended, was referred for engrossment.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Stipe moved that the vote be reconsidered by which **HB 1528** passed.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 450, 569, 586, 649 and 658**.

The above numbered Enrolled Bills were referred to the Governor.

President Pro Tempore Smith presiding.

### PENDING SENATE ACTION

**HCR 1039** by Spearman of the House and Young and Garrett of the Senate was called up for consideration.

Following discussion, upon request of Senator Baldwin, further consideration of **HCR 1039** was deferred for this legislative day.



**GENERAL ORDER**

**HB 1671** by Whorton of the House and McSpadden of the Senate was read and considered.

Upon motion of Senator McSpadden, **HB 1671** was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1671** was placed upon third reading and final passage.

**THIRD READING**

**HB 1671** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Graves, Hamilton, Hargrave, Holden, Keels, Luton, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Romang, Smalley, Stipe, Taliaferro, Terrill, Williams.—27.

Nay: Baldwin, Grantham, Horn, Howard, Lane, Phillips, Smith, Young.—8.

Excused: Baggett, Crow, Dacus, Garrison, Ham, Inhofe, McCune, McGraw, Massey, Medearis, Porter, Short, Stansberry.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Holden, Keels, Luton, McCune, McSpadden, Martin, Murphy, Payne, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams.—27.

Nay: Baldwin, Bradley, Garrett, Hargrave, Horn, Howard, Massey, Phillips, Smith, Young.—10.

Excused: Dacus, Ham, Hamilton, Inhofe, Lane, McGraw, Medearis, Miller, Nichols, Porter, Stansberry.—11.

The emergency was declared failed of passage.

**MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Young moved that the vote be reconsidered by which **HB 1671** passed.

**MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1777** and **1790**, as amended.

**MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1752**, requesting Conference and naming conferees as follows: Smith (Norman), Vann, Cole, Bengtson and Hargrave.

Senator Grantham moved that the request of the Honorable House for a Conference on **HB 1752** be granted.

Senator Stipe, as a substitute for the Grantham motion, moved that the request of the Honorable House for a Conference on **HB 1752** be granted, and that the Senate Conferees be instructed to incorporate price posting provisions in the Conference Committee report.

Senator Grantham moved to table the Stipe motion, which motion was declared failed of adoption upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Field, Grantham, Graves, Keels, McCune, McSpadden, Martin, Nichols, Phillips, Smith, Terrill, Williams.—17.

Nay: Boecher, Breckinridge, Crow, Ferrell, Garrett, Garrison, Hargrave, Holden, Horn, McGraw, Massey, Murphy, Payne, Romang, Short, Stipe, Taliaferro, Young.—18.

Excused: Baggett, Dacus, Ham, Hamilton, Howard, Inhofe, Lane, Luton, Medearis, Miller, Porter, Smalley, Stansberry.—13.

The vote occurring upon the Stipe substitute motion, it was declared adopted upon a roll call as follows:

Aye: Baggett, Boecher, Breckinridge, Ferrell, Garrett, Garrison, Hargrave, Horn, Inhofe, Massey, Murphy, Payne, Romang, Short, Stipe, Taliaferro, Terrill, Young.—18.

Nay: Atkinson, Baldwin, Berrong, Bradley, Field, Grantham, Graves, Hamilton, Howard, Keels, McCune, McSpadden, Martin, Nichols, Phillips, Smith, Williams.—17.

Excused: Birdsong, Crow, Dacus, Ham, Holden, Lane, Luton, McGraw, Medearis, Miller, Porter, Smalley, Stansberry.—13.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the following Senate Conferees under **HB 1752**: Grantham, Smalley, Hargrave, Ham and Stipe.

### PENDING SENATE ACTION

The House request for Conference on **HB 1803** was called up for consideration.

Senator Terrill asked that he be shown as the Senate Author of **HB 1803**, which was the order.

Senator Terrill moved that the request of the Honorable House for a Conference on **HB 1803** be granted, said Bill to be referred to the General Conference on Appropriations, which motion was declared adopted.

Upon motion of Senator Miller, the request of the Honorable House for a Conference on **HJR 1053** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HJR 1053**: Miller, Martin and Medearis.

### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1726**, requesting Conference and naming Conferees as follows: York, Hutchens and Sandlin.

Upon motion of Senator Keels, the re-

quest of the Honorable House for a Conference on **HB 1726** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1726**: Keels, Lane and Romang.

### PENDING SENATE ACTION

Upon motion of Senator Berrong, the request of the Honorable House for a Conference on **HB 1719** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the following Senate Conferees under **HB 1719**: Berrong, Luton and Birdsong.

### CONFERENCE COMMITTEE REPORT

The following **CCR** on **SB 393** was read and consideration deferred:

Mr. President  
and  
Mr. Speaker

The Conference Committee, to which was referred **SB 393**—By Birdsong, Keels and Atkinson, entitled:

An Act relating to public officers; providing a law enforcement officer against whom a civil action \*\*\*; and declaring an emergency.

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from its Amendments Nos. 2 and 3.
2. That the Senate accept Amendments Nos. 1 and 4.

FOR THE SENATE: Birdsong, Boecher, Smalley.

FOR THE HOUSE: Hopkins, Barker, Payne.

## MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 486**—coauthored by Spearman, Harrison and Vann; **SB 571**; and **SB 592**—coauthored by Sandlin, Hancock, McCune, Green and York.

The above numbered Bills were ordered referred for enrollment.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1510** and **1789** each correctly engrossed.

Engrossed **SAs** to and Engrossed **HBs 1510** and **1789**, as amended, were properly signed and ordered returned to the Honorable House.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1260, 1488, 1595, 1655, 1749, 1772, 1777, 1787, 1790,** and **HJR 1044, 1056** and **1057**.

The above numbered Enrolled Bills and Resolutions, after fourth reading, properly signed and ordered returned to the Honorable House.

## SECOND CONFERENCE COMMITTEE REPORT

The following 2nd **CCR** on **SB 560** was read and consideration deferred:

Mr. President

and

Mr. Speaker

The Conference Committee, to which was referred **SB 560**—By Murphy, Birdsong, et al, entitled: "An Act relating to state officers \*\*\* and declaring an emergency." together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. Recede from House Amendment No. 1.

2. Recede from House Amendment No. 2.

FOR THE SENATE: Murphy, Holden, Atkinson.

FOR THE HOUSE: Hesser, Miskelly, Hopkins.

## GENERAL ORDER

**HB 1703** by Sandlin of the House and Nichols, Garrett, Young and Short of the Senate was read and considered.

Upon motion of Senator Young, **HB 1703** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1703** was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1703** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Inhofe, Keels, McCune, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Nay: Horn.—1.

Excused: Berrong, Dacus, Hamilton, Hargrave, Howard, Lane, Luton, McGraw, Massey, Medearis, Miller, Porter, Smalley, Stansberry.—14.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Inhofe, Keels, McCune, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—33.



Nay: Horn.—1.

Excused: Berrong, Dacus, Hamilton, Hargrave, Howard, Lane, Luton, McGraw, Massey, Medearis, Miller, Porter, Smalley, Stansberry.—14.

The emergency was declared passed.

**HB 1703**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1783** by Holaday of the House and Ferrell of the Senate was read and considered.

Upon motion of Senator Ferrell, **HB 1783** was advanced to engrossment.

By unanimous consent, upon request of Senator Ferrell, **HB 1783** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1783** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—32.

Nay: Horn.—1.

Excused: Berrong, Birdsong, Crow, Dacus, Garrett, Holden, Howard, Lane, Luton, McGraw, Massey, Porter, Smalley, Stansberry, Stipe.—15.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang,

Short, Smith, Taliaferro, Terrill, Williams, Young.—32.

Nay: Horn.—1.

Excused: Berrong, Birdsong, Crow, Dacus, Garrett, Holden, Howard, Lane, Luton, McGraw, Massey, Porter, Smalley, Stansberry, Stipe.—15.

The emergency was declared passed.

**HB 1783**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1532** by Camp, et al, of the House and Short of the Senate was read and considered.

Senator McCune asked to be made a co-author of **HB 1532**, which was the order.

Upon motion of Senator Short, **HB 1532** was advanced to engrossment.

By unanimous consent, upon request of Senator Short, **HB 1532** was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1532** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baggett, Boecher, Dacus, Garrett, Garrison, Lane, McGraw, Massey, Phillips, Porter, Stansberry, Stipe.—12.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard,

Inhofe, Keels, Luton, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baggett, Boecher, Dacus, Garrett, Garrison, Lane, McGraw, Massey, Phillips, Porter, Stansberry, Stipe.—12.

The emergency was declared passed.

**HB 1532**, as amended, was referred for engrossment.

### GENERAL ORDER

**HB 1774** by Wolfe (Stephen) of the House and Short of the Senate was read and considered.

Upon motion of Senator Short, **HB 1774** was advanced to engrossment.

By unanimous consent, upon request of Senator Short, **HB 1774** was placed upon third reading and final passage.

### THIRD READING

**HB 1774** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Luton, McCune, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—35.

Nay: Medearis, Taliaferro.—2.

Excused: Baggett, Dacus, Hamilton, Hargrave, Keels, Lane, McGraw, Martin, Porter, Stansberry, Young.—11.

The bill was declared passed.

**HB 1774** was properly signed and ordered returned to Honorable House.

### GENERAL ORDER

**HB 1145** by Derryberry, et al, of the House and Stipe of the Senate was read and considered.

Upon motion of Senator Stipe, **HB 1145** was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1145** was considered engrossed and placed upon third reading and final passage.

Senator Smalley presiding.

### THIRD READING

**HB 1145** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Bradley, Crow, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McGraw, McSpadden, Martin, Medearis, Miller, Payne, Phillips, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—26.

Nay: Berrong, Boecher, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Inhofe, McCune, Murphy, Romang, Short, Williams.—14.

Excused: Baldwin, Dacus, Garrett, Keels, Massey, Nichols, Porter, Stansberry.—8.

The bill was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Romang moved that the vote be reconsidered by which **HB 1145** passed.

### GENERAL ORDER

**HB 1756** by Sullivan of the House and Hamilton of the Senate was read and considered.

Senator McSpadden, joined by Senator Hamilton moved to amend **HB 1756**, page 2, line 16, by changing the comma (,) to a period (.) after the word "Commission", striking the word "and" and inserting in lieu thereof the sentence "The Commissioner of Public Safety, under regulations prescribed by the Department of Public Safety, is authorized to issue permits for such frequencies to authorized news media personnel" by beginning a new sen-

tence with the word "Any" and by amending the title to conform.

Senator Birdsong moved to amend the McSpadden-Hamilton amendment, by placing a comma (,) after the word "personnel" and adding the words "and wrecker services" which amendment was declared adopted.

The vote occurring upon the McSpadden-Hamilton amendment as amended by the Birdsong amendment, it was declared adopted.

Senator Hargrave moved to amend **HB 1756**, page 2, beginning on line 1, by striking the language contained on lines 1 through 17, and substituting therefor the language "Section 1214. It shall be unlawful for any person to operate a mobile radio capable of receiving transmissions made by any law enforcement agency for illegal purposes or while in the commission of a crime and not otherwise and any person violating the provisions hereof shall be guilty of a" which amendment was declared adopted.

Upon motion of Senator Hamilton, **HB 1756**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Hamilton, **HB 1756**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1756** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye. Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Dacus, Garrett, Lane, Massey, Medearis, Miller, Por-

ter, Short, Smalley, Stansberry, Taliaferro.—13.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Smith, Stipe, Terrill, Williams, Young.—35.

Excused: Baggett, Baldwin, Dacus, Garrett, Lane, Massey, Medearis, Miller, Porter, Short, Smalley, Stansberry, Taliaferro.—13.

The emergency was declared passed.

**HB 1756**, as amended, was referred for engrossment.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 87** correctly engrossed.

Engrossed **SCR 87** was properly signed and ordered transmitted to the Honorable House for consideration.

### BILLS STRICKEN FROM CALENDAR

Upon motion of Senator Terrill, **SB 585**, **HB 1692** and **HJR 1006**, appearing under GENERAL ORDER, **HB 1622**, under heading WITHOUT RECOMMENDATION, and **SB 575**, appearing under THIRD READING were ordered stricken from the Calendar.

President Pro Tempore Smith presiding.

### PENDING CONSIDERATION OF CCR

Senator Martin moved the adoption of the Conference Committee Report on **SB 133**.

Senator Smalley, as a substitute for the Martin motion, moved that the Senate reject the Conference Committee Report on **SB 133**, request further conference, and that Senate Conferees be instructed to amend the Conference Committee Report by adding the word "or" between the



words "water, sewer, fire" in each instance, which motion was tabled upon motion of Senator Martin, upon a roll call as follows:

Aye: Atkinson, Baldwin, Berrong, Boecher, Crow, Ferrell, Field, Holden, Horn, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Romang, Smith, Taliaferro, Williams, Young.—24.

Nay: Birdsong, Bradley, Garrett, Garrison, Grantham, Graves, Hargrave, Howard, Keels, McGraw, Payne, Short, Smalley, Stipe.—14.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Medearis, Phillips, Porter, Stansberry, Terrill.—10.

The vote occurring upon the Martin motion, it was declared adopted.

**SB 133**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Berrong, Boecher, Crow, Ferrell, Field, Garrett, Hamilton, Horn, Lane, McSpadden, Martin, Massey, Miller, Murphy, Romang, Taliaferro, Terrill, Williams, Young.—19.

Nay: Atkinson, Baldwin, Birdsong, Bradley, Garrison, Grantham, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, McGraw, Medearis, Nichols, Payne, Phillips, Short, Smalley, Smith, Stipe.—23.

Excused: Baggett, Breckinridge, Dacus, Ham, Porter, Stansberry.—6.

The Bill, as amended in Conference, was declared failed of passage.

### **MOTION TO RECONSIDER VOTE**

As provided under Rule 19-b, Senator Smalley moved that the vote be reconsidered by which **SB 133**, as amended in Conference, failed.

### **MESSAGE FROM THE HOUSE**

Transmitting following Bills, together

with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1556** and **1567**.

### **CONFERENCE COMMITTEE REPORTS**

The following **CCR** on **HB 1556** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **HB 1556**, entitled:

(An Act relating to the Oklahoma Tax Commission and declaring an emergency), together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the following Conference Committee Amendment be adopted: Page 1, line 28, after the word "year" and before the word "nor", insert the following language: "nor shall any monies appropriated herein be used to pay for any new programs designed to change the present method of registration and licensing of motor vehicles,

3. Restore Title.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Berrong, Boecher, Holden, Martin, Smalley, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Cate, Connor, Fine, Odom (V. H.), Sanguin, Skeith, Townsend.

The following **CCR** on **HB 1567** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Commit-

tee on Appropriations, to whom was referred Engrossed **HB 1567**, entitled:

(An Act relating to the State Department of Health and declaring an emergency),

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the House concur in Senate Amendments No. 2, 3, and 4.

3. That the following Conference Committee Amendments be adopted.

1. Page 1, line 27, strike the figure "1,605,984.00" and insert "1,705,984.00".

2. Page 2, line 13, strike the figure "150,000.00" and insert "50,000.00".

3. Page 3, line 25, insert a new section 4, to read as follows:

"There is hereby appropriated from the Income Tax Adjustment Fund to the Department of Health \$12,000.00 for repair of fire damage and \$9,000.00 for surfacing parking areas adjacent to the Health Department Administration building." Renumber the succeeding Sections.

4. Page 3, line 35, after the word "not" and before the word "Fifty" strike the language "to exceed" and insert "less than".

5. Amend Title to read as follows:

An Act relating to the State Department of Health and making appropriations thereto; stating the purpose; providing for use of federal funds; authorizing the appointment and compensation of personnel; stating the method of allocation of funds to the local health departments; making an appropriation from the Income Tax Adjustment Fund and stating the purpose; providing for the method of payment of claims; providing for utilization of appropriation for child guidance services; making appropriations to Eastern Oklahoma Tuberculosis Sanatorium,

Oklahoma General Hospital, and Western Oklahoma Tuberculosis Sanatorium; stating purposes; designating controlling board; providing lapse date; making the provisions of this act severable; and declaring an emergency.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-Chairman, Atkinson, Berrong, Boecher, Holden, Martin, Smalley, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Cate, Connor, Fine, Odom (V. H.), Sanguin, Skeith, Townsend.

The following **CCR** on **SB 544** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred **SB 544**—By Garrett and Grantham of the Senate, entitled:

An Act relating to Municipal Courts; amending 11 O. S. 1961, § § 958.1 ~~and~~ providing an operative date; and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

Accept Amendment No. 1 from the House with the following Conference Committee changes:

Conference Committee Amendment No. 1. Page 1, Lines 15 and 16: Insert title as follows:

An Act relating to Municipal Courts; amending 11 O. S. 1961, § § 958.1, 958.3, 958.6, 958.12 and 958.14, as last amended by § § 1, 2, 4, 8 and 9, Chapter 391, O. S. L. 1968, and 11 O. S. 1961, § 958.7, as last amended by Section 1, Chapter 42, O. S. L. 1969 (11 O. S. Supp. 1969, § § 958.1, 958.3, 958.6, 958.7, 958.12 and 958.14), and 11 O. S.

1961, §§ 958.9 and 958.13; providing for Municipal Courts not of record; prescribing procedure; providing procedure for continuation of Municipal Courts existing on January 13, 1969 not reestablished by Resolution; providing for jury trials in certain cases, for procedure and selection of jurors; providing for judges, prosecutors, clerks and other officials; providing for appeals and manner therefor; imposing duties upon District Attorneys in certain instances; requiring municipalities to compile, index and publish ordinances at least one each ten years, and for publication of notice thereof and providing effective date therefor; prescribing procedure for recovery on forfeited appearance bonds; providing for continuation of Municipal Courts created under 11 O. S. 1961, § § 961.25 and 962.26, except in cities of more than three hundred and twenty thousand population; prohibiting prosecution for the same offense in both municipal and state courts; directing codification, providing for severability; repealing 11 O. S. 1961, § § 961.25 and 962.26 and Sections 19 and 20, Chapter 391, O. S. L. 1968 (11 O. S. Supp. 1969, § § 958.29 and 958.30); providing an effective date; and declaring an emergency.

C. C. Amendment No. 2. Page 2, line 28: After the word "than" strike the words and figures "Twenty Dollars (\$20.00)," and insert the words and figures "Thirty Five Dollars (\$35.00),".

C. C. Amendment No. 3. Page 2, line 30: After the word "city" change the period to a comma and add the following: "provided that said city or town has compiled its ordinances in accordance with the provisions of Section 10 of this act. Provided that, if said city or town has not compiled said ordinances as provided in Section 10, hereof, said fine shall not exceed Twenty Dollars (\$20.00) including costs."

C. C. Amendment No. 4. Page 4, lines 3 and 4: Reinsert the following stricken language: "Except in cities of more than three hundred twenty thousand (320,000) population, "nothing"

C. C. Amendment No. 5. Page 4, line 5: Strike the word "Nothing"

C. C. Amendment No. 6. Page 5, line 32: Strike the words and figures "FIFTY DOLLARS (\$50.00)" and insert the following: "THIRTY FIVE DOLLARS (\$35.00), including costs."

C. C. Amendment No. 7. Page 6, line 6: After the word "of" and before the word "court" insert the word "the"

C. C. Amendment No. 8. Page 6, line 24: Change period after the figure "\$3,600.00)" to a comma and add the words "per annum."

C. C. Amendment No. 9. Page 6, line 26: After the word "compile" insert a comma and add the word "index"

C. C. Amendment No. 10. Page 6, line 27: Change the period to a coma and add "either printed or typed."

C. C. Amendment No. 11. Page 7, line 13½: Add a new sub-section (g) as follows: "The provisions of this section shall be effective from and after July 1, 1972."

FOR THE SENATE: Garrett, Grantham, Young.

FOR THE HOUSE: Sandlin, Boettcher, Sullivan.

## MESSAGE FROM THE GOVERNOR

Advising approval by him, April 7, 1970, of Enrolled SBs 108, 367, 399, 412, 420, 423, 426, 428, 440, 441, 520, 528, 536, 551, 659, entitled:

**SB 108**—By Hamilton and Grantham of the Senate and Jones of the House—An Act relating to state officers and employees; amending Sections 8 and 10, Chapter 401, O. S. L. 1968 (74 O. S. Supp. 1969, § § 1408 and 1410 creating the Oklahoma State ethics commission and the joint legislative ethics committee; authorizing promulgation of rules and regulations; providing for powers; providing for investigations, inquiries and hearings; \*\*\* and providing for civil liability.

**SB 367**—By Young, et al of the Senate



and Allard of the House—An Act relating to schools; providing that any student loan, grant, fellowship, teaching fellowship or other means of financial assistance, \*\*\* may be revoked or terminated for certain reasons; and declaring an emergency.

**SB 399**—By McCune and Keels of the Senate and Wolfe (Stephen) of the House—An Act relating to marriage; amending 43 O.S. 1961, § 3, as last amended by Section 1, Chapter 383, O.S.L. 1965 (43 O.S. Supp. 1969, § 3); providing conditions for issuance of marriage licenses to females under age fifteen and males under age eighteen; and declaring an emergency.

**SB 412**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the state emergency fund and making an appropriation thereto; stating the purpose; making said appropriation nonfiscal; making provisions of this Act severable; and declaring an emergency.

**SB 420**—By McSpadden, Massey, Birdsong and Murphy of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the State Industrial Court and making appropriations thereto; stating the purpose; providing that the judges shall fix the duties and compensation of employees within certain limitations; providing lapse date; making provisions of this act severable; and declaring an emergency.

**SB 423**—By McSpadden, Massey and Terrill of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Arts and Humanities Council and making an appropriation thereto; stating the purpose; limiting expenditures for personal services; providing lapse date; making the provisions of this act severable; and declaring an emergency.

**SB 426**—By McSpadden, Massey and Hamilton of the Senate and Willis and Miskelly of the House—An Act relating to public education; making appropriations to the State Board for Vocational and Technical education; stating the purpose; dedicating

certain funds to the operation of the Ouachita Vocational Technical Camp; providing for cooperation with United States Office of Education; authorizing appointment and compensation of personnel; providing lapse date; making provisions of this act severable; and declaring an emergency.

**SB 428**—By McSpadden, Massey and Smalley of the Senate and Willis and Miskelly of the House—An Act relating to the Department of Mental Health and the Mental Health institutions and making appropriations thereto; \*\*\* and declaring an emergency.

**SB 440**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Highway Department; making appropriations thereto; \*\*\* and declaring an emergency.

**SB 441**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Chief Mine Inspector and making appropriations thereto; \*\*\* making provisions of this act severable; and declaring an emergency.

**SB 520**—By Nichols—An Act relating to salaries of the members of the State Board of Public Affairs; amending Section 1, Chapter 19, O.S.L. 1967 (74 O.S. Supp. 1969 § 81b); and repealing conflicting laws.

**SB 528**—By Boecher and Inhofe of the Senate and Bradley, et al, of the House—An Act relating to radio common carriers; defining the same; \*\*\* making provisions of act severable; directing codification; and declaring an emergency.

**SB 536**—By Nichols of the Senate and Sparkman of the House—An Act relating to crimes and punishments; providing that it shall be unlawful to make, present or cause to be presented false, fictitious or fraudulent claims to the State of Oklahoma; making such action a felony and declaring the punishment therefor; and declaring an emergency.

**SB 551**—By Young of the Senate and York, McCune, Sandlin and Hargrave of the House—An Act relating to civil pro-

cedure; amending Section 1, Chapter 452, O.S.L. 1965 (12 O.S. Supp. 1969, § 425); providing that persons submitting to physical or mental examinations must receive copies of reports of such examination or court shall exclude all or any part of testimony regarding such examination; and declaring an emergency.

**SB 659**—By Stipe and Hamilton of the Senate and Jones of the House—An Act authorizing and directing the State Board of Public Affairs to sell the surface to a certain tract of land located in Section 35, Township 4 North, Range 21 East, Latimer County, now owned by the State of Oklahoma \*\*\* and providing for the disposition of the proceeds of such sale.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 635**—coauthored by Atkins and Clemons, as amended.

**HA to SB 635** read as follows, and consideration deferred:

**AMENDMENT NO. 1.** Amend Page 6, Line 17½, by adding a new Section 5 as follows: "SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.", and Amend Title to Conform.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden the Conference Committee Report on **SB 419** was declared adopted.

**SB 419**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips,

Romang, Short, Smalley, Smith, Stipe, Williams, Young.—34.

Nay: Horn, Taliaferro.—2.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Stansberry, Terrill.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Williams, Young.—34.

Nay: Horn, Taliaferro.—2.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Stansberry, Terrill.—12.

The emergency was declared passed.

**SB 419**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 429** was declared adopted.

**SB 429**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Payne, Phillips, Romang, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Breckinridge, Crow, Dacus, Ham, Hamilton, Keels, McGraw, Medearis, Miller, Nichols, Porter, Short, Stansberry, Terrill.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Payne, Phillips, Romang, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Breckinridge, Crow, Dacus, Ham, Hamilton, Keels, McGraw, Medearis, Miller, Nichols, Porter, Short, Stansberry, Terrill.—14.

The emergency was declared passed.

**SB 429**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 446** was declared adopted.

**SB 446**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Short, Smalley, Stansberry, Terrill.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne,

Phillips, Romang, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Short, Smalley, Stansberry, Terrill.—14.

The emergency was declared passed.

**SB 446**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 565** was declared adopted.

**SB 565**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, Hargrave, Howard, McGraw, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Breckinridge, Crow, Dacus, Ham, Hamilton, Hargrave, Howard, McGraw, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—15.

The emergency was declared passed.



**SB 565**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1559** was declared adopted.

**HB 1559**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Inhofe, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Smith, Stipe, Taliaferro, Williams, Young.—28.

Nay: Baldwin, Berrong, Ferrell, Field, Horn, Keels, McCune, McGraw, Short.—9.

Excused: Breckinridge, Dacus, Ham, Hamilton, Howard, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Inhofe, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—32.

Nay: Berrong, Horn, Keels, McCune.—4.

Excused: Breckinridge, Dacus, Ham, Hamilton, Howard, McGraw, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—12.

The emergency was declared passed.

**HB 1559**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the

Conference Committee Report on **HB 1563** was declared adopted.

**HB 1563**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—34.

Nay: McCune.—1.

Excused: Baggett, Breckinridge, Dacus, Graves, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—34.

Nay: McCune.—1.

Excused: Baggett, Breckinridge, Dacus, Graves, Ham, Hamilton, McGraw, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—13.

The emergency was declared passed.

**HB 1563**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1521** was declared adopted.

**HB 1521**, as amended in Conference, was read at length.

On the question of passage of Bill, as

amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, G a r r i s o n, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Young.—34.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, McSpadden, Medearis, Miller, Porter, Smalley, Stansberry, Terrill, Williams.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, G a r r i s o n, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Young.—34.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, McSpadden, Medearis, Miller, Porter, Smalley, Stansberry, Terrill, Williams.—14.

The emergency was declared passed.

**HB 1521**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1574** was declared adopted.

**HB 1574**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, G a r r i s o n, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols,

Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—36.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, G a r r i s o n, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—36.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—12.

The emergency was declared passed.

**HB 1574**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1782** was declared adopted.

**HB 1782**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Baggett, Breckinridge, Dacus, Garrett, Ham, Hamilton, Howard, Keels, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—34.

Excused: Baggett, Breckinridge, Dacus, Garrett, Ham, Hamilton, Howard, Keels, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—14.

The emergency was declared passed.

**HB 1782**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1753** was declared adopted.

**HB 1753**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—36.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short,

Smith, Stipe, Taliaferro, Williams, Young.—36.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—12.

The emergency was declared passed.

**HB 1753**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1580** was declared adopted.

**HB 1580**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—35.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Massey, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stipe, Taliaferro, Williams, Young.—35.

Excused: Baggett, Breckinridge, Dacus, Ham, Hamilton, Howard, Massey, Medearis, Miller, Porter, Smalley, Stansberry, Terrill.—13.

The emergency was declared passed.

**HB 1580**, together with Conference Com-



mittee Report thereon, was ordered returned to Honorable House.

#### MESSAGE FROM THE HOUSE

The House has reconsidered the Conference Committee Report and Fourth Reading of **HB 1575**; the House has refused to adopt the Conference Committee Report on said Bill and requests further conference, re-referring said Bill to the General Conference Committee on Appropriations.

Upon motion of Senator McSpadden, the request of the Honorable House for a further conference on **HB 1575** was ordered granted, said Bill to be re-referred to the General Conference Committee on Appropriations.

#### MOTION TO RECONSIDER VOTE

Senator Stipe asked for an extension of one day for consideration of his motion to reconsider the vote by which **HB 1592** failed of passage, which was the order.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1676**, requesting Conference and naming Conferees as follows: Hancock, Sandlin and Bickford.

Upon motion of Senator Birdsong, the request of the Honorable House for a conference on **HB 1676** was ordered granted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1676**: Young, Grantham and Short.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was declared adopted.

The desk being clear, the Senate was declared adjourned until 10:00 a.m., tomorrow.

THE MESSAGE

THE

to the attention of the  
and the  
the following: Handed  
the following:

the following: Handed  
the following: Handed  
the following: Handed

the following: Handed  
the following: Handed  
the following: Handed

the following: Handed  
the following: Handed  
the following: Handed

the following: Handed  
the following: Handed  
the following: Handed

the following: Handed

the following: Handed

## Fifty-fourth Legislative Day

Wednesday, April 8, 1970

Pursuant to adjournment, the Senate was called to order by Senator Smalley, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Hold-en, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nich-ols, Payne, Phillips, Romang, Short, Small-ey, Smith, Stipe, Taliaferro, Williams, Young.—40.

Excused: Crow, Dacus, Ferrell, Garrett, Massey, Porter, Stansberry, Terrill.—8.

The Presiding Officer declared a quo-rum present.

The following prayer was offered by the Chaplain, and is incorporated herein by unanimous consent, upon request of Senator Hargrave:

Our Father, Thou hast entrusted us with another day to be deposited in the diary of history. Forbid that we should waste its potentialities foolishly or deny the importance of its opportunities. May a vital sense of Thy reality accompany us to give meaning to every act and choice that the hours shall demand. Pro-ject us and our loved ones equally from harm from without and from devastation from within.

May every frenzy of frustration be quit-ted by faith. May temptation to tensions of temper be translated by the thrust of Thy trustworthiness. Forbid that we should spend the waking hours in such

a manner that darkness bring a con-science disturbed by the restlessness of re-gret.

Give us the grace even in our prayer to be unselfish. We ask not for ourselves alone. Before Thee we remember both family and friends, every State and City of our Republic, the disheartened and the disenfranchised, the laborer and the legisla-tor, the physician and the pastor. Above all, we give Thee thanks for life and its possibilities, for love and its potency, for the limitless promise of Thy peace. May Thy gift of the Spirit of the ever-living Jesus invade our lives this day and prevail over our selfishness. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him April 8, 1970, of Enrolled SBs 388, 400 and 556, entitled:

**SB 388**—By Garrett, et al of the Senate and York of the House—An Act relating to court fees; amending 28 O. S. 1961, § 82, as amended by Section 1, Chapter 488, O. S. L. 1965 (28 O. S. Supp. 1969, § 82); \*\*\* and declaring an emergency.

**SB 400**—By Grantham of the Senate and McCune of the House—An Act relating to criminal procedure; amending 22 O. S. 1961, § 1051, as amended by Section 1, \*\*\* providing for court of criminal appeals to prescribe scope of review; and repealing Section 1, Chapter 60, O. S. L. 1967 (22 O. S. Supp. 1969, § 1075).

**SB 556**—By Luton, Garrison and Har-grave of the Senate and Willis, Hargrave and Connor of the House—An Act relating to motorboats and vessels; amending 63 O.



S. 1961, § § 805, 806, 810, 811, 813, 814, 817 and 819 as amended by Section 5, Chapter 350, O. S. L. 1969 (63 O. S. Supp. 1969, § 819); \*\*\* and declaring an emergency.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed:

**HJR 1058**—By Townsend of the House and Graves of the Senate—A Joint Resolution waiving the immunity of the state from liability for damages; authorizing Richard W. Bird, administrator of the estate of Verde Maye Bird and Terry Joseph Bird, deceased, to sue the State of Oklahoma for damages on account of the wrongful deaths of Verde Maye Bird and Terry Joseph Bird caused by highway construction; and authorizing payment of any judgment out of State Highway Construction and Maintenance Fund.

The above numbered **HJR** was read for the first time.

### CITATIONS

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Robert McCaslin, upon receiving the First Place Geology Award at the Wilburton Science Fair.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to David Webb, upon receiving First Place Award for his music computer at Wilburton Science Fair.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Roger Webb, father of a new baby boy, Brandon R. Webb.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Victor Sweet, upon receiving First Place Award for his rock collection at Wilburton Science Fair.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Howe High School Basketball Team, Howe, Oklahoma

as District and Regional Class B Champions.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Talihina High School Basketball Team, Talihina, Oklahoma, upon winning District and County Class AA Championships.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Brandon R. Webb.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Mrs. Roger (Helen) Webb, upon the birth of Brandon R. Webb.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to the Members of the Executive Committee of the Democratic Party of LeFlore County.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to V. F. Nowlin, and Hosea Austin of KINB Radio of Poteau, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Ray McDaniel, Manager of KRBB Radio of Sallisaw, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to R. B. Bell, Owner of KLCO Radio of Poteau, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to James Shaver, Manager of the East Oklahoma Tribune of Sallisaw, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Ken Van Dusen, Publisher of the Muldrow Herald of Muldrow, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation

dation was ordered issued to Wheeler Mayo, Publisher of the Sequoyah County Times of Sallisaw, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Jim Nicholson, Editor of the Talihina American of Talihina, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Jack Johnson and Joe Johnson as Editors and Publishers of the Heavener Ledger of Heavener, Oklahoma.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to David Howery, Editor of the Poteau Valley Times of Poteau, Oklahoma and the Spiro Graphic of Spiro, Oklahoma.

The above reports were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**HBs 1214, 1532, 1645, 1675, 1678, 1684, 1703, 1743, 1756 and 1801** each correctly engrossed.

**SBs 486, 571 and 592** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HBs 1214, 1532, 1645, 1675, 1678, 1684, 1703, 1743, 1756 and 1801**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 486, 571 and 592** were each after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR on SB 403** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was

referred **SB 403**—By Smith, Baggett, Miller, Terrill, Smalley, Murphy, McGraw, Breckinridge, Keels and Graves, entitled:

An Act relating to special education of handicapped exceptional children; \*\*\* and providing for effective date of amendments. together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, that the following Conference Committee Substitute be adopted:

**CCS for SB 403**—By Smith, Baggett, Miller, Terrill, Smalley, Breckinridge, Graves, Keels, McGraw, Murphy, Berrong, Birdsong, Bradley, Dacus, Field, Ham, Horn, Howard, Inhofe, Martin, Massey, Payne, Taliaferro and Young of the Senate and Willis, et al of the House.

An Act relating to special education of handicapped exceptional children; amending 70 O. S. 1961, § 13-1, as last amended by Section 1, Chapter 175, O. S. L. 1969 (70 O. S. Supp. 1969, § 13-1); requiring each school district to provide special education programs; and prescribing methods of compliance.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** 70 O. S. 1961, § 13-1, as last amended by Section 1, Chapter 175, O. S. L. 1969 (70 O. S. Supp. 1969, § 13-1), is amended to read as follows:

§ 13-1. The several school districts of Oklahoma are hereby authorized to provide special education necessary for exceptional children as hereinafter defined. Two or more school districts may establish cooperative programs of special education for exceptional children when such arrangement is approved by the State Board of Education. The county superintendent of schools of any county may establish and maintain a special education program, with the approval of the State Board of Education, and county funds may be expended for such purpose. Any school

district or districts located wholly or in part in a county may participate in any such program so established by the county superintendent of schools and shall have authority to contribute school district funds, either directly or by reimbursement to the county participating in such program. Exceptional children shall mean gifted children, educable mentally-handicapped children, trainable mentally-retarded children, speech-defective children, emotionally-disturbed or perceptually-handicapped children, children with special health problems, children requiring the services of a visiting counselor, children with specific learning disabilities as a result of neurological impairment, multiple-handicapped children, and other handicapped children of four (4) years of age as of the first day of November of the school year and blind and partially blind children and deaf and hard of hearing children two (2) years of age or older who are bona fide residents of this state, whose condition is such that it is impracticable or impossible for them to benefit from or participate in the regular classroom program of the public schools in the district in which they reside and whose education requires a modification of the classroom program. Provided, that the attendance of said children in special education classes shall be included in the average daily attendance computations for State Aid purposes.

FROM AND AFTER SEPTEMBER 1, 1970, IT SHALL BE THE DUTY OF EACH SCHOOL DISTRICT TO PROVIDE SPECIAL EDUCATION FOR ALL HANDICAPPED EXCEPTIONAL CHILDREN AS HEREIN DEFINED WHO RESIDE IN THAT SCHOOL DISTRICT. THIS DUTY MAY BE SATISFIED BY:

1. THE DISTRICT DIRECTLY PROVIDING SPECIAL EDUCATION FOR SUCH CHILDREN;

2. THE DISTRICT JOINING IN A CO-OPERATIVE PROGRAM WITH ANOTHER DISTRICT OR DISTRICTS TO PROVIDE SPECIAL EDUCATION FOR SUCH CHILDREN;

3. THE DISTRICT JOINING IN A CO-OPERATIVE PROGRAM WITH A PRIVATE OR PUBLIC INSTITUTION WITHIN SUCH DISTRICT TO PROVIDE SPECIAL EDUCATION FOR CHILDREN WHO ARE DEAF OR HARD OF HEARING; OR

4. TRANSFERRING CERTIFIED HANDICAPPED EXCEPTIONAL CHILDREN TO OTHER SCHOOL DISTRICTS WHICH ACCEPT THEM AND PROVIDE SPECIAL EDUCATION FOR SUCH CHILDREN, WITH THE DISTRICT IN WHICH THE CHILD RESIDES PAYING TUITION THEREFOR AS HEREINAFTER PROVIDED.

FOR THE SENATE: Smith, Baggett, Miller.

FOR THE HOUSE: Willis, Miskelly, Sullivan.

The following CCR on SB 599 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your Conference Committee to whom was referred Engrossed Senate Bill No. 599, and Engrossed House Amendments thereto, by Hamilton of the Senate; and Sullivan of the House; entitled:

An Act relating to state officers and employees and to Oklahoma Indian Affairs;

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. The Senate concur in House Amendment No. 1.

2. The Conference Sub-Committee recommends the following amendments.

1. Page 3, line 5, after the word "party" place a "." Then strike the remaining language on line 5 and all of line 6.

2. The title be amended to read as follows:

"An Act relating to state officers and employees and to Oklahoma Indian Af-



fairs; amending Section 1, Chapter 244, O. S. L. 1967, as amended by Section 3, Chapter 260, O. S. L. 1969 (74 O. S. Supp. 1969, § 1201); creating the Oklahoma Indian Affairs Commission; providing for members, appointment and terms; providing for director; providing for office; providing for meetings; providing for compensation and expenses; creating districts; providing for appointment of members from districts; and providing for codification."

FOR THE SENATE: Hamilton, Horn, Lane.

FOR THE HOUSE: Sullivan, Payne, Murphy.

## RESOLUTIONS

Senator Luton introduced the following Resolution which was read at length, adopted upon his motion, and ordered referred for enrollment:

**SR 66**—By Luton—A Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee to direct the appropriate standing committee to make a study of the needs for expanding Public Defender Statutes and requiring report to the Executive Committee of the Legislative Council and the Legislature in the First Session of the Thirty-third Oklahoma Legislature.

WHEREAS, recent decisions of federal courts of last report point up the right of defendants in criminal cases to representation by attorney; and

WHEREAS, court appointed attorneys for pauper defendants in criminal cases presently involve substantial expenditures of public funds; and

WHEREAS, certain existing public defender statutes might well be made to more extensively apply to the need for providing attorneys to indigent persons charged with commission of crime.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to direct the appropriate standing committee to conduct a comprehensive study of needs for expanding public defender statutes.

SECTION 2. At the conclusion of its study the committee is requested to prepare a report in the form of findings and recommendations to the Executive Committee of the State Legislative Council and if expansion of the public defender method be found needed, to submit proposed legislation for prefiling prior to, or in, the First Session of the Thirty-third Oklahoma Legislature.

**SR 67** by Field, Crow, Lane, Williams and Boecher was introduced.

Senators Nichols and Taliaferro asked to be made coauthors of **SR 67**, which was the order.

**SR 67**, as coauthored, was read at length as follows, adopted upon motion of Senator Field and ordered referred for enrollment:

**SR 67**—By Field, Crow, Lane, Williams and Boecher—A Resolution commending the performance of the Oklahoma Wheat Commission and its director, Charles D. Rhoades; and directing distribution.

WHEREAS, wheat was one of the first grains domesticated by man, having been cultivated at least as early as 5,000 B. C.; and

WHEREAS, wheat has ever since been man's chief source of bread, the very basis of many civilizations; and

WHEREAS, wheat is the number one crop of the State of Oklahoma; and

WHEREAS, the Oklahoma Legislature by passage of the Oklahoma Wheat Resources Act in 1965 created the Oklahoma Wheat Commission for the utilization, research and market development of wheat grown in Oklahoma; and

WHEREAS, the Oklahoma Wheat Commission under the guidance of its director, Charles D. Rhoades, has provided

vital and outstanding leadership in the handling of problems confronting the wheat farmers and wheat industry of Oklahoma; and

WHEREAS, monumental progress has been made through the efforts of the Commission in research, market development, transportation and utilization both at home and abroad; and

WHEREAS, the wheat farmers of Oklahoma as well as all the people of this state have received many invaluable benefits as a result of the wide range of activities carried on by the Oklahoma Wheat Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That this Legislature hereby extends its commendation to the Oklahoma Wheat Commission and its director, Charles D. Rhoades, for their outstanding performance on behalf of the Oklahoma wheat industry for the utilization, research and market development of Oklahoma wheat.

SECTION 2. Duly authenticated copies of this Resolution shall be transmitted to the Director of the Oklahoma Wheat Commission and each member of the Oklahoma Wheat Commission.

Senator Keels, joined by Senator Inhofe, introduced the following Resolution which was read at length, adopted upon motion of Senator Keels and ordered referred for enrollment:

**SR 68**—By Keels and Inhofe—A Resolution directing that the industrial development and parks commission have prepared 25,000 copies of the magazine "Oklahoma Today" for distribution by Oklahoma Lions Club members at the Lions International convention in Atlantic City, New Jersey, July 1 through 4, 1970.

WHEREAS, the magazine "Oklahoma Today" is published at least each quarter, and has for one of its purposes to

disseminate information concerning the industrial, commercial, governmental, educational, cultural, recreational, agricultural, business and other advantages and attractions of this state; and

WHEREAS, the Lions International Convention will be held on July 1, through 4, 1970, in Atlantic City, New Jersey; and

WHEREAS, it would be advantageous and desirable publicity for the State of Oklahoma for the Oklahoma Lions Club members to be furnished with copies of one issue of the magazine "Oklahoma Today" to distribute at such Lions Club International Convention.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That the Industrial Development and Park Commission through its division of publicity, advertising and information have prepared 25,000 copies of a recent issue of the magazine "Oklahoma Today" to present to the Lions Clubs of Oklahoma for distribution at the Lions Club International Convention to be held in Atlantic City, New Jersey, July 1 through 4, 1970.

## SECOND READING

The following Bill was read for the second time: **HB 1810**.

Senator Terrill asked unanimous consent, which was granted, that **HB 1810** be ordered printed and placed upon the Calendar, without reference to a Committee.

## MOTION

Senator Williams moved that **HB 1783** be recalled from the Engrossing and Enrolling Department, which motion was declared adopted.

## MOTION TO RECONSIDER VOTE

Senator Williams asked unanimous consent, which was granted, that the Rules be suspended for the purpose of lodging a

motion to reconsider the vote by which **HB 1783** passed, following which he moved that the vote be reconsidered by which **HB 1783** passed.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Holden, the Senate concurred in **HAs** to Engrossed **SB 553**.

**SB 553**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Crow, Dacus, Ferrell, Garrett, Ham, Hamilton, Inhofe, Lane, Martin, Massey, Medearis, Porter, Stansberry, Terrill.—15.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Williams, Young.—33.

Excused: Baggett, Crow, Dacus, Ferrell, Garrett, Ham, Hamilton, Inhofe, Lane, Martin, Massey, Medearis, Porter, Stansberry, Terrill.—15.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senators Crow, Terrill and Massey

asked to be shown present, which was the order.

Upon motion of Senator Howard, the Senate concurred in **HAs** to Engrossed **SJR 29**.

**SJR 29**, as amended by the Honorable House, was read at length.

On question of passage of Resolution, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Miller, Nichols, Payne, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused: Bradley, Dacus, Ferrell, Garrett, Ham, Hamilton, Holden, Martin, Massey, Medearis, Murphy, Phillips, Porter, Smith, Stansberry.—15.

The Resolution, as amended, was declared passed.

House Amendment was properly signed and above numbered Resolution, as amended, was referred for enrollment.

Senators Porter and Stansberry asked to be shown present, which was the order.

Upon motion of Senator Boecher, the Senate concurred in **HAs** to Engrossed **SB 521**.

**SB 521**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Murphy, Nichols, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Crow, Dacus, Ferrell, Ham, Hamilton, Inhofe, McGraw, Massey, Medearis, Payne, Smith.—11.



The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Field, Garrett, Garrison, Gran-tham, Graves, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Miller, Murphy, Nic-hols, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—37.

Excused: Crow, Dacus, Ferrell, Ham, Hamilton, Inhofe, McGraw, Massey, Me-dearis, Payne, Smith.—11.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amend-ed, was referred for enrollment.

Upon motion of Senator Baggett, the Senate concurred in **HAs** to Engrossed **SB 232**.

**SB 232**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amend-ed, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Mur-phy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Ferrell, Garrett, Hol-den, Howard, Inhofe, Medearis, Phillips.—8.

The bill, as amended, was declared passed.

House Amendments were properly signed and above numbered bill, as amend-ed, was referred for enrollment.

Upon motion of Senator Baggett, the Senate concurred in **HA** to Engrossed **SB 635**.

**SB 635**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as fol-lows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Hol-den, Horn, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Mur-phy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Ferrell, Garrett, How-ard, Inhofe, McGraw, Medearis, Phil-lips.—8.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-inridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Hol-den, Horn, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Mur-phy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—40.

Excused: Dacus, Ferrell, Garrett, How-ard, Inhofe, McGraw, Medearis, Phil-lips.—8.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Baggett, the Senate concurred in **HAs** to Engrossed **SB 648**.

**SB 648**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as fol-lows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breck-

inridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McCune, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—35.

Excused: Dacus, Ferrell, Garrett, Hargrave, Horn, Howard, Inhofe, McGraw, McSpadden, Massey, Medearis, Phillips, Young.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McCune, Martin, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—35.

Excused: Dacus, Ferrell, Garrett, Hargrave, Horn, Howard, Inhofe, McGraw, McSpadden, Massey, Medearis, Phillips, Young.—13.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Grantham, the Senate concurred in **HAs** to Engrossed **SB 594**.

**SB 594**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—33.

Excused: Baggett, Dacus, Ferrell, Field, Garrett, Hargrave, Holden, Inhofe, Mc-

Spadden, Medearis, Miller, Murphy, Stipe, Terrill, Young.—15.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams.—33.

Excused: Baggett, Dacus, Ferrell, Field, Garrett, Hargrave, Holden, Inhofe, McSpadden, Medearis, Miller, Murphy, Stipe, Terrill, Young.—15.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

## GENERAL ORDER

Senator Porter moved that **HJR 1046** be stricken from the Calendar, which motion was declared adopted.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Keels, the Senate concurred in **HA** to Engrossed **SB 271**.

Senator Atkinson asked to be made a coauthor of **SB 271**, which was the order.

**SB 271**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Field, Garrison, Graves, Ham, Holden, Horn, Howard, Keels, Lane, Luton, McGraw, Martin, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams.—28.

Nay: Baldwin, Breckinridge, Crow, Grantham, Hamilton, McCune, Porter, Stansberry, Taliaferro, Young.—10.

Excused: Bradley, Dacus, Ferrell, Gar-

rett, Hargrave, Inhofe, McSpadden, Massey, Medearis, Phillips.—10.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Grantham, Ham, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, Martin, Miller, Murphy, Payne, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—35.

Nay: Hamilton.—1.

Excused: Boecher, Crow, Dacus, Ferrell, Garrison, Graves, Inhofe, McSpadden, Massey, Medearis, Nichols, Phillips.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Terrill moved that the Senate stand recessed until 1:00 p.m., which motion was declared adopted.

At 1:00 p.m., the Senate reassembled with Senator Smalley presiding.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Young, the Senate concurred in **HA** to Engrossed **SB 563**.

**SB 563**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Field, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Berrong, Crow, Dacus, Ferrell, Garrett, Garrison, Hamilton, Howard, Lane, Luton, McGraw, Massey, Medearis, Miller, Taliaferro.—15.

Excused from Voting: Romang.—1. (Art. 5, Sec. 24, Okla. Const.)

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Field, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—32.

Excused: Berrong, Crow, Dacus, Ferrell, Garrett, Garrison, Hamilton, Howard, Lane, Luton, McGraw, Massey, Medearis, Miller, Taliaferro.—15.

Excused from Voting: Romang.—1. (Art. 5, Sec. 24, Okla. Const.)

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Romang presiding.

Upon motion of Senator McGraw, the Senate concurred in **HA** to Engrossed **SB 607**.

**SB 607**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Howard, Keels, Young.—3.

Excused: Crow, Dacus, Ferrell, Garrison, Hamilton, Hargrave, Lane, Massey, Medearis, Miller, Murphy, Stansberry.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:



Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—33.

Nay: Howard, Keels, Young.—3.

Excused: Crow, Dacus, Ferrell, Garrison, Hamilton, Hargrave, Lane, Massey, Medearis, Miller, Murphy, Stansberry.—12.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Grantham, the Senate concurred in **HAs** to Engrossed **SB 595**.

**SB 595**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Nay: Field, Keels.—2.

Excused: Atkinson, Birdsong, Crow, Dacus, Ferrell, Garrison, Hamilton, Lane, McSpadden, Medearis, Porter, Taliaferro.—12.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Garrett, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—34.

Nay: Field, Keels.—2.

Excused: Atkinson, Birdsong, Crow, Dacus, Ferrell, Garrison, Hamilton, Lane, McSpadden, Medearis, Porter, Taliaferro.—12.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Howard, the Senate concurred in **HAs** to Engrossed **SB 604**.

**SB 604**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—35.

Excused: Birdsong, Crow, Dacus, Ferrell, Hargrave, Holden, Lane, Medearis, Miller, Porter, Smalley, Stipe, Taliaferro.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Terrill, Williams, Young.—35.

Excused: Birdsong, Crow, Dacus, Ferrell, Hargrave, Holden, Lane, Medearis, Miller, Porter, Smalley, Stipe, Taliaferro.—13.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of Senator Keels, the Senate concurred in **HA** to Engrossed **SB 376**.

**SB 376**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Nay: Horn.—1.

Excused: Baggett, Boecher, Crow, Dacus, Ferrell, Hargrave, Holden, Medearis, Porter, Smalley, Taliaferro.—11.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Terrill, Williams, Young.—36.

Nay: Horn.—1.

Excused: Baggett, Boecher, Crow, Dacus, Ferrell, Hargrave, Holden, Medearis, Porter, Smalley, Taliaferro.—11.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Luton moved that the Senate refuse to concur in **HAs** to **SB 478** and request the Honorable House to grant a

conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 478**; Berrong, Luton and Birdsong.

Senator Grantham asked unanimous consent that he, Senator Ham, Senator Young and Senator Nichols be shown excused for the purpose of attending a conference committee meeting on **SB 557**, which was the order.

## PENDING CONSIDERATION OF HAs

Upon motion of Senator Luton, the Senate concurred in **HAs** to Engrossed **SB 641**.

**SB 641**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Excused: Dacus, Ferrell, Grantham, Ham, Hamilton, Hargrave, Holden, Howard, Massey, Medearis, Nichols, Porter, Smalley, Young.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Excused: Dacus, Ferrell, Grantham, Ham, Hamilton, Hargrave, Holden, How-

ard, Massey, Medearis, Nichols, Porter, Smalley, Young.—14.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Berrong asked unanimous consent that he, Senator Luton and Senator Birdsong be shown excused for purpose of attending a conference committee meeting on **HB 1719**, which was the order.

### GENERAL ORDER

**HJR 1032** by Robinson and Monks of the House and Baggett of the Senate was read and considered.

Senator Baggett moved to amend **HJR 1032**, by striking all language contained therein and substituting therefor the following Senate Substitute for **HJR 1032**:

“A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of The State of Oklahoma; amending Article V of the Oklahoma Constitution by repealing Sections 11A, 11B, 11C, 11D and 11E thereof which provide for legislative reapportionment by certain officers under certain circumstances and for Supreme Court review of their reapportionment orders; and ordering a special election.

Be it resolved by the House of Representatives and the Senate of the Second Session of the Thirty-Second Oklahoma Legislature:

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article V of the Oklahoma Constitution:

Section 1. Sections 11A, 11B, 11C, 11D and 11E of Article V of the Oklahoma Constitution which now direct the Secretary of State, State Treasurer and Attorney General to reapportion the membership of the State Legislature if the

Legislature fails to adopt an apportionment within sixty (60) days after convening after each Federal Decennial Census and which provide for Oklahoma Supreme Court review of such reapportionment orders are hereby repealed.

**SECTION 2.** The ballot title for the proposed constitutional amendment shall be in the following form:

### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....

**THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

Shall a constitutional amendment amending Article V of the Oklahoma Constitution by repealing Sections 11A, 11B, 11C, 11D and 11E thereof which now direct the Secretary of State, State Treasurer and Attorney General to reapportion the membership of the State Legislature if the Legislature fails to adopt an apportionment within sixty (60) days after convening after each Federal Decennial Census and which provide for Oklahoma Supreme Court review of such reapportionment orders be approved by the people?

☐ YES

shall the proposed amendment be approved?

☐ NO

**SECTION 3.** The Speaker of the House of Representatives shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the ballot title set forth in **SECTION 2** hereof, with the Secretary of State and one copy with the Attorney General.

**SECTION 4.** A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in **SECTION 1** of this Resolution, shall be submitted to the people of



Oklahoma for their approval or rejection, as and in the manner provided by law" which amendment was declared adopted.

Upon motion of Senator Baggett, **HJR 1032**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Baggett, **HJR 1032**, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HJR 1032**, as amended, was read for the third time at length, as follows:

**HJR 1032**—By Robinson and Monks of the House and Baggett of the Senate—A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the constitution of the State of Oklahoma; amending Article V of the Oklahoma Constitution by repealing Sections 11A, 11B, 11C, 11D and 11E thereof which provide for legislative reapportionment by certain officers under certain circumstances and for supreme court review of their reapportionment orders; and ordering a special election.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article V of the Oklahoma Constitution.

Section 1. Sections 11A, 11B, 11C, 11D and 11E of Article V of the Oklahoma Constitution which now direct the Secretary of State, State Treasurer and Attorney General to reapportion the membership of the State Legislature if the Legislature fails to adopt an apportionment within sixty (60) days after convening after each Federal Decennial Census and which provide for Oklahoma Supreme Court review

of such reapportionment orders are hereby repealed.

SECTION 2. The ballot title for the proposed constitutional amendment shall be in the following form:

#### BALLOT TITLE

Legislative Referendum No. ....

State Question No. ....

#### THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment amending Article V of the Oklahoma Constitution by repealing Sections 11A, 11B, 11C, 11D and 11E thereof which now direct the Secretary of State, State Treasurer and Attorney General to reapportion the membership of the State Legislature if the Legislature fails to adopt an apportionment within sixty (60) days after convening after each Federal Decennial Census and which provide for Oklahoma Supreme Court review of such reapportionment orders

be approved by the people?

☐ YES

#### SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ NO

SECTION 3. The Speaker of the House of Representatives shall, immediately after the adoption of this Resolution, prepare and file one copy thereof, including the ballot title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this Resolution, shall be submitted to the people of Oklahoma for their approval or rejection, as and in the manner provided by law.

On the question of the passage of Resolution, the roll call was as follows:

Aye: Atkinson, Baggett, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—35.

Nay: Baldwin.—1.

Excused: Berrong, Birdsong, Dacus, Ferrell, Grantham, Ham, Luton, Massey, Medearis, Nichols, Porter, Young.—12.

The Resolution was declared passed.

The question being, "Shall **HJR 1032**, by Robinson and Monks of the House and Baggett of the Senate entitled:

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma; amending Article V of the Oklahoma Constitution by repealing Sections 11a, 11b, 11c, 11d and 11e thereof which provide for legislative reapportionment by certain officers under certain circumstances and for Supreme Court review of their reapportionment orders; and ordering a special election.

be ordered referred by the Legislature of the State of Oklahoma for approval or rejection at a special election to be held throughout the State of Oklahoma on the date of the next statewide primary election as provided in Section 4 of said Resolution, which Special Election is hereby ordered and authorized on the date of the next statewide primary election, as provided in Section 1, of Article 24, of the Constitution of Oklahoma?

The roll was ordered called and resulted as follows:

Aye: Atkinson, Baggett, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Ro-

mang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—34.

Nay: Baldwin.—1.

Excused: Berrong, Birdsong, Dacus, Ferrell, Grantham, Ham, Lane, Luton, Medearis, Nichols, Porter, Stipe, Young.—13.

The Presiding Officer, in open session, declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

**HJR 1032**, as amended, was ordered referred for engrossment.

### MESSAGE FROM THE HOUSE

Withdrawing Cole as House Conferee on Engrossed **HB 1752** and naming Cate as substitute for Cole.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1741** and **1774**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 486, 571** and **592**.

The above numbered Enrolled Bills were referred to the Governor.

### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 236**—coauthored by Ford; **SB 390**—coauthored by Ford; **SB 517** and **SB 618**, each as amended.

**HA** to **SB 236** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 2, Line 33, by adding the following language after the period: "The compensations of the director and such personnel shall not be governed by the "Comprehensive Salary Code"."

HA to SB 390 read as follows, and consideration deferred:

AMENDMENT NO. 1. Strike the Title, Enacting Clause and Entire Bill and substitute the following:

"An Act Relating to cities and towns; amending 11 O. S. 1961, § 405; authorizing cities and towns to change or repeal regulations, restrictions and boundaries; providing for additional notice; defining terms; amending 11 O. S. 1961, § 407, as amended by Section 1, Chapter 320, O. S. L. 1969 (11 O. S. Supp. 1969, § 407); providing per diem for members of boards of adjustment in cities having population in excess of two hundred thousand; providing variances and exceptions may be allowed by vote of three members of board; providing notice of hearings may be given by posting notice on affected property; providing no notice required on hearings for minor variances and exceptions; and declaring an emergency.

Be it enacted by the People of The State of Oklahoma:

SECTION 1. 11 O. S. 1961, § 405, is amended to read as follows:

§ 405. [Such regulations] REGULATIONS, restrictions and boundaries OF CITIES AND INCORPORATED TOWNS may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such change, signed MORE THAN TEN (10) DAYS PRIOR TO SAID PUBLIC HEARING by the owners of twenty percent (20%) or more [either] of the area of the lots included in such proposed change, or by the owners of [twenty percent (20%)] FIFTY PERCENT (50%) or more of the area of the lots immediately abutting [either] ANY side of the territory included in such proposed change, or separated therefrom only by an alley or street, LESS THAN THREE HUNDRED (300) FEET WIDE such amendment shall not become effective except by the favorable vote of

[three-fourths (3/4)] THREE-FIFTHS (3/5) of all the members of the legislative body of such municipality. The provisions of [the previous section] § 404 OF THIS TITLE relative to public hearings and official notice shall apply equally to all changes or amendments.

IN ADDITION TO THE NOTICE PROVIDED BY § 404 OF THIS TITLE NOTICE OF PUBLIC HEARING OF ANY ZONING CHANGE SHALL BE GIVEN BY MAILING WRITTEN NOTICE BY THE SECRETARY OF THE PLANNING COMMISSION OR THE CLERK OF THE CITY OR TOWN, IN THE EVENT THERE IS NO PLANNING COMMISSION IN SAID CITY OR TOWN, TO ALL OWNERS OF PROPERTY WITHIN A THREE-HUNDRED-FOOT RADIUS OF THE EXTERIOR BOUNDARY OF THE SUBJECT PROPERTY. SAID NOTICE SHALL CONTAIN:

1. LEGAL DESCRIPTION OF THE PROPERTY AND THE STREET ADDRESS OR APPROXIMATE LOCATION IN THE CITY OR TOWN;

2. PRESENT ZONING AND CLASSIFICATION OF THE PROPERTY AND THE CLASSIFICATION SOUGHT BY THE APPLICANT; AND

3. DATE, TIME AND PLACE OF THE PUBLIC HEARING. IN THE ALTERNATIVE, NOTICE MAY BE GIVEN BY POSTING NOTICE OF SUCH HEARING ON THE AFFECTED PROPERTY AT LEAST TEN (10) DAYS BEFORE THE DATE OF HEARING.

SECTION 2. 11 O. S. 1961, § 407, as amended by Section 1, Chapter 320, O.S.L. 1969 (11 O. S. Supp. 1969, § 407), is amended to read as follows:

§ 407. Such local legislative body shall provide for the appointment of a Board of Adjustment, and in the regulations and restrictions adopted pursuant to the authority of this act may provide that the said Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make spe-



cial exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.

The Board of Adjustment shall consist of five (5) members, each to be appointed for a term of three (3) years and removable for cause by the appointing authority, upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. IN CITIES WITH A POPULATION IN EXCESS OF TWO HUNDRED THOUSAND (200,000), THE MEMBERS OF SUCH BOARD MAY RECEIVE A PER DIEM OF TWENTY-FIVE DOLLARS (\$25.00) FOR EACH MEETING ATTENDED NOT TO EXCEED FIFTY DOLLARS (\$50.00) PER MONTH.

The Board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this act. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings, deliberations and voting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record.

The Board of Adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this act or of any ordinance adopted pursuant thereto.

(2) To hear and decide special excep-

tions to the terms of the ordinance upon which such Board is required to pass under such ordinance.

(3) To authorize in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(4) Exceptions and/or variances may be allowed by the Board only after notice and hearing as hereinafter provided.

(5) A variance may be granted upon a finding by the Board of Adjustment that:

(a) The application of the ordinance to the particular piece of property would create an unnecessary hardship;

(b) Such conditions are peculiar to the particular piece of property involved; and

(c) Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan.

In exercising the above - mentioned powers such Board may, in conformity with the provisions of this act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

The concurring vote of ~~four~~ THREE members, ~~three members if no protests are registered,~~ of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant or any matter upon which it is required to pass under

any such ordinance or to effect any variation in such ordinance.

Notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the city or town where the property is located. NOTICE MUST ALSO BE GIVEN BY POSTING A NOTICE OF SUCH HEARING ON THE AFFECTED PROPERTY **[and]** OR by mailing written notice by the Clerk of the Board to all owners of property within a three-hundred-foot radius of the exterior boundary of the subject property. Said notice shall contain:

(1) Legal description of the property and the street address or approximate location in the city or town;

(2) Present zoning classification of the property and the nature of the variance or exception requested;

(3) Date, time and place of hearing. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing. IN THE CASE OF POSTING, THE NOTICE MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE DATE OF HEARING.

NO NOTICE OF HEARING SHALL BE REQUIRED ON HEARINGS INVOLVING MINOR VARIANCES OR EXCEPTIONS, AND THE BOARD SHALL SET FORTH IN ITS STATEMENT OF POLICY WHAT CONSTITUTES MINOR VARIANCES OR EXCEPTIONS. SUCH MINOR VARIANCES OR EXCEPTIONS SHALL BE APPROVED BY THE APPOINTING BOARD.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

**HAs to SB 517** read as follows, and consideration deferred.

Amendment No. 1. Amend Page 1, after Section 1, by adding a new section to be numbered Section 2, reading as follows: "SECTION 2. 64 O.S. 1961, § 63, is hereby amended to read as follows: Before any loan shall be finally approved by the Commissioners of the Land Office, they shall have before them **[the statement of the tax assessor containing]** the information **[hereinabove required which shall be considered for its worth in addition to that]** furnished by the Departmental Appraiser; but, in no case shall more than fifty percent (50%) of the value of the land as appraised by the appraiser of the Commissioners of the Land Office be loaned thereon."

Amendment No. 2. Amend Title by changing the period to a semi-colon and adding the following language: "Amending 64 O.S. 1961, § 63; providing for information to be furnished; and providing limitation of amount of loan."

**HAs to SB 618** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Line 19, by inserting the word "State" after the word "The" and before the word "Board", and insert the word "Barber" after the word "of" and before the word "Examiners".

Amendment No. 2. Amend Page 1, Section 1, Line 28, by adding the following language after the period:

"The annual fee for a barber assistant's license shall be Ten Dollars (\$10.00), which shall be received by the Board before July 1 of each calendar year. Provided, however, upon receipt of a penalty of Ten Dollars (\$10.00) for delinquency beyond July 1 in making application for a license, in addition to the annual license fee, the Board may renew an annual barber assistant license."

Amendment No. 3. Amend Page 2, Section 2, Line 4, by inserting the words "at

least" after the word "of" and before the word "five".

Amendment No. 4. Amend Page 2, Section 2, Line 5, by deleting the word "an" and substitute therefor the word "a".

Amendment No. 5. Amend Page 2, Section 2, Line 6, by deleting the word "Assistant"; and substitute "barber instructors course" for "Barber Instructors Course".

Amendment No. 6. Amend Page 2, Section 2, Lines 26 and 27, by deleting the word "Assistant"; and substitute "barber instructors course" for "Barber Instructors Course".

### PENDING CONSIDERATION OF HAS

Upon motion of Senator Smalley, the Senate concurred in **HAs** to Engrossed **SB 487**.

**SB 487**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams.—32.

Excused: Baggett, Baldwin, Berrong, Birdsong, Boecher, Dacus, Ferrell, Grantham, Graves, Ham, Luton, Medearis, Miller, Nichols, Stansberry, Young.—16.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley,

Smith, Stipe, Taliaferro, Terrill, Williams.—32.

Excused: Baggett, Baldwin, Berrong, Birdsong, Boecher, Dacus, Ferrell, Grantham, Graves, Ham, Luton, Medearis, Miller, Nichols, Stansberry, Young.—16.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Smalley moved that the Senate refuse to concur in **HA** to **SB 626** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 626**: Smalley, McCune and Hamilton.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Phillips, the Conference Committee Report on **HB 1203** was declared adopted.

**HB 1203**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Boecher, Breckinridge, Crow, Field, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Porter, Short, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—30.

Nay: Bradley, Romang.—2.

Excused: Atkinson, Baldwin, Berrong, Birdsong, Dacus, Ferrell, Garrett, Garrison, Grantham, Ham, Howard, Luton, Miller, Nichols, Smalley, Young.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:



Aye: Atkinson, Baggett, Boecher, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—34.

Excused: Baldwin, Berrong, Birdsong, Dacus, Ferrell, Grantham, Ham, Howard, Lane, Luton, McGraw, Miller, Nichols, Young.—14.

The emergency was declared passed.

**HB 1203**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Smalley presiding.

Upon motion of Senator Murphy, the 2nd Conference Committee Report on **SB 560** was declared adopted.

**SB 560**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams.—36.

Excused: Boecher, Dacus, Ferrell, Grantham, Ham, Howard, Lane, Martin, Miller, Nichols, Porter, Young.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith,

Stansberry, Stipe, Taliaferro, Terrill, Williams.—36.

Excused: Boecher, Dacus, Ferrell, Grantham, Ham, Howard, Lane, Martin, Miller, Nichols, Porter, Young.—12.

The emergency was declared passed.

**SB 560**, together with 2nd Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator Murphy, the Conference Committee Report on **HB 1492** was declared adopted.

**HB 1492**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Garrett, Garrison, Graves, Hamilton, Hargrave, Holden, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill.—28.

Nay: Atkinson, Berrong, Field, Horn, Keels, Medearis, Stansberry, Williams.—8.

Excused: Baggett, Dacus, Ferrell, Grantham, Ham, Howard, McSpadden, Miller, Nichols, Porter, Taliaferro, Young.—12.

The Bill, as amended in Conference, was declared passed.

Senator Ferrell asked to be shown present, which was the order.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill.—33.

Nay: Horn, Keels, Williams.—3.

Excused: Baggett, Boecher, Dacus, Garrison, Holden, Howard, McSpadden, Miller, Nichols, Porter, Taliaferro, Young.—12.

The emergency was declared passed.

**HB 1492**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator Birdsong, the Conference Committee Report on **SB 393** was declared adopted.

**SB 393**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Baggett, Boecher, Dacus, Howard, McGraw, Massey, Miller, Porter, Taliaferro.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—39.

Excused: Baggett, Boecher, Dacus, Howard, McGraw, Massey, Miller, Porter, Taliaferro.—9.

The emergency was declared passed.

**SB 393**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator Luton, the Conference Committee Report on **HB 1339** was declared adopted.

**HB 1339**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—38.

Excused: Baggett, Boecher, Dacus, Garrison, Hargrave, Howard, McGraw, Miller, Porter, Taliaferro.—10.

The Bill, as amended in Conference, was declared passed.

**HB 1339**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden the Conference Committee Report on **HB 1556** was declared adopted.

**HB 1556**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—37.

Excused: Baggett, Crow, Dacus, Garrett, Hamilton, Howard, McGraw, Massey, Miller, Porter, Taliaferro.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Fer-

rell, Field, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Terrill, Williams, Young.—37.

Excused: Baggett, Crow, Dacus, Garrett, Hamilton, Howard, McGraw, Massey, Miller, Porter, Taliaferro.—11.

The emergency was declared passed.

**HB 1556**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1557** was declared adopted.

**HB 1557**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Holden, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—33.

Nay: Horn, McCune, Stansberry, Williams.—4.

Excused: Baggett, Berrong, Crow, Dacus, Grantham, Hamilton, Hargrave, Howard, McGraw, Massey, Miller.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Holden, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—33.

Nay: Horn, McCune, Stansberry, Williams.—4.

Excused: Baggett, Berrong, Crow, Dacus, Grantham, Hamilton, Hargrave, Howard, McGraw, Massey, Miller.—11.

The emergency was declared passed.

**HB 1557**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1567** was declared adopted.

**HB 1567**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Holden, Horn, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baggett, Crow, Dacus, Grantham, Hamilton, Hargrave, Howard, Keels, McGraw, Massey, Miller, Porter, Stipe.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Graves, Ham, Holden, Horn, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baggett, Crow, Dacus, Grantham, Hamilton, Hargrave, Howard, Keels, McGraw, Massey, Miller, Porter, Stipe.—13.

The emergency was declared passed.

**HB 1567**, together with Conference Com-



mittee Report thereon, was ordered returned to Honorable House.

### DECLARATION OF VOTE

Senator Berrong asked that the record show, had he been present at the time of passage of **HB 1557**, as amended in Conference, he would have voted NAY, which was the order.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Nichols, the Conference Committee Report on **SB 311** was declared adopted.

**SB 311**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Atkinson, Crow, Dacus, Hargrave, Howard, Lane, Luton, McGraw, Massey, Porter, Stansberry, Taliaferro.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, McCune, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stipe, Terrill, Williams, Young.—36.

Excused: Atkinson, Crow, Dacus, Hargrave, Howard, Lane, Luton, McGraw, Massey, Porter, Stansberry, Taliaferro.—12.

The emergency was declared passed.

**SB 311**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator Romang, the Conference Committee Report on **HB 1292** was declared adopted.

**HB 1292**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—34.

Excused: Baggett, Crow, Dacus, Garrett, Hargrave, Howard, Lane, McGraw, Medearis, Nichols, Porter, Stansberry, Stipe, Terrill.—14.

The Bill, as amended in Conference, was declared passed.

**HB 1292**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Terrill asked that he and Senator Taliaferro be shown excused for the remainder of this legislative day for the purpose of attending a Board of Regents Meeting at Cameron State College, which was the order.

**HB 1612**, as amended in Conference, was called up for consideration.

Senators Williams, Berrong and Garrett asked to be made coauthors of **HB 1612**, as amended in Conference, which was the order.

Senator Hamilton moved the adoption of the Conference Committee Report on **HB 1612**.

Senator Miller, joined by Senators Howard, Baldwin, Smalley, Massey, Grantham, Young, Berrong, Ferrell, Field, Murphy and McCune, as a substitute for the Hamilton motion, moved that the Senate re-

ject the Conference Committee Report on **HB 1612**, request further Conference thereon, and instruct the Senate Conferees to remove the language authorizing community junior colleges at Henryetta, Ardmore and Woodward, which motion was tabled upon motion of Senator Hamilton upon a roll call as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Crow, Garrett, Garrison, Ham, Hamilton, Hargrave, Horn, Keels, Lane, Luton, McSpadden, Martin, Nichols, Payne, Phillips, Romang, Smith, Stansberry, Stipe, Williams.—24.

Nay: Baggett, Baldwin, Ferrell, Field, Grantham, Holden, Howard, Inhofe, McCune, McGraw, Medearis, Miller, Murphy, Short, Smalley, Young.—16.

Excused: Berrong, Breckinridge, Dacus, Graves, Massey, Porter, Taliaferro, Terrill.—8.

The vote occurring upon the Hamilton motion, it was declared adopted.

**HB 1612**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Nichols, Payne, Phillips, Romang, Smith, Stansberry, Stipe, Williams.—28.

Nay: Baldwin, Ferrell, Field, Grantham, Holden, Inhofe, McGraw, Medearis, Miller, Murphy, Short, Smalley.—12.

Excused: Berrong, Breckinridge, Dacus, Massey, Porter, Taliaferro, Terrill, Young.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham,

Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Stipe, Williams, Young.—36.

Nay: Baldwin, Medearis, Miller, Murphy, Smalley.—5.

Excused: Berrong, Breckinridge, Dacus, Massey, Porter, Taliaferro, Terrill.—7.

The emergency was declared passed.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Payne moved that the vote be reconsidered by which **HB 1612**, as amended in Conference, passed; and, to reconsider the vote by which the Emergency Section passed.

## CONFERENCE COMMITTEE REPORT

The following CCR on **SB 557** was read and consideration deferred:

Mr. President

and

Mr. Speaker

The Conference Committee, to which was referred **SB 557**—By Grantham and Ham of the Senate and McCune and Boettcher of the House, entitled:

An Act relating to court reporters; \*\*\* and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from Amendment No. 3.

2. Concur in Amendments No. 1, No. 2, and No. 4.

3. Adopt a new Amendment numbered as Amendment No. 5, to read as follows:

Amendment No. 5. Page 3 — Line 10. After the word "errors" and before the word "The" add a new sentence to read:

"Any examination or test given shall be approved by the Supreme Court."

FOR THE SENATE: Grantham, Ham, Young.

FOR THE HOUSE: McCune, Connor, Sparkman.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 478, and naming House Conferees as follows: Tarwater, Greenhaw and Musgrave.

#### MESSAGE FROM THE HOUSE

Returning following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed SB 281.

The above numbered Bill as amended in Conference was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1521, 1559, 1563, 1574, 1580 and 1782.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Transmitting following Bills, together with Conference Committee Reports, thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1514, 1517, 1522, 1659, 1664, 1674, 1677 and 1722.

#### CONFERENCE COMMITTEE REPORTS

The following CCR on HB 1514 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill

No. 1514, and Engrossed Senate Amendments thereto, by Raibourn of the House and Hamilton of the Senate entitled:

An Act relating to county hospitals; amending 19 O. S. 1961, § § 784, 785, 786, 787, 788, 789, \*\*\* and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the following conference committee substitute be adopted.

**CCS on HB 1514**—By Raibourn of the House and Hamilton of the Senate.

An Act relating to county hospitals; amending 19 O.S. 1961, § § 784, 785, 786, 787, 788, 789, as amended by Section 1, Chapter 72, O. S. L. 1963 (19 O. S. Supp. 1969, § 789), Section 4, Chapter 72, O. S. L. 1963, as amended by Section 1, Chapter 287, O. S. L. 1965 (19 O. S. Supp. 1969, § 790.1), and 794, as amended by Section 1, Chapter 290, O. S. L. 1967 (19 O. S. Supp. 1969, § 794); amending Section 719 of Article 7, Chapter 325, O. S. L. 1963, as amended by Section 9, Chapter 36, O. S. L. 1965 (63 O. S. Supp. 1969, § 1-719); providing for issuance and sale of hospital self-liquidating revenue and/or General Obligation Bonds; providing for form, terms and recording of such bonds; providing for annual levy to pay interest and principal due on such bonds and for other purposes; providing for submission of annual report, financial statement and estimate of needs by hospital board of control; providing for purchase of site for hospital building and for erection, alteration or enlargement of existing buildings; establishing procedures and requirements for letting contracts and bids; providing for suspension, renegotiation, cancellation and reletting of contracts; requiring filing of tax receipts and workmen's compensation insurance coverage; authorizing board of control to select architect; authorizing leasing of hospital and equipment to charitable non-profit organization; providing for membership of hospital board of control, establishing its procedure, pow-



ers and duties; establishing certain funds in connection with county hospitals; providing for audit of financial books and records; authorizing board of control to participate in governmental assistance programs; authorizing issuance of bonds at a rate of interest not exceeding eight percent for constructing and equipping a hospital, and certain health facilities by any county, city or town to be owned and operated by it solely or jointly with other counties, cities or towns; providing fraction of voters required for assent; prescribing procedure for notice and election; directing codification; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 19 O. S. 1961, § 784, is amended to read as follows:

§ 784. If at said election three-fifths of the voters voting thereon shall vote in favor of the issuance of **[the] HOSPITAL SELF-LIQUIDATING REVENUE AND/OR GENERAL OBLIGATION** bonds, the Board of County Commissioners shall proceed at once to the issuing of same and shall deposit the bonds in the treasury of the county, the treasurer being responsible and chargeable therefor on his official bond. The Board of County Commissioners shall proceed to sell said bonds and deposit the proceeds from the sale thereof in the treasury of said county which money shall be paid out by the treasurer upon the orders of the Board of County Commissioners from time to time as the same shall be needed; provided, however, that said bonds shall not be sold for less than par value thereof and accrued interest thereon.

SECTION 2. 19 O. S. 1961, § 785, is amended to read as follows:

§ 785. Bonds issued as herein provided shall be made payable AND BE ISSUED AS PROVIDED BY LAW to bearer, bearing interest at a rate not to exceed **[six percent (6%)] EIGHT PERCENT (8%)**, per annum, **[payable semi-annually, and of denomination of not less**

**than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00) each. The entire amount shall be paid within twenty five (25) years. One twenty fifth portion shall be paid each year together with the interest accrued on the unre-tired balance until all is paid. The bonds shall be of usual form and be so worded as to bind the county absolutely to the full payment of both principal and interest and shall be signed by the chairman of the Board of County Commissioners and countersigned by the county clerk. The bonds shall be recorded by the county clerk and by the State Auditor, both of whom shall endorse the same on the back thereof. The interest shall be evidenced by coupons attached of proper dates and maturities which shall be signed by the same officers who signed the bonds.]**

SECTION 3. 19 O. S. 1961, § 786, is amended to read as follows:

§ 786. **[It] AS TO GENERAL OBLIGATION BONDS**, IT shall be the duty of the officers charged by law with the levying of taxes for county purposes to levy annually an amount sufficient to pay the interest due each year on the bonds issued hereunder and at the proper time, and in addition thereto, to levy an amount sufficient to pay part of the principal as the same becomes due.

The Board of Control shall, **AT THE WRITTEN REQUEST OF THE BOARD OF COUNTY COMMISSIONERS** before the end of each fiscal year, file with the Board of County Commissioners a report of their proceedings with reference to such hospital, and shall also file a financial statement and estimate of needs and shall at the proper time certify the amount necessary to maintain and improve said hospital for the ensuing year.

The excise board of any county in this state which operates a county hospital shall make an annual levy of not less than one-fourth of one mill on all the taxable property of the county, the proceeds of which shall be credited by the

county treasurer to the county hospital fund, the purpose of this levy being to supply funds for the care of the county charity patients, and shall levy annually an amount sufficient to maintain such county hospital.

Provided, that in considering and fixing appropriations the excise board shall take into account as an item of income from sources other than ad valorem tax the gross operating receipts of the hospital for the previous fiscal year.

AS TO SELF-LIQUIDATING REVENUE BONDS, ANY COUNTY MAY, BY ITS BOARD OF COUNTY COMMISSIONERS, ISSUE NEGOTIABLE REVENUE BONDS OF THE COUNTY, FOR THE PURPOSE OF CONSTRUCTING A COUNTY HOSPITAL, OR MAKING ALTERATIONS OR ADDITIONS TO A COUNTY HOSPITAL. SUCH REVENUE BONDS SHALL BE ISSUED IN THE SAME MANNER AS REVENUE BONDS ISSUED BY AN INDEPENDENT SCHOOL DISTRICT TO CONSTRUCT RECREATIONAL FACILITIES UNDER THE PROVISIONS OF TITLE 70 OF THE OKLAHOMA STATUTES, § § 821.1 THROUGH 821.9, INCLUSIVE. THE BONDS SHALL BE SECURED BY A PLEDGE OF AND SHALL BE PAYABLE FROM THE NET REVENUES OF THE COUNTY HOSPITAL. PROVIDED, THAT THE HOSPITAL SHALL BE OPERATED IN THE SAME MANNER AS A COUNTY HOSPITAL CONSTRUCTED FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS.

SECTION 4. 19 O. S. 1961, § 787, is amended to read as follows:

§ 787. Out of the proceeds of said bonds the County Commissioners shall proceed to purchase a suitable site for the erection of such county hospital and to erect said building on said site, or to alter, add to, or enlarge existing hospital buildings in accordance with the plans and specifications to be prepared by an experienced architect and submitted to said Board of County Commissioners, which plans and specifications shall have

been approved by the Board of Control hereinafter created [ , according to the best methods of hospital practice for the particular disease or diseases to be treated in said hospital.] SAID BOARD OF CONTROL SHALL BE RESPONSIBLE FOR SELECTING AN EXPERIENCED LICENSED ARCHITECT.

SECTION 5. 19 O. S. 1961, § 788, is amended to read as follows:

§ 788. [Prior to letting any contract] (A) ALL CONTRACTS for [the] COUNTY HOSPITAL construction WORK, [of said building, or the making of any] alteration, [addition to] ADDITIONS, or [enlargement of existing hospital buildings,] REPAIRS EXCEEDING FIVE THOUSAND DOLLARS (\$5,000.00) IN ANY CALENDAR YEAR [the County Commissioners shall advertise in at least one daily or weekly newspaper published in said county and such other papers as to them seem proper, for plans and specifications of said building, but if there be no such newspaper published in said county, then in that event, said publication shall be made by posting at least five printed notices in the most public places of such county, and after selecting plans and specifications the County Commissioners shall advertise for at least ten (10) days in some newspaper published in said county, or by posting five (5) printed notices in the most public places in said county for the bids for the construction of said hospital building, addition, alteration, or enlargement, and the contract for the construction of same] shall be [awarded] LET to the lowest responsible bidder[, who shall give good and sufficient bond for the faithful performance of his contract] OR BIDDERS AFTER NOTICE OF PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE WORK IS TO BE DONE IN TWO CONSECUTIVE WEEKLY ISSUES OF THE NEWSPAPER. EACH BID SHALL BE ACCOMPANIED BY A CERTIFIED OR CASHIER'S CHECK EQUAL TO FIVE

PERCENT (5%) OF THE BID OR TEN THOUSAND DOLLARS (\$10,000.00), WHICHEVER IS THE SMALLER, WHICH SHALL BE DEPOSITED WITH THE BOARD OF CONTROL AS A GUARANTY, AND FORFEITED TO THE COUNTY TREASURER TO THE CREDIT OF THE COUNTY HOSPITAL FUND IN THE EVENT THE SUCCESSFUL BIDDER FAILS TO COMPLY WITH THE TERMS OF THE PROPOSAL, AND RETURNED TO THE SUCCESSFUL BIDDER ON EXECUTION AND DELIVERY OF THE BOND HEREIN PROVIDED FOR, AND THE CHECKS OF THE UNSUCCESSFUL BIDDERS SHALL BE RETURNED TO THEM IN ACCORDANCE WITH THE TERMS OF THE PROPOSAL.

(B) ALL NOTICES OF THE LETTING OF CONTRACTS UNDER THIS SECTION SHALL STATE THE TIME AND PLACE BIDS WILL BE RECEIVED AND OPENED. SUCH BIDS SHALL BE SEALED AND OPENED ONLY AT THE TIME AND PLACE MENTIONED IN THE NOTICE AND IN THE PRESENCE OF A MAJORITY OF THE MEMBERS OF THE BOARD OF CONTROL. THE SUCCESSFUL BIDDER FOR THE CONSTRUCTION OF THE WORK SHALL ENTER INTO A CONTRACT ON A FORM FURNISHED AND PRESCRIBED BY THE BOARD OF CONTROL AND SHALL GIVE GOOD AND SUFFICIENT PERFORMANCE BOND IN A SUM EQUAL TO THE CONTRACT PRICE, TO THE COUNTY, WITH SURETIES APPROVED BY THE BOARD OF CONTROL, TO INSURE THE PROPER AND PROMPT COMPLETION OF THE WORK IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT AND THE PLANS AND SPECIFICATIONS; BONDS SHALL ALSO BE POSTED TO PROTECT AGAINST UNPAID CLAIMS OF SUBCONTRACTORS, LABORERS, AND SUPPLIERS. PROVIDED, THAT IF, IN THE OPINION OF A MAJORITY OF THE BOARD OF CONTROL, THE LOWEST RESPONSIBLE BID OR BIDS FOR THE

CONSTRUCTION HEREIN AUTHORIZED TO BE CONSTRUCTED SHALL BE EXCESSIVE, THEN AND IN THAT EVENT THE BOARD OF CONTROL SHALL HAVE THE RIGHT TO REJECT ANY OR ALL BIDS AND TO READVERTISE THE SAME FOR ADDITIONAL BIDS. THE BOARD OF CONTROL, WITHIN ITS DISCRETION AND WHERE IT IS IN THE BEST INTERESTS OF HOSPITAL CONSTRUCTION, MAY EXTEND A CONTRACT NOT TO EXCEED TEN PERCENT (10%) OF THE LENGTH AND EXTENT OF THE ORIGINAL PROJECT, SUCH EXTENSION WORK TO BE PAID FOR AT A PRICE NOT GREATER THAN THE CONTRACT UNIT BASIS. NO WORK SHALL BE INITIATED UNTIL THE CONTRACTOR FURNISHES THE BOARD WITH CERTIFICATES OF INSURANCE FOR WORKMEN'S COMPENSATION, PUBLIC LIABILITY AND BUILDERS' RISK.

(C) WHEN QUALITY AND PRICES ARE EQUAL PREFERENCE SHALL BE GIVEN MATERIALS PRODUCED WITHIN THE STATE OF OKLAHOMA, AND PREFERENCE SHALL ALSO BE GIVEN CONSTRUCTION CONTRACTORS DOMICILED, HAVING AND MAINTAINING OFFICES IN AND BEING CITIZEN TAXPAYERS OF THE STATE OF OKLAHOMA.

D. WHEN ANY CONTRACT FOR THE CONSTRUCTION OR IMPROVEMENT OF A COUNTY HOSPITAL HAS NOT BEEN CARRIED OUT, OR WORK THEREUNDER HAS BEEN SUSPENDED BY VIRTUE OF AN ORDER OR DIRECTIVE OF ANY OFFICER OR AGENCY OF THE FEDERAL OR STATE GOVERNMENT, ISSUED UNDER AUTHORITY VESTED IN OR DELEGATED TO SUCH OFFICER OR AGENCY OR IF THE CONTRACTOR DEFAULTS, THE BOARD SHALL PROCEED AGAINST THE CONTRACTOR AND/OR HIS BONDS, IF HE HAS CAUSED THE POSTPONEMENT OR CANCELLATION OF THE CONTRACT, AND THE BOARD



SHALL THEN HAVE THE RIGHT TO ADVERTISE IN THE MANNER PROVIDED FOR HEREINABOVE TO RELET THE CONTRACT FOR THE UNCOMPLETED PORTION.

(E) FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF MONEY DUE UNDER CONTRACT WITH THE BOARD OF CONTROL FOR COUNTY HOSPITAL CONSTRUCTION WORK SHALL BE RETAINED BY THE BOARD UNTIL THE CONTRACTOR TO WHOM PAYMENT IS DUE FILES WITH THE BOARD A CERTIFIED COPY OF A PERSONAL TAX RECEIPT, SHOWING PAYMENT OF PERSONAL PROPERTY TAXES DUE ON THE CONTRACTOR'S EQUIPMENT AND SUPPLIES, FROM THE COUNTY TREASURER OF THE COUNTY WHEREIN THE PROPERTY IS ASSESSED, OR IS REQUIRED TO BE ASSESSED, AND EVIDENCE OF HAVING PROPER WORKMEN'S COMPENSATION COVERAGE FOR EMPLOYEES AS PROVIDED BY TITLE 85 OF THE OKLAHOMA STATUTES, § 61.

SECTION 6. 19 O. S. 1961, § 789, as amended by Section 1, Chapter 72, O.S.L. 1963 (19 O. S. Supp. 1969, § 789), is amended to read as follows:

§ 789. It shall be the duty of the Board of County Commissioners to place the management and control of said hospital either under a Board of Control composed of five, SEVEN OR NINE members, or to lease the hospital and equipment therein to a charitable nonprofit organization. Unless the hospital is to be leased as hereinafter provided, the Board of County Commissioners shall appoint the **[five]** members of the Board of Control from the citizens at large of the county, with reference to their fitness for such office, all residents of the county, not more than three of said board members to be residents of the city or town in which said hospital is located. Members of the Board of Control shall hold **[their]** office, **[three for four years, and two for two years, and each subsequent**

**two years the said commissioners]** AS FOLLOWS: FIVE - MEMBER BOARD - ONE FOR ONE (1) YEAR; TWO FOR TWO (2) YEARS; AND TWO FOR THREE (3) YEARS. SEVEN - MEMBER BOARD - TWO FOR ONE (1) YEAR; TWO FOR TWO (2) YEARS; AND THREE FOR THREE (3) YEARS. NINE - MEMBER BOARD - THREE FOR ONE (1) YEAR; THREE FOR TWO (2) YEARS; AND THREE FOR THREE (3) YEARS, AND EACH YEAR AS NECESSARY THE SAID COUNTY COMMISSIONERS shall appoint successors to such members of the Board of Control whose terms have expired and such subsequent appointment shall be for a term of four (4) years. PROVIDED, HOWEVER, THAT THE BOARD OF COUNTY COMMISSIONERS MAY AT THEIR DISCRETION CALL AN ELECTION FOR THE PURPOSE OF DETERMINING SUCH SUCCESSORS WITH THE COST OF SAID ELECTION TO BE PAID FOR BY THE COUNTY. FILINGS FOR SAID ELECTION SHALL BE MADE WITH THE COUNTY ELECTION BOARD WHICH SHALL CONDUCT THE ELECTION. No member of the Board of Control shall hold any state, county, or city elective office. Members of the Board of Control shall receive no salary or compensation for their services, but may be reimbursed for any cash expenditures actually made for personal expenses incurred in the performance of duties upon presenting an itemized statement of such expenses duly verified, filed with the secretary, if every attending member of the board votes in the affirmative at any regular board meeting. Vacancies in the Board of Control occasioned by removal, resignation, or otherwise shall be filled in like manner as original appointments, to hold office during the unexpired term for which such member was appointed. If the Board of County Commissioners determines it is for the best interest of the county, they may in lieu of operation of the hospital through a Board of Control lease the hospital and

equipment therein to a charitable non-profit organization, in such event the lessee shall be responsible for all costs of operation and maintenance; provided, no hospital or equipment therein shall be leased OTHER THAN TO A PUBLIC TRUST OF WHICH THE COUNTY IS BENEFICIARY unless the specific leasing be authorized by the voters of the county at a general election, or a special election called for such purpose, and approved by a majority vote of the electors voting on such proposition at any such election.

SECTION 7. Section 4, Chapter 72, O. S. L. 1963, as amended by Section 1, Chapter 287, O. S. L. 1965 (19 O. S. Supp. 1969, § 790.1), is amended to read as follows:

§ 790.1 (a) Upon the appointment of a Board of Control to manage a county hospital, the members of the Board of Control shall within ten (10) days after their appointment qualify by taking an oath in the form required of county officers, organizing the Board of Control by the election of one as Chairman, one as Vice Chairman, one as Secretary, and one as Treasurer, however, the secretary and treasurer may be the same person, and electing or appointing such other officer or officers as they may deem necessary, but no bond shall be required from any of them except the treasurer who, before entering upon his duties, shall file in the office of the county clerk a surety bond, to be approved by and in an amount set by the Board of County Commissioners, but not less than Five Thousand Dollars (\$5,000.00), the premium to be paid out of the county hospital fund. Every one (1) year thereafter, at the first meeting of the Board of Control following the appointment or reappointment of board members, a reorganization meeting shall be held and officers selected as hereinbefore stated. Such Board of Control shall hold meetings at least once each month, shall keep a complete record of all of its proceedings,

and **[three members]** A MAJORITY of said board shall constitute a quorum for the transaction of business. The **[county]** DISTRICT Attorney, OR HIS ASSISTANT, shall serve as attorney for the Board of Control without additional compensation, however, the board may on extraordinary legal matters employ other counsel and pay for such service from the general funds of such hospital. No member of the Board of Control shall have a personal pecuniary interest either directly or indirectly in any purchases or contracts for said hospital unless the same are purchased or awarded by competitive bids.

(b) The Board of Control shall in management of a county hospital:

1. Have exclusive control, supervision, care and custody of the grounds, property, and buildings purchased, constructed, leased, or set apart from such hospital purposes.

2. Employ a competent administrator as the executive officer of the hospital and fix his compensation. The board shall require the administrator to execute and file in the office of the county clerk a surety bond in an amount they shall set, but not less than Ten Thousand Dollars (\$10,000.00), to be approved by them, the premium to be paid out of the county hospital fund.

3. Establish the fiscal year of the hospital and, not later than **[sixty]** NINETY (90) days after close of the fiscal year, file with the county clerk of said county a report of the proceedings with reference to such hospital and a statement of all receipts and expenditures during the preceding fiscal year, and shall adopt a budget, such budget to show the amount necessary to maintain and improve said hospital for the ensuing fiscal year. A complete audit to be required at the end of each FISCAL year IS TO BE PERFORMED BY A LICENSED ACCOUNTANT.

4. Cause not less than one of its mem-

bers to visit and inspect said hospital at least once each month. *[and to report to the board at the next regular meeting, and it]* IT shall be the duty of the Board of Control to admit, UPON RECOMMENDATION OF A PHYSICIAN, without *[charge to the county hospital, all indigent patients]* EXPENSE TO THE PATIENT, ALL COUNTY CHARITY PATIENTS certified to be such by said Board of Control, in need of medical or surgical treatment; and all other patients admitted to said hospital for treatment shall be charged a just and reasonable price for their medical and surgical treatment while in the custody of said hospital.

5. Adopt a policy of admission of patients for said county hospital.

6. Have authority to authorize said hospital to be a member of and maintain membership in any local, state, or national group association organized and operated for the promotion of the public health and welfare or the advancement of the efficiency of hospital administration and in connection therewith to pay dues and fees therefor from the county hospital fund.

7. Have authority to establish *[a training school for nurses in connection with the county hospital]* OR PARTICIPATE IN HEALTH-RELATED EDUCATIONAL PROGRAMS.

8. Have authority to procure and pay out of the county hospital fund premiums on any and all insurance policies required for the prudent management of the hospital, including but not limited to public liability, professional malpractice liability, workmen's compensation *[and]* vehicle liability, LIFE, HEALTH AND ACCIDENT PLANS, AND TO MAKE CONTRIBUTIONS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF OKLAHOMA. Said insurance may include as additional insureds the Board of Control and employees of the hospital.

9. Determine when there is a surplus in any of the funds of the hospital and

if so determined may invest such surplus in United States Government Bonds or insured securities or in insured time deposits until such time as in the judgment of the Board of Control it is deemed advisable to use such funds for hospital purposes, including but not limited to the purchase of equipment, repair, remodeling, or new construction of hospital property.

10. Either as a board or through the administrator, to use reasonable diligence and efforts to make collections of accounts for hospital services rendered.

11. Have authority to adopt such by-laws, rules and regulations as they deem desirable for their own guidance and the administration of the hospital, not inconsistent with the law.

12. Do all things necessary for the management, control, and government of said hospital and exercise all the rights and duties pertaining to hospital boards generally, unless such rights are specifically denied or prohibited by law.

(c) In the operation of a county hospital by the Board of Control the following funds shall be established in connection with a county hospital:

1. The proceeds from the sale of bonds as provided in TITLE 19 *[O. S. 1961]* OF THE OKLAHOMA STATUTES, § 784, shall be deposited in a fund known as the "County Hospital Bond Fund" in the treasury of the county, which shall be paid out by the county treasurer upon the orders of the Board of County Commissioners from time to time as the same is needed.

2. The proceeds from the tax levy provided by TITLE 19 *[O. S. 1961]* OF THE OKLAHOMA STATUTES, § 786, and funds received by the hospital for services or otherwise not specifically designated to a special fund by the Board of Control shall be deposited in the treasury of the county in the "County Hospital Fund." Current receipts by the hospital, including tuition fees of any school operated by the hospital, shall be deposited in said



fund at least every week. Such money in the "County Hospital Fund" shall be paid out only upon itemized and acknowledged claims duly approved by the Board of Control or in the procedure prescribed by said board by warrants drawn by the administrator or such other person as may be designated by the Board of Control, which warrants must be authenticated by the treasurer of the Board of Control or a duly qualified officer of the Board of Control. If a county hospital shall operate a home for nurses, then the current receipts of said home for nurses shall be deposited with the county treasurer in the Home for Nurses Fund.

(d) The Board of Control may by resolution establish such other funds as it deems advisable for the efficient and proper management of the hospital, which may or may not be in the county treasury, and prescribe the procedure for the handling, expending, and withdrawal of such funds. All checks to be signed by the administrator or his assistant and one member of the Board of Control.

1. If a majority of the Board of Control shall vote in favor of the establishment of a refund account, then [a warrant shall be drawn on the county treasurer and charged to the "County Hospital Fund," for an amount of money sufficient to meet the anticipated actual refunds which may ordinarily be required to be paid out by the hospital during an average two month period. The Board shall then designate a bank, and set up an account, and deposit the proceeds of said warrant in an account to be designated Refund Account ----- Hospital] THE BOARD SHALL DESIGNATE A BANK, AND SET UP AN ACCOUNT. Thereafter, [whenever] WHEN it becomes necessary to refund monies to a patient for the overpayment of an account, a check shall be drawn on said refund account, and, after said check has been signed by the administrator OR HIS DESIGNATE and one member of the Board of Control, the same shall be delivered [immediately] to said

patient. THE ACCOUNT MAY BE REPLENISHED AS DEEMED NECESSARY.

After the establishment of said account, the administrator shall certify the list of actual refunds which have been made to patients during the interim since last approval. Upon acceptance by the Board of Control, the certified list of refunds shall be used to support the preparation of a warrant to be drawn on the county treasurer and charged to County Hospital Fund for the replenishment of said refund account.

2. If a majority of the Board of Control shall vote in favor of the establishment of a salary account, [then a depository bank, approved for the deposit of state and county funds, shall be designated by the board and the necessary resolutions requisite to the] THE BOARD SHALL THEN DESIGNATE A BANK COVERED BY F.D.I.C., SET UP AN ACCOUNT, AND DEPOSIT A WARRANT DRAWN UPON THE "COUNTY HOSPITAL FUND," NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) IN AMOUNT, TO OPEN THE ACCOUNT, AND THE NECESSARY RESOLUTIONS REQUISITE TO THE establishment of an account shall be performed. Thereafter, as soon as the complete [monthly] payroll [for employees of the hospital shall have] HAS been prepared, [and the said payroll has been certified by the administrator and approved by one or more members of the board of control, then a warrant shall be signed by two members of the board of control and drawn on the County Hospital Account; said warrant to be in the exact amount of the net total of all the employees named in said payroll. The proceeds of said warrant shall then be deposited in the Salary Fund of ----- Hospital in the depository bank above designated. Following the making of said deposit, the hospital shall issue individual salary checks to each employee whose name is included on said payroll and for the exact sum shown to be due each of said employees, so that the total sum of

*the individual salary checks shall be exactly the same as the amount of the warrant drawn on the county treasurer. Provided, that said salary checks shall be signed by the administrator and by one member of the board of control.* A WARRANT SHALL BE DRAWN UPON THE "COUNTY HOSPITAL FUND" FOR THE AMOUNT OF THE PAYROLL AND DEPOSITED IN THE SALARY FUND OF ..... HOSPITAL. THE INDIVIDUAL PAYROLL CHECKS SHALL BE SIGNED BY THE ADMINISTRATOR OR HIS DESIGNATE OR ONE MEMBER OF THE BOARD OF CONTROL.

3. If a majority of the Board of Control shall vote in favor of the establishment of a Nursing Home Operating Account, then a bank account shall be opened in a bank designated as a state or county depository.

Thereafter the Board of Control shall draw a warrant on the county treasurer to be charged to the Nursing Home Fund, said warrant to be in the exact amount of a certified list of current obligations of said nursing home. Said list shall be drawn by the administrator and certified by him to the Board of Control and shall contain the details of all expenditures to be made for the nursing home for the previous month's operations including salaries.

The proceeds of said warrant shall then be deposited in the Nursing Home Operating Account in the bank above designated. Thereafter the administrator shall prepare individual checks in payment of the list of current obligations. Provided, however, that said checks shall be signed by the administrator and by one member of the Board of Control.

4. If a majority of the Board of Control shall vote in favor of the establishment of a Petty Cash Account, then a warrant shall be drawn on the county treasurer in an amount not to exceed the sum of One Hundred Dollars (\$100.00). The warrant shall be charged by the county treasurer to the Hospital Fund.

The proceeds of said warrant shall be used for the payment of small bills for freight, postage due, minor expenses, et cetera, all of a minor amount; and the hospital shall secure proper receipts for the disbursement of said proceeds.

Thereafter, the administrator shall certify the list of petty expenditures, and, after approval by the Board of Control, a warrant shall be drawn on the county treasurer, County Hospital Fund, for the replenishment of said petty cash account.

Likewise, and in the same manner, a petty cash account may be established in any nursing home or related institution of the same if operated by the hospital.

5. IF A MAJORITY OF THE BOARD OF CONTROL SHALL VOTE IN FAVOR OF THE USE OF A FACSIMILE SIGNATURE MACHINE IN SIGNING CHECKS UPON THE "COUNTY HOSPITAL FUND" OR ANY OTHER FUND, A MACHINE SHALL BE UTILIZED TO IMPRINT THE FACSIMILE SIGNATURE OF THE ADMINISTRATOR AND THE TREASURER OF THE BOARD OF CONTROL UPON SAID CHECKS. PROPER PROCEDURES MUST BE IMPLEMENTED TO CONTROL THE USE OF THE SIGNATURE MACHINE; SUCH CONTROLS TO BE ESTABLISHED BY THE BOARD OF CONTROL. ANY PERSON HAVING A KEY TO OPERATE THE MACHINE SHALL BE BONDED BY A SURETY BOND IN AN AMOUNT NOT LESS THAN FIFTEEN THOUSAND DOLLARS (\$15,000.00), AND THE COMPANY FURNISHING THE MACHINE SHALL FURNISH A SURETY BOND IN AN AMOUNT NOT LESS THAN TEN THOUSAND DOLLARS (\$10,000.00) TO PROTECT AND INDEMNIFY AGAINST BOGUS OR FORGED CHECKS OR WARRANTS FROM BEING ISSUED FROM THE MACHINE.

(e) Any unencumbered balances in any of the funds of the county hospital at the close of the fiscal year shall not lapse,

but shall be carried forward to the next fiscal year.

(f) The provisions of Oklahoma Statutes relative to counties or funds of counties, except **[Title 19 O. S. 1961, Chapter 17,]** SECTIONS 781 ET SEQ. OF THIS TITLE shall not be applicable to county hospitals.

SECTION 8. 19 O. S. 1961, § 794, as amended by Section 1, Chapter 290, O.S.L. 1967 (19 O. S. Supp. 1969, § 794), is amended to read as follows:

§ 794. The financial books and records of each county-owned hospital operating under authority of existing law must be audited for the preceding fiscal year, within **[sixty (60)]** NINETY (90) days of the close of each year, by an independent accountant who is vested with the authority to practice the profession of accounting and auditing as a public accountant in conformity with the laws of the State of Oklahoma. The public accountant performing such a hospital audit must investigate and report upon the manner in which the county hospital is complying with the statutes pertaining to the financial operation of said hospital and upon the manner in which the county hospital is conforming to the books, forms, and accounting methods adopted and approved by the American Hospital Association and the Oklahoma Hospital Association. **[Three (3)]** FOUR (4) copies of the audit report for each fiscal year must be filed within **[seventy five (75)]** ONE HUNDRED TWENTY (120) days after the end of the fiscal year, ONE WITH THE BOARD OF COUNTY COMMISSIONERS, one in the office of the county clerk, one with the District Attorney, and one with the State Examiner and Inspector, and publication of the existence and location of these audit reports shall be made by publication in a newspaper for two (2) issues **[printed or]** in general circulation in the county. The cost of such audits shall be determined by the Board of Control of such county-owned hospitals by reference to generally

accepted practices in the field of certified public accounting, and the payment for such audits shall be made by the allowance of claims by the Board of Control. In addition to, or in lieu of, the above provided annual audit, it shall be possible upon request of the county commissioners of any county, or upon request of the Governor, signed by five percent (5%) of the legal voters of any county, or by order of the Governor, to cause the State Examiner and Inspector to audit, for the preceding fiscal year, the books and records of the county - owned hospital operating under authority of existing law, and the cost of such audit shall be a proper charge against funds otherwise provided for by law.

SECTION 9. The Board of Control is authorized to participate in any governmental assistance programs such as grants, loans or other financial assistance programs as may become available.

SECTION 10. Section 719 of Article 7, Chapter 325, O. S. L. 1963, as amended by Section 9, Chapter 36, O. S. L. 1965 (63 O. S. Supp. 1969, § 1-719), is amended to read as follows:

§ 1-719. Any county, city, or town is hereby authorized to issue bonds for constructing and equipping a hospital, community mental health facility, public health center, or related health facility, to be owned and operated by such county, city, or town in accordance with standards approved by the State Commissioner of Health; provided, that such bonds may be issued to construct a jointly owned and operated h o s p i t a l, community mental health facility, public health center, or related health facility, by two or more counties, or by one or more counties and a city or cities, or by two or more cities. Such bonds shall be issued upon the assent thereto of three-fifths (3/5) of the voters of the subdivision issuing the bonds, voting at an election held for that purpose. The proposition voted on shall state specifically the type of hospital facility to be constructed. Such election shall be



called by the governing board or managing body of such subdivision. Notice of the election shall be published for two (2) successive weeks in a weekly or daily newspaper, having a general circulation in the subdivision. The bonds shall be made to mature serially as now provided by law, and shall be sold at an advertised sale under existing laws. The rate of interest shall not exceed **[six percent (6%)] EIGHT PERCENT (8%)** per annum. The bonds shall be submitted to the Attorney General for his approval as ex officio Bond Commissioner of the state.

SECTION 11. Section 9 hereof shall be codified as Section 796 of Title 19 of the Oklahoma Statutes, unless the same shall create a duplication in numbering.

SECTION 12. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Hamilton, Horn.

FOR THE HOUSE: Raibourn, Finch.

The following **CCR on HB 1517** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred **HB 1517**, and Engrossed Senate Amendments thereto, by Baggett and Keels entitled:

An Act relating to public school education; prohibiting segregation, discrimination, transfer, transportation and assignment on account of race, creed, color or national origin in connection with the education of the children of this state; providing for severability; and declaring an emergency,  
beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS on HB 1517**—By Camp, et al, of the House and Howard, Birdsong, and Keels and Atkinson of the Senate.

An Act relating to public school education; prohibiting segregation, discrimination, transfer, transportation and assignment on account of race, creed, color or national origin in connection with the education of the children of this state: providing for severability; and declaring an emergency.

Be it enacted by the People of The State of Oklahoma:

SECTION 1. Segregation of children in the public schools of the State of Oklahoma on account of race, creed, color or national origin is prohibited.

SECTION 2. No pupil shall be assigned, transferred, or otherwise compelled to attend any school on account of race, creed, color or national origin; and no school district or other authority shall seek to achieve racial balance or overcome racial imbalance by transferring or transporting pupils from one school to another within a district, or from one school district to another; provided, that nothing contained in this section shall prevent the voluntary transfer of pupils to schools in which their race is in the minority, or other transfers not inconsistent with the provisions of this act.

SECTION 3. Insofar as practicable, each pupil shall be assigned to the school nearest his residence.

SECTION 4. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Howard, Garrison, Keels.

FOR THE HOUSE: Camp, Boren, Thornhill, Barker, Poulos.

The following 2nd CCR on **HB 1522** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1522, and Engrossed Senate Amendments thereto, by Skeith, Dunn, Monks, Barker, Murphy, Patterson, Andrews, Kamas and Hatchett of the House and Stipe, Crow, Hamilton, Lane, Luton and Phillips of the Senate entitled:

An Act relating to motor vehicles; amending 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167); exempting three-axle open top dump trucks hauling certain road building materials from the proof of public convenience and necessity and the tariff provisions of the Motor Carrier Act; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following Conference Committee Substitute be adopted:

**2d CCS for HB 1522**—by Skeith, Dunn, Monks, Barker, Murphy, Patterson, Andrews, Kamas and Hatchett of the House and Stipe, Crow, Hamilton, Lane, Luton and Phillips of the Senate.

An Act relating to motor vehicles; amending 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167); exempting three-axle open top dump trucks hauling certain road building materials from the proof of public convenience and necessity and the tariff provisions of the Motor Carrier Act; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 47 O. S. 1961, § 167, as last amended by Section 7, Chapter 190, O. S. L. 1968 (47 O. S. Supp. 1969, § 167), is amended to read as follows:

Section 167. It shall not be necessary for any carriers in intrastate commerce of sand, gravel, rock, crushed stone, asphaltic mix or other similar road building materials when transported in bulk in **THREE-AXLE OR LESS open top [vehicles] DUMP TRUCKS [within a radius of thirty (30) miles of the carrier's base of operation as shown in his original application]**, or an intrastate carrier of unprocessed agricultural commodities, to prove public convenience and necessity for the transporting of said commodities, or give any notice in order to obtain a certificate or permit. **[Provided the]** THE Commission **[may, in its discretion]**, SHALL issue such certificates or permits to carriers of said commodities in intrastate commerce without public hearings. **[, where good cause is shown by affidavit on forms prescribed by the Commission].**

THE TARIFF PROVISIONS OF SECTIONS 161 THROUGH 180M, INCLUSIVE OF THIS TITLE, SHALL NOT APPLY TO THE TRANSPORTATION OF ROAD BUILDING MATERIALS AS DESCRIBED ABOVE IN THIS SECTION WHEN TRANSPORTED IN BULK IN THREE-AXLE OR LESS OPEN TOP DUMP TRUCKS.

Except as provided herein, the provisions of Section 166 OF TITLE 47 OF THE OKLAHOMA STATUTES are expressly made applicable to any certificate or permit issued under this section.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Stipe, Terrill, Bradley.

FOR THE HOUSE: Skeith, Barker, Rogers.

The following CCR on **HB 1659** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee to whom was referred **HB 1659**, and Engrossed Senate Amendments thereto, by Witt of the House and Hamilton of the Senate entitled:

An Act relating to poultry products; establishing the Oklahoma Poultry Products Act; providing for short title; stating purpose and declaring policy; defining terms; providing for cooperation with the federal government; providing for duties and authority of the State Board of Agriculture; providing for ante-mortem and post-mortem inspection; \*\*\* and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS on HB 1659**—By Witt of the House and Hamilton of the Senate—An Act relating to poultry products; establishing the Oklahoma Poultry products act; providing for short title; stating purpose and declaring policy; defining terms; providing for cooperation with the federal government; providing for duties and authority of the State Board of Agriculture; providing for ante - mortem and post - mortem inspection; providing for reinspection; providing for quarantine; authorizing State Board of Agriculture to promulgate and adopt rules and regulations; prohibiting certain acts in the slaughter, marking and sale of poultry and poultry products; providing for records; prescribing penalties; providing for reporting of violations; prescribing standards; providing for hearings and ap-

peals; prescribing procedure; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

**SECTION 1. SHORT TITLE.** This act shall be designated as the Oklahoma Poultry Products Inspection Act.

**SECTION 2. LEGISLATIVE FINDING.** Poultry and poultry products are an important source of the nation's total supply of food. It is essential in the public interest that the health and welfare of consumers be protected by assuring that slaughtered poultry and poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded poultry or poultry products are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry and poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers. The unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged articles, to the detriment of consumers and the public generally. It is hereby found that regulation by the Board and cooperation by this state and the United States as contemplated by this act are appropriate to protect the health and welfare of consumers and otherwise effectuate the purposes of this act.

**SECTION 3. DECLARATION OF POLICY.** It is hereby declared to be the policy of the Legislature of this state to provide for the inspection of poultry and poultry products and otherwise regulate the processing and distribution of such articles as hereinafter prescribed to prevent the movement or sale in intrastate commerce of poultry and poultry prod-



ucts which are adulterated or misbranded. It is the intent of the Legislature that when poultry and poultry products are condemned because of disease, the reason for condemnation in such instances shall be supported by scientific fact, information, or criteria, and such condemnation under this act shall be achieved through uniform inspection standards and uniform applications thereof.

SECTION 4. DEFINITIONS. For the purposes of this act, the following terms shall have the meanings stated below:

1. The term "Board" means the State Board of Agriculture or its delegate.

2. The term "person" means any individual, partnership, corporation, association, or other business unit.

3. The term "poultry products broker" means any person engaged in the business of buying or selling poultry products on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person.

4. The term "renderer" means any person engaged in the business of rendering carcasses, or parts or products of the carcasses, of poultry, except rendering conducted under inspection or exemption under this act.

5. The term "animal food manufacturer" means any person engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of poultry.

6. The term "intrastate commerce" means commerce within this state.

7. The term "poultry" means any domesticated bird, whether live or dead.

8. The term "poultry product" means any poultry carcass, or part thereof; or any product which is made wholly or in part from any poultry carcass or part thereof, excepting products which contain poultry ingredients only in a relatively small proportion or historically have not

been considered by consumers as products of the poultry food industry, and which are exempted by the Board from definition as a poultry product under such conditions as the Board may prescribe to assure that the poultry ingredients in such products are not adulterated and that such products are not represented as poultry products.

9. The term "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any poultry, unless it is denatured or otherwise identified as required by regulations prescribed by the Board to deter its use as human food, or it is naturally inedible by humans.

10. The term "processed" means slaughtered, canned, salted, stuffed, rendered, boned, cut up, or otherwise manufactured or processed.

11. The term "adulterated" shall apply to any poultry product under one or more of the following circumstances:

(a) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(b) (1) if it bears or contains, by reason of administration of any substance to the live poultry or otherwise, any added poisonous or added deleterious substance, other than one which is:

a. a pesticide chemical in or on a raw agricultural commodity;

b. a food additive; or

c. a color additive;

which may, in the judgment of the Board, make such article unfit for human food;

(2) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the

meaning of Section 408, of the Federal Food, Drug, and Cosmetic Act;

(3) if it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act;

(4) if it bears or contains any color additive which is unsafe within the meaning of Section 706 of the Federal Food, Drug, and Cosmetic Act:

Provided, that an article which is not otherwise deemed adulterated under clause (2), (3), or (4) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Board in official establishments;

(c) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(d) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(e) if it is, in whole or in part, the product of any poultry which has died otherwise than by slaughter;

(f) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(g) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 409 of the Federal Food, Drug, and Cosmetic Act; or

(h) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if substance has been added thereto or mixed or

packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

12. The term "misbranded" shall apply to any poultry product under one or more of the following circumstances:

(a) if its labeling is false or misleading in any particular;

(b) if it is offered for sale under the name of another food;

(c) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food imitated;

(d) if its container is so made, formed, or filled as to be misleading;

(e) unless it bears a label showing:

(1) the name and place of business of the manufacturer, packer, or distributor; and

(2) an accurate statement of the quantity of the product in terms of weight, measure, or numerical count. Provided, that under clause (2) of this subparagraph (e), reasonable variations may be permitted, and exemptions as to small packages or articles not in packages or other containers may be established, by regulations prescribed by the Board;

(f) if any word, statement, or other information required by or under authority of this act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs, or devices, in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(g) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Board under Section 8 of this act unless:

(1) it conforms to such definition and standard, and

(2) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients, other than spices, flavoring, and coloring, present in such food;

(h) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Board under Section 8 of this act, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(i) if it is not subject to the provisions of subparagraph (g) unless its label bears

(1) the common or usual name of the food, if any there be, and

(2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the Board, be designated as spices, flavorings, and colorings without naming each:

Provided, that to the extent that compliance with the requirements of clause (2) of this subparagraph (i) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Board.

(j) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Board, after consultation with the Secretary of Agriculture of the United States, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses:

(k) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact; provided, that, to the extent that compliance with the requirements of this subparagraph (k) is impracticable, exemptions shall be established by regulations promulgated by the Board; or

(1) if it fails to bear on its containers, and in the case of nonconsumer packaged carcasses, if the Board so requires, directly thereon, as the Board may by regulations prescribe, the official inspection legend and official establishment number of the establishment where the article was processed and, unrestricted by any of the foregoing, such other information as the Board may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

13. The term "label" means a display of written, printed, or graphic matter upon any article or the immediate container, not including package liners, of any article.

14. The term "labeling" means all labels and other written, printed, or graphic matter

(a) upon any article or any of its containers or wrappers, or

(b) accompanying such article.

15. The term "Federal Poultry Products Inspection Act" means the act so entitled approved August 28, 1957 (71 Stat. 441), as amended by the Wholesome Poultry Products Act (82 Stat. 791).

16. The term "Federal Food, Drug, and Cosmetic Act" means the act so entitled, approved June 25, 1938 (52 Stat. 1040), and acts amendatory thereof or supplementary thereto.

17. The terms "pesticide chemical," "food additive," "color additive," and "raw agricultural commodity" shall have



the same meanings for purposes of this act as under the Federal Food, Drug, and Cosmetic Act.

18. The term "official mark" means the official inspection legend or any other symbol prescribed by regulation of the Board to identify the status of any article or poultry under this act.

19. The term "official inspection legend" means any symbol prescribed by regulation of the Board showing that an article was inspected for wholesomeness in accordance with this act.

20. The term "official certificate" means any certificate prescribed by regulation of the Board for issuance by an inspector or other person performing official functions under this act.

21. The term "official device" means any device prescribed or authorized by the Board for use in applying any official mark.

22. The term "official establishment" means any establishment as determined by the Board at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this act.

23. The term "inspection service" means the Meat Inspection Division designated by the Board as having the responsibility for carrying out the provisions of this act.

24. The term "inspector" means an employee or official of the State Board of Agriculture authorized by the Board to inspect poultry and poultry products under the authority of this act, or any employee or official of the government of any county or other governmental subdivision of this state authorized by the Board to inspect poultry and poultry products under authority of this act, under an agreement entered into between the Board and such governmental subdivision.

25. The term "container" or "package"

includes any box, can, tin, cloth, plastic, or other receptacle, wrapper, or cover.

26. The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

27. The term "immediate container" includes any consumer package; or any other container in which poultry products, not consumer packaged, are packed.

#### SECTION 5. STATE AND FEDERAL COOPERATION.

A. The State Board of Agriculture is hereby designated as the state agency which shall be responsible for cooperating with the Secretary of Agriculture of the United States under the provisions of Section 5 of the Federal Poultry Products Inspection Act and such agency may cooperate with the Secretary of Agriculture of the United States in developing and administering the poultry products inspection program of this state under this act to assure that not later than August 18, 1970, the state requirements will be at least equal to those imposed under Sections 1-4, 6-10, and 12-22 of the Federal Poultry Products Inspection Act and in developing and administering the program of this state under Section 11 of this act in such a manner as will effectuate the purposes of this act and said Federal Act.

B. In such cooperative efforts, the Board is authorized to accept from said Secretary advisory assistance in planning and otherwise developing the state program, technical and laboratory assistance and training, including necessary circular and instructional materials and equipment, and financial and other aid for administration of such a program. The Board is further authorized to spend public funds of this state appropriated for administration of this act to pay such share of the estimated total cost of the cooperative program as may be agreed upon by the Board and the Secretary.

C. The Board is further authorized to

recommend to the said Secretary of Agriculture such officials or employees of this state as the Board shall designate, for appointment to the advisory committees provided for in Section 5 of the Federal Poultry Products Inspection Act; and the Board shall serve as the representative of the Governor for consultation with said Secretary under paragraph C of Section 5 of said act unless the Governor shall select another representative.

#### SECTION 6. ANTE - MORTEM AND POST - MORTEM INSPECTION, REINSPECTION, AND QUARANTINE.

A. For the purpose of preventing the entry into or flow or movement in intrastate commerce of any poultry product which is capable of use as human food and is adulterated, the Board shall, where and to the extent considered by it necessary, cause to be made by inspectors ante-mortem inspection of poultry in each official establishment engaged in processing poultry or poultry products solely for intrastate commerce.

B. The Board, whenever processing operations are being conducted, shall cause to be made by inspectors post-mortem inspection of the carcass of each bird processed, and at any time such quarantine, segregation and reinspection as it deems necessary of poultry and poultry products capable of use as human food in each official establishment engaged in processing poultry or poultry products solely for intrastate commerce.

C. All poultry carcasses and parts thereof and other poultry products found to be adulterated shall be condemned and shall, if no appeal be taken from such determination of condemnation, be destroyed for human food purposes under the provision of an inspector. Provided, that carcasses, parts, and products which may by reprocessing be made not adulterated, need not be so condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not adulterated. If an appeal be taken

from such determination, the carcasses, parts, or products shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Board determines that the appeal is frivolous. If the determination of condemnation is sustained the carcasses, parts, and products shall be destroyed for food purposes under the supervision of an inspector.

#### SECTION 7. SANITATION, FACILITIES, AND PRACTICES.

A. Each official establishment slaughtering poultry or processing poultry products solely for intrastate commerce shall have such premises, facilities, and equipment and be operated in accordance with such sanitary practices, as are required by regulations promulgated by the Board for the purpose of preventing the entry into or flow or movement in intrastate commerce of poultry products which are adulterated.

B. The Board shall refuse to render inspection to any establishment whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of this section.

#### SECTION 8. LABELING AND CONTAINERS; STANDARDS.

A. All poultry products inspected at any official establishment under the authority of this act and found to be not adulterated shall at the time they leave the establishment bear, in distinctly legible form, on their shipping containers and immediate containers as the Board may require, the information required under paragraph 12 of Section 4 of this act. In addition, the Board whenever it determines such action is practicable and necessary for the protection of the public may require non-consumer packaged carcasses at the time they leave the establishment to bear directly thereon in distinctly legible form any information required under such paragraph 12.

B. The Board, whenever it determines

such action is necessary for the protection of the public, may prescribe:

1. the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marking or otherwise labeling any articles or poultry subject to this act; and

2. definitions and standards of identity or composition for articles subject to this act and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug and Cosmetic Act, or under the Federal Poultry Products Inspection Act, and there shall be consultation between the Board and the Secretary of Agriculture of the United States prior to the issuance of such standards to avoid inconsistency between such standards and the Federal standards.

C. No article subject to this act shall be sold or offered for sale by any person in intrastate commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Board are permitted.

D. If the Board has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this act is false or misleading in any particular, it may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as it may prescribe so that it will not be false or misleading. If the person using or proposing to use the marking, labeling or container does not accept the determination of the Board, such person may request a hearing, but the use of the marking, labeling, or container shall, if the Board so directs, be withheld pending hearing and final de-

termination by the Board. Any such determination by the Board shall be conclusive unless, within thirty (30) days after receipt of notice of such final determination, the person adversely affected thereby appeals to the District Court of Oklahoma County. This provision would not apply to established trade marks or labeling approved by the U. S. D. A.

## SECTION 9. PROHIBITED ACTS.

A. No person shall:

1. slaughter any poultry or process any poultry products which are capable of use as human food at any establishment processing any such articles solely for intrastate commerce, except in compliance with the requirements of this act;

2. sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce:

- (a) any poultry products which are capable of use as human food and are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or

- (b) any poultry products required to be inspected under this act unless they have been so inspected and passed;

3. do, with respect to any poultry products which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such products to be adulterated or misbranded;

4. sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce or from an official establishment, any slaughtered poultry from which the blood, feathers, feet, head, or viscera have not been removed in accordance with regulations promulgated by the Board, except as may be authorized by regulations of the Board;

5. use to his own advantage, or reveal other than to the authorized representa-



tives of the state government or any other government in their official capacity, or as ordered by a court in any judicial proceedings, any information acquired under the authority of this act concerning any matter which is entitled to protection as a trade secret.

B. No brand manufacturer, printer, or other person shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Board.

C. No person shall:

1. forge any official device, mark, or certificate;

2. without authorization from the Board use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

3. contrary to the regulations prescribed by the Board, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

4. knowingly possess, without promptly notifying the Board or its representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any poultry, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

5. knowingly make any false statement in any shipper's certificate or other non-official or official certificate provided for in the regulations prescribed by the Board; or

6. knowingly represent that any article has been inspected and passed, or exempted, under this act when, in fact, it has, respectively, not been so inspected and passed, or exempted.

SECTION 10. COMPLETE COVERAGE OF OFFICIAL ESTABLISHMENTS.

No establishment processing poultry or poultry products solely for intrastate commerce shall process any poultry or poultry product capable of use as human food except in compliance with the requirements of this act.

SECTION 11. ARTICLES NOT INTENDED FOR HUMAN FOOD; RECORD AND RELATED REQUIREMENTS FOR PROCESSORS OF POULTRY PRODUCTS AND RELATED INDUSTRIES ENGAGED IN INTRASTATE COMMERCE; REGISTRATION REQUIREMENTS FOR RELATED INDUSTRIES ENGAGED IN INTRASTATE COMMERCE; REGULATION OF TRANSACTIONS IN INTRASTATE COMMERCE IN DEAD, DYING, DISABLED, OR DISEASED POULTRY AND CARCASSES THEREOF.

A. Inspection shall not be provided under this act at any establishment for the slaughter of poultry or the processing of any carcasses or parts or products of poultry, which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in intrastate commerce, be denatured or otherwise identified as prescribed by regulations of the Board to deter their use for human food. No person shall buy, sell, transport, or offer for sale or transportation or receive for transportation in intrastate commerce, any poultry carcasses or parts or products thereof which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Board or naturally inedible by humans.

B. The following classes of persons shall, for such period of time as the Board may by regulations prescribe, not to exceed two (2) years unless otherwise directed by the Board for good cause shown, keep such records as are properly necessary for the effective enforcement of this act in order to insure against adulterated or misbranded poultry products for the American consumer;

and all persons subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Board, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value thereof:

1. Any person that engages in the business of slaughtering any poultry or processing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any poultry, for intrastate commerce for use as human food or animal food;

2. Any person that engages in the business of buying or selling, as poultry products brokers, wholesalers or otherwise, or transporting in intrastate commerce or storing in or for intrastate commerce, any carcasses, or parts or products of carcasses, of any poultry;

3. Any person that engages in business, in or for intrastate commerce, as a renderer, or engages in the business of buying, selling, or transporting, in intrastate commerce, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter.

C. No person shall engage in business, in or for intrastate commerce, as a poultry products broker, renderer, or animal food manufacturer, or engage in business in intrastate commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any poultry, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for intrastate commerce, or engage in the business of buying, selling, or transporting in intrastate commerce any dead, dying, disabled, or diseased poultry, or parts of the carcasses of any poultry that died otherwise than by slaughter, unless

when required by regulations of the Board, he has registered with the Board his name and the address of each place of business at which, and all trade names under which, he conducts such business.

D. No person engaged in the business of buying, selling, or transporting in intrastate commerce, dead, dying, disabled or diseased poultry, or any parts of the carcasses of any poultry that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation in intrastate commerce, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter, unless such transaction or transportation is made in accordance with such regulations as the Board may prescribe to assure that such poultry, or the unwholesome parts or products thereof, will be prevented from being used for human food.

#### SECTION 12. PENALTIES.

A. Any person who violates the provisions of Sections 9, 10, 11, or 14 of this act shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated, except as defined in Section 4, paragraph 11, subparagraph (h) of this act, such person shall be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned not more than three (3) years or both. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

B. No carrier shall be subject to the penalties of this act, other than the pen-

alties for violation of Section 11, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier of poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such poultry or poultry products were not inspected or marked in accordance with the provisions of this act or were otherwise not eligible for transportation under this act or unless the carrier refuses to furnish on request of a representative of the Board the name and address of the person from whom he received such poultry or poultry products, and copies of all documents, if any there be, pertaining to the delivery of the poultry or poultry products to such carrier.

C. Any person who interferes by any act with an inspector in the performance of his official duties shall be guilty of a misdemeanor.

### SECTION 13. REPORTING OF VIOLATIONS.

Before any violation of this act is reported by the Board to any district attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this act shall be construed as requiring the Board to report for criminal prosecution violation of this act whenever it believes that the public interest will be adequately served and compliance with the act obtained by a suitable written notice or warning.

### SECTION 14. REGULATIONS.

A. The Board may by regulations prescribe conditions under which poultry products capable of use as human food shall be stored or otherwise handled by any person engaged in the business of buying, selling, freezing, storing, or trans-

porting, in or for intrastate commerce, such articles, whenever the Board deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited.

B. The Board shall promulgate such other rules and regulations as are necessary to carry out the provisions of this act.

C. When opportunity is afforded for submission of comments by interested persons on proposed rules or regulations under this act, it shall include opportunity for oral presentation of views.

### SECTION 15. EXEMPTIONS.

A. The Board shall, by regulation and under such conditions, including requirements, as to sanitary standards, practices, and procedures as it may prescribe, exempt from specific provisions of this act with respect to processing of poultry or poultry products solely for intrastate commerce and distribution of poultry or poultry products only in such commerce:

1. for such period of time as the Board determines that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this act, any person engaged in the processing of poultry or poultry products and the poultry or poultry products processed by such person; provided, that, no such exemption shall continue in effect more than one hundred twenty (120) days after enactment of this act;

2. persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Board determines necessary to avoid conflict with such requirements while still effectuating the purposes of this act;

3. the slaughtering by any person of poultry of his own raising, and the processing by him and transportation of the



poultry products exclusively for use by him and members of his household and his nonpaying guests and employees;

4. the custom slaughter by any person of poultry delivered by the owner thereof for such slaughter, and the processing by such slaughterer and transportation of the poultry products exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees; provided, that, such custom slaughterer does not engage in the business of buying or selling any poultry products capable of use as human food;

5. operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments, if no poultry or poultry products are processed at the establishment for distribution within this state or otherwise subject to inspection under the Federal Poultry Products Inspection Act.

B. The provisions of this act shall not apply to poultry producers with respect to poultry of their own raising on their own farms if

1. such producers slaughter not more than two hundred fifty (250) turkeys, or not more than an equivalent number of birds of all species during the calendar year for which this exemption is being determined, four (4) birds of other species being deemed the equivalent of one turkey;

2. such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms.

C. The adulteration and misbranding provisions of this act, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection under this section.

D. The Board may by order suspend

or terminate any exemption with respect to any person whenever it finds that such action will aid in effectuating the purposes of this act.

#### SECTION 16. ENTRY OF MATERIALS INTO OFFICIAL ESTABLISHMENT.

The Board may limit the entry of poultry products and other materials into any official establishment, under such conditions as it may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this act.

#### SECTION 17. GENERAL PROVISIONS.

A. The Board may, for such period, or indefinitely, as it deems necessary to effectuate the purposes of this act, refuse to provide, or withdraw, inspection service under this act with respect to any establishment if it determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection upon this act because the applicant or recipient, or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or state court, within the previous ten (10) years, of

1. any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food or fraud in connection with transactions in food; or

2. any felony, involving fraud, bribery, extortion, or any other act or circumstances indicating a lack of the integrity needed for the conduct of operations affecting the public health.

For the purpose of this paragraph, a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of ten percent (10%) or more of its voting stock or employee in a managerial or executive capacity.

B. Upon the withdrawal of inspection

service from any official establishment for failure to destroy condemned poultry products as required under Section 6 of this act, or other failure of an official establishment to comply with the requirements as to premises, facilities, or equipment, or the operation thereof, as provided in Section 7 of this act, or the refusal of inspection service to any applicant therefor because of failure to comply with any requirements under Section 7, the applicant for, or recipient of, the service shall, upon request, be afforded opportunity for a hearing with respect to the merits or validity of such action; but such withdrawal or refusal shall continue in effect unless otherwise ordered by the Board.

C. The determination and order of the Board, when made after opportunity for hearing, with respect to withdrawal or refusal of inspection service under this act, shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty (30) days after the effective date of such order in the District Court of Oklahoma County. Judicial review of any such order shall be upon the record upon which the determination and order are based.

SECTION 18. Whenever any poultry product, or any product exempted from the definition of a poultry product, or any dead, dying, disabled or diseased poultry is found by any authorized representatives of the Board upon any premises where it is held for purposes of, or during or after distribution in intrastate commerce, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of this act or of any other state or Federal law, or that it has been, or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty (20) days, pending action under

Section 19 of this act or notification of any Federal, state, or other governmental authorities having jurisdiction over such article or poultry, and shall not be moved by any person from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or poultry before it is released unless it appears to the satisfaction of the Board that the article or poultry is eligible to retain such marks.

SECTION 19. A. Any poultry product, or any dead, dying, disabled, or diseased poultry, that is being transported in intrastate commerce, subject to this act, or is held for sale in this state after such transportation, and that

1. is or has been processed, sold, transported, or otherwise distributed or offered or received for distribution in violation of this act, or

2. is capable of use as human food and is adulterated or misbranded, or

3. in any other way is in violation of this act, shall be liable to be proceeded against and seized and condemned, at any time, on a libel of information in any district court within the jurisdiction of which the article or poultry is found. If the article or poultry is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the treasury of this state, but the article or poultry shall not be sold contrary to the provisions of this act, or the Federal Poultry Products Inspection Act or the Federal Food, Drug and Cosmetic Act; provided, that, upon the execution and delivery of a good and sufficient bond conditioned that the article or poultry shall not be sold or otherwise disposed of contrary to the provisions of this act or the laws of the United States, the court may direct that such article or poultry be delivered to the owner

thereof subject to such supervision by authorized representatives of the Board as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or poultry and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or poultry. The proceedings in such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of this state.

B. The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this act, or other laws.

SECTION 20. The district courts are vested with jurisdiction specifically to enforce and to prevent and restrain violations of this act and shall have jurisdiction in all other kinds of cases arising under this act, except as provided in Section 8, subsection D or Section 17 of this act. All proceedings for the enforcement or to restrain violations of this act shall be by and in the name of this state. Subpoenas for witnesses who are required to attend a court of this state in any district may run into any other district of this state in any such proceeding.

SECTION 21. A. The Board shall also have power:

1. to require the keeping of adequate records and the furnishing of such information upon request to the Board which is necessary and essential for the administration of this act. Failure to keep such records and furnish such information shall constitute a misdemeanor;

2. to gather and compile information concerning and to investigate from time to time the organization, business, conduct, practices, and management of any

person engaged in intrastate commerce, and the relation thereof to other persons;

- B. 1. For the purposes of this act the Board shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person being investigated, or proceeded against, and may require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence of any person relating to any matter under investigation. The Board may sign subpoenas and may administer oaths and affirmations, examine witnesses, and receive evidence.

2. Such attendance of witnesses, and the production of such documentary evidence, may be required at any designated place of hearing. In case of disobedience to a subpoena the Board may invoke the aid of any court designated in Section 20 of this act in requiring the attendance and testimony of witnesses and the production of documentary evidence.

3. Any of the courts designated in Section 20 of this act within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person, issue an order requiring such person to appear before the Board or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

4. Upon the application of the Attorney General of this state at the request of the Board, the district court shall have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this act or any order of the Board made in pursuance thereof.

5. The Board may order testimony to be taken by deposition in any proceeding or investigation pending under this act



at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the Board and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition or under his direction and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Board as hereinbefore provided.

6. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of this state, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in such courts.

C. 1. It shall be a misdemeanor for any person to wilfully neglect or refuse to attend and testify or to answer any lawful inquiry, or to produce documentary evidence, if in his or its power to do so, in obedience to the subpoena or lawful requirement of the Board.

2. Any person that shall wilfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this act, or that shall wilfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any person subject to this act, or that shall wilfully neglect or fail to make, or to cause to be made, full, true, and correct entries in such accounts, records, or memoranda, of all facts and transactions appertaining to the business of any person subject to this act, or that shall wilfully remove out of the jurisdiction of this state, or wilfully mutilate, alter or by any other means falsify any documentary evidence of any such person, or that shall wilfully refuse to submit to the Board or to any of its authorized agents, for the purpose

of inspection and taking copies, any documentary evidence of any person subject to this act in his or its possession or within his or its control, shall be deemed guilty of an offense and shall be subject, upon conviction in any court of competent jurisdiction, to a fine of not more than One Thousand Dollars (\$1,000.00), or to imprisonment for a term of not more than one (1) year, or to both such fine and imprisonment.

3. Any officer or employee of this state who shall make public any information obtained by the Board without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment, in the discretion of the court.

SECTION 22. The requirements of this act shall apply to persons, establishments, poultry, poultry products and other articles regulated under the Federal Poultry Products Inspection Act only to the extent provided for in Section 23 of said Federal Act.

SECTION 23. The cost of inspection rendered under the requirements of this act shall be borne by this state, except as provided in Section 5 of this act and except that the cost of overtime and holiday work performed in establishments subject to the provisions of this act, at such rates as the Board may determine, shall be borne by such establishments. Sums received by the Board in reimbursement for sums paid out by it for such premium pay work shall be available without fiscal year limitation to carry out the purposes of this section. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SECTION 24. The provisions of this act are severable and if any part or provision hereof shall be held void the de-

cision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 25. Any violation of this act for which a specific penalty is not given shall be a misdemeanor.

SECTION 26. This act shall become a part of the Oklahoma Agricultural Code and be codified accordingly.

SECTION 27. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Hamilton, Lane, Boecher.

FOR THE HOUSE: Witt, Kamas, Thornhill.

The following CCR on HB 1664 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred HB 1664, and Engrossed Senate Amendments thereto, by Smithey of the House and Howard of the Senate entitled:

An Act relating to schools; amending 70 O. S. 1961, § 9-1; providing for transportation of school children; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

CCS on HB 1664—By Smithey of the House and Howard of the Senate.

An Act relating to schools; amending 70 O. S. 1961, § 9-1; providing for transportation of school children; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 70 O. S. 1961, § 9-1, is amended to read as follows:

§ 9-1. Any school district maintaining a high school or any school district which was entitled to operate legal transportation during the school year of 1960-61 may provide transportation for each child who should attend any public elementary or high school when and only when, transportation is necessary for accomplishment of one of the following purposes: (1) to provide adequate educational facilities and opportunities which otherwise would not be available; (2) to transport children whose homes are more than a reasonable walking distance, as defined by regulations of the State Board of Education, from the school attended by such child. Provided, that no State funds shall be paid for the transportation of a child whose residence is within one and one-half miles from the school attended by such child[.]. [provided] PROVIDED further that any district having twenty-five (25) or more square miles in area and maintaining only one (1) school, may provide legal transportation upon approval by the State Board of Education[.]. (3) TO TRANSPORT CHILDREN WHO OTHERWISE WOULD BE SUBJECTED TO SAFETY HAZARDS IN GOING TO AND RETURNING FROM SCHOOL, SUCH AS THE NECESSITY FOR SAID CHILDREN TO CROSS FOUR-LANE HIGHWAYS OR OTHER HEAVILY TRAVELED OR HIGH-SPEED TRAFFIC ARTERIES, THE PROXIMITY TO THE SCHOOL OF SHOPPING CENTERS OR OTHER CONCENTRATIONS OF AUTOMOBILE TRAFFIC, THE LACK OF SIDEWALKS IN THE VICINITY OF THE SCHOOL NECESSITATING THE CHILDREN WALKING IN THE STREETS, THE EXISTENCE OR PROBABILITY OF WATER-FILLED BAR DITCHES ALONG THE STREETS LEADING TO THE SCHOOL, THE ABSENCE OF ADEQUATE PARKING AREAS AND "UNLOADING" AREAS TO SERVE THE SCHOOL, OR OTHER SIMILAR OR DISSIMILAR CONDITIONS WHICH, IN THE OPINION OF

THE STATE BOARD OF EDUCATION, WOULD SUBJECT SAID CHILDREN TO UNUSUAL DANGER TO THEIR SAFETY. Provided, further, that any school district which does not qualify for transportation under the provisions of this act, may use school district funds not obligated under the minimum school program with the approval of the State Board of Education. THERE SHALL NOT BE A REDUCTION IN THE PER CAPITA FORMULA FOR TRANSPORTATION IN ANY CATEGORY AS OF THE 1969-70 STATE AID PAYMENTS ON TRANSPORTATION OR AS AMENDED HEREAFTER.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Howard, Hargrave, Hamilton.

FOR THE HOUSE: Smithey, Odom (Martin), Nance.

The following CCR on HB 1674 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred HB 1674, and Engrossed Senate Amendments thereto, by Bernard of the House, and McSpadden, Taliaferro, Birdsong and Field of the Senate, entitled:

An Act relating to roads and highways; providing for a county purchasing division in each of the several counties in the State; providing exceptions; defining qualified vendor; providing for method or receiving bids; providing for guarantee of performance by successful bidders; \*\*\* making provisions of Act severable; repealing Section 636, Chapter 415, O.S.L. 1968 (69 O. S. Supp. 1969, § 636),

beg leave to report that we have had the same under consideration and here-

with return the same with the recommendation:

That the following conference committee substitute be adopted.

FOR THE SENATE: McSpadden, Williams, Boecher, Field.

FOR THE HOUSE: Bernard, Skeith, Vann.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NUMBER 1674—By Bernard of the House and McSpadden, Taliaferro, Birdsong and Field of the Senate.

An Act relating to roads and highways; providing for a county purchasing division in each of the several counties in the State; providing exceptions; defining qualified vendor; providing for method of receiving bids; providing for guarantee of performance by successful bidders; providing for specifications for materials and supplies purchased; providing penalty for violation of Act; making provisions of Act severable; repealing Section 636, Chapter 415, O.S.L. 1968 (69 O.S. Supp. 1969, § 636).

Be it enacted by the People of the State of Oklahoma:

SECTION 1. This act shall be known as the County Purchasing Act.

SECTION 2. The board of county commissioners of each county in the State of Oklahoma shall advertise for sealed bids by qualified vendors for the purchase or rental-purchase of new highway construction or maintenance machinery, except farm type tractors, in excess of One Thousand Five Hundred Dollars (\$1,500.00), setting forth the descriptions and specifications. The minimum time from the date the board of county commissioners advertises for sealed bids and the receipt of said bids, shall be ten (10) days. Opening of sealed bids shall be at a regular meeting of the board of county commissioners. The board of county commissioners shall award to the lowest and best bidder. The board of county commission-



ers may reject any or all bids for failure to meet specifications. After acceptance of the bid, the board of county commissioners may enter into rental-purchase contracts as now provided by Title 62, § § 430.1 through 430.5, of the Oklahoma Statutes. Each bidder shall set forth the option purchase price and rental rate per month. Provided further, any rental-purchase contract which is in force before the enactment of this act may continue or may be renewed to conform to the original agreement of such rental-purchase contract. Parts and repairs for equipment and machinery shall be exempt from this act. Sealed bids shall be taken on used equipment or machinery when feasible. Feasibility shall be determined by a vote of the board of county commissioners of each county. A qualified vendor is defined as an individual, partnership or corporation that holds an Oklahoma resale permit. Provided further, when quality, prices and maintenance or service on the equipment or machinery are equal, preference shall be given vendors who maintain places of business and a continuous ad valorem taxable inventory within county purchasing the equipment and then to those within this state. And provided further, the provisions of this act shall not apply to purchases at auction by Counties from the State Department of Highways.

**SECTION 3.** The board of county commissioners of each county in the State of Oklahoma shall advertise for sealed bids for the county's purchase of the following supplies and materials:

1. Corrugated metal culvert, round or arch, pipe and-or connecting band therefor.
2. Concrete culvert pipe.
3. Grader blades.
4. Bridge lumber or timber.
5. Bridge piling.
6. Traffic control devices, signs, delineators and/or reflectors.

7. Metal guard rails and/or metal guard rail ends.

8. Prestress concrete bridge tees and-or beams.

9. Metal beams, channel and/or angle iron except used metal beams, channel and/or angle iron.

10. Ready-mix concrete.

11. Asphalt concrete (Hot mix - Hot Laid).

12. Asphalt surface course (Hot mix-Cold Laid).

13. Bituminous materials.

14. Crushed rock for bituminous surface, traffic bound surface course and/or stabilized base except native rock or gravel.

All sealed bids shall be opened at a regular meeting of the board of county commissioners and shall become effective for a six-month period beginning on January 1 and July 1 of each year. After inspection of all bids and compilation of the same, the board of county commissioners shall award, by item or group of items, or on an all or none basis, whichever is to the best advantage of the county, to the lowest and best bidder. When quality and prices are equal, preference shall be given bids of vendors who maintain places of business in the County purchasing items herein named and then to those businesses in Oklahoma having a continuous ad valorem taxable inventory within the state. All supplies and materials with which bids are concerned, except item Four (4) of this section, shall be equal to or in excess of the specifications prescribed by the current edition of the Oklahoma Highway Department's Standard Specifications or American Association of State Highway Officials (AASHO) Specifications. The board of county commissioners may reject all bids on any items and ask for new bids if no bids are received or bidders fail to meet the specifications or the board of county commissioners believes a better price can

be obtained by further competitive bidding. A successful bidder shall deliver at bid unit price and "when and as needed" for the six-month period. If any successful bidder is unable to continue to deliver "when and as needed," within the six-month period, the board of county commissioners may award to the next lowest and best bidder. If there are no other bidders meeting the specifications the board of county commissioners shall request sealed bids for the remainder of the six-month period. The board of county commissioners may purchase on emergency basis for a period not to exceed thirty (30) days until new bids are awarded after quotations have been obtained and filed in the county clerk's office. Nothing in this act shall prohibit the board of county commissioners from advertising for sealed bids on specific amounts of any supplies or materials during the six-month period. A Uniform Bid Form shall be approved by the State Examiner and Inspector and approved by the Attorney General. Each board of county commissioners shall use the so approved Uniform Bid Form when advertising for sealed bids on supplies and/or materials.

Each board of county commissioners may purchase machinery and/or equipment from any State or Federal Government agency when offered for sale at a price in excess of One Thousand Five Hundred Dollars (\$1,500.00).

SECTION 4. The board of county commissioners shall designate responsible employees to receipt for all items received pursuant to purchases enumerated in Section 3. Each such employee shall be under a bond of One Thousand Dollars (\$1,000.00). The employee shall visibly inspect the materials and/or supplies purchased to determine that deliveries agree in quality and quantity with the delivery invoice, and upon so determining the employee shall affix his signature to the delivery receipt, except as to equipment, machinery, rock or asphalt hauled by coun-

ty employees from the vendor's warehouse, storage area or plant which have been previously receipted by said responsible employee. Such delivery receipt shall be signed by the receiving county employee. No payment shall be made for a claim unless accompanied by an authorized signed delivery receipt.

SECTION 5. Any person who, with intent to cheat or defraud a county, participates in a sale to, or purchase by, a county of any machinery, equipment, supply or material, the design, quality or quantity of which is less than that provided for by the specifications, or contract and receives payment, or money is expended by the county pursuant to the terms or provisions of the specifications or contract shall be guilty of a felony and shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) and not more than Three Thousand Dollars (\$3,000.00), or by imprisonment in the penitentiary for not less than one (1) nor more than three (3) years or by both such fine and imprisonment.

SECTION 6. Any person, firm, or corporation or their agent thereof, who enters with the Board of County Commissioners into a transaction in violation of this act shall be liable for double the amount of the aggregate sum due under such agreement, which sum shall be recoverable in a civil action which shall be instituted by the District Attorney of the county involved. Any such sum so received in the civil action instituted by the District Attorney shall be paid into the Road Fund of the county.

SECTION 7. Nothing in this act shall restrict any member of the board of county commissioners from his duties and responsibilities as now provided by law.

SECTION 8. Section 636, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 636), and all other acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 9. The provisions of this act

are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

The following CCR on **HB 1677** was read consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred **HB 1677**, and Engrossed Senate Amendments thereto, by Skeith entitled:

An Act relating to highways; amending Section 1205, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1205), to provide the acquisition policy to be followed by the Department of Highways shall include authority to pay moving costs, replacement and housing costs, dislocation allowance, or relocation expenses and expenses incidental to the transfer of property; providing for effective date; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following Conference Committee Substitute be adopted:

**CCS for HB 1677**—By Skeith.

An Act relating to highways; amending Section 1205, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1205), to provide the acquisition policy to be followed by the department of highways shall include authority to pay moving costs, replacement and housing costs, dislocation allowance, or relocation expenses and expenses incidental to the transfer of property; providing for effective date; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

**SECTION 1.** Section 1205, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1205), is amended to read as follows:

§ 1205. The policy which the Commission shall follow in the acquisition of all rights-of-way shall be as follows:

(a) For construction on the Interstate Highway System within the limits of municipalities having a population of five thousand (5,000) or more, Federal aid funds, if available, may be used for the acquisition of rights-of-way, and shall, if available, be used to pay the cost of the removing or relocating of utility facilities located in either privately - owned or public rights-of-way, and in such event the municipality in which such construction is to be performed shall furnish funds to the State necessary to match the Federal funds.

(b) For construction on the Interstate Highway System in all locations other than within the limits of municipalities having a population of five thousand (5,000) or over, and where control of access is required, the State shall furnish all rights-of-way and may use Federal aid funds, if available, for such purpose, and when Federal aid funds are available for such purpose, shall pay the cost of removing or relocating utility facilities located on either privately-owned or public rights-of-way.

(c) For all construction projects within the limits of municipalities, other than projects on the Interstate Highway System, as described in the Federal Aid Highway Act of 1956, the municipality or county involved and the Department shall equally share the cost of all necessary rights-of-way, clear of all obstructions, including structures of any kind or nature and utility lines, poles, pipelines or other facilities above or below the surface of the ground. If Federal aid funds are available for the project, the municipality or county and the Department shall equally share the local portion of the costs for acquiring and clearing the right-of-way, including the cost of removing and relocating utility facilities located on privately-owned rights-of-way.

(d) In any municipality where the Commission has determined it to be necessary to construct a highway through or within the corporate limits, and further determines that the construction will not



benefit the municipality involved, or that the construction will benefit State-owned property or institutions, the Commission may, in its discretion, pay for or participate in the cost of rights-of-way for such project.

(e) For all reconstruction or widening projects on existing improved roads of permanent - type surface in rural areas, the Department shall pay fifty percent (50%) of the cost of any additional rights-of-way required to meet right-of-way standard - width requirements, and the remaining fifty percent (50%) shall be furnished or paid for by local units of government; provided, however, that no right-of-way shall be acquired under the terms of this Article, except by due process of law.

(F) ON ALL PROJECTS WHEREIN FEDERAL AID FUNDS MAY BE USED FOR RIGHT-OF-WAY OR CONSTRUCTION, THE DEPARTMENT MAY PAY MOVING COSTS, DISLOCATION ALLOWANCES OR RELOCATION EXPENSES AND REPLACEMENT HOUSING EXPENSES INCIDENTAL TO THE TRANSFER OF PROPERTY, AS IS PROVIDED BY THE FEDERAL HIGHWAY ACT OF 1968.

[(f)] (G) For new construction on unsurfaced roads where the construction follows a section line or an existing unimproved road, all rights-of-way shall be furnished by local units of government free of cost to the Department; provided, should the new or additional rights-of-way, either contiguous or adjacent to the section line or existing unimproved road, be acquired only on one side of the section line or road, then one-half (½) of the cost shall be borne by the State.

[(g)] (H) For all new construction diagonally across country or not following on a section line road or other existing unimproved road, the rights-of-way shall be paid for by the Department.

[(h)] (I) In securing the necessary rights-of-way in rural areas, the State shall pay for all damages to buildings,

improvements, fences and all other appurtenances thereto, or their moving and relocating.

[(i)] (J) In any county where a proposed alignment for a highway project on the primary system shall not come within one-half (½) mile of the limits of any municipality within the county, or contribute to the Highway transportation system or to the economy of the county, the Commission may in its discretion increase the amount of the State's participation in the cost of rights-of-way for such projects.

[(j)] (K) The term "utility facility" as used herein means any publicly, privately, municipally or cooperatively owned facility or system which is used to provide water, power, light, gas, sewer, telegraph, telephone and communications, or like utility service, to the public in the State of Oklahoma, or some portion thereof.

SECTION 2. The effective date of this Act shall be July 1, 1970.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Murphy, Grantham, Birdsong.

FOR THE HOUSE: Skeith, Monks, Barker.

The following CCR on HB 1722 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred HB 1722, and Engrossed Senate Amendments thereto, by Murphy entitled:

An Act relating to State officers and employees; amending 74 O. S. 1961, § 500.3, amending 74 O. S. 1961, § 500.8, as amended by Section 2 of Chapter 266, O. S. L.

1965 (74 O. S. Supp. 1969, § 500.8); and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS on HB 1722**—by Murphy.

An Act relating to state officers and employees; amending 74 O. S. 1961, § 500.3, amending 74 O. S. 1961, § 500.8, as amended by Section 2 of Chapter 266, O. S. L. 1965 (74 O. S. Supp. 1969, § 500.8); and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** 74 O. S. 1961, § 500.3, is amended to read as follows:

§ 500.3 Travel vouchers or claims shall be approved for payment only by the elected or appointed head of any state department, or by the appointed head of any state institution. The Chairman or Secretary of state boards or commissions may approve travel claims or state boards or commissions may designate an administrative employee to approve travel claims for, and in the name of, said boards or commissions. The approval of a travel voucher or claim by the officials or employees designated herein, shall constitute authority for the travel and the expenses incurred. The per diem allowance in lieu of subsistence shall be fixed by the officials or employees herein designated at the time of approving the claim for payment at **[a]** THE rate per day **[which does not exceed the rates fixed by Section Eight]** PROVIDED FOR IN § 500.8 of this **[Act]** TITLE. Requests for reimbursement for travel expenses should be made immediately after completion of travel, except in those cases where the employee is traveling the major portion of the time; in such case reimbursement vouchers shall be prepared at intervals provided for in the regulations of the department in which the employee is working; but, in no instance shall such

departmental regulations provide for travel reimbursement at intervals in excess of a thirty-one day period. It is the intention of this Section that each claim for reimbursement of travel expenses shall not cover a period longer than thirty-one days. However, officials or employees may file for subsequent periods at intervals of thirty-one days each.

**SECTION 2.** 74 O. S. 1961, § 500.8, as amended by Section 2 of Chapter 266, O. S. L. 1965 (74 O. S. Supp. 1969, § 500.8), is amended to read as follows:

§ 500.8 A per diem allowance, in lieu of subsistence, may be authorized by a travel claim issued in accordance with § 500.3 of this title, which shall include all charges for meals and lodging. **[Not to exceed]** (\$10.00 per diem **[may be authorized]** on the travel claim for the performance of travel within the State of Oklahoma, and **[not to exceed]** Twenty Dollars (\$20.00) per diem **[may be authorized]** for the performance of travel outside the State of Oklahoma. Provided, however, that per diem payments may not exceed sixty (60) days on any travel voucher or claim while any employee or official of the state remains in the same city, town or county while traveling on an authorized travel voucher or claim.

**SECTION 3.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Lane, Keels, Massey.

FOR THE HOUSE: Murphy, Payne, Hargrave.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 320**—coauthored by Townsend, Mountford and Whorton and **SB 640**—coauthored by Spearman, each as amended.

**HA to SB 320** read as follows, and consideration deferred:

Amendment No. 1. Strike the Title, Enacting Clause and Entire Bill and substitute the following:

"An Act relating to counties and County Officers; providing for county planning and zoning; authorizing county planning commission and county Board of Adjustment; authorizing appropriations; determining territorial jurisdiction; defining terms; providing for establishment, membership, tenure, compensation, and vacancies for commission and board; providing for powers, duties, functions and procedures for commission and board; providing for appeals and public hearings; providing for codification; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. For the purpose of cooperating with the State of Oklahoma in conserving the natural resources of the state, and in promoting the health, safety, peace and general welfare of the people of the state, there may be provided in any county of the State of Oklahoma county planning in the manner herein provided, and for that purpose there is hereby authorized to be created in each of such counties a county planning commission and a county board of adjustment with the respective powers and duties as set out in this act. In no county shall there be at the same time a county planning commission established pursuant to this section and a metropolitan area planning commission established pursuant to Section 866.1 of Title 19 and Section 863.2 of Title 19 of the Oklahoma Statutes. Provided that county commissioners may by proper resolution confer authority to any Metropolitan Area Planning Commission located in such county for the purposes of planning for unincorporated areas existing in county. Provided further that any county planning commission created under the provisions of this act shall have no jurisdiction over the area covered by any Lake Area Planning and Zoning Commission in any county

created pursuant to Section 866.36 of Title 19 of the Oklahoma Statutes.

SECTION 2. Each county of the state which is hereby authorized to avail itself of the provisions of this act is hereby authorized to set up a planning commission by resolution of the board and by a vote of the majority of the people voting at an election called for such purpose in said county and to appropriate funds in the amounts necessary to carry out the purpose of this act. The commission, upon approval of the board, is hereby authorized to contract for, receive and utilize any grants or other financial assistance from the federal or state government or from any other source, public or private, in furtherance of its functions and may incur necessary expenses in obtaining said grants and/or financial assistance within the limits of its appropriations.

SECTION 3. The territorial jurisdiction of the county, as respects administering and enforcing of rules and regulations as in this act provided, shall be the unincorporated portions of such county.

SECTION 4. For the purpose of this act, certain terms are defined as provided in this section. Whenever appropriate, the singular includes the plural and the plural includes the singular. "Municipality" or "Municipal" shall mean or relate only to incorporated cities and towns. "Board" shall mean the board of county commissioners. "Commission" shall mean the county planning commission. "Area" shall mean all territory included within the jurisdiction of the commission.

SECTION 5. The commission shall consist of three (3) members appointed by the board of county commissioners and the chairman of the board of county commissioners or a member of the board of county commissioners appointed by the chairman and one member to be appointed by the mayor of each incorporated city or town having a population of one thousand or more according to the last federal census. Members appointed by the



board shall serve a term of four (4) years except that the respective terms of the first three appointed shall be for terms of four (4) years. All members of the commission shall serve as such without compensation. Each appointed member shall be a resident of the area included within the jurisdiction of the commission for a period of three (3) years or more immediately preceding appointment and shall hold no other municipal or county office. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term.

A member of such commission, once qualified, can thereafter be removed during his term of office only for cause and after a hearing held before the governing body by which he was appointed.

SECTION 6. In the pursuance of its duties, the planning commission may seek the advice, cooperation and collaboration of appropriate federal, state, municipal and other local governmental offices, departments, agencies, and instrumentalities, educational institutions and research organizations, whether public or private, and of civic groups and private persons and organizations. The planning commission also shall cooperate and confer with, and upon request supply information to federal, state, municipal and other local governmental agencies and, so far as possible, cooperate with planning agencies of adjoining areas on matters of mutual interest relevant to its activities. Whenever such cooperation or assistance includes the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement.

SECTION 7. The commission may prepare, adopt, and from time to time revise, amend, extend or add to a plan or plans for the development of the area for the purpose of bringing about an orderly, coordinated physical development in accordance with the present and future needs.

SECTION 8. The commission may adopt the plan or plans, in whole or part, and subsequently amend or extend the adoption plan or portions thereof. Before the adoption, amendment, or extension of the plan or portions thereof, the commission shall hold at least one public hearing thereon. Such hearing may be adjourned from time to time. Prior to said hearing or hearings, the commission shall give reasonable notice in all papers of general circulation in the county, stating time, place and purpose of the hearing, and stating where copies of the proposed plan or plans may be acquired. The adoption of the plan or portions thereof shall be by resolution carried by not less than four (4) members of the commission, including the ex officio member thereof. Before such plan or plans or parts thereof shall have the status of an official plan, it shall be submitted to and shall have the approval of the board of county commissioners. The board may approve the plan in whole or in part, or return the plan or any portion thereof to the commission for further consideration. Any part so approved shall immediately become in full force and effect and as to the area covered by the approved portion of such plan. Should the board fail to act upon such plan within forty-five (45) days from the date of its submission by the commission, such plan shall be deemed to be approved by said board and shall have the status of an official plan or plans for the area. After the adoption of the plan or plans, or part thereof, an attested copy shall be certified by the commission and by the board and shall be certified to the county clerk of such county for safekeeping and as a public record.

SECTION 9. From and after the adoption of the plan or plans or portion thereof and their proper certification, then and henceforth no improvement of a type embraced within the recommendations of the plan or plans shall be constructed or authorized without first submitting the proposed plans thereof to the commission and

receiving the written recommendations of said commission; provided, however, that this requirement shall be deemed to be waived if the commission fails to make its report and recommendations within forty-five (45) days after the receipt of the proposed plans.

SECTION 10. The commission is hereby empowered to promulgate and adopt rules and regulations for the implementation and enforcement of plan or plans adopted in accordance with this act.

SECTION 11. The rules and regulations of this commission shall not apply to the erection of farm homes or the erection or use of the usual farm buildings for agricultural purposes or the planting of agricultural crops.

SECTION 12. The board of county commissioners of any such county shall appoint a county board of adjustment composed of five (5) members, residents of such area, for terms of three (3) years, except that when the first appointment is made hereunder, the terms of office of two of said members shall be two (2) years, and the term of office of one of said members shall be three (3) years. A member of such county board of adjustment, once qualified, can thereafter be removed during his term of office only for cause and after a hearing held before the board of county commissioners. In the event of the death, resignation or removal of any such member before the expiration of his term, a successor shall be appointed by the board of county commissioners to serve his unexpired term. All members of the county board of adjustment shall serve as such without compensation.

The county board of adjustment shall elect its own chairman and shall adopt rules or procedures consistent with the provisions of this act. The chairman, or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. Four (4) members of the county board of adjustment shall constitute a quorum. All meetings of the coun-

ty board of adjustment shall be open to the public and a public record shall be kept of all proceedings.

The county board of adjustment may, with the approval of the board of county commissioners, appoint such employees as may be necessary and may incur necessary expenses, within the limits of the appropriations authorized by the board of county commissioners.

For each petition and for each request for a public hearing, the county board of adjustment shall collect a fee the amount thereof to be fixed by the respective boards of county commissioners which such fees shall be deposited with the county treasurer as required by law, and credited to the general fund of the county, and report thereof made to the board of county commissioners each month. Publication notices and transcripts on appeal shall be paid for by parties requiring or requesting the same.

SECTION 13. Appeals to the county board of adjustment may be taken by any person aggrieved or by a public officer, department, board or bureau affected by any decision of the county inspecting officer in administering the commission's rules and regulations. Such appeals shall be taken within a period of not more than ten (10) days, by filing written notice with the county board of adjustment and the county inspecting officer, stating the grounds thereof. An appeal from the county board of adjustment shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken shall certify to the board of adjustment that by reason of facts stated in the certificate a stay would in his opinion, cause imminent peril to life or property. The county board of adjustment shall have the following powers and it shall be its duty:

To hear and decide appeals where it is alleged that there is error of law in any order, requirement, decision or determination made by the county inspecting of-

ficer in the enforcement of the commission's rules and regulations.

In exercising the above powers, such board of adjustment may, in conformity with the provisions of this act, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

In acting upon any appeal, such board of adjustment shall, in its consideration of and decision thereon, apply the principles, standards and objectives set forth and contained in all applicable regulations and plans as adopted.

SECTION 14. An appeal to the district court from any decision, ruling, judgment, or order of said county board of adjustment may be taken by any person or persons, firm or corporation, jointly or severally, aggrieved thereby, or any department, board or official of government by filing with the clerk of said board within ten (10) days a notice of such appeal. No bond shall be required for such appeal, but costs may be required in the district court as in other cases. Upon filing of such notice, the clerk of said board shall forthwith transmit to the clerk of the district court the originals or certified copies of all papers constituting the record in such case, together with the order, judgment or decisions of said board. Said cause shall be tried *de novo* in the district court and said court shall have the same power and authority as the county board of adjustment, together with all other powers of the district court in law or in equity. An appeal to the Supreme Court from the decision of the district court shall be allowed as in other cases.

SECTION 15. The board may establish a schedule of fees for inspections and investigations which said fees shall be reasonable and proportionate to the services rendered and benefits involved, and shall be paid into the general fund of the county.

SECTION 16. Notice of all public hearings herein provided for shall be given by one publication in a newspaper of general circulation in the municipality and the county at least fifteen (15) days prior to the date of such hearing.

SECTION 17. A violation of this act or of any order or regulation adopted under authority of this act shall be deemed a misdemeanor and shall be punishable by fine or by imprisonment or both, as now provided by law for misdemeanors.

SECTION 18. From and after the time such commission is constituted by the cooperating governmental units, its shall have exclusive control for the purposes herein provided over the territory within the jurisdiction of the county to the exclusion of any other planning agency provided, however, this does not prevent commissioners from contracting with agencies formed in accordance with Chapter 31, Title 74, of the Oklahoma Statutes for planning services and regulation enforcement assistance.

SECTION 20. For the purpose of cooperating with the State of Oklahoma in conserving the material resources of the state, any incorporated city or town within a county having in existence a county planning commission, as authorized in this act, is hereby authorized to contract with or retain such commission to function as an advisory, consultative, and coordinating agency for such city or town in its urban planning activities.

SECTION 21. Sections 1 through 20, inclusive, of this act shall be codified as Sections 865.1 through 865.20 of Title 19 of the Oklahoma Statutes.

SECTION 22. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

HAS to SB 640 read as follows, and consideration deferred:



Amendment No. 1. Amend the Title to read as follows:

"An Act relating to elections; amending portions of the act (26 O. S. 1961, § 103.1 through § 103.21) which govern voter registration in counties of more than 400,000 population; designating the county registrar as responsible officer for executing registration laws; permitting use of data processing equipment; amending 26 O. S. 1961, § § 103.16, 274 and 277; directing codification; reducing time to retain poll signature book; permitting use of colors to distinguish ballots on voting machines; providing for forms of permanent registration by electronic data process; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 2, Line 12, by adding a new SECTION 4 as follows: "SECTION 4. The permanent registration forms shall be filed and kept by the County Registrar in two records.

1. The original registration forms shall be placed in a central file in the County Election Board's office and shall not be sent to precincts for use by the precinct officials on election day.

2. The permanent registration forms shall be copies on electronic data processing equipment showing elector's name, address, year of birth, sex, serial number, political affiliation and voting record.

The electronic data processing copied of the permanent registration forms shall be used to produce:

1. A general register arranged in alphabetical sequence containing the names of the qualified electors entitled to vote in the County and shall show address, year of birth, sex, political affiliation, serial number, and voting record.

2. A precinct register in alphabetical sequence containing the names of the qualified electors entitled to vote in the said precinct and shall show address, year of birth, sex, political affiliation, serial number and voting record. This precinct reg-

ister shall be delivered by the County Registrar to the Secretary of the County Election Board not later than five (5) days next preceding any State election.

The County Election Board shall deliver this precinct register to the proper election officers of each precinct for use at the election."

And renumber subsequent sections.

Amendment No. 3. Amend Page 2, old Section 4, Line 21, by striking the word "may" and reinstate the word "must".

Amendment No. 4. Amend Page 4, Lines 16 through 23, by deleting all of subsection (d).

Amendment No. 5. Amend Page 4, Lines 24 and 25, by deleting all of old SECTION 6.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 626**, and naming House Conferees as follows: Miskelly, Andrews and Bengtson.

#### DECLARATION OF VOTE

Senator Berrong asked that the record show, had he been present at the time of passage of **HB 1612**, as amended in Conference, he would have voted AYE, which was the order.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed **HCR 1073**—by Abbott—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1696 passed by the 2nd Session of the 32nd Oklahoma Legislature.

Upon request of Senator Miller, **HCR 1073** was taken for for immediate consideration, read at length, and adopted upon his motion.

**HCR 1073** was properly signed and ordered returned to the Honorable House.

#### RESOLUTIONS

By unanimous consent, **SR 69** by Inhofe and Keels was introduced.

Senator Keels asked that all other members of the Senate be added as coauthors of the Resolution, which was the order.

**SR 69**, as coauthored, was read at length as follows, adopted upon motion of Senator Inhofe and ordered referred for enrollment:

**SR 69**—By Inhofe, Keels, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young—A Resolution congratulating Dr. Robert McCullough of Tulsa, Oklahoma upon his election as International President of Lions International for the year 1970; and directing distribution.

WHEREAS, men of good will have come together in organizations and groups devoted to the ideals of service and fellowship since time immemorial; and

WHEREAS, the approbation of a man's character, qualities of leadership and ability by those who are his peers is an accolade of the highest order; and

WHEREAS, Dr. Robert McCullough of Tulsa has been chosen as International President of Lions International for the year 1970 and should be congratulated for this outstanding achievement; and

WHEREAS, Dr. McCullough's years of service and his obvious capacity for leadership and hard work have earned him the respect of his fellow Tulsans as well as the esteem and friendship of Lions all over the world; and

WHEREAS, Dr. McCullough's election to this post makes it right that he should be "Lionized" by this honorable body in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SES-

SION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That this honorable body goes on record as commending Dr. Robert McCullough for his election to the post of International President of Lions International.

SECTION 2. That duly authenticated copies of this Resolution shall be transmitted to Dr. Robert McCullough, the Lions Club of Tulsa, Oklahoma and to Lions International, Oklahoma Office.

By unanimous consent, **SR 70** by Murphy was introduced.

Senator Murphy asked unanimous consent that all other members of the Senate be made coauthors of **SR 70**, which was the order.

**SR 70**, as coauthored, was read at length as follows, adopted upon motion of Senator Murphy and ordered referred for enrollment:

**SR 70**—By Murphy, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young—A Resolution expressing appreciation to W. H. Sollers for his many years of service to the State of Oklahoma and wishing him a happy retirement; and directing distribution.

WHEREAS, W. H. Sollers, Trial Examiner for the Corporation Commission of Oklahoma is retiring after twenty-seven years of honorable, meritorious and distinguished service; and

WHEREAS, W. H. Sollers has earned the respect and honor of all attorneys, witnesses and other parties appearing before him in his court because of his unquestionable integrity and for the sound, fair and unbiased rulings and opinions rendered by him; and

WHEREAS, he has the reputation of never having shown any favoritism to any litigants in his rulings and opinions during the conduct of proceedings before him regardless of his personal feelings regarding the litigants; and

WHEREAS, W. H. Sollers has actually served the State of Oklahoma since 1911, starting as County Court Reporter in Payne County and then as District Court Reporter for Payne, Logan and Noble Counties from 1920 until his appointment as Trial Examiner for the Corporation Commission in 1947; and

WHEREAS, the State of Oklahoma is losing the valuable and irreplaceable services of one of its most faithful, learned and esteemed servants; and

WHEREAS, this Body desires to wish him Godspeed and a well-deserved and restful retirement for many years to come.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That the Senate does hereby express its appreciation for the long and faithful services of W. H. Sollers, and does extend to him its best wishes for a happy retirement for many years to come.

SECTION 2. That copies of this Resolution be delivered to W. H. Sollers.

Senator Murphy presiding.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Garrett, the Conference Committee Report on **SB 544** was declared adopted.

**SB 544**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, Mc-

Graw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Young.—36.

Excused: Baggett, Boecher, Crow, Dacus, Horn, Lane, Massey, Payne, Porter, Taliaferro, Terrill, Williams.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Romang, Short, Smalley, Smith, Stansberry, Stipe, Young.—36.

Excused: Baggett, Boecher, Crow, Dacus, Horn, Lane, Massey, Payne, Porter, Taliaferro, Terrill, Williams.—12.

The emergency was declared passed.

**SB 544**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Grantham, the Senate concurred in **HA** to Engrossed **SB 627**.

**SB 627**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smith, Stipe, Williams, Young.—32.

Excused: Atkinson, Baggett, Boecher, Bradley, Crow, Dacus, Hamilton, Hargrave, Lane, Nichols, Payne, Porter, Smalley, Stansberry, Taliaferro, Terrill.—16.



The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Phillips, Romang, Short, Smith, Stipe, Williams, Young.—32.

Excused: Atkinson, Baggett, Boecher, Bradley, Crow, Dacus, Hamilton, Hargrave, Lane, Nichols, Payne, Porter, Smalley, Stansberry, Taliaferro, Terrill.—16.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1071**—By Bradley of the House and Holden of the Senate.

A Concurrent Resolution relating to parakeets; designating Waurika as the Parakeet Capitol of the World; and directing distribution.

Upon request of Senator Holden, **HCR 1071** was taken up for immediate consideration.

**HCR 1071** was read at length, adopted upon motion of Senator Holden, properly

signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HB 1753**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1073**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

Senator Breckinridge presiding.

Senator Birdsong moved, when the Clerk's desk is cleared, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was declared adopted.

#### **MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HB 1776** and **HJR 1033**, each as amended.

#### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HBs 1206** and **1510**, requesting Conference and naming Conferees as follows:

**HB 1206:** Harrison, Tarwater and Greenhaw.

**HB 1510:** Hancock, Finch and Fine.

As provided under the Birdsong motion, the Senate was declared adjourned until 10:00 a.m., tomorrow.



## Fifty-fifth Legislative Day

Thursday, April 9, 1970

Pursuant to adjournment, the Senate was called to order by Senator Massey, designated by President Pro Tempore Smith, so to do.

Upon roll call, the following members were present:

Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—34.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hargrave, Holden, Horn, Lane, Smith, Stansberry, Stipe.—14.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Martin, on behalf of Senator Hargrave:

Almighty God, our Heavenly Father, who hast sent Thy Son, Jesus Christ into the world to be the Way, the Truth and the Life, we pray Thee to strengthen our purpose, illumine our minds and stir our hearts that we may be the faithful disciples of Thy Son. Grant to us something of His Faith, that no matter what problems or perplexities surround us, we may be conscious always of Thy presence and care. Give to us a measure of His courage, so we may never compromise with evil for the reason of our own ease, personal advancement, or safety. Fill us with His

compassion for Thy children that amid the tragedy of our times, we never become callous to the needs of the homeless, and deprived.

Bless us we pray Thee, with the gift of His Joy that whatever tasks confront us we may be radiant witnesses to Him who has overcome the world.

We Thank Thee for His call to us. May we be so true and steadfast that through Thy mercy we may dwell with Thee in life everlasting, through Jesus Christ, our Lord. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, April 9, 1970, of Enrolled SBs 417, 437, 539, 541, and SJR 53 entitled:

**SB 417**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the office of the Attorney General and making appropriations thereto; \*\*\* making provisions of this act severable; and declaring an emergency.

**SB 437**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; making an appropriation for capital outlay expenditures at Camp Gruber; making an appropriation for repairs to armories; \*\*\* and declaring an emergency.



**SB 539**—By Garrison, et al of the Senate and Connor, et al of the House—An Act establishing a uniform crime reporting system; \*\*\* designating the Oklahoma State Bureau of Investigation as the official agency.

**SB 541**—By Garrison, et al of the Senate and Connor, et al of the House—An Act relating to criminal justice and highway safety; establishing the Oklahoma Criminal and Traffic Law Enforcement System; \*\*\* providing duties and responsibilities of the commission; directing the commission to file annual reports; making provision of act severable; and declaring an emergency.

**SJR 53**—By Smalley of the Senate and Skeith of the House—A Joint Resolution relating to the State Legislative Council; directing the creation of a special committee on tax revision and vesting certain duties therein; providing for membership thereon; \*\*\* making provisions of resolution severable; and declaring an emergency.

## CITATIONS

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulatory was ordered issued to Pocola High School Boys' Basketball Team upon winning their District and Conference Class A Tournaments.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulatory was ordered issued to the 1969 Talihina High School Football Team upon winning the Black Diamond Conference, District 10B, Bi-District and Regional Championships.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulatory was ordered issued to Pocola High School Girls' Basketball Team upon

winning Class A County, District and Conference Champions.

## SECOND READING

The following Bill was read for the second time: **HJR 1058**.

Senator Graves asked unanimous consent, which was granted, that **HJR 1058** be ordered printed and placed upon the Calendar, without reference to a Committee.

## PENDING SENATE ACTION

Senator Massey moved that the Honorable House be requested to reconsider the vote by which **SB 442** as amended in Conference passed, by which the Conference Committee Report thereon was adopted; and, that the Honorable House reject the Conference Committee Report on **SB 442** and request Further Conference, which motion was declared adopted.

## PENDING CONSIDERATION OF CCRs

Upon motion of Senator Terrill, the Conference Committee Report on Engrossed **SB 587** was declared adopted.

**SB 587**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Smith, Stansberry, Stipe.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Smith, Stansberry, Stipe.—15.

The emergency was declared passed.

**SB 587**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senators Stipe and Baggett asked to be shown present, which was the order.

#### PENDING CONSIDERATION OF HAS

Senator Garrett moved that the Senate refuse to concur in **HAs** to **SB 590** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 590**: Garrett, Young and Grantham.

Senator Crow presiding.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1674** was declared adopted.

**HB 1674**, as amended in Conference, was read at length.

On the question of passage of Bill, as

amended in Conference, the roll call resulted as follows:

Aye: Baggett, Birdsong, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—32.

Nay: Bradley, Garrison, Inhofe.—3.

Excused: Atkinson, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hargrave, Holden, Horn, Lane, Nichols, Smith, Stansberry.—13.

The Bill, as amended in Conference, was declared passed.

**HB 1674**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senators Lane, Smith, Horn, Breckinridge and Holden asked to be shown present, which was the order.

#### MOTION TO RECONSIDER VOTE

Senator Smalley asked for consideration of his motion to reconsider the vote by which **SB 133**, as amended in Conference, failed.

Senator Birdsong moved to table the Smalley motion, which motion was declared failed of adoption.

The vote occurring upon the Smalley motion, it was declared failed of adoption upon a roll call as follows:

Aye: Crow, Dacus, Ferrell, Field, Garrison, Hamilton, Holden, Horn, Lane, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Romang, Stipe, Taliaferro, Terrill, Williams, Young.—21.

Nay: Birdsong, Bradley, Breckinridge, Garrett, Grantham, Graves, Howard, Inhofe, Luton, McCune, McGraw, Payne, Phillips, Short, Smalley, Smith.—16.

Excused: Atkinson, Baggett, Baldwin,

Berrong, Boecher, Ham, Hargrave, Keels, Massey, Porter, Stansberry.—11.

Senator Boecher asked to be shown present, which was the order.

#### PENDING CONSIDERATION OF CCRs

Upon motion of President Pro Tempore Smith, the Conference Committee Report on **SB 403** was declared adopted.

**SB 403**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—38.

Excused: Atkinson, Baggett, Baldwin, Berrong, Ferrell, Ham, Hargrave, Massey, Stansberry, Williams.—10.

The Bill, as amended in Conference, was declared passed.

**SB 403**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator Hamilton, the Conference Committee Report on **SB 599** was declared adopted.

**SB 599**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune,

McGraw, McSpadden, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—37.

Excused: Atkinson, Baggett, Baldwin, Berrong, Ham, Hargrave, Massey, Miller, Stansberry, Stipe, Terrill.—11.

The Bill, as amended in Conference, was declared passed.

**SB 599**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator Hamilton, the Conference Committee Report on **HB 1659** was declared adopted.

**HB 1659**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Excused: Atkinson, Baggett, Baldwin, Berrong, Ferrell, Garrett, Ham, Hamilton, Hargrave, Lane, McSpadden, Massey, Miller, Stansberry.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrison, Grantham, Graves, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stipe, Taliaferro, Terrill, Williams, Young.—34.



Excused: Atkinson, Baggett, Baldwin, Berrong, Ferrell, Garrett, Ham, Hamilton, Hargrave, Lane, McSpadden, Massey, Miller, Stansberry.—14.

The emergency was declared passed.

**HB 1659**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator Stipe, the 2nd Conference Committee Report on **HB 1522** was declared adopted.

Senator Hamilton asked to be made a coauthor of **HB 1522**, which was the order.

**HB 1522**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Nay: Keels, McCune.—2.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Garrison, Ham, Hargrave, Miller, Smith, Stansberry.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—34.

Nay: Keels, McCune.—2.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Garrison,

Ham, Hargrave, Miller, Smith, Stansberry.—12.

The emergency was declared passed.

**HB 1522**, together with 2nd Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Field presiding.

Upon motion of Senator Howard, the Conference Committee Report on **HB 1664** was declared adopted.

**HB 1664**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hargrave, Massey, Miller, Murphy, Nichols, Payne, Smith, Stansberry.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Phillips, Porter, Romang, Short, Smalley, Stipe, Taliaferro, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Breckinridge, Ham, Hargrave, Massey, Miller, Murphy, Nichols, Payne, Smith, Stansberry.—15.

The emergency was declared passed.

**HB 1664**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Ham asked to be shown present, which was the order.

Upon motion of Senator Hamilton, the Conference Committee Report on **HB 1514** was declared adopted.

**HB 1514**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Hargrave, McGraw, McSpadden, Porter, Smith, Stansberry, Stipe, Terrill.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Williams, Young.—35.

Excused: Atkinson, Baggett, Baldwin, Berrong, Boecher, Hargrave, McGraw, McSpadden, Porter, Smith, Stansberry, Stipe, Terrill.—13.

The emergency was declared passed.

**HB 1514**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Stansberry asked to be shown present, which was the order.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1203, 1292,**

**1339, 1492, 1556, 1557, 1567, 1776 and HJR 1033.**

The above numbered Enrolled Bills and/or Resolutions were, after fourth reading, properly signed and ordered returned to the Honorable House.

## MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1071.**

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

## PENDING SENATE ACTION

**HCR 1063** by Barker, et al, of the House and Luton and Smith of the Senate was called up for consideration.

Senator Luton asked unanimous consent that all other members of the Senate be added as coauthors of **HCR 1063**, which was the order.

**HCR 1063**, as coauthored, was read at length, adopted upon motion of Senator Luton, properly signed and ordered returned to the Honorable House.

**HCR 1039** by Spearman of the House and Young and Garrett of the Senate was called up for consideration.

Senator Garrison moved to amend **HCR 1039**, page 3, beginning on line 17, by striking after the word "judiciary" the language "below the level of the United States Supreme Court" which amendment was declared adopted.

Senator Garrison moved to amend **HCR 1039**, page 5, beginning on line 1, by striking after the word "judges" the language "below the level of the United States Supreme Court" which amendment was declared adopted.

Senator Stipe moved to amend **HCR 1039**, page 4, line 18, by striking the word "selection" and substituting therefor the word "election", which amendment was tabled upon motion of Senator Garrison, upon a roll call as follows:

Aye: Baggett, Bradley, Breckinridge,

Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Inhofe, Keels, Luton, McCune, McGraw, Martin, Porter, Romang, Short, Smalley, Stansberry, Williams, Young.—23.

Nay: Birdsong, Boecher, Dacus, Field, Holden, Horn, Lane, Massey, Medearis, Miller, Murphy, Payne, Phillips, Stipe, Taliaferro, Terrill.—16.

Excused: Atkinson, Baldwin, Berrong, Crow, Hargrave, Howard, McSpadden, Nichols, Smith.—9.

Senator Stipe moved to amend **HCR 1039**, page 5, line 4, by striking after the word "after" the language "appointment by the President and confirmation of the Senate" and substituting therefor the word "election".

Senator Garrison moved to table the Stipe amendment, which motion was declared failed of adoption, upon a roll call as follows:

Aye: Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Hamilton, Howard, Inhofe, Luton, McCune, Murphy, Porter, Romang, Short, Stansberry, Williams, Young.—18.

Nay: Birdsong, Boecher, Dacus, Field, Graves, Holden, Horn, Lane, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Stipe, Taliaferro, Terrill.—19.

Excused: Atkinson, Baggett, Baldwin, Berrong, Crow, Ham, Hargrave, Keels, McGraw, Smalley, Smith.—11.

The vote occurring upon the Stipe amendment, it was declared failed of adoption upon a roll call as follows:

Aye: Boecher, Field, Graves, Holden, Horn, Lane, McSpadden, Martin, Massey, Medearis, Payne, Phillips, Stipe, Taliaferro, Terrill.—15.

Nay: Bradley, Breckinridge, Dacus, Ferrell, Garrett, Garrison, Hamilton, Howard, Inhofe, Luton, McCune, Miller, Murphy, Porter, Romang, Short, Stansberry, Williams, Young.—19.

Excused: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Crow, Grantham, Ham, Hargrave, Keels, McGraw, Nichols, Smalley, Smith.—14.

Senator Baldwin asked to be shown present, which was the order.

Senator Hamilton presiding.

**HCR 1039**, as amended, was read at length and adopted upon motion of Senator Young upon a roll call as follows:

Aye: Baldwin, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Graves, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Hamilton, Porter.—2

Excused: Atkinson, Baggett, Berrong, Birdsong, Garrett, Grantham, Ham, Hargrave, McGraw, Nichols, Smalley, Stipe.—12.

**HCR 1039**, as amended, was referred for engrossment.

Senator Berrong asked to be shown present, which was the order.

### GENERAL ORDER

**HB 1810** by Camp, et al, was read and considered.

Senator McSpadden asked to be shown as the Senate Author of **HB 1810**, which was the order.

Senators Keels, Luton, Horn, Howard and McCune asked to be made coauthors of **HB 1810**, which was the order.

Senator McSpadden moved to amend **HB 1810**, page 3, line 7, by striking after the word "long" the word "with" and inserting in lieu thereof the word "without" which amendment was declared adopted.

Upon motion of Senator McSpadden, **HB 1810**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McSpadden, **HB 1810**, as amend-



ed, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

**HB 1810** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Nay: Baggett, Porter.—2.

Excused: Atkinson, Grantham, Ham, Hargrave, Martin, Miller, Murphy, Nichols, Smalley, Stipe.—10.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Payne, Phillips, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—36.

Nay: Baggett, Porter.—2.

Excused: Atkinson, Grantham, Ham, Hargrave, Martin, Miller, Murphy, Nichols, Smalley, Stipe.—10.

The emergency was declared passed.

**HB 1810**, as amended, was referred for engrossment.

### PENDING SENATE ACTION

Upon motion of Senator Baggett, the request of the Honorable House for a conference on **HB 1766** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1766**: Baggett, McGraw and Hamilton.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**HJR 1032** correctly engrossed.

**SBs 232, 271, 281, 376, 487, 521, 553, 563, 594, 595, 604, 607, 627, 635, 641, 648; SJR 29; SRs 66, 67, 68, 69 and 70** each correctly enrolled.

Engrossed **SAs** to and Engrossed **HJR 1032**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 232, 271, 281, 376, 487, 521, 553, 563, 594, 595, 604, 607, 627, 635, 641, 648 and SJR 29** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SRs 66, 67, 68, 69 and 70** were properly signed and ordered transmitted to the Secretary of State.

### PENDING CONSIDERATION OF CCR

**HB 1517**, as amended in conference, was called up for consideration.

Senator Howard moved that the Conference Committee Report on **HB 1517** be adopted.

Senator Baggett, as a substitute for the Howard motion, moved that the Senate refuse to accept the Conference Committee Report on **HB 1517**, and request the Honorable House to grant a further conference on the measure with the Senate conferees instructed to amend the Conference Committee Substitute for House Bill No. 1517 as follows: "1. In Section 2, after the words 'any school' and before the words 'on account' insert the word 'solely'." which motion was tabled upon motion of Senator Howard, upon a roll call as follows:

Aye: Birdsong, Bradley, Crow, Ferrell, Garrison, Graves, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Smith, Stansberry, Williams.—24.

Nay: Baggett, Baldwin, Boecher, Breckinridge, Dacus, Field, Garrett, Hamilton, Holden, Horn, Lane, McGraw, Nichols, Porter, Taliaferro, Terrill, Young.—17.

Excused: Atkinson, Berrong, Grantham, Ham, Hargrave, Smalley, Stipe.—7.

Senator Baggett, as a substitute for the Howard motion moved that the Senate refuse to accept the Conference Committee Report on **HB 1517**, and request the Honorable House to grant a further conference on the measure with the Senate Conferencees instructed to amend the Conference Committee Substitute for **HB 1517** as follows: "1. In Section 2, after the words 'national origin' and before the semi-colon (;) insert the words 'contrary to law or in violation of the Constitution of the United States or the Constitution of the State of Oklahoma' " - and "2. In Section 2, after the words 'to another' and before the semi-colon (;) insert the words 'contrary to law or in violation of the Constitution of the United States or the Constitution of the State of Oklahoma' " which motion was tabled upon motion of Senator Howard.

The vote occurring upon the Howard motion, the Conference Committee Report on **HB 1517** was declared adopted.

President Pro Tempore Smith presiding.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Romang, Short, Smith, Stansberry, Williams.—30.

Nay: Baggett, Baldwin, Breckinridge, Field, Grantham, Lane, McGraw, Nichols, Phillips, Porter, Smalley, Stipe, Taliaferro, Terrill, Young.—15.

Excused: Atkinson, Hargrave, Medearis.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrison, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Payne, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Baggett, Baldwin, Garrett, Grantham, Holden, Nichols, Phillips, Porter, Smalley, Stipe.—10.

Excused: Atkinson, Hargrave, Medearis, Miller.—4.

The emergency was declared passed.

**HB 1517**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## MESSAGE FROM THE HOUSE

The House has rescinded its Fourth Reading and signing of **SB 442**, has reconsidered the vote by which Engrossed **SB 442** as amended in Conference passed, by which conference committee report was adopted; that the House has refused to adopt the conference committee report on said Bill and requests further conference, re-referring said Bill to the General Conference Committee on Appropriations.

Upon motion of Senator Massey, the Senate rescinded 4th Reading of **SB 442** and granted the request of the Honorable House for further conference on **SB 442**, said Bill to be re-referred to the General Conference Committee on Appropriations.

## MESSAGE FROM THE HOUSE

Advising adoption of and returning En-

grossed **SCR 87**—coauthored by Entire House Membership.

The above numbered Resolution was referred for enrollment.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 271, 281, 376, 487, 521, 553, 563, 594, 604, 607, 641, 648** and **SJR 29**.

The above numbered Enrolled Bills and Resolutions were referred to the Governor.

### MESSAGE FROM THE HOUSE

Transmitting following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1146, 1208, 1247, 1547, 1558, 1577, 1578(2nd CCR), 1780** and **1803**.

### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **HB 1146** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1146**, and Engrossed Senate Amendments there-to, by Derryberry, et al, entitled:

An Act relating to Workmen's Compensation; amending 85 O. S. 1961, Section 102; \*\*\* and declaring an emergency, beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS** for **HB 1146**—by Derryberry, et al, —An Act relating to Workmen's Compensation; amending 85 O. S. 1961, Section 13; clarifying date on which compensation begins; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** 85 O. S. 1961, Section 13, is hereby amended to read as follows:

**Section 13.** No compensation shall be allowed for the first five (5) days of disability except the benefits as provided for in Section 14 of this Title; provided that if disability continues [for five (5) days or more] **BEYOND THE FIFTH CALENDAR DAY**, compensation shall be computed from the inception date of such disability.

**SECTION 2.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

**FOR THE SENATE:** Stipe, Luton, Young.

**FOR THE HOUSE:** Derryberry, Greenhaw, Finch.

The following **CCR** on **HB 1208** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **HB 1208**, entitled:

(**MENTAL HEALTH EMERGENCY**) together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House concur in the Senate Amendment.

Add as co-authors: Berrong and Grantham of the Senate.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice Chairman, Baldwin, Boecher, Garrison, Grantham, Hamilton, Murphy, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice Chairman, Abbott, Allard, Cate, Connor, Greenhaw, Hesser, Odorn (V.H.), Sanguin, Skeith, Sparkman, Townsend.



The following **CCR** on **HB 1247** was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill 1247, and Engrossed Senate Amendments thereto, by Clemons, et al, of the House and Garrett, Birdsong, Graves, Holden, Howard, Luton, McCune, Murphy, Young and Atkinson of the Senate entitled:

An Act relating to cities and towns; stating purpose; defining terms; creating the Commission for training for Municipal Clerks, Treasurers and Finance Officers; \*\*\* and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the following conference committee substitute be adopted.

**CCS for HB 1247**—By Clemons, et al, of the House and Garrett, Birdsong, Graves, Holden, Howard, Luton, McCune, Murphy, Young and Atkinson of the Senate.

An Act relating to cities and towns; stating purpose; defining terms; creating the commission for training for municipal clerks, treasurers and finance officers; providing for qualifications, appointment, and reimbursement of necessary expenses of members; providing for powers and duties of commission; providing for certification of municipal clerks, treasurers and finance officers; prescribing fees; establishing the "Clerks" and treasurers' training fund"; and expenditures therefrom; authorizing commission to promulgate rules and regulations; repealing all acts or parts of acts in conflict herewith; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. This act is hereby de-

clared to be necessary for the protection of public funds, records and property, and to protect the public welfare of the State of Oklahoma.

SECTION 2. As used herein, the terms "clerk," "treasurer" and "finance officer" shall mean any person who is at any time responsible for the financial records, or the keeping or making of any of them, of any city or town government coming within the provisions of this act.

SECTION 3. (a) There is hereby created the Commission for Training for Municipal Clerks, Treasurers and Finance Officers which shall consist of three (3) members appointed by the Director of the State Department of Vocational Education. He shall appoint one member for a term of three (3) years; one member from a list of three persons submitted by the Oklahoma Municipal League for a term of two (2) years; and one member from a list of three persons submitted by the Oklahoma Municipal Clerks, Treasurers and Finance Officers Association for a term of one (1) year. After the initial terms have expired, all succeeding terms shall be for three (3) years, and shall be made in the manner as above provided.

(b) The Commission shall meet within thirty (30) days after appointment of a majority thereof and shall elect from its members a chairman but, after the first year, shall not meet more than twelve (12) days in any one (1) fiscal year.

(c) Members of the Commission shall receive no salary or other compensation for their services but shall be reimbursed from the Fund for travel expense and subsistence as is provided for other state officers.

SECTION 4. In addition to other powers and duties conferred upon it by this act, the Commission shall have the following powers and duties:

(1) to make and enforce such requirements and to do all other things as it may deem necessary in the development,

administration and operation of training programs to increase the efficiency of municipal clerks, treasurers and finance officers;

(2) to conduct and to cooperate with others in conducting training programs, including itinerant training programs and district meetings;

(3) to employ such personnel, incur such expenses, make contracts and purchase such personal property as may be necessary for the purposes of this act, insofar as funds are lawfully available;

(4) to accept such grants, appropriation or other monies or services as may be available for training, research, development or demonstration purposes in training aimed to increase the efficiency of clerks, treasurers and finance officers and of persons under their direction;

(5) to develop such manuals and prescribe such procedures and tests as may be necessary for the fulfillment of the purposes of this act, to determine criteria and to grade for the successful completion of training;

SECTION 5. Upon payment of the fee prescribed herein the Commission shall issue an annual certificate to any person, not less than eighteen (18) years of age and of good moral character, who has successfully completed the training provided for that class or grade of certificate. Said certificate shall expire on June 30 next following its issuance and may be renewed from year to year upon application to the Commission and payment of the fee. The Commission may refuse to renew such certificate upon failure of an applicant during the year to attend at least one training session offered or approved by it unless waived by action of the Commission. Each application for a certificate or renewal shall be accompanied by a payment of Ten Dollars (\$10.00).

SECTION 6. One hundred and twenty (120) days after appointment of a majority of the Commission any person who is first appointed or elected to the office

of clerk, treasurer or finance officer, and who does not hold a current certificate of competency as to such office, shall be issued a temporary certificate valid for one (1) year, after which provisions of Section 5 shall apply. Which certificate shall be issued upon application made therefor within thirty (30) days after initial employment, appointment or election, accompanied by a fee of Ten Dollars (\$10.00).

SECTION 7. There is hereby created in the State Treasury a revolving fund to be known as the "Clerks' and Treasurers' Training Fund" which shall consist of all monies collected under the provisions of this act. Said monies shall be under the control and supervision of the Commission, and shall be paid out on claims approved by the Commission and forwarded to the State Budget Director, who shall audit the same and, upon approval thereof, warrants shall be paid by the State Treasurer. The Fund shall be expended only for training programs, district meetings, personnel, expenses, overhead and purchase of personal property as may be necessary for the purposes of this act.

SECTION 8. Rules and regulations issued by the Commission shall come within the provisions of Section 24, Chapter 371, O. S. L. 1963 (74 O. S. Supp. 1968, § 324), the Administrative Procedures Act.

SECTION 9. All laws and parts of laws in conflict herewith are hereby repealed.

SECTION 10. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Garrett, Smalley.

FOR THE HOUSE: Clemons, Monks, Cox.

The following CCR on HB 1547 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1547, entitled:

(AN ACT RELATING TO THE OFFICE OF DISTRICT ATTORNEY AND DECLARING AN EMERGENCY)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendments Nos. 1 and 2.

2. That the following Conference Committee Amendments be adopted:

1. Page 2, lines 8 and 9, strike the words and figures "THREE HUNDRED THOUSAND (300,000)" and insert the words and figures "ONE HUNDRED THOUSAND (100,000)"

2. Page 2, lines 9 and 10, strike the words and figures "SIXTEEN THOUSAND DOLLARS (\$16,000.00)" and insert the words and figures "FIFTEEN THOUSAND FIVE HUNDRED DOLLARS (\$15,500.00)"

3. Page 2, line 10, after the word "monthly;" insert the following language: "AND A DISTRICT ATTORNEY FROM ANY DISTRICT CONTAINING A POPULATION IN EXCESS OF ONE HUNDRED THOUSAND (100,000) PERSONS BUT LESS THAN A POPULATION OF THREE HUNDRED THOUSAND (300,000) PERSONS SHALL RECEIVE A SALARY OF SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00) PER ANNUM, PAYABLE MONTHLY;"

4. Page 2, line 13, strike the words and figures "SEVENTEEN THOUSAND DOLLARS (\$17,000.00)" and insert the words and figures "NINETEEN THOUSAND FIVE HUNDRED DOLLARS (\$19,500.00)"

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Baldwin, Boecher, Garrison, Grantham, Hamilton, Murphy, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Abbott, Allard, Cate, Connor, Greenhaw, Hesser, Odom (V.H.), Sanguin, Skeith, Sparkman, Townsend.

The following CCR on HB 1558 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1558, entitled:

(AN ACT RELATING TO THE OFFICE OF THE DISTRICT COURTS AND DECLARING AN EMERGENCY)

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Amendments No. 1 and 2.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 25½, strike the figure "\$2,302,000.00" and insert the figure "\$2,477,000.00"

2. Page 1, line 26½, strike the figure "\$3,389,074.00" and insert the figure "\$3,566,074.00"

3. Page 2, line 17½, strike the figure "\$3,868,606.00" and insert the figure "\$4,045,606.00"

4. Page 2, line 20, strike the figure "\$3,989,074.00" and insert the figure "\$4,166,074.00"

5. Page 2, line 26, strike the figure "10,500.00" and insert the figure "12,500.00"

6. Page 2, line 27, strike the figures "5,000.00" and "10,000.00" and insert the figures "8,500.00" and "12,500.00"

Restore Title.



SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Baldwin, Boecher, Garrison, Grantham, Hamilton, Murphy, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Abbott, Allard, Cate, Connor, Greenhaw, Hesser, Odom (V.H.), Sanguin, Skeith, Sparkman, Townsend.

The following CCR on HB 1577 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations to whom was referred Engrossed HB 1577, entitled:

(An Act relating to the Oklahoma Aeronautics Commission and declaring an emergency),

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from Senate Amendment.

2. That the Conference Committee Amendments be adopted, as co-authored by: Berrong of the Senate.

1. Amend title to read as follows:

An Act relating to the Oklahoma Aeronautics Commission and making an appropriation thereto; stating the purpose; limiting expenditures for workshops; reappropriating certain funds and stating the purpose; providing lapse date; making provisions of this act severable; and declaring an emergency.

2. Page 1, line 19½, insert a new SECTION 3 to read as follows:

"SECTION 3. The amount of Ten Thousand Dollars (\$10,000.00) originally appropriated from the Emergency Appropriation Fund for the fiscal year ending June 30, 1966, by Section 1, Chapter 421, Oklahoma Session Laws 1965, reappropriated by Section 1, Chapter 144, Oklahoma Session

Laws 1967, and reappropriated by Section 3, Chapter 190, Oklahoma Session Laws 1969, is hereby continued and reappropriated in the original amount as adjusted by transfer, less the amount that has been expended upon the date of this Act becomes effective. The amount hereby reappropriated is for the purpose of renting aircraft as may be necessary to enable the Commission and the Aeronautics Director to efficiently carry out the duties imposed upon them by law, and to purchase such liability insurance for the operation of said aircraft as authorized by law. It is hereby authorized that an amount not to exceed Nine Hundred Thirteen Dollars and one cent (\$913.01) of the funds reappropriated by this Section to be used to complete payment to the contractor for work done on the Fountainhead Airport project."

Renumber succeeding Sections accordingly.

SENATE CONFEREES: Massey, Vice-Chairman, Baldwin, Boecher, Garrison, Hamilton, Keels, Martin, Murphy.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Bradley, Derryberry, Fine, Hesser, Sanguin, Skeith, Townsend.

The following 2nd CCR on HB 1578 was read and consideration deferred:

Mr. Speaker  
and

Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1578, entitled:

An Act relating to the office of the banking department and declaring an emergency,

together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the Second CCR with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee Amendments be adopted:

1. Page 1, line 23, delete "277,421.00" and insert "298,006.00".

2. Page 1, line 24, delete "73,349.00" and insert "112,522.00".

3. Page 1, line 26, delete "351,370.00" and insert "411,128.00".

Restore Title

SENATE CONFEREES: McSpadden, Massey, Atkinson, Berrong, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

HOUSE CONFEREES: Willis, Miskelly, Allard, Cate, Connor, Hesser, Skeith, Sparkman, Townsend.

The following CCR on HB 1780 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1780, entitled:

AN ACT RELATING TO THE OKLAHOMA HISTORICAL SOCIETY AND MAKING AN APPROPRIATION THERETO; STATING PURPOSE; MAKING THE PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY, together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation, that the following Conference Committee Substitute be adopted:

Add as co-author: Miskelly of the House.

CCS for HB 1780—By Atkins, et al, of the House and Baggett and Birdsong of the Senate.

An Act relating to uniform compensation of employees in the classified service; amending Section 2, Chapter 402, O.S.L. 1968, as amended by Section 1, Chapter 343, O.S.L. 1969, as amended by House Bill No. 1608 of the Second Session of the Thirty-second Oklahoma Legislature; pro-

viding for a wage adjustment and salary board, constituency thereof, its duties and powers; prescribing certain conditions upon granting salary increases for employees in the classified service; providing for severability; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. Section 2, Chapter 402, O.S.L. 1968, as amended by Section 1, Chapter 343, O.S.L. 1969 (74 O.S. Supp. 1969, § 817.3), as amended by House Bill No. 1608 of the Second Session of the Thirty-second Oklahoma Legislature, is amended to read as follows:

§ 817.3. (a) The Wage Adjustment and Salary Board is hereby created and shall consist of the Director of the State Highway Department, the Director of the Department of Public Welfare, the Commissioner of the State Department of Health, the Commissioner of the Department of Public Safety, the Director of the Department of Mental Health, the President of the State Board of Agriculture, the Director of the Department of Corrections, the Chairman of the Oklahoma Tax Commission, and the Director of the Industrial Development and Park Department, or their designees, and those departments under the classified services that are not members of the Board, shall be consulted on those positions that are unique to their department, and two (2) members of the House of Representatives, designated by the Speaker, and two (2) members of the State Senate, designated by the President Pro Tempore, and the State Personnel Director. The State Personnel Director and the members appointed from the House of Representatives and the members appointed from the State Senate shall be advisory nonvoting members. The per diem and expenses of the members from the House of Representatives and the Senate shall be paid by the body from which appointed, in the amount and manner as is provided for by law for attendance at interim committee meetings.

(b) The Wage Adjustment and Salary Board shall meet within thirty (30) days after the passage of this bill, and at least once a month thereafter or as many times as they deem necessary. A Chairman shall be elected from within the Wage Adjustment and Salary Board, by the board members, to call and conduct the meetings, and the Chairman shall not be either of the Senate or House of Representative members. All members of the Wage Adjustment and Salary Board will be voting members with the exception of the State Personnel Director and the members appointed from the House of Representatives and the members appointed from the State Senate; provided that no meeting of the board shall be held unless proper notice is given to each member of the Board. The State Personnel Director and his staff will be consultants to the Wage Adjustment and Salary Board. The Wage Adjustment and Salary Board shall promulgate rules necessary to carry out their duties as outlined above.

(c) The Wage Adjustment and Salary Board shall develop necessary procedures for recommending a uniform compensation plan. In recommending the Uniform Compensation Plan, this Board shall consider and give due regard to the rates of compensation for other classes and to the relative difficulty and responsibilities of the duties of the class, the minimum qualifications requisite therefor, the prevailing rates of pay for similar employment outside the classified service, job evaluation standards, economic considerations, and any other factors that may properly be considered to have a bearing on the fairness and adequacy of the compensation plan. This Board shall, from time to time, make such recommendations for changes in the compensation plan, as changes in classes or in economic conditions, or in other factors, may require. Each classified employee shall be paid compensation in accordance with such compensation plan.

(d) The Personnel Board shall report

to the Legislature each year, before the Legislature convenes, the Uniform Classification and Wage Schedule for the employees under the classified services of the State of Oklahoma. The Personnel Board shall determine the amount of funds necessary for said departments to meet the Classified Wage Schedule, and shall report to the Legislature and the Governor, by September 1, each year, the amount of funds needed by all departments to meet the Classified Wage Schedule.

(e) The Wage Adjustment and Salary Board shall review the existing compensation and classified schedule and recommend any changes for the new plan to the Personnel Board for their approval and adoption by August 1, each year.

(f) No employee shall be paid by any department head under the classified services below the classified wage schedule. Effective July 1, 1970 the minimum salary for any permanent full-time employee of the State of Oklahoma, whether in the classified or unclassified service, which would not include part-time employees, shall be Three Hundred Ten Dollars (\$310.00) per month.

The provisions of this act shall not apply to the employees of the Oklahoma Industrial Development and Park Department who have been exempted from the provisions of the Merit System by Executive Order of the Governor.

(g) **[Effective January 1, 1971, the State Personnel Board shall establish eleven (11) steps within each grade of the present salary schedule.]** MERIT INCREASES FOR CLASSIFIED EMPLOYEES, BEYOND THE THIRD STEP OF ANY SALARY RANGE, SHALL NOT BE GIVEN IN INTERVALS OF LESS THAN ONE (1) YEAR.

(h) **[No member of the classified service shall be given merit increases totaling more than Six Hundred Dollars (\$600.00) in any twelve (12) months period.]** NO EMPLOYEE IN CLASSIFIED SERVICE SHALL BE GRANTED MORE THAN ONE MERIT INCREASE WITHIN ONE



TWELVE - MONTH PERIOD IF THE AMOUNT OF SUCH INCREASE IS FIFTY DOLLARS (\$50.00) OR MORE MONTHLY. THIS PROVISION SHALL INCLUDE BOTH REGULAR MERIT INCREASES AND INCREASES FOR EXCEPTIONAL-MERITORIOUS SERVICES.

(i) The Wage Adjustment and Salary Board and any agency shall assist the Personnel Director in tests applicable for the many positions under the classified services and any other functions necessary to carry out the personnel policies of the State of Oklahoma.

SECTION 2. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Baldwin, Boecher, Garrison, Grantham, Hamilton, Murphy, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Abbott, Allard, Cate, Connor, Greenhaw, Hesser, Odom (V.H.), Sanguin, Skeith, Sparkman, Townsend.

The following CCR on HB 1803 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1803, entitled:

An Act relating to the Legislative Council; making a reappropriation of certain funds thereto; stating purpose; providing lapse date; and declaring an emergency, together with Engrossed Senate Amend-

ments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendation: that the following Conference Committee Substitute be adopted:

CCS for HB 1803—By Derryberry—An Act relating to the Legislative Council; making a reappropriation of certain funds thereto; stating purpose; providing lapse date; amending 74 O.S. 1961, § 456, as last amended by Section 1, Chapter 280, O.S.L. 1969 (74 O.S. Supp, 1969, § 456); providing per diem in the amount of thirty-five dollars for meeting outside the State by members, officers and employees of the Legislature and the State Legislative Council; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. The amount of Twenty-five Thousand Dollars (\$25,000.00) originally appropriated to the Legislative Council by Section 1 of Chapter 317, O.S.L. 1969 from the General Revenue Fund for the fiscal year ending June 30, 1970, is hereby continued and reappropriated in the original amount as adjusted by transfer, less the amount that has been expended upon the date this act becomes effective.

SECTION 2. The amount herein reappropriated, or so much thereof as may be necessary, shall be used for the purpose of defraying the cost of conducting studies on revising the Constitution of the State of Oklahoma, which costs may include per diem and expenses of the members of the committee conducting said studies, employment of staff, and other necessary expenses incidental thereto.

SECTION 3. The appropriation made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 4. 74 O.S. 1961, § 456, as last amended by Section 1, Chapter 280, O.S.L.

1969 (74 O.S. Supp. 1969, § 456), is amended to read as follows:

§ 456. (a) An Executive Committee of the State Legislative Council is hereby created, to be composed of fifteen (15) Senators and fifteen (15) Representatives, to be appointed by the President Pro Tempore of the Senate and the Speaker of the House, respectively, prior to adjournment of each regular legislative session held in odd-numbered years. Appointments shall be made to said Executive Committee in such manner as to give each Congressional district representation therein, and shall be approved by a majority vote of the respective Houses. The Executive Committee shall meet as often as may be necessary to perform its duties; provided, the Committee shall meet in regular session as provided in the rules adopted by said Committee for governing the State Legislative Council. Special sessions of the Executive Committee may be held at such times and places as designated in a call by the Chairman or, in his absence from the state or due to disability, by the Vice-chairman. Twenty (20) members shall constitute a quorum, and a majority thereof shall have authority to act in any matter falling within the jurisdiction of said Executive Committee. Said Executive Committee shall, prior to adjournment of each regular session held in odd-numbered years, schedule the first meeting to adopt rules of procedure, to confirm appointments of the Chairman and Vice-chairman of standing committees, and to prepare the agenda for interim studies. The corresponding subject-matter standing committees of the Senate and of the House of Representatives appointed for the regular session shall constitute *ex officio* the joint interim standing committees of the State Legislative Council. In addition, a standing Legislative Council Committee on Legislative Procedures shall be appointed by the Chairman and Vice-chairman of the Council. As nearly as practicable, the number of standing committee chairmanships shall be equally divided between

membership of the Senate and the House of Representatives. The Executive Committee may, from time to time, create special committees as needs arise. The chairman and vice-chairman of each standing and special committee shall be appointed by the Chairman and Vice-chairman of the Council for their respective Houses, and said appointments shall be confirmed by the Executive Committee. The Executive Committee shall have authority to act for and on behalf of the Council with respect to all duties enjoined upon the Council by law.

(b) Members of the Legislative Council and the officers thereof shall be reimbursed their expenses in attending sessions of the State Legislative Council or committees of which they are members. A per diem in lieu of expenses in the amount of Twenty-five Dollars (\$25.00) is hereby authorized for not to exceed twenty (20) days during the interim; provided, however, a per diem in lieu of expenses in the amount of ~~Twenty-five Dollars~~ **THIRTY-FIVE DOLLARS (\$35.00)** is hereby authorized for meetings outside the state by members, officers and employees of the Legislature and the State Legislative Council. In addition thereto, for authorized travel, employees, members, and officers of the Legislature and the State Legislative Council shall be reimbursed for first class travel expenses.

(c) It shall be the duty of each member of the Legislative Council to maintain an office within a county wherein his district is located for the purpose of examining the effects of legislative and research on pending items of study before the Legislative Council and to travel throughout his legislative district and the State of Oklahoma to collect information and research items of study pending or to be submitted before the Legislative Council or the Legislature. The expense of maintaining an office and travel within his district or state, as provided in this section, shall be in the amount of Two Thousand Four Hundred Dollars (\$2,400.00), shall be

borne and paid by each member of the Legislature, and shall constitute a business deduction for income tax purposes, but amounts expended by such members within each such taxable year shall not be deductible for income tax purposes in excess of Two Thousand Four Hundred Dollars (\$2,400.00).

(d) The President Pro Tempore of the Senate and the Speaker of the House shall travel throughout the state for the purpose of examining the effects of legislation and research of pending items of study, and such expense shall be in the amount of Four Thousand Eight Hundred Dollars (\$4,800.00), shall be borne and paid by such officer, and shall constitute a business deduction for income tax purposes, but amounts expended by such member within each such taxable year shall not be deductible for income tax purposes in excess of Four Thousand Eight Hundred Dollars (\$4,800.00).

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Baldwin, Boecher, Garrison, Grantham, Hamilton, Murphy, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Abbott, Allard, Cate, Connor, Greenhaw, Hesser, Odom (V.H.), Sanguin, Skeith, Sparkman, Townsend.

#### MESSAGE FROM THE HOUSE

Returning following Bills together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed SBs 414, 419, 429, 446 and 565.

The above numbered Bills as amended in Conference were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 202—coauthored by Whorton and Stratton, as amended.

HA to SB 202 read as follows, and consideration deferred:

Amendment No. 1. Strike the Title, Enacting Clause and Entire Bill and substitute the following:

"An Act relating to the practice of veterinary medicine and the regulation thereof; defining terms; providing for a Board of Veterinary Medical Examiners; prescribing qualifications and compensation of members, and organization, duties and powers of board; defining powers and duties of the Board; providing for the licensing of Veterinarians; prescribing the Board's regulatory powers; providing suspension and revocation of licenses; providing violation of act shall constitute a misdemeanor and prescribing punishment for so doing; providing for license fees; prescribing procedures where animals are not reclaimed by owners; applying good samaritan law in certain situations to licensed veterinarians; making the provisions of this act severable, repealing 59 O.S. 1961, § § 676-697, inclusive, and all conflicting laws; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. This act may be cited as the "Oklahoma Veterinary Practice Act."

SECTION 2. When used in this act these words, phrases, or terms, unless the context otherwise indicates, shall have the following meanings:

(1) "Board" means the State Board of Veterinary Medical Examiners.

(2) "Animal" means any animal other than man and includes fowl, fish, birds and reptiles, wild or domestic, living or dead.

(3) "Veterinarian" means a person who has received a degree in veterinary medi-



cine or its equivalent from a school of veterinary medicine.

(4) "Licensed Veterinarian" means any veterinarian who is currently licensed to practice veterinary medicine in this state.

(5) "School of Veterinary Medicine" means any veterinary college or division of a university or college approved by the board that offers the degree of doctor of veterinary medicine or its equivalent.

SECTION 3. A State Board of Veterinary Medical Examiners is hereby created to consist of five (5) members, four of which are graduates of schools of veterinary medicine and, for the last three (3) years, active licensed veterinarians, and one shall be an active livestock producer. No more than one (1) member of said board shall be appointed for any one congressional district and at least three (3) shall be from the OSU School of Veterinary Medicine. No person may serve on the board who is or was during the two (2) years preceding his appointment a member of the faculty (excepting preceptors), trustees or advisory board of any school of veterinary medicine. Notwithstanding the provisions of this section, present members of the board may continue as members until the expiration of the term for which they were appointed.

SECTION 4. Members of the board shall be appointed by the Governor with the advice and consent of the Senate. Vacancies will be filled for the remainder of unexpired terms in the same manner appointments are made, and the Governor may remove any member for cause. From the two board memberships that expire in the same year, as provided in the statute which this act replaces, the board shall designate one which shall have a term of one (1) year at the next appointment and five-year terms thereafter, to the end that only one of the five board memberships shall expire in any one year.

SECTION 5. Each member of said

board shall take the constitutional oath of office and the board shall organize annually by electing from its number a president, vice-president and secretary-treasurer. Officers of the board shall serve for terms of one (1) year and until the successor is elected. The president shall serve as chairman of the board and perform such other duties as the board may prescribe by rule. The vice-president shall perform the duties of president during his absence or disability. The duties of the secretary-treasurer shall include the timely annual mailings of license renewal applications to all licensed veterinarians, the corresponding of the board, the keeping of accounts and records of receipts and disbursements by the board, the recording of board proceedings including the disposition of all applications for licenses and any additional duties which may be designated by the board. The secretary-treasurer shall keep a record of all licensed veterinarians showing their name, age, place and duration of residence, whether any license has been revoked or suspended by said board and such other information as the board may require. The secretary-treasurer shall give a surety bond to the board in the amount of One Thousand Dollars (\$1,000.00), the cost of said bond to be paid by the board. The board may employ an executive secretary who shall assist the secretary-treasurer in the performance of his duties. He shall be bonded and he shall not be a member of the board. At the end of each fiscal year the president and secretary-treasurer shall prepare and submit to the Governor a report on the transactions of the board.

SECTION 6. The board shall meet at least once each year at the time and place fixed by order of the board and at such other times as they may be called by the president, Ten (10) days' notice shall be caused to be sent by the president before each meeting and, except as otherwise provided, a majority of the

board constitutes a quorum. The board may reimburse from its fund each member of the board for travel at the rate normally allowed for state employees, and may allow per diem not exceeding Twenty-five Dollars (\$25.00) for all board meetings and other necessary meetings on board business authorized by the board; provided that, said reimbursement and allowance shall not be made for more than twelve (12) meetings annually.

SECTION 7. The board shall have the powers and it shall also be its duty:

(1) to regulate the practice of veterinary medicine;

(2) to set license and examination fees;

(3) to receive fees and deposit said fees with the State Treasurer in the Board of Veterinary Examiners' Fund; provided that, said fund shall not revert to the state's general fund;

(4) to disburse money for necessary supplies, equipment, and personnel consistent with this act from the Board of Veterinary Examiners' Fund for carrying out the provisions of this act;

(5) to examine and issue licenses to practice veterinary medicine to all applicants whom it shall deem qualified under the provisions of this act;

(6) to investigate complaints, hold hearings and subpoena witnesses. All proceedings of the board shall be governed by the Oklahoma Administrative Procedures Act;

(7) to initiate prosecution and injunctive proceedings;

(8) to renew, deny, suspend and revoke licenses;

(9) to adopt and establish rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the practice of veterinary medicine, and such rules shall be subject to amendment or repeal by the board as the need may arise. Every licensed veterinarian in this state

shall be governed and controlled by the rules of professional conduct adopted by the board, and the board shall cause these rules to be printed as part of the application blanks for licensing and renewal thereof, and each applicant shall subscribe thereto when making an application;

(10) to perform such other duties and exercise such other powers as the provisions and enforcement of this act may require;

(11) to make and publish uniform rules and regulations such as may be necessary for carrying out and enforcing the provisions of this act and such as in its discretion may be necessary to protect the health, safety and welfare of the public; and

(12) to prescribe the methods which a licensed veterinarian employed by or advising a humane society shall be required to use in the humane disposal of an animal; the minimum conditions under which an animal shall be kept pending such disposal or sale, and the minimum records information that shall be required to be kept concerning such animals.

SECTION 8. It shall be unlawful to practice veterinary medicine in this state without a license issued by the Board of Veterinary Medical Examiners. Every licensed veterinarian who desires to continue in the practice of veterinary medicine in this state shall annually, after the expiration of the first year of licensing and on or before the 2nd day of July of each year, pay to the board a renewal fee which shall not exceed Twenty Dollars (\$20.00) in return for which a renewal license shall be issued; provided that, the annual renewal fee for a license for a year during which the license is, in the judgment of said board, not actively engaged in practicing veterinary medicine shall be only Ten Dollars (\$10.00); provided further, that a licensee's license shall remain effective and he shall not be required to pay any renewal fee for any

year during which he is in the military service of the United States. If any person shall fail or neglect to procure his annual license as herein specified, notice of such failure having been mailed to his post office address, the board may, after the expiration of thirty (30) days following the issue of said notice, deprive him of his license. In order to regain a license, it shall be necessary for such person to make application in writing to the board requesting the reinstatement in a manner prescribed by the board for which a fee, not in excess of Twenty-five Dollars (25.00) shall be charged; provided that, after two (2) years have elapsed since the date of expiration, a license may not be renewed, except upon making of application therefor and taking and passing the regular license examination. This provision shall not apply to the situation of a licensed veterinarian who returns from a period of no longer than three (3) years' military service with any branch of the armed services of the United States.

SECTION 9. Licensed veterinarians shall be persons regularly licensed as such in the State of Oklahoma on or before the effective date of this act. All other qualified persons may become licensed upon passing a satisfactory examination before the board. Before any applicant is allowed to sit for such examination, he shall submit to the board sufficient proof that he is of good moral character, a graduate of a school of veterinary medicine, twenty-one (21) years of age and such other proof as the board may require.

All applicants shall make application in the form and manner prescribed by the board. The application shall be accompanied by a fee not in excess of Seventy Dollars (\$70.00), or more than Fifty Dollars (\$50.00) of which shall apply toward the examination fee, which shall be forfeited if, after notice of the board to the applicant that he has been accepted for examination, the applicant fails to pre-

sent himself for said examination. No more than Twenty Dollars \$(20.00) of said application fee shall be applied toward the first annual license fee. On presenting himself at the time and place directed by the board and passing a satisfactory examination, he shall be granted an appropriate license.

SECTION 10. The board may issue without examination a temporary license to practice veterinary medicine in this state to a qualified applicant for license pending examination, provided that such temporary license shall expire the day after the notice of results of the first examination given and after the license is issued. No temporary license may be issued to any applicant who has previously failed the examination in this state or in any other state, territory or district of the United States, or a foreign country. A temporary license may be summarily revoked by majority vote of the board without a hearing.

SECTION 11. The practice of veterinary medicine shall mean:

(1) to diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic or other therapeutic diagnostic substance or technique; to test for pregnancy or correct sterility or infertility; or to render advice or recommendation with regard to any of the above;

(2) to represent, directly or indirectly, publicly or privately, an ability and willingness to do any act prescribed in subsection (1); or

(3) to use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in subsection (1), except where such person is a veterinarian.

SECTION 12. This act shall not be construed to prohibit:



(1) Acts of any employee of the federal, state, or local government necessarily performed in the carrying out of his official duties; provided, however, this exception shall not apply to such person when he is not engaged in the carrying out of his official duties.

(2) Acts of a person who is a student in good standing in a veterinary school, in performing duties or functions assigned by his instructors, or working under the direct supervision of a licensed veterinarian for each individual case.

(3) Acts or conduct of a person advising with respect to nutrition, feeds or feeding or the acts of dehorning, branding, tagging or notching ears, pregnancy checking, collecting, preparing and freezing semen, castrating, worming, injecting or artificial insemination of farm animals; provided that, these acts, for the purposes of this subsection, shall not include the act of recommending drugs or medicine.

(4) A veterinarian regularly licensed in another state from consulting with a licensed veterinarian of this state.

(5) The owner of an animal or the owners' employees or helpers from caring for or treating animals belonging to said owner; provided that, the acts of the employees otherwise prohibited by this act are only an incidental part of the employment duties and for which no special compensation is made.

(6) Acts of a person in lawful possession of an animal for some other purpose than practicing veterinary medicine; provided that, no charge may be made or included in any other charge or fee or adjustment otherwise made of any charge or fee for acts performed under this subsection unless the acts are performed by a licensed veterinarian as provided by this act.

(7) Any veterinary animal aide, nurse, laboratory technician, intern or other employee of a licensed veterinarian from administering medication or rendering auxiliary or supporting assistance under

the direct supervision of such licensed veterinarian.

SECTION 13. The board shall have the power to issue reciprocal licenses to applicants licensed in other states, which they deem have like requirements, and for which they shall charge an initial fee of Fifty Dollars (\$50.00).

SECTION 14. The board is specifically granted the power to revoke or suspend any license issued pursuant to this act to any holder of such license who:

(1) Violates any provisions of this act;

(2) Has been convicted of a violation of a federal or state law regarding narcotic drugs, barbiturates or stimulants;

(3) Has been convicted of a felony;

(4) Now habitually uses intoxicating liquors or habit-forming drugs;

(5) Has been legally adjudged to be not mentally competent; or

(6) Exercises conduct and habits inconsistent with the rules established by the board.

Said board, on a sworn complaint filed with it, and after giving at least ten (10) days written notice by registered mail of the filing of said complaint to the person accused therein of the date and place of a hearing thereon, to which notice shall be attached a statement of the charges contained in the complaint, is hereby authorized and empowered, if it finds that the allegations of the complaint are supported by the evidence rendered at the hearings, to, by written order, revoke permanently or suspend for a designated period the license of the person charged in the complaint. The board may, upon written application therefor and in the exercise of its official discretion, cancel said order. A person whose license has been revoked or suspended may appeal to the district court of the county of the residence of said person at any time within thirty (30) days from the date of the board's order of revocation or suspension, said appeal to be heard by the court. The

decision of said court shall be final, subject to review; provided, the order of revocation or suspension shall not be stayed during the appeal to any court.

SECTION 15. It is hereby made the duty of every person engaged in the practice of veterinary medicine to report to the State Veterinarian of the State of Oklahoma the names of the owner or person in possession of all domestic animals afflicted with any contagious or infectious disease required to be reported by the State Board of Agriculture together with the location of said animal or animals and the disease with which said animal is afflicted immediately upon such knowledge or information coming to such practitioners.

SECTION 16. Any animal placed in the custody of a licensed veterinarian for treatment or other care which shall be abandoned by its owner for a period of more than twenty-one (21) days after written notice by certified mail is given to the owner at his last-known address, may be sold or turned over to the custody of the nearest humane society or dog pound in the area for disposal as such custodian may deem proper. If no such custodial institution is available in the county, the animal may be disposed of in a humane manner or sold. Abandonment shall mean to forsake entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner. Compliance with this section shall relieve the veterinarian from liability for such disposal or sale.

SECTION 17. No person who is a licensed veterinarian in the State of Oklahoma, who in good faith renders emergency care or treatment at the scene of an emergency, human or animal, shall be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care or treatment, and no person who is a licensed veterinarian in the State of Okla-

homa shall be prosecuted under the criminal statutes of this state for treatment of a minor without the consent of a minor's parent or guardian when such treatment was performed under emergency conditions and in good faith.

SECTION 18. Any person who shall violate, aid or abet in violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Fifty Dollars (\$50.00) or not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not less than thirty (30) days, nor more than six (6) months, or by both such fine and imprisonment.

SECTION 19. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 20. Sections 676 through 679, inclusive, of Title 59 of the Oklahoma Statutes and all other laws or parts of laws in conflict herewith are hereby repealed.

SECTION 21. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 590**, and naming House Conferees as follows: McCune, Payne and Nance.

#### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **SBs 311, 393 and 544**.

The above numbered Bills as amended in Conference were referred for enrollment.

Senator Terrill moved that the Senate stand recessed until 2:30 p.m., which motion was declared adopted.

The Senate reassembled in its Chambers at 2:30 p.m., with Senator Massey presiding.

### MESSAGE FROM HOUSE

Transmitting following Bill and/or Resolution, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1726**.

### CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1726** was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1726, and Engrossed Senate Amendments thereto, by York, et al, entitled:

An Act relating to crimes and punishments; making it a misdemeanor to show at an outdoor theater certain motion pictures under certain circumstances; providing for punishment for violation thereof; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted.

**CCS** for **HB 1726**—By York, et al.

An Act relating to crimes and punishments; making it a misdemeanor to show at an outdoor theater certain motion pictures depicting any person, whether nude or clad, in an act of sexual intercourse or unnatural copulation, under certain circumstances; providing for punishment for violation thereof; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Every owner or operator of an outdoor theater in this state who shows or causes to be shown a motion picture rated "X" by the Motion Picture Association of America, Inc., or which depicts any person, whether nude or clad, in an act of sexual intercourse or unnatural copulation where the viewing portion of the screen of such theater is situated within the view of any residence or public street or highway where children under eighteen (18) years of age have an understanding view of the picture is guilty of a misdemeanor and upon conviction thereof shall be imprisoned in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or be both so imprisoned and fined.

**SECTION 2.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

**FOR THE SENATE:** Keels, Romang, Lane.

**FOR THE HOUSE:** York, Hutchens, Sandlin.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 232, 595, 627** and **635**.

The above numbered Enrolled Bills were referred to the Governor.

### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **SB 211** was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 211**, entitled:

An Act relating to the J. M. Davis Memorial Commission; and declaring an emergency,



together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Conference Committee recommends that the House recede from its Amendment No. 1.

2. That the Conference Committee recommends the adoption of the following Conference Committee Substitute:

**CCS for SB 211**—By Ferrell and McSpadden of the Senate.

An Act relating to the J. M. Davis Memorial Commission; making a reappropriation of certain funds thereto; stating the purpose; providing lapse date; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** The amount of One Hundred Thousand Dollars (\$100,000.00) originally appropriated to the J. M. Davis Memorial Commission by Section 1, Chapter 335, Oklahoma Session Laws 1968, from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1969, for Capital Improvements, is hereby continued and reappropriated in the original amount as adjusted by transfer, less the amount that has been expended upon the date this Act becomes effective.

**SECTION 2.** The funds reappropriated in Section 1 of this Act shall be available for Capital Improvements to provide suitable quarters to house, display and preserve the J. M. Davis Gun Collection and other historical artifacts.

**SECTION 3.** The appropriation made by this Act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this Act is approved.

**SECTION 4.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full

force from and after its passage and approval.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

The following 2nd CCR on **SB 413** was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 413**, entitled:

An Act relating to the office of the State Auditor and making appropriations thereto; \*\*\* and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. Conference Committee recommends that the House recede from Amendment Nos. 1, 2, 3, 4, 5 and 6.

2. Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 22, delete the figure "\$40,132.00" and insert in lieu thereof the figure "\$45,039.00".

2. Page 1, Line 24, delete the figure "\$53,577.00" and insert in lieu thereof the figure "\$58,484.00".

3. Page 1, Line 31½, insert the words "Effective 1-11-71 15,000.00 15,000.00".

4. Page 1, Line 32, under the heading **MAXIMUM** strike the figure "\$9,000.00" and insert in lieu thereof the figure "\$10,000.00".

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Martin, Murphy, Nichols, Young.

**HOUSE CONFEREES:** Willis, Chairman,

Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

The following 2nd CCR on SB 415 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 415, entitled:

State Board of Public Affairs an emergency,  
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendments 1 and 2.

2. Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 23, strike the figure "69,765.00" and insert the figure "66,750.00".

Page 1, Line 24, strike the figure "46,563.00" and insert the figure "60,794.00".

Page 1, Line 25, strike the figure "30,393.00" and insert the figure "29,452.00".

Page 1, Line 26, strike the figure "639,288.00" and insert the figure "641,081.00".

Page 1, Line 29, strike the figure "358,141.00" and insert the figure "354,408.00".

Page 1, Line 31, strike the figure "85,292.00" and insert the figure "\$86,486.00".

Page 1, Line 32, strike the figure "2,500.00" and insert the figure "5,000.00".

Page 1, Line 34, strike the figure "1,291,942.00" and insert the figure "1,303,971.00".

2. Page 2, Line 5, strike Section 3 and insert a new Section 3 to read as follows:

"SECTION 3. There is hereby appropriated to the State Board of Public Affairs from any monies in the Public Building Fund for the fiscal year ending June 30, 1971, not otherwise appropriated, the fol-

lowing amounts or so much thereof as may be necessary for the purposes specified:

For renovation and repair of State Capitol Building and equipment, landscape planning and other capital outlay pertaining to the State Capitol buildings and grounds \$110,000.00

For renovation, carpeting and other capital improvements of the Court of Criminal Appeals Chambers and Courtroom, and to provide additional office space for Court Referee 4,000.00

For renovation and air-conditioning the Chief Mine Inspector's office area 12,500.00

For renovation of the Human Rights Commission office area 5,000.00

For renovation of the Board of Equalization Office area 5,000.00

For renovation and air-conditioning the office area of the Legislative Council 36,879.00

Total \$173,379.00"

3. Page 2, Line 12, by inserting a new Section to be numbered 4 to read as follows:

"SECTION 4. There is hereby appropriated to the State Board of Public Affairs from any monies in the Income Tax Adjustment Fund, not otherwise appropriated, the sum of One Hundred Thousand Dollars (\$100,000.00) for the repair of the glass art work, and for painting the ceiling in the Dome area of the State Capitol."

4. Page 2, Line 15, by inserting a new Section to be numbered Section 5 to read as follows:

"SECTION 5. There is hereby appropriated to the State Board of Public Affairs from any monies in the Income Tax Adjustment Fund the sum of Twenty Thousand Dollars (\$20,000.00) for mural work on the Four Panels on the fourth floor rotunda of the State Capitol Building, such mural work to be negotiated for and to be done by an Oklahoma resident who is a qualified and recognized mural painter. It is the intention of the Legislature that such mural paintings shall depict the history of the State of Oklahoma, and the

total sum to be paid for such mural paintings shall not exceed Sixty-Five Thousand Dollars (\$65,000.00). It is the further intention of the Legislature that such mural paintings shall be completed before the fiscal year ending June 30, 1973." Renumber succeeding sections accordingly.

5. Page 2, Line 22, by inserting a comma (,) after the number "3" and the words and figures "4 and 5".

6. Amend Page 2, Line 18, by inserting a new "Section 6" and renumbering the succeeding Sections.

"SECTION 6. There is hereby appropriated to the State Board of Public Affairs, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, the sum of Six Thousand Dollars (\$6,000.00) for the purpose of Phase II of the planning, study, and determination of feasibility of construction and/or location of state-owned building or buildings in Tulsa County."

7. Restore the Title to read as follows:

An Act relating to State Board of Public Affairs and making appropriations thereto; stating the purposes; providing for the appointment and compensation of employees; making an appropriation for renovation and repair of State Capitol buildings and grounds and for renovation of specified offices in the capitol building; making an appropriation for repair of the capitol building dome; making an appropriation for mural panels of the fourth floor rotunda of the capitol; providing for salary of State Purchasing Director; setting the salary of the Chairman of the State Board of Public Affairs; making an appropriation for the purpose of planning, studying and determination of feasibility of construction and/or location of a state owned building or buildings; providing for lapse date; making provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

The following 2nd CCR on SB 416 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 416, entitled:

An Act relating to the office of the State Treasurer and making appropriations thereto; \*\*\* and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. That the Senate concur in House Amendments 2, 3 and 4.

3. The Conference Committee recommends the adoption of the following amendments:

1. Page 1, Line 35½, insert the words "Effective 1-11-71 18,000.00 18,000.00".

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Martin, Murphy, Nichols, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Cate, Fine, Sanguin, Sparkman.

The following CCR on SB 421 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 421, entitled:

An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; \*\*\* and declaring an emergency,



together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from House Amendment No. 1.

2. The Conference Committee recommends that the following Conference Committee Substitute be approved:

CCS for SB 421 — By McSpadden, Massey, Smalley, Miller, Murphy, Berrong and Field of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; stating the purpose; providing Legislative intent with respect to allocation of funds to various institutions; providing Legislative intent with respect to special allocations; providing for studies to supply information for use by the legislature and other higher education policy-making bodies; providing Legislative intent with respect to utilization of federal and private funds; appropriating certain accrued interest income from invested bond funds and stating the purpose; providing lapse date; making provisions of this Act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. There is hereby appropriated to the Oklahoma State Regents for Higher Education, from any monies in the General Revenue Fund of the State Treasury, not otherwise appropriated, the sum of Sixty-nine Million Four Hundred Sixty-seven Thousand One Hundred Thirty-three Dollars (\$69,467,133.00) for the fiscal year ending June 30, 1971. The amount herein appropriated is to be used for allocation pursuant to Article XIII-A of the Oklahoma Constitution to and among the institutions of higher learning, comprising the Oklahoma State System for Higher Education, for education and general operating budgets of constituent institutions, according to the needs and functions of each of said institutions.

SECTION 2. It is the intent of the Legislature that, as funds appropriated in Section 1 of this Act are allocated to the various institutions of the State System, the State Regents give first priority to meeting the needs of faculty salaries and employment of additional faculty members to relieve overcrowded conditions at institutions where they exist.

SECTION 3. It is the intent of the Legislature that in allocating funds appropriated in Section 1 of this Act the State Regents take into consideration all revenues collected by institutions from student fees, sales and services of educational departments, federal funds and all other income of an educational and general budget nature, as provided in the state budget law; and that all such revenues be deposited in the State Treasury and be made a part of the educational and general budget of institutions as provided by law. It is further the intent of the Legislature that the State Regents develop appropriate rules and regulations for accomplishing this and that it be done before any consideration is given to increasing resident student fees at any institutions in the Oklahoma State System of Higher Education.

SECTION 4. It is the intent of the Legislature that the State Regents give particular attention to the needs of existing community junior colleges, when allocating funds appropriated in Section 1 of this Act, in order to carry out the spirit of Sections 1402 and 1408, Chapter 100, O. S. L. 1967 (70 O. S. Supp. 1969, § § 4402 and 4408), as amended to the maximum extent allowed by law. In the event that Altus Junior College becomes a part of the State System of Higher Education prior to the termination of this fiscal year, it is the further intent of the Legislature that the State Regents consider such fact in the allocation of funds, and provide such funds to continue the program of Higher Education at such institution in accordance with the established needs thereof.

SECTION 5. It is the intent of the Legislature that the State Regents may ex-

pend Ten Thousand Dollars (\$10,000.00) of the fund appropriated in Section 1 of this Act to study the feasibility of establishing a Community Junior College in Henryetta, Woodward and Ardmore.

SECTION 6. It is the intent of the Legislature that the State Regents allocate from funds appropriated in Section 1 of this Act Twenty-five Thousand Dollars (\$25,000.00) for planning for the establishment of the South Oklahoma City Junior College and any other new junior colleges established pursuant to Senate Bill No. 2 of the 1967 Oklahoma Legislature.

SECTION 7. It is the intent of the Legislature that the Board of Regents allocate Forty Thousand Dollars (\$40,000.00) of the fund appropriated in Section 1 of this Act to the Southwest Center for Safety Education and Research at Oklahoma State University.

SECTION 8. It is the intent of the Legislature that the State Regents shall allocate from the funds appropriated in Section 1 of this Act, the sum of Sixty Thousand Dollars (\$60,000.00) to Southeastern State College to promote and expand the conservation and aviation programs at the college.

SECTION 9. It is the intent of the Legislature that of the funds appropriated in Section 1 of this Act that Five Hundred Thousand Dollars (\$500,000.00) be allocated to the University of Oklahoma Medical Center prior to the normal allocation to the various institutions of the State System.

SECTION 10. It is the intent of the Legislature that the State Regents allocate to the Oklahoma State University Department of Entomology, from funds appropriated in Section 1 of this Act, the sum of Forty Thousand Dollars (\$40,000.00) for the purpose of tick research.

SECTION 11. It is the intent of the Legislature that the State Regents allocate from funds appropriated in Section 1 of this Act the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the new

Tulsa Junior College for the purpose of supporting its educational and general operating budget in the fiscal year 1970-71, the initial year of operation of this new junior college, and a further sum of Two Hundred Thirty Thousand Dollars (\$230,000.00) for the purchase of necessary equipment from its general operating budget in the fiscal year 1970-71.

SECTION 12. It is the intent of the Legislature that the State Regents allocate to the University of Oklahoma Medical Center, from funds appropriated in Section 1 of this Act, the sum of Twenty-five Thousand Dollars (\$25,000.00) as special support, in lieu of tuition for the School for the Deaf operated as a laboratory for the Speech and Hearing Clinic of the Medical Center; providing that no tuition shall be charged.

SECTION 13. It is the intent of the Legislature that the State Regents for Higher Education allocate from funds appropriated in Section 1 of this Act a sufficient amount of funds to the Oklahoma College of Liberal Arts for the purpose of adequately funding the cost of the new trimester program in the fiscal year 1970-71. The Legislature commends the State Regents, the College Regents, the administration, faculty and student body of this institution for their efforts being made in this experimental program, the results of which may have a state-wide effect in improving the efficiency of operation of Oklahoma colleges and universities. It is the feeling of the Legislature that the State Regents should, when allocating budgetary funds, make provision for special and adequate budgetary support of this experimental trimester program.

SECTION 14. It is the intent of the Legislature that a plan of assisting citizens of Oklahoma studying dentistry outside the State be and is hereby authorized for administration by the Oklahoma State Regents for Higher Education. The State Regents are authorized to provide direct assistance to bona fide citizens of Oklahoma pursuing the study of dentistry at

accredited dental schools, and making satisfactory progress in their study, in an amount not to exceed the equivalent of the nonresident tuition charged at State-supported schools of dentistry, to be administered under rules and regulations formulated by the State Regents for this purpose. Provided, further, that the State Regents may operate an assistance program for citizens of the state studying optometry similar to that operated for dental students. It is the intent of the Legislature that the State Regents allocate from funds appropriated in Section 1 of this Act the sum of Eighty-five Thousand Dollars (\$85,000.00) for this purpose.

SECTION 15. It is the intent of the Legislature that the State Regents shall allocate to the Oklahoma College of Liberal Arts, from funds appropriated in Section 1 of this Act, the sum of Twenty-five Thousand Dollars (\$25,000.00) to be used for reimbursements in connection with operation of the Jane Brooks School for the Deaf as a laboratory for the training of special education teachers at this institution.

SECTION 16. It is the intent of the Legislature that Fifty Thousand Dollars (\$50,000.00) of the appropriation made in Section 1 of this Act shall be allocated to the Student Educational Assistance Fund provided for in Sections 1 and 2, Chapter 432, O. S. L. 1965 as amended by Section 1, Chapter 3, O. S. L. 1967 (70 O. S. Supp. 1969, § § 622-623), and be utilized in carrying out the provisions of this Act as amended. It is the further intent of the Legislature that the State Regents allocate, hold, maintain and administer funds appropriated herein under the same regulations and procedures as are followed in administering the federally-guaranteed Student Loan Program.

SECTION 17. The State Regents shall continue to make studies and maintain current information for use by the Legislature and other higher education policy-making bodies regarding student enrollments, finances, faculties, programs and other types of information essential for

policy making and planning in Oklahoma Higher Education. The cost of carrying out the provisions of this section shall be paid from assessments made pro rata against the institutions and agencies comprising the Oklahoma State System of Higher Education. The amounts so assessed shall be paid from any funds available and said funds shall be deposited in the Oklahoma State Regents for Higher Education Revolving Fund of the State Treasury and be disbursed by state warrants.

SECTION 18. It is further the intent of the Legislature that the State Regents in allocating funds appropriated in this Act encourage institutions to take advantage of federal, private and other donated funds that might be available to supplement and enrich the libraries and instructional programs of institutions.

SECTION 19. There is hereby appropriated to the Oklahoma State Regents for Higher Education One Hundred Sixty Thousand Dollars (\$160,000.00) from any funds, not otherwise appropriated, in the interest account of investments by the State Treasurer of the proceeds of building bonds as provided by Senate Bill No. 349 and Senate Bill No. 350 of the First Session of the Thirty-second Oklahoma Legislature or similar funds hereafter provided in legislation vitalizing Section 38, Article X, Oklahoma Constitution. It is the intent of the Legislature that the funds appropriated herein shall be allocated as follows: Sixty Thousand Dollars (\$60,000.00) to Southeastern State College for the installation of a new boiler and related facilities for a central heating system, and One Hundred Thousand Dollars (\$100,000.00) to Langston University for completion of a project to provide a water system for the institution.

SECTION 20. The appropriation made by this Act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit



of the proper fund for the then current fiscal year.

SECTION 21. The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

SECTION 22. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Martin, Murphy, Nichols, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Cate, Fine, Sanguin, Sparkman.

The following CCR on SB 427 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 427, entitled:

Oklahoma Teachers' Retirement System and emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Conference Committee recommends restoration of the Title to read as follows:

"An Act relating to the Oklahoma Teachers' Retirement System; making an appropriation thereto; stating the purpose; providing for allocation and transfer of

funds; making provisions of this act severable; and declaring an emergency."

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Cate, Fine, Sanguin, Sparkman.

The following 2nd CCR on SB 432 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 432, entitled:

(Oklahoma Department of Veterans Affairs an emergency)

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment Nos. 1 and No. 3.

2. That the House recede from its Amendment No. 2.

3. Conference Committee recommends the adoption of the following amendment:

1. Page 2, Line 11, strike the figure "\$586,446.00" and following the word "operation" insert the following: "including \$25,000.00 for the expense of construction of a sewer line through Platt National Park \$653,571.00"

2. Page 3, Line 18, insert a new Section 6 to read as follows:

"SECTION 6. Enrolled House Bill 1389 enacted by the 2nd Session of the 32nd Legislature, signed by the Governor of the State of Oklahoma and filed with the Secretary of State on the 30th day of March, 1970, is hereby repealed." and renumber the succeeding sections accordingly.

4. Restore the Title to read as follows:

An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma

Veterans Center, Sulphur, Oklahoma, the Oklahoma Veterans Center, Ardmore, Oklahoma, and the Oklahoma War Veterans Commission and making appropriations thereto; stating the purpose; providing for transfer of funds; making an appropriation from the W.V.C. Revolving Fund and stating the purpose; providing for administration of affairs of the Department of Veterans Affairs, and each of the institutions listed in this Act; providing for appointment and compensation of personnel; providing for authority to enter into agreements with the Vocational Rehabilitation Division of the Oklahoma Public Welfare Department, for rehabilitation of disabled veterans; providing for method of making purchases; appropriating funds for contracting with the Department of Mental Health for services rendered veterans; prescribing method of aiding destitute minor dependents; repealing Enrolled House Bill 1389 enacted by the 2nd Session of the 32nd Oklahoma Legislature; providing for lapse date; making provisions of this Act severable; and declaring an emergency.

(Add co-authors as follows: Bernard, Bickford and Bradley of the House.)

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

The following 2nd **CCR** on **SB 442** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 442**, entitled:

(An Act relating to the Office of the Department of Labor and making appropriations thereto; \*\*\* and declaring an emergency.)

together with Engrossed House Amendments thereto, beg leave to report that we

have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate concur in House Amendment No. 1.

2. That the Senate concur in House Amendment No. 2.

3. That the Senate concur in House Amendment No. 3.

4. That the Senate concur in House Amendment No. 4.

5. That the Senate concur in House Amendment No. 5.

6. That the Senate concur in House Amendment No. 6.

7. That the Conference Committee recommends the adoption of the following amendment:

1. Page 1, Line 35, under the headings **MINIMUM** and **MAXIMUM** strike the figures 12,000 and insert in lieu thereof the figures "15,000".

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Hamilton, Martin, Murphy, Nichols, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

The following **CCR** on **SB 504** was read and consideration deferred:

Mr. President

and

Mr. Speaker

The Conference Committee, to which was referred **SB 504**—By Murphy, Smalley, Terrill, et al, entitled:

An Act relating to bonds or other obligations; \*\*\* and declaring an emergency,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, that the following Conference Committee Substitute be adopted:

**CCS for SB 504**—By Murphy, Smalley, Terrill, Smith, Ham, McGraw, Graves, Bradley Breckinridge and Nichols of the Senate, and Spearman of the House—An Act relating to bonds or other obligations; allowing bonds or other obligations issued by counties, municipalities, school districts, public housing authorities, or port authorities created pursuant to Title 82, Section 1102 of the Oklahoma Statutes to bear interest at a rate deemed advisable by the governing bodies thereof; providing a rate of interest not exceeding seven and one-half percent per annum; repealing conflicting laws or parts of laws; providing for severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Bonds or other obligations of any type or character authorized and issued by counties, municipalities, school districts, Public Housing Authorities created pursuant to the Oklahoma Housing Authorities Act, as amended, or Port Authorities created pursuant to Title 82, Section 1102, Oklahoma Statutes, may bear interest at a rate not to exceed seven and one-half percent (7½%) per annum, payable not more often than semi-annually, without regard to the limitations in any other law, general or special, except the Constitution of Oklahoma.

**SECTION 2.** Nothing contained herein shall affect or apply to any bond or other obligation having a higher interest rate limitation than seven and one-half (7½%) percent per annum or no interest rate limitation.

**SECTION 3.** All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

**SECTION 4.** The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**SECTION 5.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Murphy, Luton, Smalley.

FOR THE HOUSE: Spearman, Harrison.

The following CCR on **SB 509** was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 509**, entitled:

An Act relating to the Oklahoma State Board of Public Affairs and making an appropriation thereto; \*\*\* and declaring an emergency

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. Recommend that the House recede from its Amendment No. 1.

2. That the Conference Committee recommends the adoption of the following Conference Committee Substitute:

**CCS for SB 509**—By McSpadden, Massey and Inhofe of the Senate and Willis and Miskelly of the House.

An Act relating to the Oklahoma State Board of Public Affairs and making an appropriation thereto; providing the purpose of the appropriations; and expenditure of funds; authorizing the Department of Public Safety to make certain expenditures; providing lapse date; making provisions of this Act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** There is hereby appropriat-



ed to the State Board of Public Affairs, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Forty Thousand Dollars (\$40,000.00) or so much thereof as may be necessary for the Board of Affairs to carry out a study of Central Data Processing Systems.

**SECTION 2.** The Department of Public Safety is hereby authorized to expend up to Seventy Thousand Dollars (\$70,000.00) of its fiscal year 1971 appropriation for the purpose of updating the law enforcement communication system and providing message switching capabilities, whereby law enforcement teletype terminals will be capable of rapid communication from point to point, statewide, nationwide and with the N.C.I.C. Network.

**SECTION 3.** The appropriation made in this act shall be available for encumbrance purposes through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

**SECTION 4.** The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**SECTION 5.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

**SENATE CONFEREES:** McSpadden, Chairman, Massey, Vice-chairman, Lane, Boecher, Garrison, Grantham, Martin, Murphy, Nichols, Young.

**HOUSE CONFEREES:** Willis, Chairman, Miskelly, Vice-Chairman, Abbott, Allard, Bradley, Cate, Fine, Sanguin, Sparkman.

## MESSAGE FROM THE HOUSE

Withdrawing Payne and Nance as Conferees on Engrossed SB 590 and substituting Sandlin and Jones.

## RESOLUTIONS

By unanimous consent, **SCR 88** by Stipe and Baggett was introduced and read as follows:

A Concurrent Resolution relating to an interim study by the State Legislative Council to make comprehensive study of the eight-hour day, forty-hour week as to employment.

**SCR 88** was read at length, adopted upon motion of Senator Stipe, and ordered referred for engrossment.

Senator Ham presiding.

By unanimous consent, **SCR 89** by Boecher, Horn, Payne, Field, Williams and Hamilton of the Senate and Fine, et al, of the House was introduced and read as follows:

A Concurrent Resolution relating to the Oklahoma Wildlife Conservation commission and its purported imposition of taxes and fees upon the people of this state; calling attention to the basic constitutional provision that the matter of state taxation is vested exclusively within the discretion and power of the legislature; reminding said commission that it acts ultra vires when it purports to levy fees for permits and licenses, unless authorized by the legislature, and that any such action is null and void; serving notice that the legislature will exercise close and continuing surveillance over such illegal actions and will vigorously oppose any such action by any agency, commission or other entity of state government; prohibiting certain fee raising actions by said commission; and directing that duly authenticated copies of this resolution be transmitted by certified mail, with return receipt requested, to each member of the Oklahoma Wildlife Conservation Commis-

sion and to the director of the Department of Wildlife Conservation of The State of Oklahoma.

**SCR 89** was read at length, adopted upon motion of Senator Boecher, and ordered referred for engrossment.

By unanimous consent, upon request of Senator Breckinridge, **SR 71** was introduced, read at length as follows, adopted upon his motion and ordered referred for enrollment:

**SR 71**—By Breckinridge—A Resolution requesting the Executive Committee of the State Legislative Council to refer to the appropriate standing committee an interim study and analysis of presently constituted professional and occupational regulatory boards, their functions and licensures, to determine if need exists for legislation relative thereto; and requiring a report to the Executive Committee of the State Legislative Council.

WHEREAS, the Oklahoma Legislature is dedicated to protecting the health, safety and welfare of the public; and

WHEREAS, an increasingly large number of professions and occupations require licensure by the State of Oklahoma as a prerequisite for doing business within the state; and

WHEREAS, licensure restricts the freedom of an individual to enter the occupation or profession of his choice and restricts the manner in which he conducts himself when so occupied in order to protect the public welfare; and

WHEREAS, the Oklahoma Legislature recognizes the need for a continuing reevaluation of the functions and operations of presently constituted regulatory boards and the necessity of evaluating the need for regulation and licensure of professions and occupations not presently subject to regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

**SECTION 1.** The Executive Committee of the State Legislative Council is hereby requested to refer to an appropriate standing committee the assignment of conducting a detailed study, analysis and evaluation of (a) the operations and functions of presently constituted regulatory boards which grant professional or occupational licenses; (b) the need for legislation to provide for licensure for those professions and occupations not presently subject to licensure; and (c) the feasibility of establishing a Professional and Occupational Regulation Commission to provide a continuing review and reevaluation of the operations, functions and regulations providing for state licensure of professions and occupations.

**SECTION 2.** The committee to which this subject is assigned is hereby requested to consult with any public or private organizations, agencies and groups having specialized knowledge of a type conducive to the accomplishment of its objectives and all such agencies are requested to extend maximum cooperation to such committee in the furtherance of the objective stated herein.

**SECTION 3.** Upon completion of its study the committee of reference is requested to submit a final report of findings and recommendations to the Executive Committee of the State Legislative Council.

By unanimous consent, upon request of Senator Stipe, **SR 72** was introduced, read at length, adopted upon his motion and ordered referred for enrollment:

**SR 72**—By Stipe—A Resolution creating a special committee to make a study as to limitation of opportunity of State businesses, professions and industries by reason of over regulation by State Government; providing for membership of such committee; and providing for a report.

WHEREAS, the increasing regulation of businesses, professions and industries in this state has engendered many problems for the citizens of this state; and

WHEREAS, there is a feeling among the citizens of this state that there exists over regulation of businesses, professions and industries; and

WHEREAS, it appears that this over regulation has accelerated and aggravated the problems of business to the point that the disadvantages far outweigh the advantages; and

WHEREAS, there is a vital need for a study of the regulation of businesses, professions and industries of this state to determine if business is being unduly hampered and opportunity unduly limited by reason of such state regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That a special committee, composed of five members of the Senate of the Second Session of the Thirty-second Oklahoma Legislature, be created to make a study of the problems and limitations of opportunity, if any, created by reason of state government regulation of state businesses, professions and industries.

SECTION 2. That such committee make a report to the President Pro Tempore of the Senate of the First Session of the Thirty-third Oklahoma Legislature.

#### PENDING SENATE ACTION

SR 65 by Breckinridge was called up for consideration, read at length as follows, adopted upon his motion and ordered referred for enrollment:

SR 65—By Breckinridge—A Resolution relating to interim study by the State Legislative Council; requesting the executive committee of the council to refer to an appropriate standing committee the assignment of conducting a detailed study, analysis and evaluation of the merit system salary plan for teacher compensation; and requiring that a final report and recommendations be sub-

mitted to the executive committee of the council.

WHEREAS, the Oklahoma Legislature is dedicated to the objective of improving the educational program of this state; and

WHEREAS, the amount and method of determining the compensation for teachers in the public school system significantly affects the educational programs of this state; and

WHEREAS, it is a responsibility of the Legislature to insure that the best methods possible are utilized in determining teachers compensation, to the end that the Oklahoma education system is able to provide the best instruction possible at the lowest cost for the young people of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to refer to an appropriate standing committee the assignment of conducting a detailed study, analysis and evaluation of the merit system salary plan for teacher compensation as adopted in other jurisdictions.

SECTION 2. The committee to which this subject is assigned is hereby requested to consult with any public or private organizations, agencies and groups having specialized knowledge of a type conducive to the accomplishment of its objectives and all such agencies are requested to extend maximum cooperation to such committee in the furtherance of the objective stated herein.

SECTION 3. Upon completion of its study the committee of reference is requested to submit a final report with recommendations to the Executive Committee of the State Legislative Council.

#### MESSAGE FROM THE HOUSE

Transmitting following Bill, together



with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed HB 1141.

### CONFERENCE COMMITTEE REPORT

The following CCR on HB 1141 was read and adopted upon motion of Senator Stipe:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1141, and Engrossed Senate Amendments thereto, by Derryberry, et al of the House and Stipe, et al of the Senate entitled:

An Act relating to Workmen's Compensation; amending 85 O.S. 1961, Section 22, as last amended \*\*\* and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS for HB 1141**—By Derryberry, et al, of the House and Stipe and Payne of the Senate.

An Act relating to Workmen's Compensation; amending 85 O.S. 1961, § 22, as last amended by Section 1, Chapter 91, O.S.L. 1968 and Section 1, Chapter 145, O.S.L. 1968 and Section 1, Chapter 131, O.S.L. 1965 (85 O.S. Supp. 1969, § 22); providing schedule of compensation for injuries; providing for payment of compensation benefits in event of death; providing effective date; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. 85 O. S. 1961, § 22, as last amended by Section 1, Chapter 91, O. S. L. 1968 and Section 1, Chapter 145, O. S. L. 1968 and Section 1, Chapter 131, O. S. L. 1965 (85 O. S. Supp. 1969, § 22), is amended to read as follows:

§ 22. The following schedule of compensation is hereby established:

1. Permanent Total Disability. In case of total disability adjudged to be permanent, sixty-six and two-thirds percent (66 2/3%) of the average weekly wages shall be paid to the employee during the continuance of such total disability not exceeding five hundred (500) weeks; loss of both hands, or both feet, or both legs, or both eyes, or any two (2) thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability. In all other cases, permanent total disability shall be determined in accordance with the facts.

2. Temporary Total Disability. In cases of temporary total disability, sixty-six and two-thirds percent (66 2/3%) of the average weekly wages shall be paid to the employee during the continuance thereof, but not in excess of three hundred (300) weeks, except as otherwise provided in this act.

3. Permanent Partial Disability. In case of disability, partial in character but permanent in quality, the compensation shall be sixty-six and two-thirds percent (66 2/3%) of the average weekly wages, and shall be paid to the employee for the period named in the schedule as follows:

Thumb: For the loss of thumb, sixty (60) weeks.

First Finger: For the loss of the first finger, commonly called the index finger, thirty-five (35) weeks.

Second Finger: For the loss of a second finger, thirty (30) weeks.

Third Finger: For the loss of a third finger, twenty (20) weeks.

Fourth Finger: For the loss of a fourth finger, commonly called the little finger, fifteen (15) weeks.

Phalange of Thumb or Finger: The loss of the first phalange of the thumb or finger shall be considered equal to the loss of one-half of such thumb or finger, and compensation shall be one-half of the amount above specified; the loss of more

than one phalange shall be considered as the loss of the entire thumb or finger; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

Great Toe: For the loss of a great toe, thirty (30) weeks.

Other toes: For the loss of one of the toes other than the great toe, ten (10) weeks.

Phalange of Toe: The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of the amount specified. The loss of more than one phalange shall be considered as the loss of the entire toe.

Hand: For the loss of a hand, two hundred (200) weeks.

Arm: For the loss of an arm, two hundred fifty (250) weeks.

Foot: For the loss of a foot, one hundred fifty (150) weeks.

Leg: For the loss of a leg, one hundred seventy-five (175) weeks.

Eye: For the loss of an eye, one hundred (100) weeks.

Deafness: Total deafness from accident or sudden trauma, two hundred (200) weeks, and total deafness of one (1) year from accident or sudden trauma, one hundred (100) weeks.

Loss of Use: Permanent loss of use of a thumb, finger, toe, arm, hand, foot, leg or eye shall be considered as the equivalent of the loss of such thumb, finger, toe, hand, arm, foot, leg or eye.

For the permanent partial loss of use of a member, loss of hearing or sight of an eye, sixty-six and two-thirds percent (66  $\frac{2}{3}$ %) of the average weekly wage during that portion of the number of weeks in the foregoing schedule provided for the loss of such member or sight of an eye which the partial loss of use thereof bears to the total loss of use of such member, loss of hearing or sight of an eye.

Amputations: Amputations between the elbow and the wrist shall be considered as the equivalent of the loss of a hand. Amputation between the knee and the ankle shall be considered as the loss of a foot. Amputation at or above the elbow shall be considered as the loss of an arm. Amputation at or above the knee shall be considered as the loss of a leg.

The compensation for the foregoing specific injuries shall be in lieu of all other compensation except the benefits provided in Section 14 of this title.

In case of an injury resulting in serious and permanent disfigurement, compensation shall be payable in an amount to be determined by the [Commission] COURT, but not in excess of Three Thousand Dollars (\$3,000.00); provided, that compensation for permanent disfigurement shall not be in addition to the other compensation provided for in this section, but shall be taken into consideration in fixing the compensation otherwise provided.

Hernia: In case of an injury resulting in hernia, temporary total compensation for fourteen (14) weeks, and the cost of an operation shall be payable; provided, however, in any case where the injured employee has been twice previously operated for hernia in the same area and it is established by opinion of a competent surgeon that further surgery will not result in full relief of the condition, the [Commission] COURT may then award compensation for disability resulting therefrom under subdivision 1 of this section, or, if not totally and permanently disabled, then under the "Other Cases" subdivision following, and, after a second surgical attempt to repair hernia, the injured may not be required to submit to further surgery in an effort to relieve the disability thereafter existing; provided, further, the use of any artificial reinforcement or device, with or without surgery, shall not be the basis of reducing extent of disability to be awarded.

Other Cases: In all other classes of dis-

abilities, excluding only those heretofore referred to in subdivision 3, which disabilities result in loss of use of any portion of an employee's body, and which disabilities are permanent in quality but partial in character, the compensation ordered paid shall be sixty-six and two-thirds percent (66 2/3%) of the average weekly wage during that portion of the number of weeks which the partial disability of the employee bears to the total permanent disability.

4. Temporary Partial Disability. In case of temporary partial disability, except the particular cases mentioned in subdivision 3 of this section, an injured employee shall receive sixty-six and two-thirds percent (66 2/3% of the difference between his average weekly wages and his wage-earning capacity thereafter in the same employment or otherwise, if less than before the injury during continuance of such partial disability, but not in excess of three hundred (300) weeks, except as otherwise provided in this act.

5. Limitation. The compensation payments under the provisions of Workmen's Compensation Law shall not exceed the sum of **Forty-five Dollars (\$45.00)** FORTY - NINE DOLLARS (\$49.00) per week for temporary disability, **Forty-two Dollars and fifty cents (\$42.50)** FORTY-TWO DOLLARS (\$42.00) per week for permanent partial disability, and **Forty Dollars (\$40.00)** FORTY-THREE DOLLARS (\$43.00) per week for permanent disability or at any time be less than Fifteen Dollars (\$15.00) per week; provided, however, that if the employee's wages at the time of the injury are less than Fifteen Dollars (\$15.00) per week, he shall receive his full weekly wages; provided further, that the compensation received as provided under subdivision 4 of this section shall not, when added to the wages received by such employee after such injury, amount to a greater sum than his average weekly wages received prior to said injury.

6. Previous Disability. The fact that

an employee has suffered previous disability or received compensation therefor shall not preclude him from compensation for a later injury; but in determining compensation for the later injury his average weekly wages shall be such sum as will reasonably represent his earning capacity at the time of the later injury.

7. A. If the injury causes death within two years from the date of the accident or if the injury causes continuous disability and causes death within five years from the date of accident, notice of which was given as provided in this act, compensation shall be payable in the amount **of Thirteen Thousand Five Hundred Dollars (\$13,500.00)** FOURTEEN THOUSAND DOLLARS (\$14,000.00) and to the dependents of the deceased employee as defined herein. If death occurs more than five years after the date of the accident, it shall be conclusively presumed that death did not result from the injury.

B. If the Industrial Court finds that there is no person who is entitled to any of the benefits provided by paragraph A of this subsection, the employer, upon such finding becoming final, shall pay to the estate of the deceased employee the sum of Seven Hundred Dollars (\$700.00).

8. Except as in this act otherwise provided, compensation for disability from silicosis or asbestosis shall be payable in accordance with the provisions of this section; provided, however, that no compensation shall be payable for partial disability from silicosis or asbestosis; and provided further that, during a transitory period, the aggregate compensation payable to employees and their dependents for disability and death from silicosis or asbestosis shall be limited as follows: If disablement occurs or, in case of no claim for prior disablement, if death occurs in the calendar month in which the amendments to this act become effective allowing compensation under this act for the occupational diseases of silicosis and



asbestosis, the total compensation and death benefits shall not exceed the sum of One Thousand Dollars (\$1,000.00). If disablement occurs or, in the case of no claim for prior disablement, if death occurs during the next calendar month, the total compensation and death benefits payable shall not exceed Eleven Hundred Dollars (\$1,100.00). Thereafter the total amount of the compensation and death benefits payable for disability and death shall increase at the rate of One Hundred Dollars (\$100.00) per month, the aggregate payable in each case to be limited according to the foregoing formula for the month in which disability occurs or, in case of no claim for prior disablement, in which death occurs. Such progressive increase in the limits to the aggregate compensation and benefits for disability and death shall continue until the limit upon such benefits fixed in this section, or other sections of the Workmen's Compensation Law of this state, is reached, and thereafter the total aggregate of such compensation and benefits shall be the total compensation and benefits otherwise provided in this section, or other sections of the Workmen's Compensation Law of this state.

SECTION 2. The effective date of this act shall be September 1, 1970.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Stipe, Luton.

FOR THE HOUSE: Derryberry, Greenhaw, Finch.

**HB 1141**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field,

Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stansberry Stipe, Taliaferro, Terrill, Young.—38

Nay: Crow, Garrison, McCune, Williams.—4.

Excused: Atkinson, Berrong, Ferrell, McGraw, Phillips, Smalley.—6.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Stansberry Stipe, Taliaferro, Terrill, Young.—38

Nay: Crow, Garrison, McCune, Williams.—4.

Excused: Atkinson, Berrong, Ferrell, McGraw, Phillips, Smalley.—6.

The Emergency was declared passed.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Crow moved that the vote be reconsidered by which **HB 1141**, as amended in Conference, passed.

President Pro Tempore Smith presiding.

## PENDING SENATE ACTION

**HCR 1068** by Atkins of the House and Baggett of the Senate was called up for consideration.

Senator Baggett moved to amend **HCR 1068**, page 1, line 25 by inserting after the words "State Capitol" and before the word "area" the words "and Medical Center", and by making the same insertion on page 2, in lines 14, 19 and 24, and by amending

the title to conform thereto, which amendment was declared adopted.

**HCR 1068**, as amended, was read at length, adopted upon motion of Senator Baggett, and ordered referred for engrossment.

### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1590**.

### CONFERENCE COMMITTEE REPORT

The Conference Committee Report on **HB 1590** was read as follows, and taken up for immediate consideration upon request of Senator Miller:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1590**, and Engrossed Senate Amendments thereto, by Allard, et al of the House and Terrill and Miller of the Senate, entitled:

AN ACT RELATING TO THE PUBLIC SCHOOLS OF OKLAHOMA; ESTABLISHING A CODE FOR THE PUBLIC SCHOOL SYSTEM OF THE STATE; PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE STATE BOARD OF EDUCATION, THE STATE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE TEXTBOOK COMMITTEE, STATE DEPARTMENT OF VOCATIONAL AND TECHNICAL \*\*\*; AND DECLARING AN EMERGENCY,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the attached conference committee substitute be adopted.

**CCS for Engrossed HB 1590**—By Allard, Abbott, Sandlin, Tabor, Sparkman, Lind-

strom, and Monks of the House and Miller and Terrill of the Senate—An Act relating to the public schools of Oklahoma; establishing a code for the public school system of the state; prescribing the powers, duties and functions of the State Board of Education, the State Department of Education, State Superintendent of Public Instruction, State Textbook Committee, State Department of Vocational and Technical Education, County Superintendent of Schools, school districts and boards of education, and local textbook committees; providing for and dealing with teachers, textbooks, curriculum, bonds, enumeration and school attendance of children, annexations, ronsodidations of school districts, transfer and transportation of school children, audio-visual education, special education for exceptional children, education of physically-handicapped children, vocational and technical education, driver's education and other educational courses, classes and programs; providing for financial aid to schools and school districts; fixing salary of State Superintendent of Public Instruction, Deputy State Superintendent of Public Instruction, County Superintendent of Schools and Deputy County Superintendent of Schools; providing for the Oklahoma Educational Television Authority and prescribing its powers, duties and authority; fixing requirements for operation of business colleges; providing for per diem payments; providing for reserve for delinquent taxes used in computing tax levies for school districts; providing for certain safety equipment and facilities for pupils; repealing Articles 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Title 70 of the Oklahoma Statutes 1961, as amended; Sections 1 through 8, inclusive, and Sections 10 through 12, inclusive, of S.J.R. No. 24 of the 1963 Oklahoma Legislature (70 O. S. Supp. 1969, §§ 1210.21-1210.28, inclusive, and §§ 1210.30-1210.32, inclusive); Sections 1 through 13, inclusive, Chapter 47, O. S. L. 1967, as amended (70 O. S. Supp. 1969, §§ 505.1-505.13, inclusive); 70 O. S. 1961,

§§ 2141-2165, inclusive; 70 O. S. 1961, §§ 20-1 through 20-5, inclusive; Sections 1, 2 and 3 of Chapter 28, O. S. L. 1965 (70 O. S. Supp. 1969, §§ 20-6, 20-7 and 20-8); Sections 1, 2 and 3 of Chapter 228, O. S. L. 1969 (70 O. S. Supp. 1969, §§ 20-9, 20-10 and 20-11); 70 O. S. 1961, §§ 1209 and 1210.1; Section 1 of Chapter 191, O. S. L. 1963 (70 O. S. Supp. 1969, § 1926); Section 1 of Chapter 82, O. S. L. 1965 (70 O. S. Supp. 1969, § 599); Section 1 of Chapter 521, O. S. L. 1965 (70 O. S. Supp. 1969, § 600); Section 1 of Chapter 329, O. S. L. 1967 (70 O. S. Supp. 1969, § 688.1); Section 1 of Chapter 133, O. S. L. 1968 (70 O. S. Supp. 1969, § 630); and Section 1 of Chapter 223, O. S. L. 1968 (70 O. S. Supp. 1969, § 629), and all laws and parts of laws in conflict with the provisions of this Act, but only to the extent same are in conflict herewith; declaring Legislative intent; providing for severability; directing codification; and fixing effective date; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

## ARTICLE I

### SCOPE, ORGANIZATION, AND DEFINITIONS

**SECTION 101. OKLAHOMA SCHOOL CODE.** This act shall be known as the Oklahoma School Code.

**SECTION 102. PURPOSE OF ACT.** The purpose of the Oklahoma School Code is to provide for a state system of public school education and for the establishment, organization, operation and support of such state system.

**SECTION 103. ACT TO BE LIBERALLY CONSTRUED.** If any section or part of the Oklahoma School Code is found to be ambiguous or otherwise subject to more than one interpretation, such section shall be liberally construed to the extent that the general purpose of the entire code and of public education may be advanced.

**SECTION 104. ACT NOT TO REPEAL OR MODIFY TAX LAWS UNLESS SPE-**

**CIFICALLY PROVIDED.** Nothing in the Oklahoma School Code shall be interpreted as repealing or modifying any law in effect in the State of Oklahoma relative to the collection of any taxes unless specifically provided for herein, and all appropriations existing at the time this code becomes effective shall be subject to all provisions of said appropriations at the time of their enactment and no omission of or reference to any appropriations shall be construed as repealing any such appropriation or part thereof.

**SECTION 105. STATE DEPARTMENT OF EDUCATION—DEFINITIONS—AGENCIES OF STATE.** 1. The State Department of Education is that department of the state government in which the agencies created or authorized by the Constitution and Legislature are placed and charged with the responsibility of determining the policies and directing the administration and supervision of the public school system of the state. These agencies are the State Board of Education, the State Superintendent of Public Instruction and such divisions and positions as may be established by law and by the State Board of Education.

2. The State Board of Education is that agency in the State Department of Education which shall be the governing board of said Department and the public school system of the state.

3. The State Superintendent of Public Instruction is the elected official provided for in Article VI, Section 1 of the Constitution of Oklahoma who shall be the executive officer of the State Board of Education. Provided that no person shall be eligible to nomination, appointment, or election to the office of State Superintendent of Public Instruction unless he

a. holds at least a master's degree in school administration from a college recognized by the State Board of Education;

b. is a qualified elector of the State of Oklahoma; and



c. meets the requirements to qualify for an administrator's certificate.

Provided, further, that no person shall be allowed to file as a candidate for nomination or election to the office of State Superintendent of Public Instruction nor shall the name of any person appear on any election ballot as a candidate for such office unless he then has the qualifications herein prescribed.

**SECTION 106. PUBLIC SCHOOLS — DEFINITION — WHAT INCLUDED.** The public schools of Oklahoma shall consist of all free schools supported by public taxation and shall consist of nurseries, kindergartens, elementary and secondary schools, not to exceed two (2) years of junior college work, night schools, adult and other special classes, vocational and technical instruction and such other school classes and instruction as may be supported by public taxation or otherwise authorized by laws which are now in effect or which may hereafter be enacted.

**SECTION 107. EDUCATIONAL SERVICES — ENUMERATION.** Either in conjunction with public schools or otherwise under the control and supervision of school agencies and officials provided by law for the control and supervision of public schools, other educational services may include health activities, school lunch programs, audio-visual education, safety education, vocational rehabilitation, education of exceptional and handicapped children, playground and physical education activities and such other special services, functions, and activities as may be authorized by law or by regulation of the State Board of Education.

**SECTION 108. SCHOOL DISTRICT — DEFINITION.** A school district is defined as any area or territory comprising a legal entity, whose sole purpose is that of providing free school education, whose boundary lines are a matter of public record, and the area of which constitutes a complete tax unit.

**SECTION 109. SCHOOL YEAR —**

**LENGTH — SCHOOL FOR LESS THAN FULL TERM.** A school year for all public schools in Oklahoma shall consist of ten (10) months of four (4) weeks each, of which time school shall actually be in session and instruction offered for not less than one hundred eighty (180) days. Provided, however, five (5) days may be used for attendance of professional meetings and teachers may be paid for a length of term in excess thereof, under conditions hereinafter outlined. A school district may maintain school for less than a full term only when conditions beyond the control of school authorities make impossible the maintenance of said term.

**SECTION 110. SCHOOL MONTH — LENGTH — PAY OF TEACHERS FOR TWELVE MONTHS.** A school month shall consist of twenty (20) school days during which school is actually taught or school activities performed. Provided, that holidays, elections, days devoted to professional meetings and other days when school is closed may be included in the number of days required for a regular school month, but no holiday or other occasion when school is not in session shall be included in the one hundred eighty (180) days required to be taught, except not to exceed five (5) days may be used for attendance of professional meetings. Any district may pay teachers and other employees on the basis of calendar months for twelve (12) months, as elsewhere provided by the Oklahoma School Code.

**SECTION 111. SCHOOL DAY — SIX HOURS — EXCEPTIONS.** A school day for any group of pupils shall consist of not less than six (6) hours devoted to school activities, except that a school day for nursery, kindergarten and first grade groups shall be defined by the State Board of Education. Not more than one school day shall be counted for attendance purposes in any twenty-four-hour period. Pupils absent from school in which they are regularly enrolled may be considered as being in attendance if the reason for such absence is to participate in scheduled

school activities under the direction and supervision of a regular member of the faculty.

**SECTION 112. SCHOOL TAUGHT ON SATURDAY.** School taught on Saturday shall not be counted for attendance purposes in meeting the requirements of the law for one hundred eighty (180) days in any school term, except for substituting for regular school days during which school has been or will be closed, and except by permission of the State Board of Education.

**SECTION 113. RESIDENCE OF CHILD — ATTENDANCE IN TRANSPORTATION AREA.** The residence of any child for school purposes shall be the legal residence of the parents, guardian, person or institution having the care and custody of the child, if such parents, guardian, person or institution having the care and custody contributes in major degree to the support of such child; provided, any pupil supporting himself entirely by his own efforts shall be considered a resident of the district in which he works and attends school. Provided, further, that the governing body of any state institution, as established under the provisions of Title 10 of the Oklahoma Statutes, §§ 1401-1404, inclusive, and the board of education of any adjacent school district in which the institution is not located may enter into a contract whereby the district will maintain a school for the children of the institution, in which event the residence of such children will be considered as being in the district maintaining the school. Any question as to the place of residence of any pupil shall be decided by the county superintendent of schools of the county in which the pupil resides. Provided, further, any child residing in a school district in the State of Oklahoma that does not offer the grade such child is entitled to pursue shall be entitled to attend the school of the school district in the transportation area in which such pupil resides that offers the grade he is entitled to pursue. If the school district in which any

such pupil resides does not receive State Equalization Aid, the board of education or superintendent of schools of the district where such pupil will attend shall prepare a list of such pupils giving the grade and residence of all pupils residing in the transportation area eligible to attend school in such district and present same to the county excise board before July 15, of that fiscal year. It shall be the duty of the county excise board to make an appropriation for the payment of the cost of education of such pupils in the same manner and in the same amounts as is required for the payment of transfer fees for transferred pupils. It shall become the duty of the State Board of Education to pay its share of the cost of education of such children from State Aid Funds in the same manner and amount, and at such time as provided by law for the payment of transfer fees to school districts for the attendance of transferred pupils. Provided, further, it shall become the duty of the county treasurer to apportion revenue for the payment of the cost of education of these pupils as provided by law for payment of transfer fees for transferred pupils.

**SECTION 114. CHILDREN — SCHOOL AGE.** All children between the ages of five (5), on or before November 1, and twenty-one (21) years on or before September 1, shall be entitled to attend school free of charge in the district in which they reside. Provided, children who have reached the age of five (5) years on or before November 1 may be admitted to kindergarten classes approved by the State Board of Education and children who have not reached the age of five (5) years on or before November 1 may be admitted to nursery classes approved by the State Board of Education at public expense. Provided, further, that kindergarten children shall be eligible for transfer as provided by Title 70 of the Oklahoma Statutes, § 803. Provided however, any receiving district may object to a proposed transfer on the grounds that said district

does not have the physical facilities or the teaching personnel to accommodate the student or students proposed to be transferred. Children who are underage not in attendance in a kindergarten or nursery class approved by the State Board of Education may be admitted to the schools of such district on a tuition basis only; and no such nonresident and nontransferred pupil, or any such underage pupil, shall be allowed to attend school in any school district unless there shall have been paid in advance yearly or by semester as determined by the local board of education, to such district, before such attendance during any period, a tuition fee equal to the per capita cost of education for a similar period in such district during the preceding year. If the State Board of Education discovers that such attendance has been allowed without prior payment of the tuition fee in advance as herein required, no further payment of any State Aid Funds shall be made to the district until such district has shown to the satisfaction of the State Board of Education that all such tuition fees have been paid or that such tuition pupil will no longer be allowed to attend school until the required tuition fee has been paid.

**SECTION 115. SCHOOL SYSTEM — ADMINISTERED BY STATE DEPARTMENT OF EDUCATION, ETC.** The public school system in Oklahoma shall be administered by the State Department of Education, State Superintendent of Schools, county superintendents of schools, boards of education of school districts, and superintendents of schools of independent school districts.

**SECTION 116. POSITIONS IN SCHOOL SYSTEM — DEFINITIONS.** Except as otherwise provided herein, the following positions in school districts shall have the meanings indicated:

1. **Teacher:** Any person who is employed to serve as district superintendent, county superintendent, principal, supervisor, counselor, librarian, school nurse or classroom teacher, or in any other instruc-

tional, supervisory, or administrative capacity, is defined as a teacher. Such person shall not be deemed qualified unless he or she holds a valid certificate, issued by and in accordance with the rules and regulations of the State Board of Education, to perform the particular services for which he or she is employed.

2. **Superintendent:** A district superintendent of schools shall be the executive officer of the board of education and the administrative head of the school system of a district maintaining an accredited high school, provided he holds an administrator's certificate recognized by the State Board of Education.

3. **Principal:** A principal shall be any person other than a district superintendent of schools having supervisory or administrative authority over any school or school building having two or more teachers. A teaching principal shall be a principal who devotes at least one-half the time school is in session to classroom teaching. Provided, teaching principals shall not be required to hold administrative certificates.

4. For purposes of complying with the State Aid Law and other statutes which apportion money on the basis of teaching units or the number of teachers employed or qualified all persons holding proper certificates and connected in any capacity with the instruction of pupils shall be designated as "teachers."

5. **Student teacher:** A student teacher is any student who is enrolled in an institution of higher learning approved by the State Board of Education for teacher training and who is jointly assigned by such institution of higher learning and a school district's board of education to perform practice teaching under the direction of a regularly employed and certified teacher. A student teacher, while serving a nonsalaried internship under the supervision of a certified teacher, shall be accorded the same protection of the laws as that accorded the certified teacher.



**SECTION 117. GENERAL FUND — DEFINITION.** The general fund of any school district is hereby defined as a current expense fund and shall consist of all revenue or monies that can legally be expended within a certain specified fiscal year, but shall not be considered as including any money derived from a special building fund levy made in accordance with the provisions of Article X, Section 10, of the Oklahoma Constitution, nor shall it include any monies derived from the sale of bonds issued under the provisions of Article X, Section 26, of the Oklahoma Constitution. Expenditures from the general fund may be capital or noncapital in nature.

**SECTION 118. BUILDING FUND — DEFINITION.** The building fund of any school district shall consist of all monies derived from the proceeds of a building fund levy of not to exceed five (5) mills in any year, voted by the people of a school district pursuant to the provisions of Article X, Section 10, of the Oklahoma Constitution, and may be used for erecting, remodeling or repairing school buildings, and for purchasing furniture or for one or more, or all, of such purposes. Proceeds of such levies shall not be required to be used during the year for which a levy is made but may accumulate from year to year until adequate for the purposes intended. The building fund herein above defined is hereby declared to be a current expense fund.

**SECTION 119. SINKING FUND — DEFINITION.** The sinking fund of any district shall consist of all money derived from ad valorem taxes or otherwise as provided by law for the payment of bonds and judgments and interest thereon.

## ARTICLE II ELECTIONS

**SECTION 201. ELECTIONS — HOW CALLED — CONDUCTED BY COUNTY ELECTION BOARD — EXPENSES.** 1. Annual elections held for the purpose of electing a member or members of the board of education of a school district,

and annual elections held on the question of making a levy or levies for schools under Article X, Section 9 or Section 10, of the Oklahoma Constitution shall be held on the fourth Tuesday in January, provided, if an election on a levy or levies should fail, or if the board of education determines that additional levies are needed, then the board of education may submit the said levy or levies at a later election as the board directs, with notices of such election to be given in the manner as is provided by this code.

2. A special election of the electors of any school district may be called by the board of education, or by a majority of the school district electors upon a petition filed with the clerk of the board of education for the purpose of voting upon any matter or question authorized by law.

3. All elections held for the purpose of electing a member or members of the board of education of area school districts, and all elections held in such districts for the purpose of voting on the question of making any levy or levies authorized by Article X, Section 9B, of the Oklahoma Constitution, may be held on the fourth Tuesday in February of each year. The filing of notification and declaration for office of member of the board of education of an area school district shall be made with the county election board of the county wherein supervision of the area school district is located. If the area school district lies in more than one county, the county election board wherein the filing is required to be made, as above provided, shall notify the county election board of the other affected county or counties of the names of the candidates filing for the election, the levy or levies to be voted on, the places such elections will be held in each such county, and such other information as deemed necessary to enable such other county election boards to assist in conducting such election.

4. The elections referred to in 1., 2. and 3. above, and all other elections au-

thorized by law to be held in school districts shall be held between the hours of 7 a.m. and 7 p.m., and shall be conducted by the county election board. It shall be the duty of the board of education of each such school district to designate the office to be filled, to designate any question or questions to be voted on, to call the elections herein provided for, and to fix the place or places where such elections shall be held, by appropriate resolution of the board. No consideration shall be given to precinct boundary lines in school district elections. A copy of such resolution or resolutions shall be personally served upon the office of the county election board at least twenty (20) days prior to the date of the election. Notice of the time, place and purpose of the election shall be given by the clerk of the board of education at least ten (10) days prior to the election by publication in one (1) newspaper of general circulation in the district, or by posting of written or printed notices in five (5) public places in the district. The board of education shall provide the poll books and other necessary forms for conducting the election. The State Board of Education shall adopt forms for such use. Results of the election shall be certified to the board of education by the county election board. Such certificate shall be final, and no recounts shall be allowed or had. It shall be the duty of the school district to reimburse the county election board for the expense of such elections, such reimbursement to be made on the same basis for charges as prescribed by law for city elections.

**SECTION 202. ELECTOR — QUALIFICATIONS — POLLBOOK.** A school district elector, qualified to vote in any school district election, is any person who has resided in the district for at least twenty (20) days and who possesses the qualifications of electors as defined by the Constitution and laws of the state. All persons shall be required to be registered with the county election board of the coun-

ty in which each person resides in order to vote in any school or school district election, and at the time such person signs the pollbook and receives a ballot at any such election, an official designated by lawful authority to operate or assist in the operation of such voting place shall record the date and purpose of such election. The pollbook shall be on file in the office of the secretary of the county election board and shall be open to public inspection during reasonable office hours; provided, however that such pollbooks may be destroyed by the secretary of the county election board at the end of six (6) months from the date of the election wherein such pollbook was used. Any person knowingly voting illegally or found guilty of casting more than one vote in any such election shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not to exceed thirty (30) days or both such fine and imprisonment. No person shall be allowed to vote by absentee ballot in any school district election, nor shall there be any recounts in such elections.

**SECTION 203. ELECTOR — CHALLENGE — OATH.** If any person offering to vote at a school district election shall be challenged as unqualified by any school district elector, the election inspector shall declare to the person challenged the qualifications of a school district elector; and if such challenge be not withdrawn, the inspector, who is hereby authorized, shall tender to the person offering to vote the following oath of affirmation in writing: "I do solemnly swear (or affirm) that I am registered as an elector in this county, that I am an actual resident of this school district and that I am qualified by law to vote at this election." Any person taking such oath or affirmation shall be entitled to vote on all questions voted upon at such election.

**SECTION 204. CANDIDATES — FILING OF NOTIFICATION AND DECLARATION — CHANGE OF RESIDENCE —**

VACANCY. No person shall be elected or voted upon nor shall his candidacy be submitted or considered, at any school district election for membership on the board of education of a school district whether a dependent district, an independent district, or an area school idstrict, unless he is a school district elector of the district and shall have filed a notification and declaration of his candidacy with the office of the county election board of the county wherein the supervision of the school district is located between the hours of 8 a.m. on Wednesday and 5 p.m. on Friday, in the second week prior to the date of such school district election. Provided, that the office of any school board member shall become vacant when such member moves his residence to a place outside such school district or the ward wherein another board member resides and such vacancy shall be filled as provided in this code.

If, within the filing period as provided herein, only one person files a notification and declaration of candidacy for an office as a member of the board of education of a school district, said person shall be deemed to have been elected to the office and no election shall be held for such office.

**SECTION 205. TIE VOTE — BOARD MEMBER SELECTED BY LOT.** When a tie vote occurs in any election for the election of a candidate for membership to the board of education of any school district, or the board of education of any area school district for vocational and technical schools, or the board of trustees of any community junior college, the election board which is authorized by law to declare the results of said election shall, at a public meeting of such election board and in the presence of the candidates involved, if they or any of them desire to be present, select the nominee or electee by lot and in such manner as such election board may select.

**SECTION 206. WITHDRAWAL OF CANDIDATE.** A person who has filed a noti-

cation and declaration as a candidate for membership on a board of education may withdraw his name as a candidate upon a sworn affidavit presented to the office of the county election board before the ballots have been printed.

#### ARTICLE III

#### STATE DEPARTMENT OF EDUCATION

**SECTION 301. STATE BOARD OF EDUCATION — MEMBERS — TERMS.** The State Board of Education shall be the governing board of the State Department of Education and shall consist of seven (7) members. The State Superintendent of Public Instruction shall be a member and the president of said Board. The remaining six (6) members shall be appointed by the Governor by and with the advice and consent of the Senate.

The Governor shall appoint one member to serve for one (1) year; one member to serve for two (2) years; one member to serve for three (3) years; one member to serve for four (4) years; one member to serve for five (5) years; and one member to serve for six (6) years. Said members shall serve until their successors are duly appointed and qualified. Their successors shall be appointed for a term of six (6) years, and thereafter the term of each member of said Board shall be six (6) years. Upon the occurrence of a vacancy the same shall be filled by the Governor, subject to confirmation by the Senate at the next session of the Legislature, such appointments to be made for the unexpired term.

The terms of the six (6) members of the State Board of Education shall expire on the first day of April of the year in which the term of each member expires. Each member of the Board shall receive as compensation the sum of Twenty-five Dollars (\$25.00) per day and necessary traveling expenses while in the performance of his duties.

Provided, that persons serving as members of the State Board of Education when this code becomes effective shall



continue to serve as members of the State Board of Education for the terms for which they were appointed.

SECTION 302. MEETINGS. The State Board of Education shall meet in regular session once each month. Special meetings may be called by the president or by a majority of the members of the Board.

SECTION 303. QUORUM. A quorum of the State Board of Education shall consist of four (4) members. No business may be transacted at any meeting unless a quorum is present and every act of said Board shall be approved by a majority of the membership of said Board.

SECTION 304. STATE BOARD OF EDUCATION — POWERS AND DUTIES. The control of the State Department of Education and the supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall:

1. Establish and prescribe the duties of an executive officer who shall be the State Superintendent of Public Instruction and whose duties shall include the responsibility to give advice and make recommendations to said Board on all matters pertaining to the policies and administration of the State Department of Education and the public school system;

2. Adopt policies and make rules and regulations for the operation of the State Department of Education and the public school system of the state;

3. Organize and have control of the administrative and supervisory agencies, divisions, personnel and their appointment and salaries and other operations necessary to carry out the powers, duties and functions of the Board and its executive officer;

4. Have authority to require the coordination of all divisions of the State Department of Education through its executive officer, delegate general supervision of all employees to its executive officer,

require all recommendations to be presented through its executive officer, require its executive officer to be responsible for interpretation of the Board's policy, require any employee of the Board to present any specific matter directly to the Board;

5. Appoint, prescribe the duties, and fix the compensation of a secretary and all other personnel necessary for the proper performance of the functions of the State Board of Education. The secretary shall not be a member of the Board;

6. Submit to the Governor a departmental budget based upon major functions of the Department which shall be supported by detailed data on needs and proposed operations. Appropriations therefor shall be made in lump sum form for each major item in the budget as follows:

- a. State aid to schools, including an amount out of such appropriation for the administration of the State Aid Law;

- b. The supervision of all other functions of general and special education including general control, free textbooks, school lunch, Indian education and all other functions of the Board and an amount sufficient to adequately staff and administer these services; and

- c. The Board shall determine the details by which the budget and the appropriations are administered. Annually, the Board shall make preparations to consolidate all of the functions of the Department in such a way that the budget can be based on two (2) items, administration and aid to schools. A maximum amount for administration shall be designated as a part of the total appropriation;

7. On the first day of December preceding each regular session of the Legislature make out and deliver to the Governor and the Legislature a report for the year ending June 30 immediately preceding said regular session of the Legislature. Said report shall contain:

- a. Detailed statistical and other information concerning enrollment, attendance,

expenditures including State Aid, and other pertinent data for all public schools in this state;

b. Reports from each and every division, department, institution or other agency under the supervision of the Board;

c. Recommendations for the improvement of the public school system of the state;

d. A statement of the receipts and expenditures of the State Board of Education for the past year; and

e. A statement of plans and recommendations for the management and improvement of public schools and such other information relating to the educational interests of the state as may be deemed necessary and desirable;

8. Provide for the formulation and adoption of curricula, courses of study, and other instructional aids necessary for the adequate instruction of pupils in the public schools;

9. Have full and exclusive authority in all matters pertaining to standards of qualifications and the certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state, and shall formulate rules and regulations governing the issuance and revocation of certificates for county superintendents of schools, district superintendents of schools, principals, supervisors, librarians, school nurses, school bus drivers, visiting teachers, classroom teachers and for other personnel performing instructional, administrative and supervisory services, but not including members of boards of education, clerical and other employees who do not work directly with pupils, and may charge and collect reasonable fees for the issuance of such certificates. All funds collected by the State Department of Education for the issuance of certificates to instructional, supervisory and administrative personnel in the public schools of the state shall be deposited in the "Teachers' Certificate Fund" in the State Treas-

ury and may be expended by the State Board of Education to finance the activities of the Professional Standards Board for actual and necessary expenses in attending meetings of the Board, its committees and subcommittees, for consultative services, publication costs, travel and subsistence expenses incurred by persons performing research work, and other expenses found necessary by the State Board of Education for the improvement of the preparation and certification of teachers in Oklahoma; provided, however, that any unobligated balance in said Fund in excess of Ten Thousand Dollars (\$10,000.00) on June 30 of any fiscal year shall be transferred to the General Revenue Fund of the State of Oklahoma. Provided, further, that the requirements for a certificate for county superintendent of schools, district superintendent of schools and principal shall include not less than a standard master's degree, such other professional education and requirements as may be fixed by the State Board of Education and a minimum of two (2) years successful teaching, supervisory or administrative experience in public schools. Provided, further, that certificates may be revoked by the State Board of Education for willful violation of any rule or regulation of the State Board of Education or of any federal or state law or other proper cause but only after sufficient hearing has been given before the State Board of Education;

10. Make rules and regulations for the classification, inspection, supervision and accrediting of all public nursery, kindergarten, elementary and secondary schools in the state, which classification shall be intended to give official recognition to the various schools in accordance with their standards of excellence, and which classification shall be based upon the qualifications of the teacher or teachers, library, physical plant, courses of instruction, average daily attendance in said school, and other factors usually considered in accrediting schools as may be determined by the

State Board of Education. No high school will be denied accreditation on account of its size whose average daily attendance the previous year was at least fifty-five (55) students in legal average daily attendance. Provided, a high school with not less than forty (40) average daily attendance and serving one hundred ten (110) square miles, or more, in its transportation area shall be allocated, for accrediting purposes only, one additional average daily attendance for each ten (10) square miles or major fraction thereof so served. Provided, further, that the maximum additional allowance shall in no case exceed fifteen (15) average daily attendance. The Head Start and public nurseries or kindergartens operated from Community Action Program funds shall not be subject to the accrediting regulations of the State Board of Education. Neither will the State Board of Education make rules or regulations affecting the operation of the public nurseries and kindergartens operated from federal funds secured through Community Action Programs even though they may be operating in the public schools of the State of Oklahoma. However, any of the Head Start or public nurseries or kindergartens operated under federal regulations may make application for accrediting from the State Board of Education but will be accredited only if application for the approval of the programs is made. The status of no school district shall be changed which will reduce it to a lower classification until due notice has been given to the proper authorities thereof and an opportunity given to correct the conditions which otherwise would be the cause of such reduction.

Private and parochial schools may be accredited and classified in like manner as public schools, if application is made to the State Board of Education for such accrediting. No private, parochial, or other nonpublic school may be accredited unless the members of the faculty hold state certificates as required of teachers in public schools and unless the standards of

said schools comply in every respect with those prescribed for public schools;

11. Be the legal agent of the State of Oklahoma to accept, in its discretion, the provisions of any Act of Congress appropriating or apportioning funds which are now, or may hereafter be, provided for use in connection with any phase of the system of public education in Oklahoma. It shall prescribe such regulations as it finds necessary to provide for the proper distribution of such funds in accordance with the state and federal laws;

12. Be and is specifically hereby designated as the agency of this state to cooperate and deal with any officer, board or authority of the United States Government under any law of the United States which may require or recommend cooperation with any state board having charge of the administration of public schools unless otherwise provided by law;

13. Be and is hereby designated as the "State Educational Agency" referred to in Public Law 396 of the 79th Congress of the United States, which law states that said act may be cited as the "National School Lunch Act," and said State Board of Education is hereby authorized and directed to accept the terms and provisions of said act and to enter into such agreements, not in conflict with the Constitution of Oklahoma or the Constitution and Statutes of the United States, as may be necessary or appropriate to secure for the State of Oklahoma the benefits of the school lunch program established and referred to in said act;

14. Have authority to secure and administer the benefits of the National School Lunch Act (Public Law 396 of the 79th Congress of the United States as it may be now or hereafter amended or supplemented) in the State of Oklahoma and is hereby authorized to employ or appoint and fix the compensation of such additional officers or employees and to incur such expenses as may be necessary for the accomplishment of the above purpose;



15. Accept and provide for the administration of any land, money, buildings, gifts, donation or other things of value which may be offered or bequeathed to the schools under the supervision or control of said Board;

16. Have authority to require persons having administrative control of all school districts in Oklahoma to make such regular and special reports regarding the activities of the schools in said districts as the Board may deem needful for the proper exercise of its duties and functions. Such authority shall include the right of the State Board of Education to withhold all state funds under its control, to withhold official recognition, including accrediting, until such required reports have been filed and accepted in the office of said Board and to revoke the certificates of persons failing or refusing to make such reports;

17. Have general supervision of the school lunch program. The State Board of Education may sponsor workshops for personnel and participants in the school lunch program and may develop, print and distribute free of charge or sell any materials, books and bulletins to be used in such school lunch programs. Fees derived from or on behalf of any participant in any such workshop sponsored by the State Board of Education, or from the sale of any materials, books and bulletins, shall, when received, be deposited in a special account in the State Treasury to be known as the "School Lunch Workshop Account" and shall be disbursed by cash vouchers for expenses of such workshops and for developing, printing, and distributing of such materials, books and bulletins relating to the school lunch program;

18. Prescribe all forms for school district and county officers to report to the State Board of Education where required. The State Board of Education shall also prescribe a list of appropriation accounts by which the funds of school districts and separate schools shall be budgeted, accounted for and expended; and it shall be

the duty of the State Examiner and Inspector in prescribing all budgeting, accounting and reporting forms for school funds to conform to such lists.

19. Provide for the establishment of a uniform system of pupil and personnel accounting, records and reports;

20. Have authority to provide for the health and safety of school children and school personnel while under the jurisdiction of school authorities;

21. Provide for the supervision of the transportation of pupils;

22. Have authority, upon request of the local school board, to act in behalf of the public schools of the state in the purchase of transportation equipment;

23. Have authority and is hereby required to perform all duties necessary to the administration of the public school system in Oklahoma as specified in this article and elsewhere in the Oklahoma School Code; and, in addition thereto, those duties not specifically mentioned herein if not delegated by law to any other agency or official;

24. Administer the State Public Common School Building Equalization Fund established by Article X, Section 32, of the Oklahoma Constitution. Any royalties, bonuses, rentals, or other monies derived from oil and gas leases on lands that have been or may be granted by the United States to the state for the use and benefit of the common schools, or lands that are or may be held by the Commissioners of the Land Office for the use and benefit of the common schools, the proceeds of the sale of easements, improvements and sand and gravel on any such lands, the proceeds of all property that shall fall to the state by escheat, penalties for unlawful holding of real estate by corporations, and capital gains on assets of the permanent school funds, shall be deposited in such State Public Common School Building Equalization Fund, which shall be used to aid school districts in acquiring buildings under regulations prescribed by

the State Board of Education, as the administering agency, subject to the limitations fixed by Article X, Section 32, of the Oklahoma Constitution. The State Board of Education shall prescribe regulations for making grants of aid from, and for otherwise administering, such fund, and may employ and fix the duties and compensation of technicians, aides, clerks, stenographers, attorneys and other personnel deemed necessary to perform its duties; and the cost of administering such fund shall be paid from funds currently available for the operation of the State Department of Education. It shall be the mandatory duty of the State Board of Education, the Commissioners of the Land Office and all other public agencies, officers and employees to observe and comply with the provisions of this paragraph, in all respects; and they shall not be held liable for any amount, penalty or punishment for having done so, unless and until they are directed to do otherwise by a court of competent jurisdiction;

25. The Warden of the State Reformatories shall be the administrative authority for the schools which are maintained in the State Reformatories and shall appoint the principals and teachers in such schools. Provided, that rules and regulations of the State Board of Education for the classification, inspection and accreditation of public schools shall be applicable to such schools; and such schools shall comply with standards set by the State Board of Education;

26. Have authority to administer a revolving fund which is hereby created and to be known as "The Statistical Services Revolving Fund." Such revolving fund shall consist of monies received from the various school districts of the state, the United States Government, and other sources for the purpose of furnishing or financing statistical services. Such fund shall be a continuing fund and shall be non-fiscal in character.

The State Board of Education is hereby authorized to enter into agreements with

school districts, municipalities, the United States Government, foundations and other agencies or individuals for services, programs or research projects, and shall determine the details by which such fund shall be administered.

SECTION 305. BOND. Before entering upon the duties of his office the State Superintendent of Public Instruction shall execute a surety bond to the state with good and sufficient sureties to be approved by the Governor in the penal sum of Five Thousand Dollars (\$5,000.00).

SECTION 306. OFFICE — BOOKS PERTAINING TO OFFICE — SALARIES OF SUPERINTENDENT AND DEPUTY. The State Superintendent of Public Instruction shall have an office at the seat of government where he shall keep all books and papers pertaining to his office. Such books and papers shall be kept and preserved in said office and delivered by the Superintendent of Public Instruction to his successor. He shall file and carefully preserve in his office all official reports made to him. The salary of the State Superintendent of Public Instruction shall be Twenty-five Thousand Dollars (\$25,000.00) per year, payable monthly. Provided, further, that the salary of the Deputy State Superintendent of Public Instruction shall be Twenty-two Thousand Five Hundred Dollars (\$22,500.00) per year, payable monthly.

SECTION 307. ADMINISTRATIVE AND EXECUTIVE DUTIES. The State Superintendent of Public Instruction is hereby authorized to administer oaths. He shall, upon proper request, advise county superintendents of schools and district superintendents of schools on questions as to the powers, duties and functions of school district officials, and each two (2) years he shall cause to be compiled, published and distributed to boards of education and other public officials he believes should receive the same, the school laws in force with such decisions, Attorney General's opinions and other informative matter relating to the school laws as he

deems appropriate; and he shall perform such other duties pertaining to the public school system as shall be prescribed by law or the State Board of Education. He may affiliate with the National Council of Chief State School Officers and such other national and state organizations as he believes will be of service and benefit to the public school system of Oklahoma, and dues or assessments for membership therein shall be payable from any appropriation that is available for the payment of current operating expenses of the State Department of Education.

#### ARTICLE IV COUNTY SUPERINTENDENT OF SCHOOLS

**SECTION 401. TERM — QUALIFICATIONS.** There is hereby created the office of county superintendent of schools for each county in Oklahoma, which office shall be filled at the same time and in the same manner as other county offices. The term of any person elected to such office shall be two (2) years and until his successor is elected and qualified and shall begin on the first Monday in July after his election. No person shall be eligible to nomination, appointment or election to the office of county superintendent of schools unless

1. he is a qualified elector of the county; and

2. has a standard master's degree from a college recognized by the State Board of Education, or an administrator's certificate. No person shall be allowed to file as a candidate for nomination or election to the office of county superintendent of schools nor shall the name of any person appear on any election ballot as a candidate for such office unless he then has the qualifications herein prescribed.

**SECTION 402. OATH OF OFFICE AND BOND.** The county superintendent of schools shall, before he enters upon the duties of his office, take and subscribe to the constitutional oath of office and execute a bond, payable to the State of Okla-

homa, in the sum of One Thousand Dollars (\$1,000.00) conditioned upon the faithful performance of his duties. Said bond, after having been approved by the board of county commissioners together with his official oath, shall be filed in the office of the county clerk of the county.

**SECTION 403. SALARY OF COUNTY SUPERINTENDENT.** Notwithstanding any provisions hereinabove contained to the contrary, the State Board of Education is hereby authorized to apportion, from any appropriation provided for the purposes of this Article, an amount equal to the difference between (1) the amount necessary to provide for the County Superintendent of schools in each county in the state a salary computed on the basis of the minimum salary of teachers serving as superintendents of schools in school districts, and (2) an amount equal to the salary paid to such county superintendent of schools from county funds of the county of which he, or she, is county superintendent of schools. The State Board of Education shall furnish the State Auditor with a copy of the apportionments made for the salary of the county superintendent of each county and upon the submission of claims by the State Board of Education the State Auditor shall draw a warrant each month for one-twelfth of the total apportionment made to supplement the salary of the county superintendent of schools in each county as herein provided, and such warrants shall be forwarded to the county superintendent of schools by the State Board of Education as soon as they are received from the State Auditor.

**SECTION 404. POWERS AND DUTIES.** The county superintendent of schools shall have general administrative direction and supervision of the schools of all dependent districts in the county, and shall cooperate with the superintendent of schools of the independent district and shall assist with Federal Administration Programs when requested to do so. Provided, if a dependent school district lies in more than one



county, the county superintendent of schools of that county represented in such district having the largest amount of territory embraced within the boundaries of such district shall have the general administrative direction and supervision of the schools of such district. In addition to the foregoing powers and duties, the county superintendent of schools shall:

1. Approve all contracts of teachers and other personnel under his supervision and keep on file in his office a copy of each such contract for the entire term the contract is in force; provided he shall not approve the contract of any person unless and until such person has a proper certificate issued by the State Board of Education valid for the term of such contract to perform the services he has contracted to perform;

2. Have and keep a permanent file in which he shall record all pertinent information relative to teachers' certificates and other certificates issued by the State Board of Education to personnel under his supervision;

3. Visit, or his deputies shall visit, all the schools under his supervision as often as is necessary but not less than twice during each school term and shall advise with the teachers thereof relative to the classification of pupils, methods of instruction, the condition and upkeep of the school building or buildings, equipment, and grounds. He shall at least once each year make a written report to the State Board of Education on the condition of the schools in his county and list his recommendations for improvement. He, and such of his deputies and supervisors as he may direct to do so, may also visit schools in independent school districts of the county, and confer with teachers, officials and other personnel of such independent school districts, with the view of coordinating the systems, programs, curricula and activities of all of the schools and school districts of the county, and they shall be paid their necessary travel

expenses in so doing. He shall be authorized to furnish and provide the teachers and clerks of boards of education of the dependent school districts of his county with sufficient teachers' registers, teachers' class registers, teachers' report forms, pupils' report cards, grade cards, diplomas, awards, clerks' registers, school warrant books, minute books, claim blanks, report forms, and other stationery for the needs of the district, and the county superintendent of schools shall have power and authority to purchase such supplies in the open market and pay for the same from county funds appropriated for the operation of the office of county superintendent of schools, and to require the use of such forms in all dependent districts of his county, which forms shall be those approved by the State Board of Education. Provided, that nothing in this paragraph shall prohibit the board of education of an independent school district from authorizing the county superintendent of schools to purchase supplies for such independent school district, if such supplies are paid for by the district;

4. Keep a complete record of his official acts and the registers of all teachers and principals employed under his supervision;

5. Require of all teachers and principals under his supervision the filing of complete and accurate reports at the end of each attendance period and at the end of each school year. These reports shall be kept on file in the office of the county superintendent of schools and shall be the basis of all statistical reports required by the State Board of Education;

6. Make an annual statistical and financial report of all schools under his supervision and file such report with the State Board of Education at the time requested and on blank forms prescribed by the State Board of Education. A copy of each such report shall be kept in a bound book and shall constitute permanent rec-

ords in the office of the county superintendent of schools;

7. Make apportionments of public funds to which the school districts of his county are entitled when not otherwise provided by law;

8. On or before the first day of January of each year, furnish the county clerk and county assessor of his county a description of the boundary of each and every school district or part of a district in the county;

9. Notify the Oklahoma Tax Commission and the county assessor, county clerk and county treasurer of his county of any and all changes in the boundaries of a school district lying wholly or in part in his county; and

10. Perform all other duties which are now or may hereafter be prescribed by law or by regulations of the State Board of Education.

**SECTION 405. DEPUTIES — COMPENSATION AND EXPENSES.** The county superintendent of schools of each county shall have authority to appoint deputies in the number and at the compensation authorized by the county excise board for the county superintendent of public instruction of such county and the compensation of such deputies and other expenses of maintaining his office shall be payable from county funds. The first deputy shall have authority to act for the county superintendent of schools during his absence from his office because of disability or death. Notwithstanding the foregoing, the first deputy county superintendent of schools shall have authority to approve transfers if the county superintendent shall be unable to act due to illness or absence from his office. Provided, that if there is no person serving as county superintendent or deputy county superintendent in a county the State Board of Education may legally disburse State Aid Funds to the school districts of the county, and said State Board of Education shall have authority to designate one of its employees

to perform the duties that are prescribed by law to be performed by the county superintendent.

**SECTION 406. ASSISTING BOARD OF EDUCATION IN PERFORMANCE OF ITS DUTIES, FUNCTIONS AND RESPONSIBILITIES.** The State Board of Education shall have the authority to require the county superintendent of schools to assist the Board in the performance and discharge of any of its duties, functions and responsibilities in the county for which the county superintendent of schools shall have been elected or appointed; and state funds for supplementing the salary payable to the county superintendent of schools may be withheld if he fails or refuses to give such assistance upon proper request.

**SECTION 407. NEGLIGENCE OF DUTY — PUNISHMENT.** Every county superintendent of schools who shall neglect or refuse to perform any act which it is his duty to perform or who shall corruptly or oppressively perform such duties shall forfeit his office and be liable on his official bond for damages occasioned thereby.

**SECTION 408. COUNTY SUPERINTENDENT — TRAVELING EXPENSES.** On and after the first day of July, 1937, the amounts of money allowed per year for the traveling expenses of county superintendents of public instruction shall be determined and fixed upon the basis of population of the counties of the state as follows:

1. In any county having a population of less than twenty-four thousand (24,000), the total amount allowed for traveling expenses of the county superintendent shall not be less than Four Hundred Dollars (\$400.00) per year.

2. In any county having a population of not less than twenty-four thousand (24,000), nor more than forty-five thousand (45,000), the total amount allowed for traveling expenses of the county superintendent shall not be less than Six Hundred Dol-

lars (\$600.00), nor more than Nine Hundred Dollars (\$900.00) per year.

3. In any county having a population of more than forty-five thousand (45,000) the total amount allowed for the traveling expenses of the county superintendent shall not be less than Nine Hundred Dollars (\$900.00), nor more than One Thousand Two Hundred Dollars (\$1,200.00) per year.

The population of counties for the purposes of this act shall be determined by the latest Federal Decennial Census.

**SECTION 409. ESTIMATES — APPROPRIATIONS.** It shall be the duty of the county commissioners of each county to include annually in the estimate of the county an item for the traveling expenses of the county superintendent in a sum not less than the minimum amount fixed by the provisions of this act; and it shall be the duty of the county excise board to appropriate such sum for that use.

**SECTION 410. CLAIMS.** The traveling expenses provided herein shall be paid upon sworn itemized claims in the same manner that the expenses of other county officers are paid.

**SECTION 411.** In any county where there is no county superintendent nor any deputies thereof, the State Board of Education shall have the right to act to carry out the provisions of this act so long as said office is vacant.

#### ARTICLE V

#### SCHOOL DISTRICTS AND BOARDS OF EDUCATION

**SECTION 501. SCHOOL DISTRICTS — DESIGNATION.** All school districts in Oklahoma, now in existence or which may hereafter be created, shall be designated only as independent, dependent or area school districts. Independent school districts shall be under the supervision and the administrator of the respective boards of education thereof. Dependent school districts shall be under the supervision of the county superintendent of schools and the administration of the respective district boards of education.

**SECTION 502. INDEPENDENT SCHOOL DISTRICTS.** All independent school districts in Oklahoma shall be those which shall have maintained during the previous year a four-year high school fully accredited by the State Board of Education.

A reasonable deviation from any of the requirements enumerated herein shall not operate to prohibit the State Board of Education from designating any district as independent if the other requirements are sufficiently superior to the minimum standards required herein, but standards therefor shall be reduced to writing and a copy thereof sent to all districts maintaining high schools in Oklahoma at least one (1) year prior to the time the requirements become effective. Until the effective date thereof, the requirements hereinabove enumerated shall remain in full force and effect.

As a basis for attaining the status of independent school district, high schools shall be inspected by a member of the division of secondary education of the State Board of Education or such other representative as the State Board of Education shall designate, and all of the standards prescribed by the State Board of Education shall be carefully checked in the presence of the district superintendent of schools or board of education of the district. A written report shall be made and mailed to the district superintendent of schools and board of education within thirty (30) days after the time of such inspection. Such report shall indicate if the high school meets the requirements and, if not, a statement shall be made as to what must be done in order to comply therewith.

After any school district has become independent, it shall remain so until removed from independent status by the State Board of Education, which, however, shall not remove any school district from independent status until it is satisfied that the minimum standards for independent school districts are not being



maintained. Any order of the State Board of Education removing a school district from independent status shall not become effective until the close of the fiscal year in which such order is made, and any order removing a school district from independent status which has heretofore been made by the State Board of Education, regardless of notice or effective date thereof, is hereby validated. A reasonable variation from year to year in the minimum number of teachers required shall not affect the status of any independent school district.

**SECTION 503. DEPENDENT SCHOOL DISTRICTS.** Dependent school districts shall be those which have not met the above enumerated standards and have not been designated as independent school districts by the State Board of Education.

**SECTION 504. DESIGNATION OF DISTRICT RETAINED ON RECORDS — WHEN.** Only for the purpose of identifying a district that originally incurred an indebtedness so as to avoid confusion in discharging such indebtedness, the designation of a district when an indebtedness was incurred may be retained in the records of the county assessor, county treasurer, and other public officials charged with the duty of levying and collecting taxes for the payment of obligations of school districts irrespective of whether such indebtedness has been assumed by another school district.

**SECTION 505. SCHOOL DISTRICT — BODY CORPORATE — POWERS.** Every school district shall be a body corporate and shall possess the usual powers of a corporation for public purposes by the name and style of "Independent (or Dependent, if it is a dependent school district) School District Number \_\_\_\_\_ (such a number as may be designated by the county superintendent of schools) of \_\_\_\_\_ (the name of the county in which the district is located, or if lying in more than one county the name of the county whose county superintendent of schools has jurisdiction) County, Oklaho-

ma," and in that name may sue and be sued and be capable of contracting and being contracted with and holding such real and personal estate as it may come into possession of or by will or otherwise and as authorized by law. The supervision of a school district lying in more than one county shall remain with the county that had such supervision as of July 1, 1958, except that upon a majority vote of the school district electors voting at the annual school district election or at a special school district election called for such purpose, the supervision of the school district lying in more than one county may be changed to the county superintendent of schools of any one of the counties represented in said district. Said change shall be effective upon the first day of July next succeeding the date of such meeting. It shall be the duty of the clerk of the board of education of said school district to notify the State Superintendent of Public Instruction, and the county superintendent of schools of each of the counties represented in said school district, that such change has been made, within ten (10) days after said meeting; but failure to make such notification shall not prevent such change from going into effect at the time hereinabove provided.

**SECTION 506. GOVERNING BODY OF SCHOOL DISTRICT.** The governing board of each school district in Oklahoma is hereby designated and shall hereafter be known as the board of education of such district. The superintendent of schools appointed and employed by such board shall be the executive officer of said board and shall perform such duties as said board directs.

**SECTION 507. BOARD OF EDUCATION — MEMBERS — ELECTION.** The board of education of a school district maintaining a high school shall consist of the number of members elected or appointed as hereinafter set forth:

1. In school districts having more than seventeen thousand five hundred (17,500)

students in average daily attendance during each of the three school years next preceding the next school district election.

a. the board of education shall be composed of seven (7) members who shall be elected by the qualified electors of the school district-at-large for terms of four (4) years and until their successors have been duly elected or appointed and have qualified,

b. within ninety (90) days after each Federal Decennial Census it shall be the duty of the board of education to divide the school district into seven (7) areas as equal in population as may be, with no area having a population more than three percent (3%) greater than any other area. The areas shall be compact and contiguous respecting natural affinities and using generally recognizable boundaries to the maximum extent possible, but not in derogation of equality of population. Such areas shall be numbered and not more than one member of the board of education shall be a resident of each such area,

c. notwithstanding the current terms of members of such boards of education, two members shall be elected in 1971, two members shall be elected in 1972, two members shall be elected in 1973, and one member shall be elected in 1974. The two members to be elected in 1971 shall be elected in addition to the election required to fill any term or terms expiring in 1971,

d. after the division of the school district into areas under b. above, the members of the board of education shall fix by resolution the term of office of each in such a manner as to conform the current member of the board of education to the provisions of this act. The resolution of the board of education in such matter shall be subject to review by the Supreme Court of Oklahoma upon petition by any qualified elector of the school district filed within fifteen (15) days of the adoption of the resolution.

2. In school districts having seventeen thousand five hundred (17,500) or fewer students in average daily attendance during any of the three school years next preceding the next school district election, the board of education shall elect by resolution to be governed by one of the three provisions hereinafter set forth:

a. the board of education may elect to have its membership composed of five (5) members who shall be elected by the qualified electors of the school district-at-large for terms of five (5) years and until their successors have been duly elected or appointed and have qualified;

b. the board of education may elect to divide the school district into five (5) areas as equal in population as may be, with no area having a population more than five percent (5%) greater than any other area. In the absence of Standard Metropolitan Statistical Areas or other Federal Census data as to the location of the population within the school district the board of education may use voter registration data, school attendance figures, and other reliable information to estimate the populations within the five (5) areas. The areas shall be compact and contiguous, respecting natural affinities and using generally recognizable boundaries to the maximum extent possible, but not in derogation of equality of population. Such areas shall be numbered and not more than one member of the board of education shall be a resident of each such area;

c. the board of education may elect to adopt and continue in force municipal charter or ordinance provisions now existing or hereafter enacted relating to the membership of the board of education in the manner of electing such members as provided in Section 509 of this code.

3. The terms of members of the school board shall commence on the second Tuesday in February next following their election.

4. In the event that one school district

has been or is to be consolidated into or annexed to another school district, whether voluntarily or involuntarily, then the board of education of the surviving district may, in its discretion, by resolution provide for representation of the electors of the non-surviving district upon the board of education of the surviving district through the designation of an extra member or members of the board of education of the surviving district from the members of the board of education of the non-surviving district. Such extra members shall serve only until the process of elections has afforded to the electors in the area of the non-surviving school district the opportunity to participate in the election of a majority of the members of the board of education of the surviving school district. The number, terms of office, and voting powers of such extra members shall be determined by the board of education of the surviving district by the resolution. The resolution may not be rescinded or amended by the board of education of the surviving district without the unanimous consent of the extra members named therein.

5. If a board of education has more members on the effective date of this act than are provided in this section, such board shall be reduced to the number provided herein by not electing or appointing successors for the members whose terms expire next until the number provided in this section has been reached.

**SECTION 508. DEPENDENT DISTRICTS NOT MAINTAINING HIGH SCHOOL — BOARD OF EDUCATION — MEMBERS — ELECTION.** The board of education of a dependent school district not maintaining a high school shall consist of three (3) members elected by the school district electors of the district at large. Each member shall be elected for a term of three (3) years and until his successor is duly elected or appointed and has qualified.

**SECTION 509. CITY — POPULATION OF 5,000 OR MORE — CHARTER FORM**

**OF GOVERNMENT — REGULATE ELECTIONS.** Any city

1. having a population of five thousand (5,000) or more,

2. having a charter form of government, and

3. which is located in an independent school district may fix the number and regulate the procedure of electing the members of the board of education of such district, and the provisions of any charter already adopted and in force or any ordinance adopted pursuant thereto prescribing the number of members and procedure of election of the board of education are hereby validated and legalized; provided, however, all such elections shall be held on the fourth Tuesday in January of the years in which the respective members' terms expire. Provided, further, any such ordinance which may hereafter be adopted shall not become effective until it has been submitted to a vote of the school district electors of such school district and approved by them.

**SECTION 510. WORKSHOPS FOR NEW BOARD MEMBERS — REIMBURSEMENT FOR EXPENSES — AGREEMENT TO ATTEND WHEN CANDIDATE FILES NOTIFICATION AND DECLARATION.** 1. At the time a school district elector files a notification and declaration of candidacy for the office of district board of education membership, such elector may agree and pledge in writing, that upon election as a member of the district board of education, such member will attend a two-day workshop to be held within the State of Oklahoma by the State Department of Education for study and instruction on the subjects of school finance, the Oklahoma School Code and related laws, and the ethics, duties and responsibilities of district board of education members. Provided, that the provisions of this subsection shall not apply to any elector who has had prior experience of one (1) year or more preceding the date of the school district election as a mem-



ber of the district board of education to which membership is sought.

2. The Oklahoma State Department of Education in cooperation with the Oklahoma State School Board Association may, as soon as practicable but not later than six (6) months after the annual elections of various district board of education members, determine the members of the district boards of education pledged to attend the workshop established by subsection 1 of this section, and after making arrangements for proper courses of study and instructors, shall notify such members of the time and place such workshop is to be conducted. All government departments, agencies and institutions of this state are directed to lend such assistance as may be required by the Department of Education for the proper conduct and administration of the workshops. The State Department of Education shall maintain a permanent record of each district board of education member who successfully completes a workshop and shall issue a certificate of completion to such member.

3. Any member of a district board of education who attends and successfully completes a workshop as required by subsection 1 of this section may be reimbursed for expenses incurred by the school district on the basis of not to exceed Twenty-five Dollars (\$25.00) per day while in actual attendance, and nine cents (\$.09) per mile of necessary travel from his or her residence to and from the place of the workshop.

**SECTION 511. VACANCY ON BOARD — FAILURE TO QUALIFY.** A position on the board of education of any school district shall automatically become vacant upon the failure of a person who has been elected or appointed thereto to qualify within thirty (30) days after his election or appointment or the beginning of his term of office, whichever occurs first.

**SECTION 512. VACANCY — FILLED FOR UNEXPIRED TERM.** Any vacancy occurring on the board of education of a

school district shall be filled by the board of education of such district for the unexpired term; provided, however, that if the board of education does not fill the vacancy by appointment or by election within seventy (70) days after the same occurs, it shall be mandatory on the part of the county election board to call a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a board member only and said election shall be conducted in the same manner as the regular annual school election.

**SECTION 513. RELATION BY AFFINITY OR CONSANGUINITY — PROHIBITION.** No person shall be eligible to serve on a board of education if he or she is related within the third degree by affinity or consanguinity to any other member of the board of education to which such ineligible person is elected or appointed, it being the purpose of this section to prohibit persons who are related within the third degree by affinity or consanguinity from serving simultaneously on the same board of education of any school district of this state.

**SECTION 514. COUNTY TREASURER AS DISTRICT TREASURER — LOCAL AND ASSISTANT TREASURER IN INDEPENDENT DISTRICTS.** The county treasurer of each county in Oklahoma shall be the treasurer of all school districts in said county, except that the board of education of an independent school district may appoint a local treasurer and, in its discretion, an assistant local treasurer of said district, each of whom shall serve at the pleasure of said board for such compensation as the said board may determine. The assistant local treasurer may perform any of the duties and exercise any of the powers of the local treasurer with the same force and effect as if the same were done or performed by the local treasurer. Before entering upon the discharge of his duties, the assistant treasurer shall give a bond in such amount as the board of education may designate,

with good and sufficient sureties to be approved by the board, conditioned for the faithful performance of his duties. Provided, that the assistant local treasurer shall only apply to those districts having an average daily attendance of twenty-five thousand (25,000) or more.

**SECTION 515. LOCAL TREASURER — SURETY BOND — DUTIES — CASH AND INVESTMENT LEDGERS.** The treasurer so appointed shall execute, before entering upon the duties of his office, a surety bond in an amount which it is estimated by the board of education he will have on hand at any one time during the current year, and the amount of securities held as investments shall not be considered. The board of education is empowered to require the treasurer to increase or decrease his bond as the amount of funds on hand may require. Provided, the bond of a school district shall not, in any event, be required to be in an amount greater than that of the county treasurer of the county. The premium on said bond shall be paid by the board of education out of district funds. Provided, however, the treasurer of such district shall require the depository wherein school district funds are deposited to insure or guarantee the deposit by proper securities, which shall be of the same class of securities as are required to insure deposits of county treasurers of the various counties, and said securities shall be pledged, taken and kept in the manner provided by Title 62 of the Oklahoma Statutes, § § 516.1-516.8, inclusive.

In all districts which are permitted by law to select a local treasurer the county treasurer shall act as treasurer thereof until such time as a local treasurer shall be appointed and has executed the surety bond required by this section. In no instance in which the county treasurer is the treasurer of any school district shall any additional bond be required, but the official bond of the county treasurer shall stand for any and all funds and securities coming into his hands.

The local treasurer of a district, when required by the board of education, shall prepare and submit in writing a report of the condition of the finances of the district and shall produce at any meeting of the board or to any committee appointed for the purpose of examining his accounts all books and papers pertaining to his office. Upon failure to make reports as provided for herein or as may otherwise be required by law, the board may at any regular or special meeting thereof summarily suspend said treasurer, and while so suspended he shall perform no act pertaining to his office. Such suspension shall continue until ended by order of the board or by judgment of a court of competent jurisdiction.

The local treasurer of a school district shall keep a separate cash ledger for each fund in his custody. The local treasurer shall enter each collection and disbursement in the cash ledger of the applicable fund by recording the date and classification of each transaction and such other information as may be deemed desirable. Additional ledgers shall also be maintained to record the investments made from each fund. Such investment ledgers shall disclose the date, description and principal amount paid for each investment purchased and the date and principal amount received for each investment liquidated.

Upon suspension by the board, the treasurer shall immediately turn over to the board of education or to the acting treasurer if one has been appointed by the board all books and papers and other property pertaining to his office.

No treasurer of any district shall pay out school district funds in his care except upon warrants signed by the proper school district officials authorized by the law to sign such warrants, provided, this restriction shall not apply to sinking funds.

**SECTION 516. OATH OF OFFICE.** Each member of the board of education and the treasurer and assistant treasurer

of a school district shall take and subscribe to the following oath:

"I, -----(Name of officer), hereby declare under oath that I will faithfully perform the duties of -----(Name of position) of -----(Name of school district) to the best of my ability and that I will faithfully discharge all of the duties pertaining to said office and obey the Constitution and laws of the United States and Oklahoma."

#### SECTION 517. POWERS AND DUTIES

— RULES AND REGULATIONS. The board of education of each school district shall have power to elect its own officers; to make rules and regulations, not inconsistent with the laws or rules and regulations of the State Board of Education, governing the board and the school system of the district; to maintain and operate a complete public school system of such character as the board of education shall deem best suited to the needs of the school districts; to designate the schools to be attended by the children of the district; to provide and operate when deemed advisable, cafeterias or other eating accommodations, thrift banks or other facilities for the teaching and practice of thrift and economy, bookstores, print shops, vocational and other shops; to purchase, construct or rent, and operate and maintain, classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation places and playgrounds, teacherages, school bus garages, laboratories, administration buildings, and other schoolhouses and school buildings, and to acquire sites and equipment therefor; to have school district property insured; to acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes; to dispose of property no longer needed by the district by sale, exchange, lease or otherwise; to purchase necessary property, equipment, furniture and supplies necessary to maintain and operate an adequate school system; to incur all expenses, within the limitations provided by law, neces-

sary to carry out and fulfill all powers herein granted; to contract with and fix the duties and compensation of physicians, dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district and pay their necessary travel expenses, and pay necessary travel expenses of members of the board of education; and to exercise sole control over all of the schools and property of the district, subject to other provisions of the Oklahoma School Code. Provided, that the boards of education of two or more school districts may enter into cooperative agreements and maintain joint programs, including but not limited to, courses of instruction for handicapped children, courses of instruction in music and other subjects, practical instruction for trades and vocations, practical instruction in driver training courses, and health programs, including visual care by persons legally licensed for such purpose, without favoritism as to either profession. Provided, further, that any school district may operate or maintain a school or schools on any military reservation which is within the boundaries of such school district or which is adjacent to such school district, and provide the instruction in such school or schools to children of personnel on the military reservation, and in doing so shall conform to all Federal laws and requirements. Provided, further, the board of education of each school district shall adopt and maintain on file in the office of the superintendent of schools, and available to the public, an appropriate personnel policy and sick leave guide.

SECTION 518. MEETINGS OF BOARD — CHANGE IN DATE OF REGULAR MEETINGS — COMPENSATION OF MEMBERS OF BOARDS OF DISTRICTS WITH A.D.A. EXCEEDING 15,000. Regular meetings of the board of education of each school district shall be held upon the first Monday of each month, or upon such day as may be fixed by the board; provided, that if another day be so fixed,



the board shall cause notice of the time and place thereof to be given. Special meetings may be held from time to time as circumstances may demand. If a school district has an average daily attendance in excess of fifteen thousand (15,000) the preceding school year, each member of the board of education of such district may be paid from the district's general fund a per diem of Fifty Dollars (\$50.00) for each regular, special or adjourned meeting of the board of education that he attends, but not for more than four (4) meetings in any calendar month.

**SECTION 519. OFFICERS OF BOARD.** The board of education of each school district shall elect from its membership at the first regular meeting after the annual school election a president and vice president, each of whom shall serve for a term of one (1) year and until his successor is elected and qualified. The board shall also elect a clerk, and in its discretion, a deputy clerk, either of whom may be one of the members of the board, and each of whom shall hold his office during the pleasure of the board and each of whom shall receive such compensation for his services as the board may allow. Provided, no superintendent, principal, instructor, or teacher employed by such board shall be elected or serve as clerk or deputy clerk of the board. The deputy clerk may perform any of the duties and exercise any of the powers of the clerk with the same force and effect as if the same were done or performed by the clerk. Before entering upon the discharge of his duties, the deputy clerk shall give a bond in the sum of One Thousand Dollars (\$1,000.00) with good and sufficient sureties to be approved by the board conditioned for the faithful performance of his duties.

**SECTION 520. PRESIDENT—DUTIES.** It shall be the duty of the president to preside at meetings of the board of education, to appoint all committees whose appointment is not otherwise provided for, and to sign all warrants ordered by the

board of education to be drawn upon the treasurer for school money.

**SECTION 521. VICE PRESIDENT—DUTIES.** It shall be the duty of the vice president to perform all of the duties of the president in case of his absence or disability.

**SECTION 522. CLERK — DUTIES.** It shall be the duty of the clerk to keep an accurate journal of the proceedings of the board, take charge of the district books and documents, countersign all warrants for school monies drawn upon the treasurer by the board of education and perform such other duties as the board of education or its committees may require.

The clerk of the board of education of any school district is hereby authorized to destroy all claims, warrants, contracts, purchase orders and any other financial records, or documents, including those relating to student activity funds, on file or stored in the offices of the board of education of such district for a period of longer than five (5) years.

**SECTION 523. EXPENDITURES — LIMITATIONS.** No expenditure involving an amount greater than Five Hundred Dollars (\$500.00) shall be made by a board of education except in accordance with the provisions of a written contract, and no contract involving an expenditure of more than One Thousand Dollars (\$1,000.00) for the purpose of erecting any public building or making any improvements shall be made except upon sealed proposals and to the lowest responsible bidder. Provided, this section shall not be construed to prohibit a school district from erecting a building or making improvements on a force account basis.

**SECTION 524. CONTRACTS WITH MEMBER OR BUSINESS IN WHICH INTERESTED.** No board of education of any school district in this state shall make any contract with any of its members or with any company, individual or business concern in which any of its members shall be directly or indirectly interested. All contracts made in violation of this

section shall be wholly void. A member of a board of education shall be considered to be interested in any contract made with any company, individual, or any business concern if such member of the board of education or any member of his immediate family owns any substantial interest in same.

SECTION 525. CLAIMS — FALSE — VOTING FOR — LIABILITY. Every member of the board of education or board of county commissioners who shall hereafter vote for the payment of any money or transfer of any property belonging to the school district in settlement of any claim known to such member to be fraudulent or void, or in pursuance of any unauthorized, unlawful or fraudulent contract or agreement made or attempted to be made, for any school district, by any officer or officers thereof, and every person having notice of the facts with whom such unauthorized, unlawful or fraudulent contract shall have been made, or to whom, or for whose benefit such money shall thereafter be paid, or such transfer of property shall be made, shall be liable in damage to all innocent persons in any manner injured thereby and shall be liable to the school district affected for double the amount of all sums of money so paid, and double the value of property so transferred, as a penalty to be recovered at the suit of the board of education of such school district, or of any school district elector thereof, as hereinafter provided. Such illegal payment of money shall include salaries or any compensation paid to any person for teaching or performing other services for said district when such person does not have a written contract required by law or does not hold a valid certificate as required by the Oklahoma School Code or rules and regulations of the State Board of Education for the subjects taught or services performed and valid for the entire time for which such person has been paid, and any person receiving such illegal payment shall also be guilty of a misdemeanor.

SECTION 526. REFUSAL, FAILURE OR NEGLECT OF BOARD — ELECTOR MAY INSTITUTE ACTION. Upon refusal, failure or neglect of the board of education of any school district, after written demand made upon them by ten (10) school district electors of such school district, or by the State Board of Education, either to return the money or to institute and diligently prosecute the proper proceedings at law or in equity for the recovery of any money or property belonging to such district, paid out or transferred by any officer thereof, in pursuance of any unauthorized, unlawful, fraudulent or void contract, made or attempted to be made by the board of education of any such school district, or for the penalty provided in the section preceding, any school district elector of such district affected by such payment or transfer, and after giving security for costs, may in the name of the State of Oklahoma as plaintiff, institute and maintain any proper action at law or in equity which the board of education of the school district might institute and maintain for the recovery of such property, or for said penalty, for the benefit of the district, and any judgment thus obtained shall provide for payment of necessary attorney fees and other costs of the action.

SECTION 527. AUDIT OF ACCOUNTS — DIRECTION OF GOVERNOR — PETITION BY VOTERS. On written directive by the Governor, on written request of the State Board of Education, or on petition in writing signed by one hundred (100) legal voters or by twenty-five percent (25%) of the legal voters, whichever is the less of such school district, the books, and accounts relating to the public funds of any school district, shall be examined by the State Examiner and Inspector or by his deputy at state expense if any state monies may be involved and other duties enjoined upon him are not neglected in so doing, and copies of his report of such examination shall be duly filed in the manner provided by law.

SECTION 528. ANNUAL STATISTICAL AND FINANCIAL REPORTS. Boards of education of all school districts are hereby required to make annual statistical and financial reports to the State Board of Education. The statistical report shall be made as of June 30. Each of such reports shall be filed with the State Board of Education as soon as information is available following the effective date of such reports. Provided, a copy of each such report shall be filed in the office of the county superintendent of schools.

SECTION 529. STUDENT ACTIVITY FUND — CONTROL — ACCOUNTS — DISBURSEMENTS — PETTY CASH ACCOUNT — CUSTODIAN — BOND. 1. The board of education of each school district shall exercise control over all funds on hand or hereafter received or collected, as herein provided, from student or other extracurricular activities conducted in the school district. Such funds shall be deposited to the credit of the account maintained for the benefit of the particular activity within the student activity fund. Disbursements from each of the activity accounts shall be by check countersigned by the student activity fund custodian and shall not be used for any purpose other than that for which the account was originally created. Provided, the board of education may direct by written resolution that any balance in excess of the amount needed to fulfill the function or purpose for which an account was established may be transferred to another account by the custodian.

2. The board of education of each school district may designate that any of the following revenue be deposited for the use of specific student activity accounts, or to a general activity fund within the student activity fund:

a. Admissions to athletic contests, school or class plays, carnivals, parties, dances and promenades;

b. Sale of student activity tickets;

c. Concession sales, and cafeteria or luncheon collections;

d. Dues, fees and donations to student clubs or other organizations, provided that membership in such clubs or organizations shall not be mandatory;

e. Income or revenue resulting from the operation of student organizations or club projects, provided, such revenue is not derived from the sale of property, supplies, products or other assets belonging to the school district; and

f. Deposits for or collections for the purchase of class pictures, rings, pins, announcements, calling cards, annuals, banquets, student insurance, and other such personal items; provided the cost of such items shall not be charged against other school funds.

All other income, revenue, deposits or collections of any nature, including but not limited to, laboratory fees, fees for the use of equipment owned or rented by the school district, deposits or assessments for breakage or supplies used in instructional courses, sales, exchange, lease, or rent of property, supplies or products originally acquired from funds belonging to the school district or through the management, use or production of property belonging to the school district, shall be deposited in accordance with the provisions of Title 62 of the Oklahoma Statutes, § 335.

3. The board of education of such district may establish a petty cash account to be used only for the purpose of making small cash expenditures, such as postage, freight or express charges; provided, no single expenditure from the petty cash account shall be made in excess of Fifty Dollars (\$50.00), and the total expenditures during any one fiscal year shall not exceed Five Hundred Dollars (\$500.00). The student activity fund custodian shall initiate the petty cash account by filing a claim against the general fund of the school district for the authorized amount of the petty cash account which shall not exceed One Hundred Dollars (\$100.00). The general fund warrant issued in payment of said claim shall be deposited in



the "Petty Cash Account" in the student activity fund.

All disbursements from the petty cash account shall be made in the same manner as other disbursements from the student activity fund, except no disbursement shall be made from the petty cash account unless a prenumbered, dated receipt be obtained and signed by the person receiving payment. The student activity fund custodian shall file claims against the general fund of the school district for reimbursement of the petty cash account whenever the need shall arise. Such claims shall be itemized in the same manner as other claims filed against the general fund and shall have attached thereto the receipts covering each of the expenditures claimed for reimbursement. The total of the petty cash account balance and the receipts on hand awaiting reimbursement should equal at all times the authorized amount of the petty cash account.

None of the provisions pertaining to the petty cash account shall be construed to authorize the use of one fiscal year's funds to pay obligations of another fiscal year.

4. The State Board of Education shall adopt appropriate rules and regulations and design standard forms for the proper conduct of the various student activity accounts.

5. The student activity fund custodian shall be appointed by the board of education of the school district. The custodian shall give a surety bond in an amount determined by the board of education, but not less than One Thousand Dollars (\$1,000.00). The premium of the surety bond shall be paid from the student activity fund.

**SECTION 530. SCHOOL BUILDINGS AND PROPERTY—PERMISSION TO USE FOR OTHER PURPOSES.** The board of education of any school district may, under such regulations and conditions as it may prescribe, open any school building and permit the use of any property

belonging to such district for religious, political, literary, cultural, scientific, mechanical or agricultural purposes, and other purposes of general public interest and may make a reasonable charge to cover the cost of the use of such building and property.

**SECTION 531. EDUCATIONAL COURSES — BUILDINGS AND EQUIPMENT.** The board of education of every school district in this state is hereby authorized to provide educational courses for all persons and said board is authorized to provide necessary buildings, equipment, and other facilities for such persons. Such educational courses may include grades one (1) to twelve (12), inclusive, for persons between the ages of six (6) and twenty-one (21) years and may also include nursery and kindergarten classes, junior college grades, vocational and technical instruction, adult and part-time classes and other special classes. The curricula and qualifications of teachers shall be determined by the State Board of Education except as otherwise provided herein. Provided, any district offering educational courses shall charge tuition fees for such courses unless the school district has funds available to pay the cost thereof which are not needed to maintain the common school program.

**SECTION 532. STUDENTS OF LEGAL AGE — COMPLETION OF TWELFTH GRADE.** Any person who is of legal age and a resident of Oklahoma, over the age of twenty-one (21) and under the age of twenty-six (26), and who has not completed the twelfth grade in school shall be given the same educational privileges and opportunities provided by law for children over the age of five (5) and under the age of twenty-one (21), upon submitting to the board of education of the school district in which said person resides evidence satisfactory to that board showing that during the time before he was twenty-one (21) years of age he was unable to attend school for a definite period or periods of time because of physi-

cal disability, or service in the United States Armed Forces or Auxiliary Organizations, by reason whereof it was impossible for him to complete the twelfth grade before reaching the age of twenty-one (21). Provided, further, said pupil shall be counted in the average daily attendance of the district where he attends school during the period of time provided for in this article for the purpose of calculating State Aid for the district.

SECTION 533. APPORTIONMENT OF TAXES EACH YEAR. 1. There is hereby regularly apportioned to each and every school district of the State of Oklahoma in each taxable year five (5) mills on the dollar out of the fifteen (15) mills on the dollar total taxes for all purposes on an ad valorem basis provided by Section 9 (a), Article X, of the Oklahoma Constitution, as amended on April 5, 1955. Provided, that the regular apportionment hereby made shall not prevent or take away from the county excise board of any county the right to apportion to any school district or class of school districts in such county more than five (5) mills out of the fifteen (15) mills to be apportioned in pursuance of the provisions of said amended Section 9 (a), Article X, of the Oklahoma Constitution among county, city, town and school districts.

2. In accordance with the provisions of Section 9 (c), Article X, of the Oklahoma Constitution, as amended on April 5, 1955, an additional tax of not to exceed fifteen (15) mills on the dollar valuation of all taxable property in the district shall be levied upon certification of a need therefor by the board of education.

3. An amount equal to the district's proportionate part of the ninety percent (90%) of the amount obtained by multiplying the total net assessed valuation of the school districts of the county by four (4) mills may be estimated as probable revenue from the four (4) mills county-wide levy made under the provisions of Section 9 (b), Article X, of the Oklahoma Constitution, as amended on April 5, 1955,

and the amount so estimated may be used to finance the appropriations of the district.

The provisions of said Section 9 (b) relating to school districts lying in more than one county shall not affect the status of any such school district, and for the purposes of apportionments under said Section 9 (b), any such district shall be deemed a school district of the county of which it is now considered a school district, unless the State Board of Education, upon written petition by the board of education of such district, decrees that such district shall be deemed a school district of another county in which any of its territory lies, and unless the District Court of Oklahoma County in an action filed for such purposes reverses such decree, and revenue from the tax levied under said Section 9 (b) on the assessed valuation of the district in other counties shall, when collected, be transmitted to the county treasurer of that county of which such district is deemed a school district, and be apportioned as provided for the proceeds of such tax on the assessed valuation of such county.

SECTION 534. ESTIMATES — EMERGENCY AND BUILDING LEVIES — ELECTIONS. No later than December 31 of each year the board of education of each school district of the state shall prepare, on a form prescribed by the State Board of Education, a preliminary estimate of the amount or amounts of money and tax rate or rates which it then believes will be required for the district for the ensuing fiscal year; and if such preliminary estimate shows an estimated need for a levy requiring the approval of the school district electors of the district under Section 9 or Section 10, Article X, of the Oklahoma Constitution, as amended on April 5, 1955, such preliminary estimate shall contain a call for an election to be held on the fourth Tuesday of such month of January, or on such other date as may be provided for the election of the members of the board of education

to vote on the question of making such levy or levies. Such preliminary estimate shall be published in one issue of a newspaper, having general circulation in the district, or shall be posted in five (5) public places in the district, at least ten (10) days before such election. Provided, that the county excise board or the board of education of any school district may call a special election for any date for the purpose of voting upon a levy authorized by Section 9 or Section 10, Article X of the Oklahoma Constitution, as amended. Notice of any election called under the provisions of this section shall be given by publication in one issue of a newspaper having general circulation in the school district, or by posting in five (5) public places in the district, at least ten (10) days before such election.

**SECTION 535. ALTERNATE SYSTEM OF ACCOUNTING.** 1. The board of education of any school district may authorize the use of the following alternate system of initiating, recording and paying for all purchases, salaries, wages or contractual obligations due from any of the funds under the control of such board of education, except that the provisions contained herein shall not apply to the sinking fund and student activity fund.

2. The clerk and treasurer of the school district shall each enter the authorized amounts in the various appropriation accounts of the funds to which this system is applied. The authorized amounts of appropriations shall be the general fund and building fund appropriations approved by the county excise board and such additional amounts as may be applied in the manner provided by law, the amount received for deposit in a special cash fund where such special cash fund is authorized by law or required by the person or agency providing such funds, or the amount of the net proceeds realized from the sale of bonds of the school district and any other income due such fund.

3. All encumbrances against such appropriations shall be authorized by the

board of education of the school district and shall be only for the purpose of the appropriation charged. The encumbrances shall be consecutively numbered in the order of their approval by the board of education, and the clerk shall list the approved encumbrances in the minutes of the board's meeting.

4. It shall be the duty and responsibility of the board of education of the school district to prescribe and administer adequate business procedures and controls governing the ordering and delivery of merchandise. Such procedures shall include a method of determining the school employee receiving delivery of each purchase.

5. The clerk shall charge the appropriate appropriation accounts and credit the affected encumbrances outstanding accounts with the approved encumbrances after first determining that the encumbrances do not exceed the balance of the appropriation charged. The approved encumbrances shall then become the authority for the designated school personnel to complete the purchasing process.

6. After satisfactory receipt of the services or merchandise, the employee designated by the board of education to be responsible for the transaction shall certify the bill to the clerk for payment. The clerk, however, shall not pay any bill unless it is, or is properly supported by, an itemized invoice clearly describing each item purchased, the quantity of each item, its unit price, and its total cost. The bill and/or invoice shall be filed in the clerk's official records.

7. The clerk shall debit the encumbrances outstanding account and credit the accounts payable account for the amount of the approved bill. If there is a minor adjustment in the total cost as compared to the encumbrance authorized by the board of education, the appropriation and encumbrances outstanding accounts shall be adjusted to reflect the actual cost. The board of education shall determine the extent such costs may fluctuate.



tuate without additional board action. Minor adjustments not requiring additional board approval shall be referenced to the original encumbrance.

8. After ascertaining that proper accounting of the purchase has been made and that his files contain sufficient information to justify the expenditure of public funds, the clerk shall pay the approved bill by issuing a warrant against the designated fund. The warrants so issued shall be consecutively numbered in the order of their issuance. The clerk shall charge the warrant against the accounts payable account and credit it to the warrants issued account. Provided, if payment is to be made immediately and the board of education deems it advisable, the postings to the accounts payable account may be omitted and the payment of the approved bill may be credited directly to the warrants issued account. The warrant shall show on its face the name of the school district, the date of issue, the payee, the amount, the expenditure classification code, and such other information as may be necessary or desirable. The president and clerk of the board of education shall each sign the warrant, thereby denoting to the public that the warrant is for the purpose and within the amount of the appropriation charged.

9. The warrant shall then be delivered to the treasurer of the school district who shall register the same in his warrant register, charging the appropriation account and crediting the warrants outstanding account of the designated fund. Provided, no warrant shall be registered in excess of the appropriation account's balance. All warrants shall be registered in the order of their issuance number. Voided warrants shall be registered and filed with the treasurer. The warrants against each fund shall be payable in the order of their issue. The treasurer shall sign each warrant showing its registration date and stating whether the warrant is payable or nonpayable. When funds become available, nonpayable warrants shall

be called in the same manner as that now provided by law. When a properly payable warrant is presented to the treasurer, he shall issue his check in payment thereof. The payment shall be charged to the warrants payable account and credited to the cash account of the fund involved.

10. School districts complying with the provisions of this act shall use only those forms and accounting systems approved by the State Board of Education. Such forms and systems shall be considered in substantial compliance with this act if they are sufficient to convey the meaning and sequence of transactions contained herein. Provided, nothing contained herein shall be construed to limit or prevent the use of additional or subsidiary accounts, forms, or files which may be deemed necessary or advisable by the board of education of the district or the State Board of Education.

11. Any school district desiring to utilize the services of a data processing center to furnish any or all of the records herein required may do so if the center and its system complies with this act and the rules and regulations of the State Board of Education. Such center shall furnish an honesty bond in an amount to be set by the board of education but not less than Ten Thousand Dollars (\$10,000.00).

12. The State Board of Education shall notify the board of education of the school district of the tentative amount said district is to receive from state and federal aid funds or allocations, and the board of education of the school district may include such tentative estimate as an item of probable income in the preparation of the school district's Estimate of Needs and Financial Statement; provided, no such federal aid estimate shall be used in any way to reduce the State Foundation Aid or Incentive Aid for such school district or sustain a protest for the reduction of a tax levy.

#### ARTICLE VI TEACHERS

#### SECTION 601. TEACHERS — CON-

TRACT. 1. Except as provided in paragraph 5 of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. The board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher, and if the contract is with a dependent school district one copy shall be filed with the county superintendent of schools.

2. No board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and members voting for such payment shall be held jointly responsible for the return of the amount of any public moneys thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended.

3. It shall be the duty of the county superintendent of schools and the district superintendent of schools under whose supervision teachers have been contracted to teach to certify to the treasurer of the contracting district the names of the teachers holding valid certificates with whom contracts have been made and the names of substitute teachers employed in accordance with law. Said treasurer shall not register any warrant issued in payment of salary to any teacher whose name is not included in such list and shall be

liable on his official bond for the amount of any warrant registered in violation of the provisions of this section.

4. Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district the contract shall be binding on the teacher and on the board of education until the teacher legally has been discharged from his teaching position or released by the board of education from his contract. Until such teacher has been thus discharged or released, he shall not have authority to enter into a contract with any other board of education in Oklahoma for the same time covered by his original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of his contract previously made and to have entered into a contract with another board of education without having been released from his former contract, such teacher, upon being found guilty of said charge at a hearing held before the State Board of Education, shall have his certificate suspended for the remainder of the term for which said contract was made.

5. A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to April 10, a board of education has not entered into a written contract with a regularly employed teacher or notified him in writing by registered or certified mail that he will not be employed for the ensuing fiscal year, and if, by April 25, such teacher has not notified the board of education in writing by registered or certified mail that he does not desire to be re-employed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other teachers in the school district for the ensuing fiscal year, and such employment and continuing contract shall be binding on the teacher and on the school district. Provided that no dis-

trict or any member of the board of education of a district shall be liable for the payment of compensation to a teacher under the provisions of the teacher's contract for the ensuing year, if it becomes necessary to close the school because of insufficient attendance, disorganization, annexation, consolidation, or by dispensing with the school according to law, provided, such cause is known or action is taken prior to July 1 of such ensuing year.

**SECTION 602. ANNUITY CONTRACTS FOR TEACHERS.** 1. A part of the salary, not to exceed the exclusion allowance provided in Section 403 (b) (2) of the Internal Revenue Code, payable to a teacher or any full-time employee by a school district may, at the request of the teacher or such full-time employee, be paid by the purchase of an annuity contract from any insurance company authorized to do business in Oklahoma by the district for the teacher, and the teacher shall be entitled to have such annuity contract continued in force in succeeding years by such school district or any other school district subsequently employing the teacher. The amounts so contributed or paid by the school district for the annuity contract, or to continue it in force, shall be considered as payment of salary, for the same amounts, to the teacher for state aid purposes, Teachers' Retirement System purposes, or Social Security purposes, but not for State Income Tax purposes. Provided that the amount received under such annuity contracts shall be income subject to state income tax when actually received. Provided, further, that any teacher desiring to be covered by the provisions of this act shall express his or her wishes in writing to the local board of education of the district, not later than ten (10) days prior to the end of any pay period of the school year.

2. The provisions of paragraph 1 of this section shall also apply to all employees of institutions, agencies and boards comprising The Oklahoma State System of Higher Education. Such institutions, agen-

cies and boards may purchase annuity contracts from

a. any insurance company authorized to do business in Oklahoma, or

b. any life insurance or annuity company organized and operated, without profit to any private shareholder or individual exclusively for the purpose of aiding and strengthening educational institutions by issuing insurance and annuity contracts only to or for the benefit of such institutions and individuals engaged in the services of such institutions.

**SECTION 603. DISMISSAL OF TEACHER — GROUNDS — NOTICE — HEARING.** Upon hearing as hereinafter provided any teacher may be dismissed at any time for immorality, willful neglect of duty, cruelty, incompetency, teaching disloyalty to the American Constitutional system of government, or any reason involving moral turpitude. Before any teacher may be dismissed, written notice of the proposed dismissal shall be given him by the board of education in independent school districts, or by the county superintendent of schools in dependent school districts. Said notice shall contain a statement of the charges upon which a hearing is sought and by whom brought. The teacher complained of shall be notified of the date of the hearing, which shall be not less than ten (10) days from the date of said notice. The teacher shall be entitled to be present and to be represented by counsel. In the case of a teacher in a dependent school district the hearing shall be before the county superintendent of schools and the board of education of the district in which the teacher is employed. In independent school districts it shall be before the board of education of such school district. In all cases a majority vote of those constituting the board, before which said hearing is held, shall be required in order to sustain the charges against the teacher charged and in dependent school districts the county superintendent of schools must concur. Provided in cases involving incompetency or ne-



glect of duty, the decision arrived at at said hearing shall be final and in those involving moral turpitude an appeal may be taken to the district court of the county.

No school district nor any member of a board of education shall be liable for the payment of any teacher for the unexpired term of any contract if the school building is destroyed by accident, storm, fire, or otherwise and it becomes necessary to close the school because of inability to secure a suitable building or buildings for continuation of school. Teachers shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

#### SECTION 604. SICK LEAVE—STATE REIMBURSEMENT — MEDICAL BENEFITS.

1. The board of education of each school district in the state shall provide for sick leave for all teachers employed in the district and shall pay such teachers the full amount of their contract salaries during any absence from their regular school duties for a period of time and under such conditions as the board may determine, but not less than the minimum benefits hereafter specified. Payment for sick leave shall be made on the basis of the current salary rate then in effect for the teacher receiving the payment. The plan shall provide that a teacher may be absent from his duties due to illness without loss of salary for not less than ten (10) days during each school year. Leave shall accrue at the rate of one day or more per calendar month based on a ten-month school year and may not be used in advance. Unused sick leave shall be cumulative up to a total of sixty (60) days, but cumulative sick leave shall not be transferable to another district and shall expire if the teacher leaves the employment of the school district in which accumulated. Each school district shall adopt an appropriate plan to provide for serious illness, death in immediate family or other similar extreme circumstances.

The State Board of Education shall adopt an appropriate sick leave reporting form which may be used by each school district in reporting sick leave of teachers for state reimbursement purposes. The State Board of Education shall reimburse the school districts with additional state aid for fifty percent (50%) of the money paid school teachers for sick leave during the fiscal year from moneys appropriated for said purpose, for fiscal years beginning after June 30, 1971.

2. The plan of each school district for sick leave benefits may include other terms and conditions, but shall not provide less sick leave benefits than those prescribed herein. Hospital and medical proceeds may not be charged against sick leave benefits, but the proceeds received by the teacher from any insurance provided by the district for loss of compensable time may be charged against sick leave benefits. Provided the board of education may provide all or part of hospital and medical benefits, and sickness, accident, health and life insurance or any of the aforesaid for any or all of its employees. On authorization of the teacher, the district may approve payroll deductions for such teacher's portion of the aforesaid.

SECTION 605: SUBSTITUTE TEACHERS—PAYMENT. 1. If because of sickness or other reason, a teacher is temporarily unable to perform his regular duties, a substitute teacher for his position may be employed for the time of such absence. A substitute teacher shall be paid in an amount and under such terms as may be agreed upon in advance by the substitute teacher, the regular teacher and the board of education or according to regulations of the board. In the absence of any such agreement or regulation, such substitute teacher shall be paid in the same manner and amount as would have been paid the regular teacher, and the amount of the payment shall be deducted from the amount next payable to the regular teacher. Provided, that each reduc-

tion shall be only for the time lost in excess of the sick leave to which the regular teacher is entitled.

2. No substitute teacher shall be employed for a total period of time in excess of twenty (20) school days during a school year unless he is a holder of a valid certificate and has a written contract as a regular substitute teacher. No school district shall deduct from a teacher's salary more than the actual amount of money necessary to pay the substitute teacher due to illness of the teacher.

3. Any substitute or cadet teacher employed in any school system on a monthly or annual basis shall hold a certificate and have a written contract in the manner and under the same conditions as for regular teachers.

4. Teachers who are members, either officers or enlisted men, of the Reserve Corps of the Army, the Navy, the Marine Corps, the Coast Guard, the Women's Auxiliary Corps, or any other component of the Armed Forces of the United States, including members of the National Guard, shall, when ordered by the proper authority to active duty or service, be entitled to a leave of absence from such civil employment for the period of such active service without loss of status or efficiency rating and without loss of pay during the first thirty (30) days of such leave of absence.

**SECTION 606. SALARY — TWELVE MONTHLY PAYMENTS.** Boards of education are hereby authorized to contract with and pay all teachers in their respective districts in twelve (12) monthly payments, to be made on the basis of legal contracts between said board and teachers. Procedures for paying teachers shall be in accordance with any plan approved by the State Department of Education.

The aggregate amount of such salary payments in any fiscal year shall be as agreed upon by the board and the teacher. Under the terms of a contract made in keeping with the provisions of this subsection, no duties shall be expected or

required of the teacher in excess of one hundred ninety (190) days. Any district adopting this plan of payment may make it applicable to any or all teachers employed therein. Such plan shall be permissive rather than mandatory and may be discontinued at the close of any fiscal year.

All salaries paid in twelve (12) installments pursuant to the provisions of this subsection shall be for calendar months or fractional parts thereof.

**SECTION 607. VIOLATIONS OF ACT.** It shall be unlawful for a member of the board of education of a school district to employ, approve or vote for the employment of any person to perform services for such district unless the person employed holds a valid certificate of qualification issued in accordance with the rules and regulations of the State Board of Education to perform the services he is employed to perform.

**SECTION 608. CERTIFICATE OF QUALIFICATIONS — UNLAWFUL TO TEACH WITHOUT.** It shall be unlawful for any person to serve, or agree to serve, as superintendent, principal, supervisor, librarian, school nurse, classroom teacher or other instructional, supervisory or administrative employee of a school district unless such person holds a valid certificate of qualification issued in accordance with the rules and regulations of the State Board of Education to perform the services he performs or contracts or agrees to perform.

**SECTION 609. COUNTY SUPERINTENDENT — UNLAWFUL APPROVAL OF TEACHERS' CONTRACTS.** It shall be unlawful for any county superintendent of schools to approve a contract for a person to serve as superintendent, principal, supervisor, librarian, school nurse or classroom teacher of a school district or perform any other instructional, supervisory or administrative services for a school district unless such person holds a valid certificate of qualification issued in accordance with the rules and regula-

tions of the State Board of Education to perform the services he has contracted to perform.

**SECTION 610. AGENTS OF SCHOOL AUTHORITIES—PAYMENT OR ACCEPTANCE OF BRIBES.** It shall be unlawful and a misdemeanor for any officer or employee of the State Board of Education, a member of a board of education, county superintendent of schools, or other person acting as an agent of the State Board of Education or any board of education, or county superintendent of schools, or of any school teacher, or of any person or organization, to pay or accept any fee, commission or remuneration of any kind or character in payment for services rendered in securing positions for teachers in any of the public schools of this state.

**SECTION 611. GRATUITIES OR REWARDS—UNLAWFUL TO GIVE.** It shall be unlawful and a misdemeanor for any person to give, or agree or offer to give, any gratuity or reward in consideration that he or any other person shall be employed as a teacher in any public school of this state.

**SECTION 612. TEACHERS — GRATUITIES OR REWARDS IN CONNECTION WITH EMPLOYMENT.** It shall be unlawful and a misdemeanor for any person, directly or indirectly, to ask or receive, or promise to receive any gratuity or reward or promise of a gratuity or reward for employing another person as a teacher in any public school of this state or for procuring for another person employment as a teacher in any public school of this state.

**SECTION 613. ASSAULT ON TEACHER BY PARENT OR STUDENT.** Any person who strikes, threatens to strike or otherwise abuses any employee of the school district shall be guilty of a misdemeanor.

**SECTION 614. CONTROL AND DISCIPLINE OF CHILD.** The teacher of a child attending a public school shall have the same right as a parent or guardian to control and discipline such child during

the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher.

**SECTION 615. INFORMATION CONCERNING PUPIL.** It shall be unlawful and a misdemeanor for any teacher to reveal any information concerning any child obtained by him in his capacity as teacher except as may be required in the performance of his contractual duties, except said information may be furnished to the parent or guardian of said child upon request.

**SECTION 616. PROFESSIONAL PRACTICES COMMISSION CREATED.** There is hereby created a Professional Practices Commission which shall consist of twelve (12) members appointed by the State Board of Education from a list of nominees from the teaching profession of Oklahoma submitted to the Superintendent of Public Instruction.

**SECTION 617. SELECTION AND APPOINTMENT OF MEMBERS OF PROFESSIONAL PRACTICES COMMISSION—TERMS — VACANCIES — ORGANIZATION AND PROCEDURES.** The governing board of each of the following organizational units shall submit a panel of four (4) names from its active membership, from each of which the State Board of Education will appoint one (1) member to the Professional Practices Commission: The Oklahoma Association of Secondary School Principals, The Department of Elementary School Administrators of the Oklahoma Education Association, and the Oklahoma Association of School Administrators. The Department of Classroom Teachers of the Oklahoma Education Association shall submit a panel of eighteen (18) names from which the State Board of Education shall appoint nine (9). Of the original members appointed, three shall be for terms of one (1) year, three for two (2) years, three for three (3) years, and three for four (4) years. Thereafter, their successors shall be ap-



pointed for terms of four (4) years; provided, that in making initial appointments the State Board of Education shall stagger the expiration dates of the members from each of the organizational units. No member of the commission may succeed himself more than once. Vacancies on the commission shall be filled in the same manner as the original appointment and for the remainder of the unexpired term. The commission shall have the authority to select its own chairman, establish procedures for the enforcement of standards, adopt the rules and regulations under which it shall operate, and secure legal and other services necessary to its function.

**SECTION 618. REMOVAL OF MEMBERS OF PROFESSIONAL PRACTICES COMMISSION.** The State Board of Education may remove any member from the commission for misconduct or malfeasance in office, incapacity, or neglect of duty.

**SECTION 619. DEVELOPMENT OF CRITERIA OF PROFESSIONAL PRACTICES.** The commission is given the initial responsibility of developing, through the teaching profession, criteria of professional practices in areas including, but not limited to,

1. Contractual obligations on the part of teaching personnel,
2. Admission to and continuance in professional service, and
3. Ethical performance of members of the profession.

**SECTION 620. VIOLATIONS OF PROFESSIONAL STANDARDS — HEARINGS — ADVISORY RECOMMENDATIONS — RIGHT OF SUBPOENA.** The commission in administering these criteria shall afford any person charged with violation of professional standards the right to a hearing before the commission. The commission shall have authority to reprimand or warn members of the profession. The commission, with a majority sitting at a hearing, upon a verified complaint filed with them, may, upon sufficient proof

presented, make a decision as to whether or not a certificate should be suspended or revoked and, if such decision be made, immediate notice of the decision shall be sent to the teacher involved by registered mail and to the State Board of Education.

A teacher who has been charged by complaint before said commission shall be given notice of the hearing thereon twenty (20) days before said hearing by registered mail, and copies of said complaint shall be provided to said teacher.

The state board will, at its next regular meeting, review the entire record of the proceedings of the Professional Practices Commission, which shall be sent to said state board by said commission within five (5) days after the above notice is sent. After said review, said state board shall have the right to modify, change, reject, or alter said decision by said commission and shall notify the teacher and said commission of its decision which will be final, unless appealed to a court of competent jurisdiction.

No certificate shall be deemed to have been suspended or revoked by action of the commission, until a full review of its decision by the state board as set out herein. The teacher involved shall have a right to be present when said State Board reviews said decision and shall be given notice of the hearing ten (10) days prior thereto; provided, that if said state board does not receive the decision from the commission in time to give said notice, said board may hold a special meeting for the purpose of the review hearing or postpone the same to its next regular meeting.

If the state board, within ten (10) days after said review hearing, makes no recommendation and takes no action on the decision of said commission, its decision shall become final.

Any decision to revoke or suspend shall only be based on the grounds of immorality, wilful neglect of duty, cruelty to students, incompetency, teaching disloyalty

to the American Constitutional system of government or for any reason involving moral turpitude.

The commission shall have authority to make other recommendations to the State Board of Education and to the local boards of education which would promote improvement of the teaching profession.

The commission shall have authority to subpoena records and witnesses and administer oaths.

Nothing in this act shall prohibit the State Board of Education from taking independent action on cases not coming through said commission insofar as suspension or revocation of certificates is concerned, under the present regulations and statutes.

**SECTION 621. FINANCING OF PROFESSIONAL PRACTICES COMMISSION.** Until otherwise provided by law, the commission shall be financed by the members of the teaching profession of Oklahoma.

**SECTION 622. CONTRACTS — TEACHERS WITH THREE YEARS SERVICE — FAILURE TO RENEW — HEARING — APPEAL.** The failure to renew a contract by a board of education of any teacher who has served three (3) years shall not be effective, and such contract shall be renewed unless there is served on such teacher a written statement by such board containing a statement of causes for such action and an opportunity for the teacher to appear before such board and be heard on the question of reconsideration of such action by the board.

Such commission shall allow the teacher to be heard and after reviewing the facts shall report its recommendation to the State Board of Education. Before final decision of the matter the teacher shall be allowed to appeal the action of the board to the Professional Practices Commission. Upon the receipt of the recommendation of the Professional Practices Commission, the State Board of Education, if requested by the teacher, shall fix a date, hour and place for hearing of the matter within ten (10) days and

notify the teacher of such time and place. At such hearing both the teacher and the local board of education shall be advised of the action of the Professional Practices Commission and be allowed to be heard. Such hearing may be held in executive session if agreed on by all parties concerned.

After review of the matter the State Board of Education shall issue its decision either confirming the action of the local board of education or issuing the finding that dismissal of said teacher was without cause and that said teacher was without fault in the premises, which decision shall be final. A finding that a teacher was dismissed without cause shall reinstate his or her contract.

**SECTION 623. PROFESSIONAL STANDARDS BOARD — MEMBERSHIP.** There is hereby created a board to be known as the Professional Standards Board for the State of Oklahoma, which shall be composed of the following twenty-five (25) members: The State Superintendent of Public Instruction, the Chancellor of Higher Education, the Executive Secretary of the Oklahoma Education Association, the Director of Teacher Education and Certification, one (1) member representing vocational and technical education, seven (7) classroom teachers, one (1) elementary principal, one (1) secondary principal, two (2) superintendents, one (1) member representing private colleges or universities, four (4) members representing state-owned colleges, one (1) member representing the state-owned universities and three (3) noneducator members.

The educator members of the Board shall be appointed by the State Board of Education from a list of nominees from the teaching profession of Oklahoma submitted to the Superintendent of Public Instruction. The three noneducator members shall be appointed by the State Board of Education. The following shall be permanent members of the Professional Standards Board: The State Superintendent of Public Instruction, the Chancellor

of Higher Education, the Executive Secretary of the Oklahoma Education Association and the Director of Teacher Education and Certification.

**SECTION 624. PROFESSIONAL STANDARDS BOARD—SELECTION AND TERMS OF MEMBERS — OFFICERS — ADMINISTRATIVE PROCEDURES ACT APPLICABLE.** The governing board of each of the following organizational units shall submit a panel of three (3) names from its active membership, from each of which the State Board of Education will appoint one member to the Professional Standards Board: The Oklahoma Association of Secondary School Principals and the Department of Elementary School Principals of the Oklahoma Education Association. The Oklahoma Association of School Administration shall submit a panel of six (6) names from its active membership from which the State Board of Education will appoint two (2) members to the Professional Standards Board. The Association of Classroom Teachers of the Oklahoma Education Association shall submit a panel of twenty-one (21) names from which the State Board of Education shall appoint seven (7). The Association of Higher Education of the Oklahoma Education Association shall submit a panel of two (2) names from each of the private colleges and universities, state-owned colleges and state-owned universities from which the six (6) representatives shall be appointed. The Director of Vocational and Technical Education shall submit a panel of three (3) names from its active members, from which the State Board of Education will appoint one (1) member to the Professional Standards Board.

Of the original number, five shall be appointed for one (1) year, five shall be appointed for two (2) years, five for three (3) years and five for four (4) years. Thereafter, their successors shall be appointed for terms of four (4) years; provided, that in making initial appointments the State Board of Education shall stagger the expiration dates of the members from

each of the organizational units. No member who serves a full term is eligible to immediately succeed himself. Vacancies on the board shall be filled in the same manner as the original appointment and for the remainder of the unexpired term.

The board shall have the authority to select its own chairman and vice chairman. The Director of Teacher Education shall serve as the executive secretary of the board. The board shall operate under and be subject to the Administrative Procedures Act of the State of Oklahoma.

**SECTION 625. PROFESSIONAL STANDARDS BOARD—FUNCTIONS AND RESPONSIBILITIES.** The Professional Standards Board shall provide leadership for the improvement of teacher education and standards for the certification of teachers and other educational personnel in Oklahoma and shall serve in an advisory capacity to the State Board of Education in all matters of professional standards and certification. The board is charged with such responsibilities as reviewing approved programs of teacher education and of recommending new programs, reviewing current certificate requirements and recommending standards for new certificates, encouraging studies and research designed to improve teacher education, including continuing education of teachers, and making recommendations to the State Board of Education.

**SECTION 626. PROFESSIONAL STANDARDS BOARD—COMPENSATION AND EXPENSES.** The members of the Professional Standards Board shall serve without compensation, but shall be allowed actual and necessary expenses in attending meetings of the board, its committees and subcommittees. All funds collected from the issuance of teaching certificates shall be used to finance the activities of the Professional Standards Board. However, any unobligated balance in said fund in excess of Ten Thousand Dollars (\$10,000.00) on June 30 of any fiscal year shall be transferred to the General Revenue Fund of the State of Oklahoma.



## ARTICLE VII

## ANNEXATION AND CONSOLIDATION

SECTION 701. BOUNDARIES—PETITION OR RESOLUTION TO CHANGE—ELECTION. 1. The territory comprising all or part of a school district may be annexed to an adjacent school district, or to a school district in the same transportation area authorized to furnish transportation, or to two or more such districts, when approved at an annexation election called by the county superintendent of schools

a. in pursuance of a petition for annexation signed by a majority of the school district electors in the territory proposed to be annexed, hereinafter referred to as the area affected, as provided in this section, or

b. in pursuance of a resolution adopted by the board of education of the district in which the area affected is situated. Such election shall be held within fifteen (15) days after the county superintendent of schools receives such petition, at some public place in the school district in which the area affected is situated, between the hours of 7 a.m. and 7 p.m., and notice thereof shall be given by the county superintendent of schools in the same manner as notice of special elections of the school district electors of school districts is given, provided, that the county superintendent of schools shall not be required to call an election for the purpose of annexing a part of a school district more than once during any twelve-month period. Such elections shall be conducted by the county election board.

2. The annexation shall be approved by a majority of the school district electors at such election

a. of an entire school district, or

b. if a majority of the members of a board of education of a school district losing the territory concur with the petitioners, or resolution, only the legal voters of the area so affected shall be eligible to vote at such election.

3. The annexation shall be approved by a majority of the school district electors of the area affected, voting at such election, if the area affected is an area within a school district in which, as a result of condemnation proceedings by the federal government, a majority of the pupils of said area have attended school, for at least one school term, in the adjoining district to which the petition requests annexation.

4. If the annexation is approved, as hereinbefore provided, the county superintendent of schools shall, within five (5) days after such election, make an order declaring the annexation as requested in the petition or resolution for annexation, but the annexation shall not become effective until the time for filing an appeal, as hereinafter provided, has expired. In the event a majority of the electors voting at such election do not vote for the annexation, the county superintendent of schools shall, within five (5) days after such election, make an order denying the annexation. Within ten (10) days after the order of the county superintendent of schools is made, twenty-five percent (25%) of the school district electors who were eligible to vote at the annexation election may appeal to the district court of the county in which the territory proposed to be annexed, or the largest part thereof if such territory lies in more than one county, is situated, and thereafter all proceedings shall be stayed until the district court has rendered judgment. The proceedings shall be given precedence over all other civil matters.

5. If the territory proposed to be annexed is situated in more than one county, the petition or resolution shall be filed with the county superintendent of schools of the county in which the largest part of such territory lies, and he shall call the annexation election and perform the other duties required herein of the county superintendent of schools.

6. When an independent or dependent high school district seeks to annex to a

dependent grade school district, by procedures as heretofore provided, the election shall be stayed twenty (20) days after the resolution or petition is filed. Within this period, the dependent district can circulate a petition to hold an election to either annex to an adjoining district, or keep their school, and if either of these propositions is adopted by a majority of the qualified electors in the district voting at the election, then the result shall be final for at least one (1) year, and the first petition or resolution shall be dissolved. If no petition is circulated and no election called or held within said twenty-day period, the first petition or resolution will then be voted upon. Such elections shall be conducted by the county election board.

**SECTION 702. DISTRICT HAVING AVERAGE DAILY ATTENDANCE OF LESS THAN 20 OR NOT MAINTAINING SCHOOL FOR YEAR — DISORGANIZATION.**

1. Whenever any school district shall have an average daily attendance for one (1) year of less than twenty (20) or shall have failed to maintain school within the district for one (1) year, the State Board of Education shall declare such district to be disorganized and shall annex the territory comprising such district to the district or districts, maintaining transportation within the transportation area or areas in which such territory is located.

2. Notice of the disorganization of a school district and annexation of its territory to another district or districts under the provisions of this section shall be given by the State Board of Education to the Oklahoma Tax Commission and to the county superintendent of schools, county clerk, county treasurer and county assessor of each county in which any of the territory of the disorganized district lies.

**SECTION 703. ANNEXATION OR DISORGANIZATION — ASSUMPTION OF BONDED INDEBTEDNESS.** 1. The component parts (or part) of the district annexed, whether the annexation is or was

voluntary or mandatory under the provisions of this or any prior act, shall assume their full proportion of all legal bonded indebtedness of the district or districts to which they are or were annexed, and the district or districts to which they are or were annexed shall likewise assume a full proportion of all legal bonded indebtedness of the district annexed, or ratable proportion in ratio to the assessed valuation to the part annexed.

2. Provided, that if the area affected is or has been annexed under the provisions of this article to a school district (hereinafter referred to as the "first" district) having a bonded indebtedness at the time of said annexation, and if at the time of said annexation said area affected is or was not liable for any bonded indebtedness, and if within four (4) calendar months or less after said annexation all or any portion of the territory of the area affected is or has been detached from the first district to become a part of some other school district (hereinafter referred to as the "second" district) then:

a. if the detachment of said territory occurs in any fiscal year after the effective date of this subsection, and before the certification of the budgets and levies of the first district for said fiscal year to the State Auditor, neither the said detached territory nor the second district shall have any liability for the payment of any part of the bonded indebtedness of the first district which existed when the area affected was annexed to the first district;

b. if the detachment of said territory occurs in any fiscal year after the effective date of this subsection, and after the certification of the budgets and levies for said fiscal year of the first district to the State Auditor, the said detached territory shall continue to bear its share of the bonded indebtedness of the first district as prescribed by subsection 1 of this section for the remainder of said fiscal year, but the second district shall not be liable for any part of the bonded indebtedness of the first district which existed at

the time of the annexation of the area affected to the first district; and after the beginning of the next succeeding fiscal year neither the said detached territory nor the second district shall have any liability for any of the bonded indebtedness of the first district which existed at the time the area affected was annexed to the first district; or

c. if the detachment of said territory occurred prior to the effective date of this subsection, then the provisions of subsection 1 of this section shall remain in full effect for the remainder of the fiscal year 1950-51, but after July 1, 1951 neither the said detached territory nor the second district nor any other school district of which any portion of said detached territory may have been a part after its detachment from the first district shall have any further liability for the bonded indebtedness of the first district which existed at the time of the annexation of the area affected to the first district.

#### SECTION 704. DIVISION OF PROPERTY — DEBTS AND OBLIGATIONS.

1. In case the area affected comprises an entire school district, and all of such area is annexed to only one other district, the district to which it is annexed shall become the owner of all the property and other assets of the disorganized district and shall be liable for the current debts and other obligations of such disorganized district, and said district shall also acquire title to and provide for permanent custody of all individual scholastic and other permanent records relating to each pupil who was previously enrolled in the annexed district.

2. In case the area affected comprises an entire school district, and is annexed to two or more districts, then the current debts or obligations and property and other assets of the disorganized district shall be divided by agreement between the boards of education of the annexing districts, and the board of education of either of the annexing districts may pur-

chase any such property or assets to effect a just division. If the boards of education are unable to agree, the matter shall be decided by the State Board of Education, and its decision shall be final.

3. In case the area affected is not an entire school district, the district to which the annexation is made shall not acquire any of the property or assets of the district from which the area affected is detached.

4. If any mandatory or voluntary annexation made under the provisions of this article shall occur after the election on school district levies for the ensuing fiscal year and before the tax levies of the ensuing year have been made and certified, the operating and building levies authorized for the annexing district shall be the levies for all the said district after such annexation. All mandatory or voluntary annexations made and ordered subsequent to the certification of the budgets and levies to the State Auditor shall be forthwith effective regardless of any variation in such levies; and the budgetary assets of the annexed district or districts theretofore so certified as unexpended and unencumbered shall be merged by supplementary procedure with the budgetary assets of the annexing district.

5. In case the area affected is annexed to two or more districts or the area affected is not an entire school district the individual scholastic and other permanent records relating to each pupil enrolled at the time of annexation shall be transferred to the respective districts where said pupils are transferred. All other individual scholastic and other permanent records relating to pupils in said areas or entire districts affected shall be filed with the county superintendent of public instruction.

#### SECTION 705. CONSOLIDATION — STUDIES — PETITION — ELECTION.

Two or more adjacent school districts may be consolidated into a single school district in accordance with standards, rules and procedures to be determined by the



State Board of Education. When the consolidation of two or more school districts is proposed, the State Board of Education shall conduct such studies of the populations, wealth, terrain, trade areas and other factors as may be necessary to determine the location of boundaries and the size of a proposed district which will most nearly insure an efficient and economical administrative unit. The State Board of Education shall furnish the boards of education of the school districts which might be involved information and advice as to where the boundaries and what the size of the proposed new district should be. Nothing herein shall be construed to prevent the inclusion within a school district of territory lying within the boundaries of two or more counties.

Ten percent (10%) of the qualified school electors in any district may petition the board of education of such district to request such information, or a board of education of such district may on its own initiative ask for information and advice from the State Board of Education on the educational advantages and disadvantages of proposed consolidation to the children and residents of the area which might be affected. Upon the receipt of such a petition, the local board of education shall request the services of the State Board of Education and shall notify the boards of education in adjacent school districts that such a request has been made. The State Board of Education may on its own initiative make the study herein authorized of any area of the state and direct the board of education of such school districts as might be involved to set into operation in their districts the procedure for determining what, if any, consolidation should be carried on in the area under study.

Provided any rules or procedures which the State Board of Education may prescribe or consolidation of school districts shall include the opportunity for the qualified school electors in the school districts in-

involved to express their wishes through a majority vote of the school electors in the entire territory involved. Provided, an election for such purpose shall be held only upon petition therefor, signed by a majority of the school district electors of each school district included in the proposed consolidation. Such an election shall be called and conducted by the State Board of Education. When such a majority vote is in favor of consolidation, the State Board of Education shall declare the participating school districts dissolved and the new school district established, and the newly formed district shall thereupon be governed by the provisions of the Oklahoma School Code. Provided, persons serving as members of the board of education of the participating district having the largest number of enumerated children as shown by the last regular enumeration shall serve as members of the board of education of the newly formed district for the terms for which they were elected and until their successors have been duly elected or appointed and have qualified.

All liabilities, assets, powers and duties of the participating districts shall become the responsibility of the new school district, which district shall be the legal successor in every respect to the school districts participating in the consolidation in accordance with law.

**SECTION 706. BUILDINGS — RENTED, MOVED, OR SOLD.** No building or appendages thereto of any school district that has been annexed to another school district or districts shall be rented, moved or sold by the board of education of the annexing district or districts without the approval of a majority of the school district electors in the annexed district voting on the proposition, if such building is being used at least once each ninety (90) days for public gatherings. Provided, that the board of education of the annexing district acquiring such building may require persons or groups using such building and appendages to pay the cost of

maintenance, including insurance, of such building and appendages.

**SECTION 707. DISPOSITION OF PROPERTY.** Once a school district has voted to dispense with grades one (1) through eight (8) or one (1) through twelve (12), it shall be illegal for the board of education of such district to sell, exchange, trade, junk, salvage, or otherwise dispose of any furniture, equipment, land, buildings, or other such assets belonging to the school district unless such sale, exchange, trade or disposal is made to, and only to, another public school district in the State of Oklahoma. It shall also be illegal for the board of education to expend the school district's funds for any purpose after the end of the fiscal year in which grades one (1) through eight (8) or one (1) through twelve (12) have been dispensed with except in payment of legal transfer fees, bond and property insurance premiums, utilities, salary of the clerk of the board of education, audit expenses, and the expenses necessary for the preservation and maintenance of school property; provided, that a board or boards of education receiving the annexed district shall have one (1) year after annexation to sell or convey the title of land and buildings to a nonprofit corporation to be used for community purposes after the same has been approved by a majority of the electors of the annexed district, present and voting, at an election called for such purpose; provided, that when such use ceases, the title to said land and buildings shall be vested in the receiving district or districts which shall be evidenced by resolution of the annexed district.

**SECTION 708. FEDERALLY-OWNED RESERVATIONS — ANNEXATIONS.** Any federally-owned reservation, or any portion thereof, within the State of Oklahoma shall with the consent of the United States, given by and through the commanding officer, superintendent, or other officer having charge of such reservation, be at-

tached to an independent school district within the same transportation area for school purposes by the county superintendent of schools of the county in which such reservation and independent school district are situated, upon the petition of the commanding officer, superintendent, or other officer having charge of such reservation, and with the consent of the board of education of such independent school district. The petition of such commanding officer, superintendent, or other officer in charge of any such federally-owned reservation and the consent of such board of education shall be filed with the county superintendent of the county in which such reservation and independent school district are located, and said county superintendent shall thereupon order such reservation to be attached to such independent school district.

#### ARTICLE VIII

##### TRANSFER OF PUPILS

**SECTION 801. PUPILS — TRANSFER — APPROPRIATION — EXPENDITURES.** Any child residing in a school district that does not offer the grade which such child is entitled to pursue shall be entitled to be transferred to a school district which offers the grade which he is entitled to pursue, and to have appropriated and expended, from the funds of the district in which he resides, the per capita cost for the previous year of the district to which he is transferred.

**SECTION 802. GROUNDS FOR TRANSFER.** 1. The county superintendent of schools shall grant an application for transfer of a child from the district in which he resides to another school district furnishing instruction in the grade he is entitled to pursue if such transfer has the approval of the board of education of the sending and receiving districts. Provided, however, if the grade such child is entitled to pursue is not offered in the district where such child resides, the transfer must be approved. Provided, a child may be transferred by the State Board of Education to a school district in

another state, if the board of education of the school district in which the child resides and the board of education of the high school district in whose transportation area the child resides determines that the best interests of the child will be best served by such transfer. No transfer shall be granted for any reason not hereinbefore specified. No child shall be transferred under the provisions of this article to a school district other than the one designated in the application for his transfer.

2. When a child has been transferred and later changes his residence to another school district in the State of Oklahoma, he shall be entitled to attend school in the district to which he shall have previously been transferred during the school year for which the transfer was made; and if such change of residence is to the district to which the child shall have been transferred, an affidavit of parent or guardian, or of the school board of the transferring district, disclosing removal of residence from the transferring district, a transfer previously made may be canceled, and the appropriation made therefor relieved of such encumbrance to the extent not earned. Provided, that if any child changes residence from a district offering the grade which such child is entitled to pursue, to another district during the school year, for which he was transferred, he shall be entitled to attend school in either district for the remainder of the current year. Provided, further, that when the transfer of a child has been finally approved or becomes final under the provisions of this article, such child shall not be entitled to attend school in the district from which he was transferred, even though he continues to live therein during the school year for which the transfer was made, except in case of a cancellation of the transfer as authorized by this article.

**SECTION 803. APPLICATION FOR TRANSFER — PROCEDURE.** In order that any child may be transferred, a writ-

ten application for such transfer, designating the district to which the transfer is desired, shall be made by either of his parents, or by his guardian, and such application shall be filed with the county superintendent of schools for transfers to school districts in the State of Oklahoma and with the State Board of Education for transfers to school districts in another state not later than May 15, preceding the school year for which the transfer is desired. The county superintendent of schools shall notify, not later than May 25, the clerk of the board of education of the district from which the transfer is proposed to be made and the clerk of the board of education of the district to which the transfer is proposed to be made. The notices of the application for transfer shall be to the effect that on or before June 5, the board of education of either district affected by the proposed transfer shall have an opportunity to show cause, if any, why the transfer should or should not be granted. The county superintendent of schools shall, not later than June 15, notify, in writing, the clerk of each board of education affected as to whether or not the transfer has been granted. Provided that at any time before June 20, the board of education of either district or the parent or guardian of the child may appeal, in writing, from the action of the county superintendent of schools to the district court of the county in which the child resides, and such appeal shall be heard, and a decision rendered thereon, not later than June 30, and such decision shall be final.

**SECTION 804. EMERGENCY TRANSFERS — WHAT INCLUDED IN EMERGENCIES.** On adequate showing of emergency the county superintendent may make and order a transfer, subject to approval by the State Board of Education. Such an emergency may include destruction of school building, inability to furnish the grade of study the pupil is entitled to pursue, and total failure of transportation facilities previously had or contemplated, and could be detrimental and confusing



to said child's behavior. Similarly, a transfer previously made may be canceled, with the concurrence of the board of the receiving district and a retransfer granted. Also, on affidavit of parent or guardian, or of the school board of the transferring district, disclosing removal of residence from the transferring district, a transfer previously made may be canceled, and the appropriation made therefor relieved of such encumbrance to the extent not earned; and, with concurrence of the boards of education of both the transferring and transferee districts, a parent or guardian may show by affidavit that, by discontinuance of transportation facilities previously afforded or contemplated, the pupil or pupils are unable to attend the school of the transferee district, whereupon the transfer so made may be canceled and the appropriation therefor relieved of any encumbrance to the extent not earned.

**SECTION 805. ORDER OF EMERGENCY TRANSFER — CERTIFIED TO COUNTY CLERK.** Every order of the county superintendent of schools making change of transfer status under any emergency situation shall be immediately certified to the county clerk for the files of the excise board, to the county treasurer and to the State Board of Education. Thereafter, the board of education of the transferee district may present the proper showing to the excise board for modification of the district's budget items of appropriation, as to both the general and transfer funds but subject to the requirements of statutes relating to transfer of pupils, under the provisions of the supplemental appropriation law; and any adjustments made to such budget by the county excise board shall forthwith be certified to the clerk and treasurer of such board of education, which shall adjust its accounts accordingly.

**SECTION 806. SCHOOL DISPENSED WITH — TRANSFER OF PUPILS — ANNEXATION.** Upon a majority vote of the school district electors having children el-

igible to attend school in the grades offered in a school district, voting at the annual school district election or a special school district election called for such purpose and held not later than June 30, or upon a petition signed by sixty percent (60%) of the school district electors having children eligible to attend school in the grades offered in a school district, filed with the county superintendent of schools before June 30 either the high school (grades 9 to 12, inclusive), or the grade school (grades 1 to 8, inclusive), or both, shall be dispensed with for the ensuing year and all of the pupils who would be entitled to attend school in the grades dispensed with shall be transferred to another school district or districts maintaining courses of instruction which such pupils are entitled to pursue. The parent or guardian of each child desiring to be transferred from any such district dispensing with school shall be required to file with the county superintendent of schools, within ten (10) days after such meeting is held or after such petition is filed with the county superintendent of schools, an application for the transfer of such child, as other applications for transfer, and thereafter the same procedure shall be followed as in the case of individual transfers. Provided, that any district which dispenses with its entire school district for the ensuing year, as provided herein, shall be mandatorily annexed on July 1 by the State Board of Education to an adjacent district or districts to which pupils of such dispensed district have been transferred. Provided, further, that if a district does not officially dispense with its school and fails to open or maintain a school for such ensuing year, the State Board of Education, except in cases where reasons over which the district had no control causes a normal delay in the opening or maintenance of such school, shall at its next regular meeting annex such district to an adjacent district or districts to which pupils have been transferred.

**SECTION 807. ANNUAL ESTIMATE — PAYMENT OF TRANSFER FEES.** The annual estimate of each school district from which pupils have been transferred shall include a request to the county excise board to make the necessary appropriation for the payment of transfer fees payable by such district under the provisions of this article.

**SECTION 808. AMOUNT OF APPROPRIATION — DUTY OF EXCISE BOARD.** After the board of education of the district from which a transfer has been made has determined the amount of the appropriation for transfer fees and such appropriation has been made by the county excise board in the budget of such school district, the district to which any such pupils have been transferred shall estimate the amount so appropriated as probable income for appropriation, and it shall thereupon become the duty of the county excise board to use the total amount so estimated to help finance appropriations of the district to which such pupils are transferred.

Fees for all transfers from school districts where a school or schools are maintained within the district shall be based on the previous year's total per capita cost of pupils in average daily attendance in the district to which the transfer is made plus eight percent (8%) of such total cost for use of buildings already constructed. Such cost shall be based upon the total expense for the year during which computation is made.

The education per capita cost of the district to which the pupils are transferred shall be computed as follows:

The total expenditures of the previous year including: all state and federal funds; annual accrual and interest on outstanding bonds voted for the purchase of furniture, repairs, and construction of buildings; funds expended from any constitutional building fund; eight percent (8%) of such total cost for use of buildings already constructed, but excluding the cost of transportation; the cost of constructing

new buildings, by bond issue; and disbursements from sinking funds, except annual accrual and interest on outstanding bonds, shall be divided by the average daily attendance for the previous year.

The transportation per capita cost of all pupils (resident and transferred) transported by the district to which the pupils are transferred shall be computed as follows:

The total cost of transportation, including annual accrual and interest on outstanding bonds issued for transportation equipment, shall be divided by the average number of pupils (on which State Aid may be paid) transported the previous year by the school district to which the pupils are transferred.

The sum of the total education per capita cost for the previous year plus the eight percent (8%) of such total cost for buildings already constructed and paid for and the total transportation per capita cost for the previous year shall be considered as the per capita cost of the district to which the pupil is transferred. Provided, if the transferred pupils are not transported by district to which they are transferred, the transportation cost shall not be added to the education per capita cost in computing the amount to be appropriated for transfer.

**SECTION 809. COUNTY TREASURER — DUTY TO APPORTION TAXES AND MONIES.** It shall be the duty of the county treasurer to apportion taxes and all other monies coming into his possession as expected income within the approved estimate of any district as follows: the general fund collections and unencumbered cash on hand from the previous year shall be apportioned to the general fund of the district from which transfers are made and to the district to which pupils are transferred in the same percentage as the appropriation for the district from which pupils are transferred, and the appropriation for the district to which the pupils are transferred is of the total appropriation of such district for the

current year. Provided, if the pupils from any school district are transferred to more than one school district, the taxes and other miscellaneous revenue including cash surplus shall be apportioned to each district in the same proportion as the appropriation for each school is of the total appropriation made by the district.

Provided, further, any child moving into a district not providing school facilities of the grade he is entitled to pursue after the time for making transfers shall be entitled to a transfer to a district offering instruction in the grade he is entitled to pursue, if application therefor is made within fifteen (15) days from the time such change in residence is made, upon written consent of the county superintendent of schools. If the estimate of the district from which said child is transferred has not been finally approved at the time such transfer is made, an appropriation for the payment of a transfer fee for the benefit of such child shall be included in such estimate in the same amount as that for other transferred pupils.

#### SECTION 810. REPORT SHOWING NAMES OF TRANSFERRED PUPILS.

1. It shall be the duty of the county superintendent of schools, not later than June 25, to furnish the board of education of each district from which transfers have been made a statement showing the names of the children transferred and their respective grades. Copies of such statement shall be filed with the county clerk and the county treasurer, and said statement shall be the basis for action of the county excise board in approving the estimate of the district from which the transfers have been made and of the county treasurer in apportioning funds accruing to the credit of such district.

2. No school district maintaining a school or schools within the district shall be required to appropriate for transfer fees a greater amount than the amount by which the Minimum Program Income, as defined by the State Aid Law in 1963-64, exceeds the minimum program so defined

in 1963-64 and in no case an amount greater than the total per capita cost as defined hereinbefore.

### ARTICLE IX

#### TRANSPORTATION

SECTION 901. TRANSPORTATION FOR PUPILS — APPROVAL STATE BOARD OF EDUCATION. Any school district may provide transportation for each child who should attend any public elementary or high school when, and only when, transportation is necessary for accomplishment of one of the following purposes:

1. to provide adequate educational facilities and opportunities which otherwise would not be available;

2. to transport children whose homes are more than a reasonable walking distance, as defined by regulations of the State Board of Education, from the school attended by such child. Provided, that no state funds shall be paid for the transportation of a child whose residence is within one and one-half (1½) miles from the school attended by such child. Provided further that any district having twenty-five (25) or more square miles in area and maintaining only one (1) school, may provide legal transportation upon approval by the State Board of Education;

3. To transport children who otherwise would be subjected to safety hazards in going to and returning from school, such as the necessity for said children to cross four-lane highways or other heavily traveled or high-speed traffic arteries, the proximity to the school of shopping centers or other concentrations of automobile traffic, the lack of sidewalks in the vicinity of the school necessitating the children walking in the streets, the existence or probability of water-filled bar ditches along the streets leading to the school, the absence of adequate parking areas and "unloading" areas to serve the school, or other similar or dissimilar conditions which, in the opinion of the State Board of



Education, would subject said children to unusual danger to their safety. Provided, further, that any school district which does not qualify for transportation under the provisions of this act, may use school district funds not obligated under the minimum school program with the approval of the State Board of Education. There shall not be a reduction in the per capita formula for transportation in any category as of the 1969-70 State Aid payments on transportation or as amended hereafter.

**SECTION 902. TRANSPORTATION COSTS — REPORTING.** The State Department of Education shall prescribe necessary forms for use by school districts in reporting actual expenses incurred in transporting pupils.

**SECTION 903. PURCHASE OR CONTRACT FOR USE OF VEHICLES — LETTERING — STOP SIGNS.** The board of education of any school district authorized to furnish transportation to school children may purchase and maintain suitable vehicles for such use and/or may contract with responsible individuals or another school district to furnish all or part of said transportation. All such contractors, however, shall be subject to statutory provisions relating to the transportation of school children. Every vehicle with a capacity of six (6) passengers or more used in transporting school children shall have painted in letters not less than eight (8) inches in height on the front thereof the words, "SCHOOL BUS," and on the rear thereof in letters of the same size, "SCHOOL BUS — STOP ON SIGNAL."

**SECTION 904. TRANSPORTATION EQUIPMENT — DEFINITION.** For the purpose of the Oklahoma School Code "transportation equipment" is defined as any vehicle or conveyance used for transportation of pupils when the cost of rent, lease, purchase, maintenance, or operation of said vehicle or conveyance is defrayed in whole or in part from public school funds.

All transportation equipment shall be of such construction as to provide safe, comfortable and economical transportation of passengers. All such equipment which is used to transport six or more public school children at one time shall be constructed, maintained and operated in accordance with all requirements of laws and rules and regulations of the State Board of Education. Any person violating the provisions of this section shall be guilty of a misdemeanor.

**SECTION 905. BOUNDARIES OF AREA FOR TRANSPORTATION — DEFINITE ROUTES.** It is hereby made the duty of the State Board of Education to determine and fix definite boundaries of the area in which each school district shall provide transportation for each school. The State Board of Education is also authorized to establish definite routes in each transportation area, and it shall be the further duty of said Board to make rules and regulations as to the manner in which said area and routes may be established or changed. State funds payable to a district shall be withheld for a failure or refusal to confine its transportation to the area and routes designated by the State Board of Education or to comply with the rules and regulations of the State Board of Education.

**SECTION 906. INSURANCE TO PAY DAMAGES — ACTIONS AGAINST SCHOOL DISTRICT.** The board of education of any school district authorized to furnish transportation may purchase insurance for the purpose of paying damages to persons sustaining injuries proximately caused by the operation of motor vehicles used in transporting school children. The operation of said vehicles by school districts, however, is hereby declared to be a public governmental function, and no action for damages shall be brought against a school district under the provisions of this section but may be brought against the insurer, and the amount of the damages recoverable shall

be limited in amount to that provided in the contract of insurance between the district and the insurer and shall be collectible from said insurer only. The provisions of this section shall not be construed as creating any liability whatever against any school district which does not provide said insurance.

#### SECTION 907. RULES OF THE ROAD.

Each school bus shall be operated in conformity with all rules of the road duly established by law and shall observe traffic requirements for the route which it travels.

#### SECTION 908. ADDITIONAL TRANSPORTATION — EXPENSES.

The board of education of any school district furnishing transportation is hereby authorized to furnish, in addition to free transportation to and from school, transportation within or without the district for children attending the schools of that district, for the purpose of attending community, county, and state fairs that admit school children free, for purposes connected with summer youth activities upon approval of the school board governing said school district, and for all other purposes approved by the State Board of Education. Provided, that upon request therefor by the State Director of Cooperative Extension Work in Agriculture and Home Economics (Service), or the State Director of Vocational and Technical Education or the State Supervisor of Vocational Agriculture, the State Board of Education shall authorize any school district furnishing transportation to provide transportation for school children participating in educational contests and activities outside of the State of Oklahoma, or outside of the districts in which they reside, and two or more districts may enter into agreements for the furnishing of such transportation. The expense of any such additional transportation shall be paid by the children so transported, by the school activity or school organization receiving benefit from such transportation, or from

other private sources. Money so collected shall not be chargeable to or become a part of the school district's finances.

SECTION 909. PRICE LIST AND DESCRIPTION OF TRANSPORTATION EQUIPMENT. The State Board of Education is hereby authorized to request a price list and a complete description and specifications of any transportation equipment to be offered for sale to any school board or board of education of any district in the State of Oklahoma.

The State Board of Education shall examine such equipment to determine whether or not such equipment meets the requirements of the National School Bus Standards and such other specifications as the State Board of Education may determine as necessary to provide safe transportation for pupils to and from school and shall approve for sale to all schools in the State of Oklahoma transportation equipment, including bus bodies and chassis, which equipment meets or exceeds the specifications provided for the National School Bus Standards and such other specifications as the State Board of Education may deem as necessary.

The State Board of Education shall make a list of the equipment approved by them and the maximum price at which such equipment can be purchased. The list shall include a complete description of the equipment. Such description shall include the specification of the school bus bodies and chassis as well as the factory list price of such equipment at the various factories. Such list shall be made available to all school districts authorized to purchase transportation equipment. Provided, at any time there shall be any change of specifications or prices by manufacturers of chassis or bodies, there shall be filed with the State Board of Education a revised set of specifications and prices.

The school board or board of education of any school district authorized to fur-

nish transportation for pupils to and from school and receiving any state aid funds shall be required to purchase all their transportation equipment from the list so provided on sealed bids and at a price not greater than the price filed with the State Board of Education; and the State Board of Education shall be required to deduct from any State Aid for which the school district may qualify the amount paid by any school district for transportation equipment not approved by the State Board of Education or the amount paid greater than shown on the price list for that transportation equipment filed with the State Board of Education. Provided, however, all purchases made under the provisions of this act for transportation shall be made upon sealed bids, and contract of purchase shall be awarded to the lowest and best bidder.

It is hereby made the duty, and the State Board of Education is hereby required, to make such rules and regulations as are necessary for the administration of this section and to require from school district boards of education such information and reports as they believe necessary for proper administration of this section. Any cost of administration of this section shall be paid by the State Board of Education from funds appropriated for the administration of the State Aid Law.

**SECTION 910. SPECIAL TRANSPORTATION REVOLVING FUND.** There is hereby created a revolving fund, to be known and designated as the "Special Transportation Revolving Fund," which shall consist of all appropriations made for the purposes hereinafter designated and shall also include all proceeds resulting from the use and/or resale of pupil-transportation equipment purchased out of monies in said revolving fund. Said revolving fund shall be a continuing fund and shall be nonfiscal in character.

**SECTION 911. USE OF FUND.** The State Board of Education through the Director of Finance is hereby authorized

to use the "Special Transportation Revolving Fund," for the purchase of pupil-transportation equipment suitable for the transportation of children to and from the common schools and to make one or more units of such pupil-transportation equipment available for use by any school district in the State of Oklahoma which is either required or authorized by statute to provide free transportation to and from school for children legally residing in such district or legally transferred thereto and entitled to attend school therein, but which school district does not have sufficient funds available, and, because of then existing indebtedness, may not legally issue its bonds for the purchase of other pupil-transportation equipment. Provided, such equipment shall be purchased from the list of approved equipment as provided for in Section 909 and at a price not greater than the price so approved. Provided, further, the school board or board of education of any school district desiring to rent such equipment shall select from the approved list the equipment they desire before the State Board of Education shall be authorized to purchase transportation equipment for rental to any district. Provided, further, the State Board of Education shall not be authorized to act in behalf of any school district in the purchase of any transportation equipment except as provided for in this act.

**SECTION 912. LEASE OF EQUIPMENT.** Any such eligible school district and the State Board of Education may enter into a lease contract, in writing, for the use by such school district of one or more of such pupil-transportation equipment units during the then current fiscal year, at the annual rental value of such unit or units determined in the manner provided for herein, but which contract may be entered into only against a then current item of appropriation for "Transportation Operation." Any school district which lawfully leases one or more of such pupil-transportation equipment units from the State Board of Education during any



fiscal year shall be eligible to enter into a like contract for the same unit or units during and for the ensuing fiscal year, and shall also be eligible to purchase the same such units, as provided for herein, even though such district then has sufficient funds available or may then legally issue its bonds for the purchase of other pupil-transportation equipment.

**SECTION 913. RENTAL VALUE OF EQUIPMENT.** The State Board of Education shall fix the annual rental value of each particular unit of such pupil-transportation equipment at an amount not less than that required to amortize the original total cost of that unit by five (5) years' rental thereof.

**SECTION 914. SALE OF UNITS OF EQUIPMENT AFTER LEASE FOR ONE YEAR.** The State Board of Education may sell any particular unit of such pupil-transportation equipment to an eligible school district, at any time after such unit has been leased for one (1) fiscal year, for an amount not less than the original total cost of such unit less rentals actually paid for the use of such unit; provided, however, in so selling any such unit, preference shall be given to the school district leasing such unit during the then preceding fiscal year.

**SECTION 915. CARE OF EQUIPMENT.** Any school district leasing any such pupil-transportation equipment from the State Board of Education shall at its own cost and expense procure such equipment from the State Board of Education, keep such equipment, including all tires, tubes and accessories thereon and therewith, in good repair during the time the same shall be in its possession, and, at the expiration of the term of such lease, unless such equipment be purchased or again leased by such district, return such equipment to the State Board of Education in as good condition as when received, ordinary wear and tear alone excepted. Any tire or tube needing to be replaced while such equipment is the possession of a school

district shall be replaced by, and at the expense of, such district.

**SECTION 916. SPACE FOR STORAGE OF EQUIPMENT.** The State Board of Education is hereby authorized to procure space for the storage of such pupil-transportation units while not in the possession of a school district and to pay the necessary cost thereof from the "Special Transportation Revolving Fund." When any such unit is returned to the State Board of Education, said board is hereby authorized to recondition same, and to pay necessary cost of such reconditioning, including the cost of any new tires or tubes required for such purpose, from said "Special Transportation Revolving Fund."

**SECTION 917. EXPENSE — PAID FROM WHAT FUNDS.** Any costs or expense necessarily incurred by the State Board of Education in the administration of the foregoing provisions relating to the "Special Transportation Revolving Fund" shall be paid from funds appropriated or allocated for the administration of laws providing for the payment of state aid to school districts in the same manner that expenses of administration of such laws are paid.

## ARTICLE X

### SCHOOL CENSUS AND ATTENDANCE

**SECTION 1001. SUPERVISOR OF SCHOOL CENSUS AND ATTENDANCE — INDEPENDENT DISTRICTS.** The board of education of each independent school district shall appoint and fix the compensation of a supervisor of school census and attendance and such assistant supervisors as may be necessary, who shall serve under the authority and supervision of the board of education and the district superintendent of schools. Such supervisor shall hold a valid certificate issued by the State Board of Education, or any attendance officer or supervisor who has been employed by the board of education of any school district of any kind, class or type for a continuous period of five (5) years or more shall be certified as a

school attendance supervisor by the State Board of Education. Provided, that the same person may be appointed as supervisor of school census and attendance for two or more independent school districts, or for one or more independent school districts and the dependent school districts of one or more counties.

SECTION 1002. APPOINTMENT FOR DEPENDENT SCHOOLS. The county superintendent of schools of each county shall appoint a supervisor of school census and attendance to serve the dependent school districts of the county, and in any county in which there are more than fifty (50) teachers in the dependent school districts of the county, the county superintendent of schools may appoint an assistant supervisor. Such supervisor shall hold a valid certificate issued by the State Board of Education. The compensation of such supervisor and assistant shall be fixed by the county superintendent of schools, with the approval of the board of county commissioners, and shall be payable from county funds; provided, however, that if sufficient county funds are not available for such purpose, the board of education of any dependent school district may pay or help pay such compensation from school district funds. Provided, further, that if there be no one serving as supervisor of school census and attendance for the dependent school districts of a county at the time of taking the annual enumeration, the board of education of each dependent school district of the county shall select one of its members to serve, without compensation, as supervisor of school census and attendance for the district, who shall perform the same duties and functions as supervisors in independent school districts, except in matters pertaining to school attendance. Provided, further, that the board of education of any dependent school district may appoint and pay or help pay from district funds the compensation of a supervisor of school census and attend-

ance to serve such school district, who may also serve in a similar capacity for another school district.

SECTION 1003. REPORT — SCHOOL POPULATION OF DISTRICT. It shall be the duty of the supervisor of school census and attendance of each school district to report to the State Board of Education, district board of education and to the county superintendent of schools, not later than the first day of May of each year, on forms furnished for that purpose, the legal enrollment of original entries of kindergarten through twelfth grade on April 1 of each year, which shall be used as the school population of each school district.

SECTION 1004. STATE TREASURER AND SECRETARY OF SCHOOL LAND DEPARTMENT — REPORT. Immediately upon receipt of the report from the various supervisors of school census and attendance regarding the enumeration of scholastics, it shall be the duty of the State Board of Education to file with the State Treasurer and Secretary of the School Land Department a report, duly certified, showing the number of scholastics in each school district and the report so filed shall be the basis for making the apportionments of state school land earnings during the following fiscal year.

SECTION 1005. OATHS. The supervisor of school census and attendance shall have authority to administer such oaths as may be required on the form prescribed for taking the census for school purposes.

SECTION 1006. DISCLOSING INFORMATION. It shall be unlawful for any supervisor of school census and attendance to disclose any information secured by him in taking the census, or any information concerning any child in his records other than contained in his report of such census except for the purpose herein provided.

SECTION 1007. NEGLECT OR REFUSAL TO COMPEL CHILD TO ATTEND SCHOOL. 1. It shall be unlawful for a

parent, guardian, custodian or other person having control of a child who is over the age of seven (7) years and under the age of eighteen (18) years, and who has not finished four (4) years of high school work, to neglect or refuse to cause or compel such child to attend and comply with the rules of some public, private or other school, unless other means of education are provided for the full term the schools of the district are in session; and it shall be unlawful for any child who is over the age of sixteen (16) years and under the age of eighteen (18) years, and who has not finished four (4) years of high school work, to neglect or refuse to attend and comply with the rules of some public, private or other school, or receive an education by other means for the full term the schools of the district are in session. Provided, that this section shall not apply

a. if any such child is prevented from attending school by reason of mental or physical disability, to be determined by the board of education of the district upon a certificate of the school physician or public health physician, or if no such physician is available, a duly licensed and practicing physician,

b. if any such child is excused from attendance at school, due to an emergency, by the principal teacher of the school in which such child is enrolled, at the request of the parent, guardian, custodian or other person having control of such child, or

c. if any such child who has attained his or her sixteenth birthday is excused from attending school by written, joint agreement between

(1) the school administrator of the school district where the child attends school, and

(2) the district judge of the county in which the child lives. Provided, that in counties where a judicial officer other than the district judge is charged by law with the handling of the problems of juvenile

persons, such judicial officer shall have the authority to make the joint agreement with the school administrator. Provided, further, that no child shall be excused from attending school by such joint agreement between a school administrator and a county judicial officer unless and until it has been determined that such action is for the best interest of the child and/or the community, and that said child shall thereafter be under the supervision of the district judge or the judicial officer in counties where a judicial officer is charged by law with the handling of the problem of juvenile persons until the child has reached the age of eighteen (18) years.

2. It shall be the duty of the supervisor of school census and attendance to enforce the provisions of this section. Any parent, guardian, custodian, child or other person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Fifty Dollars (\$50.00), or by imprisonment in the county jail for not more than ten (10) days, or by both such fine and imprisonment.

SECTION 1008. RECORDS OF ATTENDANCE OF PUPIL. It shall be the duty of the principal or head teacher of each public, private or other school in the State of Oklahoma to keep a full and complete record of the attendance of all children at such school and to notify the supervisor of school census and attendance of the district in which such school is located of the absence of such children from the school together with the causes thereof, if known; and it shall be the duty of any parent, guardian or other person having charge of any child of compulsory attendance age to notify the child's teacher concerning the cause of any absences of such child. Such supervisor of school census and attendance and teacher shall be required to report to the school health officer all absences on account of



illness with such information respecting the same as may be available by report or investigation; and after investigation of all facts relating to the absence of any child or children from such school, the supervisor of school census and attendance shall, if justified by the circumstances, promptly give written notice to the parent, guardian or custodian of any child who has not complied with the provisions of this article, that the attendance of such child is required at some public, private or other school as herein provided. If within five (5) days thereafter such parent, guardian or custodian of such child does not comply with the provisions of this article, then such supervisor shall make complaint against the parent, guardian or custodian of such child in a court of competent jurisdiction for such violation, which violation shall be a misdemeanor.

**SECTION 1009. RULES AND REGULATIONS.** In any matter pertaining to the duties of the supervisor of school census and attendance and keeping records thereof the board of education of the district shall make rules and regulations subject only to the limitations of the regulations of the State Board of Education and of the law, which shall have the force and effect of law, and all supervisors of school census and attendance are hereby required to comply with all such rules and regulations the same as if they had been specifically mentioned herein.

**SECTION 1010. NECESSARY TRAVEL EXPENSES.** The supervisor of school census and attendance shall receive, in addition to his salary, all necessary travel expenses incurred by him in the performance of his official duties.

## ARTICLE XI CURRICULUM

**SECTION 1101. SECTARIAN OR RELIGIOUS DOCTRINES—FORBIDDEN TO BE TAUGHT IN SCHOOLS.** No sectarian or religious doctrine shall be taught or

inculcated in any of the public schools of this state, but nothing in this section shall be construed to prohibit the reading of the Holy Scriptures.

**SECTION 1102. INSTRUCTION CONDUCTED IN ENGLISH LANGUAGE.** Instruction given in the several branches of learning in the public schools shall be conducted in the English language except as is necessary for the teaching of foreign languages.

**SECTION 1103. COURSES OF STUDY — WHAT TO INCLUDE.** Courses of study formulated, prescribed, adopted or approved by the State Board of Education for the instruction of pupils in the public schools of the state shall include such courses as are necessary to insure:

1. The teaching of citizenship in the United States, in the State of Oklahoma, and other countries, through the study of the ideals, history and government of the United States, other countries of the world, and the State of Oklahoma and through the study of the principles of democracy as they apply in the lives of citizens;

2. The teaching of health, physical fitness, and safety through the study of proper diet, the effects of alcoholic beverages, narcotics and other substances on the human system and through the study of such other subjects as will promote healthful living and help to establish proper health habits in the lives of school children; and through training in the driving and operation of motor vehicles and such other devices of transportation as may be desirable and other aspects of safety which will promote the reduction of accidents and encourage habits of safe living among school children;

3. The teaching of the necessary basic skills of learning and communication, including reading, writing, the use of numbers and such other skills as may be necessary for efficiency in the normal process of living;

4. The teaching of the conservation of

natural resources of the state and the nation that are necessary and desirable to sustain life and contribute to the comfort and welfare of the people now living and those who will live here in the future, such as soil, water, forests, minerals, oils, gas and all forms of wildlife, both plan and animal, and such other natural resources as may be considered desirable to study;

5. The teaching of vocational education, by the study of the various aspects of agriculture, through courses and farm youth organizations, such as FFA and 4-H Clubs, homemaking and home economics, trades and industries, distributive education, mechanical and industrial arts and such other aspects of vocational education, as will promote occupational competence among school children and adults as potential and actual citizens of the state and nation;

6. The teaching of such other aspects of human living and citizenship as will achieve the legitimate objectives and purposes of public education.

**SECTION 1104. MILITARY AND ATHLETIC TRAINING — ASSISTANCE.** The board of education of any school district is hereby authorized to provide for military training, athletic training and physical examination of pupils in such district, and is hereby authorized to accept assistance from the United States Secretary of Defense and National Department of Defense or any branch thereof or from any other federal agency or from the Oklahoma National Guard, for the purpose of military drill and training.

**SECTION 1105. USE OF MILITARY EQUIPMENT IN SCHOOL DISTRICTS.** The governing board of each state educational institution and of each school district in the State of Oklahoma shall have authority to enter into contracts for the use of property and equipment for military training purposes, and shall have authority to give, or cause to be given, bonds or other security as may be required by federal law or regulations of

the Secretary of the Army, Navy or Air Force, or other federal officer or agency, for the care and safekeeping of such property and equipment, or for similar purposes; and shall also have authority to make reimbursement for such property and equipment. The cost of such bonds, security and reimbursements shall be paid from funds available for the operation of such institution or school district.

## ARTICLE XII

### AUDIOVISUAL EDUCATION

**SECTION 1201. PROGRAM FOR AUDIOVISUAL TRAINING.** The State Board of Education shall have authority to formulate, establish and maintain and cause to be administered a program of audiovisual education for the public schools of the state.

**SECTION 1202. MOTION PICTURE FILMS — STATE DEPOSITORY.** The State Board of Education shall have authority to select or cause to be selected motion picture films appropriate to the curriculum of the public schools of Oklahoma, and shall establish and maintain a state depository at the University of Oklahoma where all such films shall be kept for assignment to regional libraries. Certain special films may be designated by the State Board of Education to be circulated from the state depository to various schools.

**SECTION 1203. REGIONAL FILM LIBRARIES.** The State Board of Education shall have authority to establish and maintain regional film libraries in cooperation with Oklahoma State University of Agriculture and Applied Science at Stillwater, Central State College at Edmond, East Central State College at Ada, Southwestern State College at Weatherford, Southeastern State College at Durant, Northwestern State College at Alva, Northeastern State College at Tahlequah and the Oklahoma Panhandle State College of Agriculture and Applied Science at Goodwell. It shall be the responsibility of such regional libraries to receive, maintain, keep a record of, and circulate all films

received from the state depository and to return such films to the state depository when there is no longer a need therefor in any of the schools served by the regional library or when directed to do so by the State Board of Education and to furnish films to county superintendents of schools and boards of school districts upon written requests therefor.

**SECTION 1204. LOCAL FILM LIBRARY.** Any county or school district or educational institution supported by tax funds may establish and maintain a local film library and shall have authority to expend local funds for such purpose. Monies expended by any county or school district, or by any educational institution supported by tax funds, for the purchase or projection and audio materials approved by the State Board of Education may be matched with state monies appropriated for such purpose, in amounts not to exceed the following: Any county, One Thousand Dollars (\$1,000.00); any school district or tax-supported educational institution employing one (1) to fifty (50) teachers, One Thousand Dollars (\$1,000.00); any school district or tax supported educational institution employing fifty-one (51) to two hundred fifty (250) teachers, Two Thousand Dollars (\$2,000.00); and any school district or tax-supported educational institution employing more than two hundred fifty (250) teachers, Three Thousand Dollars (\$3,000.00). Provided, monies received by a school district under the provisions of this section shall not be considered as a part of its chargeable income for State Aid purposes.

**SECTION 1205. RULES AND REGULATIONS.** The State Board of Education shall adopt and enforce such rules and regulations as may be necessary to make such program of audiovisual education effective.

**SECTION 1206. PURCHASE OR RENT OF MOTION PICTURE PROJECTORS — FILM LIBRARY.** Pursuant to an estimate duly made and approved for such pur-

pose, the county superintendent of schools of any county may:

1. Purchase or rent motion picture projectors, either silent or sound; purchase or lease motion picture films for said machine or machines; and purchase attachments, film splicers, repair kits, cable, wire, and any and all equipment necessary for the successful operation of the visual education program in the schools of the county, with funds allotted to the office of the county superintendent of schools for such purposes.

2. Take the projector or projectors, film and equipment into any and all schools of the county to show a visual education program of film or films at least once each month and collect travel expense therefor from funds allotted to the schools for such purposes.

3. Buy a film library and add new films or replacement films to said library from time to time with funds allotted to office of the county superintendent of the office of county superintendent of schools for such purposes.

**SECTION 1207. BOARD OF EDUCATION — PURCHASE OR RENT PROJECTORS AND SUPPLIES.** Pursuant to an estimate duly made and approved for such purpose the board of education of any school district, or any two or more school districts in cooperation with each other, may purchase or rent moving picture projectors, either silent or sound; purchase attachments, film splicers or film repair equipment of all types, cable, wire or any and all equipment and materials deemed necessary by said board of education or boards of education for the successful operation and conduct of a visual education program in the schools of such district or districts.

**SECTION 1208. PERSONNEL TO ADMINISTER PROVISIONS OF THIS ARTICLE.** The State Board of Education shall appoint, employ and fix the compensation and duties of necessary personnel, and shall incur necessary expenses, to administer and carry out the provi-



sions of this article, and all such compensation and other expenses shall be paid from any funds appropriated to carry out the provisions of this article.

### ARTICLE XIII

#### SPECIAL EDUCATION FOR EXCEPTIONAL CHILDREN

SECTION 1301. PROGRAMS FOR SPECIAL EDUCATION — SCHOOL DISTRICTS — COUNTY SUPERINTENDENT — EXCEPTIONAL CHILDREN DEFINED — STATE AID. The several school districts of Oklahoma are hereby authorized to provide special education necessary for exceptional children as hereinafter defined. Two or more school districts may establish cooperative programs of special education for exceptional children when such arrangement is approved by the State Board of Education. The county superintendent of schools of any county may establish and maintain a special education program, with the approval of the State Board of Education, and county funds may be expended for such purpose. Any school district or districts located wholly or in part in a county may participate in any such program so established by the county superintendent of schools and shall have authority to contribute school district funds, either directly or by reimbursement to the county participating in such program. Exceptional children shall mean gifted children, educable mentally-handicapped children, trainable mentally-retarded children, speech-defective children, emotionally-disturbed or perceptually-handicapped children, children with special health problems, children requiring the services of a visiting counselor, children with specific learning disabilities as a result of neurological impairment, multiple-handicapped children, and other handicapped children of four (4) years of age as of the first day of November of the school year and blind and partially blind children and deaf and hard of hearing children two (2) years of age or older who are bona fide residents of this state, whose

condition is such that it is impractical or impossible for them to benefit from or participate in the regular classroom program of the public schools in the district in which they reside and whose education requires a modification of the classroom program. Provided, that the attendance of said children in special education classes shall be included in the average daily attendance computations for State Aid purposes.

From and after September 1, 1970, it shall be the duty of each school district to provide special education for all handicapped exceptional children as herein defined who reside in that school district. This duty may be satisfied by:

1. the district directly providing special education for such children;
2. the district joining in a cooperative program with another district or districts to provide special education for such children;
3. the district joining in a cooperative program with a private or public institution within such district to provide special education for children who are deaf or hard of hearing; or
4. transferring certified handicapped exceptional children to other school districts which accept them and provide special education for such children, with the district in which the child resides paying tuition therefor as hereinafter provided.

SECTION 1302. DETERMINATION OF ELIGIBILITY — MINIMUM TIME PERMITTED TO ATTEND. The determination whether a child is eligible for special education shall be made by the board of education of the school district in which such child resides, under rules and regulations approved by the State Board of Education; provided, however, that the eligibility of exceptional children shall be re-evaluated at least once every three (3) years. Any child determined to be eligible shall be permitted to receive such special education for a minimum period of twelve (12) years.

In those instances involving the proposed transfer of exceptional children from one district to another, the State Board of Education is authorized to promulgate rules and regulations for the reimbursement to the local board of education for payment of charges for the services of psychologists and physicians necessary for ascertaining eligibility of pupils for special education and, as to those accepted for special education instruction, for reimbursement to the local board of education for expenditures made for any subsequent reevaluation deemed desirable by the board of education of the district providing special education instruction of the pupil.

**SECTION 1303. EXCEPTIONAL CHILDREN — AUTHORIZED PROVISIONS FOR EDUCATION OF EXCEPTIONAL CHILDREN.** Any school district in the state may provide suitable facilities and employ qualified teachers and therapists for exceptional children, either in schools, classrooms, or in such other places as the board of education of the district may deem advisable. When a school district does not provide special educational facilities and qualified teachers, said children may be transferred to another school district, with the consent of the board of education thereof, where suitable facilities and teachers are provided. Transfers authorized by this section shall be made under such rules and regulations as the State Board of Education may prescribe to a result that the sending district sustain an equitable proportion of the operating costs of the program of the district to which the pupil is transferred. When an exceptional child or pregnant child is unable to attend any school or class in the district of which he is a resident, the board of education of said district, with the approval of the State Board of Education, may provide for home instruction for such child. The State Board of Education is further authorized to cooperate with any school district of the state to make it possible for an exceptional child

to attend the regular school by making special provisions for the transportation of such child, or for special equipment, devices, books, supplies or other facilities, or for special instruction within the regular school building.

**SECTION 1304. AUTHORIZATION FOR SPECIAL CLASSES OR INDIVIDUAL INSTRUCTION FOR CHILDREN IN INSTITUTIONS.** Special classes or individual instruction provided for pretubercular, tubercular, convalescent or other physically-handicapped children in hospitals, sanatoriums and preventoriums may be maintained by a school district in such institutions within or without the boundaries of such district, and the attendance of pupils therein shall be credited to the district providing such instruction.

**SECTION 1305. STATE BOARD OF EDUCATION MAY FIX QUALIFICATIONS.** The State Board of Education is hereby authorized to determine and prescribe the qualifications of all persons who teach exceptional children, to define, classify and determine standards of eligibility of all exceptional children to receive special education, to fix minimum requirements for special education of exceptional children, and to make such rules and regulations as it deems necessary for the teaching of exceptional children.

**SECTION 1306. STATE APPROPRIATIONS — DISTRIBUTION.** State monies appropriated to carry out the provisions of laws dealing with the education of exceptional children shall be apportioned by the State Board of Education among the various school districts of the state providing such educational facilities for exceptional children in accordance with the standards and rules and regulations prescribed by the State Board of Education. State funds for the education of such exceptional children may be distributed on a teaching unit basis in accordance with rules and regulations to be adopted for such purpose by the State Board of Education. In no case shall a teaching

unit be comprised of less than eight (8) children in classes for educable mentally-handicapped children, or five (5) children in classes for other exceptional children. The State Board of Education shall determine the requirements for a teaching unit in speech correction.

**SECTION 1307. FEDERAL FUNDS — ACCEPTANCE BY STATE BOARD OF EDUCATION.** The State Board of Education is hereby empowered to accept and disburse any grants or funds that may be matched by or received from the federal government for the education of exceptional children and to make necessary rules and regulations for such purpose.

**SECTION 1308. STATE FUNDS — ALLOWANCES FOR SPECIAL EDUCATION.**

1. The State Board of Education is hereby authorized to establish all necessary rules and regulations and set the rate of reimbursement for physical and occupational therapists, teachers of homebound children or home-to-school telephone instruction, board and room for transferred handicapped children to attend a special class, travel for transporting handicapped and exceptional children within or without the district, and travel for teachers who are required to travel in fulfilling the services to handicapped children in homebound, cooperative, or county programs for exceptional children.

2. The State Board of Education may make provisions for boarding exceptional children who must be transferred from their home school districts to school districts providing special education, but in no case shall the reimbursement from other state funds for this purpose exceed Four Hundred Fifty Dollars (\$450.00) per child per year.

3. The State Board of Education may make provisions and payments therefor from other state funds for the special education of any deaf and blind child, resident of the state, in any private or public institution, either inside or outside of the State of Oklahoma, but in no case shall

payment from state funds for such special education, including board and room for such child, exceed Five Thousand Dollars (\$5,000.00) per child per year.

4. None of the funds received by a school district under the provisions of this section shall be considered as a part of the chargeable income of such district for State Aid purposes.

5. None of the funds referred to in this section shall be allowed or paid to a school district for any of the following:

a. For any teaching unit or class organized with less than eight (8) educable mentally-handicapped children.

b. For any teaching unit or class organized for speech-defective children with a number less than that specified by the State Board of Education.

c. For any teaching unit or class consisting of children who are both deaf and blind, except as specified in subsection 3 of this section.

d. For any teaching unit or class organized with less than five (5) other exceptional children.

**SECTION 1309. PERSONNEL TO CARRY OUT PROVISIONS OF THIS ARTICLE.** The State Board of Education shall appoint and employ and fix the compensation and duties of necessary personnel and incur other necessary expenses, including cost of consultants, to administer and carry out the provisions of this article, and such compensation and other expenses shall be paid from any funds appropriated to carry out the provisions of this article.

**SECTION 1310. TEACHERS — PAY.** Qualified and properly certified teachers of special education shall be paid a minimum of five percent (5%) above the prevailing wage paid teachers of normal children in the same school district.

**SECTION 1311. REGISTER TO BE MAINTAINED — NEEDS TO BE MET.** The State Board of Education shall have power and it shall be its duty:



1. To maintain a register of educable mentally-handicapped children, trainable mentally-retarded children, speech-defective children, emotionally-disturbed children, perceptually-handicapped children and other handicapped children and to use all means and measures necessary to meet the physical needs of all educable and trainable such children, as provided by law; and

2. To stimulate all private and public efforts to relieve, care for, cure, educate or train handicapped children, and to co-ordinate such efforts with the work and function of governmental agencies.

#### ARTICLE XIV

#### VOCATIONAL AND TECHNICAL EDUCATION

SECTION 1401. STATE BOARD OF VOCATIONAL AND TECHNICAL EDUCATION — SUCCESSOR OF STATE BOARD FOR VOCATIONAL EDUCATION. There is hereby created the State Board of Vocational and Technical Education which shall succeed to all of the powers and duties heretofore invested in the State Board for Vocational Education. The membership of the State Board of Vocational and Technical Education shall consist of the State Superintendent of Public Instruction and the six (6) appointed members of the State Board of Education as ex officio voting members, plus six (6) members to be appointed by the Governor, five (5) of whom shall be appointed with the advice and consent of the Senate. The Governor shall appoint one such appointive member from each of the six (6) congressional districts. All appointments made by the Governor shall be initially as follows: One for a term of one (1) year, one for a term of two (2) years, one for a term of three (3) years, one for a term of four (4) years, one for a term of five (5) years, and one for a term of six (6) years. Thereafter all such members appointed by the Governor shall be appointed for a term of six (6) years. All such terms shall expire on the first day of

April of the year in which the term of each member expires. The chairman of the board shall be the State Superintendent of Public Instruction. The director of the Department of Vocational and Technical Education shall serve as an ex officio nonvoting member and shall be the executive officer of said board.

An amount equal to one-tenth (1/10) of the regular ten (10) months salary of each vocational education teacher shall be paid to each such teacher for each month in excess of ten (10) months per year that such teacher actually conducts a vocational education program on a full-time basis.

SECTION 1402. MEETINGS — COMPENSATION OF MEMBERS. The State Board of Vocational and Technical Education shall meet in regular session once each month. Special meetings may be called by the chairman or by a majority of the members of the board. Seven (7) members of said board shall constitute a quorum. No business may be transacted at any meeting unless a quorum is present, and every act of the board shall be approved by a majority of the membership of said board. Each member of the board shall receive as compensation the sum of Twenty-five Dollars (\$25.00) per day and necessary traveling expenses, while in the performance of his duties.

SECTION 1403. POWERS AND DUTIES. The State Board of Vocational and Technical Education shall have the following powers and duties:

1. Have the supervision of the Department of Vocational and Technical Education of the State Board of Vocational and Technical Education, which department shall keep its principal offices at Stillwater, and appoint and fix the compensation and duties of the director and other personnel of such department.

2. Have the supervision of the vocational and technical schools and colleges of Oklahoma, except Oklahoma State University of Technical Training at Okmulgee

and the Oklahoma State University Technical Institutes at Oklahoma City and Stillwater, which, however, shall be eligible to participate in federal programs administered by the State Board of Vocational and Technical Education as herein after provided.

3. Cooperate with, and enter into agreements with, and administer programs of, and receive federal funds from, the United States Department of Health, Education and Welfare and other federal agencies in matters relating to vocational and technical education and manpower training, and be the sole state agency for such purposes.

4. Provide for the formulation and adoption of curricula, courses of study, and other instructional aids necessary for the adequate instruction of students in the vocational and technical schools and colleges of this state.

5. Purchase or otherwise acquire equipment, materials, supplies and other property, real or personal, as may be necessary for the operation of the vocational and technical schools of this state, and provide for the maximum utilization of such property through a coordinated and cooperative use thereof.

6. Enter into such agreements and contracts with the State Board of Education, boards of trustees of community junior colleges, boards of education of independent and dependent school districts, boards of education of area school districts for vocational and/or technical schools, private educational or training institutions, public or private industry, and boards of directors of community action programs, as may be necessary or feasible for the furtherance of vocational and technical training within this state.

7. Cooperate and enter into agreements with the Oklahoma State Regents for Higher Education.

8. Accept and provide for the administration of any land, money, buildings, gifts, funds, donations or other things of

value which may be offered or bequeathed to the schools or colleges under the supervision or control of said board.

9. Enter into cooperative arrangements with one or more other states for the conduct and administration of programs, services and activities.

SECTION 1404. STATE DEPARTMENT OF VOCATIONAL AND TECHNICAL EDUCATION CREATED. There is hereby created the State Department of Vocational and Technical Education, which shall consist of such divisions, units and positions as may be established by the State Board of Vocational and Technical Education. The Department shall be under the control of the State Board of Vocational and Technical Education, which shall formulate policies and adopt rules and regulations for the administration and operation of the department.

SECTION 1405. COURSES OF INSTRUCTION AND TRAINING — STATE VOCATIONAL-TECHNICAL FUND. The State Department of Vocational and Technical Education may operate and maintain, or otherwise provide for, courses of instruction and training in vocational and technical education courses and subjects, and charge students reasonable tuition fees for such instruction or training. The fees shall be deposited in a special fund, which is hereby created, to be known as the State Vocational-Technical Fund. The fund may be used to pay expenses incurred by the department in operating and maintaining such classes, and payment therefrom may be upon vouchers signed by a person or persons designated by the State Board of Vocational and Technical Education.

SECTION 1406. EQUIPMENT POOL. 1. The State Department of Vocational and Technical Education may operate and maintain an equipment pool, at which there shall be kept equipment for the use of area school districts and vocational and technical schools supported by public funds, and said department and schools

shall be eligible for surplus property and equipment.

2. Whenever the department determines that any such district or school has, and does not have a need for, equipment purchased wholly or partly with state or federal funds, it may, if consistent with federal laws and regulations, order the equipment transferred to the equipment pool; and the district or school, or officials thereof, shall thereupon have the duty to comply with such order. Provided, any equipment which has been purchased wholly or in part with local school funds shall require the concurrence of the governing board of that local school before the equipment shall be transferred to the state equipment pool.

3. Whenever the department determines that an area school district or a vocational or technical school supported by public funds has a need for any equipment in the equipment pool, the department may transfer the equipment to such district or vocational or technical school.

4. The State Board of Vocational and Technical Education shall adopt and enforce such rules and regulations as it deems necessary to carry out the provisions of this section.

**SECTION 1407. EYE PROTECTIVE DEVICES — WEARING REQUIRED IN CERTAIN COURSES OF INSTRUCTION.** Every student and teacher in schools, colleges, universities, or other educational institutions, participating in or observing any of the following courses of instruction in:

1. Vocational, technical, industrial arts, chemical or chemical-physical, involving exposure to:

a. Hot molten metals, or other molten materials;

b. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;

c. Heat treatment, tempering, or kiln firing of any metal or other materials;

d. Gas or electric arc welding, or other forms of welding processes;

e. Repair or servicing of any vehicle where there is danger of injury to the eyes; or

f. Caustic or explosive materials;

2. Chemical, physical or combined chemical-physical laboratories involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other hazards not enumerated; is required to wear appropriate industrial quality eye protective devices at all times while participating in or observing such courses of instruction. Such devices may be furnished for all students and teachers, or made available for a moderate rental fee, and shall be furnished for all visitors to such shops and laboratories when entering working areas.

"Industrial quality eye protective devices," as used in this section means devices meeting the standards of the USA Standard Practice for Occupational and Educational Eye and Face Protection, Z87.1 — 1968, and subsequent revisions thereof, approved by the United States of America Standards Institute, Inc.

The State Commissioner of Health shall prepare and circulate to each public and private educational institution in this state instructions and recommendations for implementing the eye safety provisions of this law.

**SECTION 1408. AREA SCHOOL DISTRICTS — ORGANIZATION AND OPERATION — GOVERNING BOARD — LEVY ELECTIONS — ESTIMATE OF NEEDS — APPROPRIATION ACCOUNTS — ANNEXATION AND DETACHMENT OF TERRITORY — ACCREDITATION.**

1. The State Board of Vocational and Technical Education shall prescribe criteria and procedures for establishing area vocational-technical school districts and the government thereof, as provided by Section 9B, Article X, Oklahoma Constitution, and such districts so established shall



be operated in accordance with rules and regulations of the State Board of Vocational and Technical Education, except as hereinafter otherwise provided.

2. An area vocational-technical school district shall be a body corporate and shall possess the usual powers of a corporation for public purposes. Its official name shall be designated by the State Board of Vocational and Technical Education, in which name it may sue and be sued, and be capable of contracting and being contracted with, and holding real and personal estate. Its governing board shall be a board of education consisting of five (5) members elected in a manner prescribed by the State Board of Vocational and Technical Education. Such board of education shall have the same powers and duties that boards of education of independent school districts have. It may require nonresident students to pay reasonable tuition fees, which may be paid for a student by the independent or dependent school district in which the student resides.

3. An election to vote on the question of making a levy of not to exceed five (5) mills on the dollar valuation of the taxable property in an area school district under the provisions of Section 9B, Article X, Oklahoma Constitution, shall be called by the board of education and conducted by the county election board of such district in the same manner that that elections for emergency levies in school districts under the provisions of Section 9(d), Article X, Oklahoma Constitution, are called and conducted, and when such levy is approved by a majority of the electors of the area school district voting on the question at such election, the levy shall be made each fiscal year thereafter until repealed by a majority of the electors of the district voting on the question at an election called for such purpose; and elections on a levy for a building fund for an area school district under the provisions of Section 10, Article

X, Oklahoma Constitution, shall be called by the board of education of such district and conducted by the county election board in the same manner that elections for similar levies are called and conducted in independent school districts.

4. Annual estimates of needs of area school districts shall be made and approved in the same manner that those of independent school districts are made and approved. Provided, that the State Board of Vocational and Technical Education shall prescribe a list of appropriation accounts by which the funds of area school districts shall be budgeted, accounted for and expended. Any such estimate of needs may include an estimate of federal funds as probable income from sources other than ad valorem tax of the district and other than any excise or other tax assessed by legislative enactment and distributed in lieu of ad valorem taxes. If an area school district lies in more than one county, the district's estimate of needs shall be filed with and approved by the county excise board of the county designated by the school district board of education.

5. Territory may be annexed to or detached from an area school district, in accordance with rules and regulations prescribed by the State Board of Vocational and Technical Education.

6. Schools of area school districts shall be subject to classification, inspection, and accreditation by the State Board of Education.

7. The area vocational and technical school board of education may designate a county treasurer to serve as treasurer of the school district or may appoint an independent treasurer.

SECTION 1409. AREA VOCATIONAL-TECHNICAL SCHOOL DISTRICTS — SPECIAL BUILDING PROJECT ACCOUNT. 1. If required to do so as a prerequisite to the receipt of federal funds for a building project, the board of education of an area school district may es-

establish a special account to be used for payment of the cost of the building project. Federal and state funds received for the building project may be deposited in the special account. Monies from the following sources, if available for the payment of the cost of the building project, may also be deposited in the special account: bond issues, levies for a building fund under Section 10 of Article X, Oklahoma Constitution and appropriations for capital outlay in the general fund of the district.

2. The board of education shall estimate the total amount to be deposited in or transferred to the aforesaid building project account, and may issue warrants against the account for the payment of the cost of the building project. The total amount of such warrants shall not exceed the estimate of the board of education of the total amount to be deposited in or transferred to the account. If there shall be an insufficient amount in the building project account to pay a warrant, the warrant shall bear interest at a rate to be fixed by the board of education, not to exceed six percent (6%) per annum, from the date of issuance until paid.

3. For the purposes of this section, the cost of a building project shall include expenditures for sites, for the construction of buildings, and for equipment, furniture and fixtures.

4. The State Board of Vocational and Technical Education shall adopt such rules and regulations as it deems necessary to make the provisions of this section effective.

SECTION 1410. AREA SCHOOL DISTRICTS — ELIGIBILITY TO SERVE ON TWO BOARDS OF EDUCATION. If the territory comprising an independent school district has been established by the State Board of Vocational and Technical Education as an area school district, the membership of the board of education of the independent school district shall constitute the membership of the board educa-

tion of the area school district so long as the boundaries of the area school district are coterminous with the boundaries of the independent school district. Should the boundaries of the two districts not remain coterminous, the board of education of such area school district shall be dissolved by the State Board of Vocational and Technical Education and the area school district zoned and board members elected as regularly provided for in the rules and regulations of the State Board of Vocational and Technical Education.

SECTION 1411. NONDEGREE INSTRUCTORS IN VOCATIONAL AND/OR TECHNICAL PROGRAMS — INCREMENTS. To qualify for the yearly increment of One Hundred Dollars (\$100.00) as provided by the Oklahoma Statutes a tradesman or technician not having a college degree who is employed as an instructor in an approved vocational or technical program shall complete eight (8) college hours each year until graduation or such other training courses as may be approved by the Oklahoma State Board of Vocational and Technical Education.

SECTION 1412. AGENCY FOR STATE. The State Board of Vocational and Technical Education is hereby specifically designated as the agency of this state to cooperate and deal with any officer, board, or authority of the United States Government which may require or recommend cooperation with any state board of vocational and technical education; provided, however, said board, unless otherwise provided specifically by law, shall have no authority to use or pledge funds of the state for cooperation without approval by the Governor of the state.

## ARTICLE XV BONDS

SECTION 1501. SCHOOL BUILDINGS—BONDS. Whenever it shall become necessary for the board of education of any school district to raise sufficient funds for the purchase of a school site or sites,

or to erect or purchase and equip a suitable school building or buildings, either or both, or for the purpose of making repairs to an existing school building or buildings, or for the purchase of school furniture and fixtures, or for making improvements to any school site or sites, either or both, it shall be lawful for such board of education to borrow money for which it is hereby authorized and empowered to issue bonds bearing a rate of interest not exceeding seven percent (7%) per annum, payable semiannually, at such place as may be shown on the face of such bonds, which bonds shall be payable serially as otherwise provided by law in not more than twenty-five (25) years from date; and the board of education is hereby authorized and empowered to sell such bonds at not less than their par value; provided, before any bonds shall be issued, the board of education shall cause an election to be held in such district as herein provided; provided, further, bonds may be voted in one issue and at the same election for any or all of the purposes hereinbefore enumerated.

**SECTION 1502. ELECTION—NOTICE—COST—ELECTION ON SAME PROPOSITION WITHIN FOUR MONTHS AFTER DEFEAT PROHIBITED.** The board of education shall call an election, to be conducted by the county election board in all respects as other elections, for the purpose of taking the sense of the district upon the question of issuing such bonds, naming in the proclamation of such election the amount of bonds to be voted on and the purpose for which they are to be issued; and it shall cause to be published in a newspaper of general circulation qualified to publish legal notices in said county for said district the time and place of such election, such notices to be given at least ten (10) days before such election. In all instances where proclamations for elections for boards of education are required by statute of the mayor of a city, and in all instances where elections for boards of education are provided for by

statute wherein the mayor and city clerk are denominated, the president of the board of education shall be substituted for the mayor and the clerk of the board of education shall be substituted for the city clerk. Boards of education are hereby declared to be free and independent of cities in all matters relating to school elections legally called upon all school matters, and presidents of boards of education shall have full power to issue proclamations calling school elections; provided, that no election shall be called on the same proposition within four (4) months after such proposition has been defeated at an election by the school district electors. The provisions of this act as to the waiting period shall not apply where the school facilities have been destroyed by an act of God. The cost of such elections, together with the cost of such proclamations, publication, notices or other expenses required, shall be legal costs of boards of education.

**SECTION 1503. ELECTORS—QUALIFICATIONS.** On the question of issuance of said bonds no person shall be qualified to vote unless he be in all respects a school district elector of such district. In case three-fifths ( $\frac{3}{5}$ ) of the voters thereof voting at such election shall vote affirmatively for the issuance of said bonds, then the said board of education shall issue the same and not otherwise. The amount of the bonds so voted upon and issued shall not cause the school district to become indebted in an amount, including existing indebtedness, in the aggregate exceeding five percent (5%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness; but if the school district has an absolute need therefor, such district may, with the assent of three-fifths ( $\frac{3}{5}$ ) of the voters thereof, voting at such election, incur indebtedness to an amount, including existing indebtedness, in the aggregate exceeding five percent (5%) but not



exceeding ten percent (10%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness, for the purpose of acquiring or improving school sites, constructing, repairing, remodeling or equipping buildings or acquiring school furniture, fixtures or equipment or more than one or all of such purposes; and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need. Section 26, Article X, of the Oklahoma Constitution, as amended on April 5, 1955, shall hereafter be in full force and effect. Provided, that any bond election that shall have heretofore been called or held in accordance with the provisions of Section 26, Article X, of the Oklahoma Constitution, as amended on April 5, 1955, is hereby validated if the bonds so authorized at such election have not yet been sold and delivered.

**SECTION 1504. FORM—PROVISIONS FOR COLLECTION OF ANNUAL TAX.** The said bonds shall contain all necessary provisions as to form; and such school district shall, before or at the time of the issuance of the same, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof.

**SECTION 1505. SIGNATURES—REGISTRATION—CERTIFICATE.** The bonds, the issuance of which is provided in the preceding sections, shall be signed by the president, attested by the clerk and registered by the treasurer of the board of education, and shall have endorsed thereon a certificate signed by the county clerk and the county attorney of the county wherein such district is located, stating that said bonds or evidence of debt is issued pursuant to law and that said issue is within the debt limit.

**SECTION 1506. TRANSPORTATION**

**EQUIPMENT—BONDS.** Any school district that is authorized by law to provide transportation for pupils to and from school may become indebted for the purpose of purchasing transportation equipment and may issue its bonds, as hereinbefore provided, in any amount not exceeding, with existing indebtedness, ten percent (10%) of the valuation of the taxable property within said school district, as shown by the last preceding assessment for state and county purposes previous to the incurring of such indebtedness. Provided, that said bonds shall be made to mature within a period not to exceed five (5) years from their date. It is hereby declared that the use of the word "equipment" in Section 26, Article X of the Oklahoma Constitution, as amended on April 5, 1955, was intended to include the "transportation equipment" referred to in this section.

**SECTION 1507. EXPENSES.** All expenses incident to the issuance of school district bonds, and county separate school improvement bonds including the expense of holding the bond election, may be paid from the proceeds of such bonds.

**SECTION 1508. INVESTMENT IN GOVERNMENT BONDS.** The proceeds of any school bonds or any portion thereof, or the sinking fund for the payment of any school bonds, may be invested by the issuing board in any type or series of United States Government Bonds.

**SECTION 1509. BOND ISSUES OF AREA SCHOOL DISTRICTS.** Area school districts may, in accordance with the provisions of Section 9B, Article X, of the Oklahoma Constitution, issue bonds in the same manner as bonds are issued by other school districts.

#### ARTICLE XVI TEXTBOOKS

**SECTION 1601. STATE TEXTBOOK COMMITTEE—MEMBERS—QUALIFICATIONS.** There is hereby created the State Textbook Committee, which shall be composed of two (2) members from each

Congressional District appointed by the Governor. The regular terms of all members shall be for four (4) years. Provided, that all members of the State Textbook Committee currently appointed and serving shall serve as members of the State Textbook Committee created by this section, for the terms for which they were appointed. No member shall be eligible to succeed himself. At no time shall more than one (1) member of the State Textbook Committee be an employee of the same school district. Each member shall have had not less than five (5) years teaching or supervisory experience in the public schools of Oklahoma at the time of his appointment, and shall be actively employed in the public schools of Oklahoma during the term of his service on said committee. The State Superintendent of Public Instruction or a designated member of his staff shall serve as secretary of said committee and vote only when there is a tie vote in the membership of the committee. Each member shall receive, as compensation for his services, the sum of Twenty-five Dollars (\$25.00) per day, and necessary traveling expenses while in the performance of his duties.

Within one week after the first day of July of each year, said committee shall meet at the call of the State Superintendent of Public Instruction at the State Capitol and elect by secret written ballot a chairman and vice chairman from its membership to serve for the year. The terms for which new members are appointed shall be staggered by the Governor in making his appointments to the end that the terms of three (3) members shall expire each year.

**SECTION 1602. MEETINGS—SELECTION OF TEXTBOOKS.** This Committee shall meet at the call of the chairman as often as necessary to discharge its responsibilities. Not later than the first day of December of each year the State Textbook Committee shall meet at the call of the chairman at the State Capitol and select textbooks for subjects taught in

the public schools of the state up to and including the twelfth grade, which selections shall be for not more than four (4) years. Said committee shall select seven (7) textbooks or series of books for each subject, but if there are not seven (7) books satisfactory to the committee, then it may select only such books as are in its judgment satisfactory for such subject.

**SECTION 1603. ADVERTISEMENT—SEALED BIDS.** The State Textbook Committee shall advertise for books in all basic subjects in such manner and for such time as it may deem best, for sealed bids from publishers of textbooks for furnishing textbooks for the public schools of the state. Each bid shall state specifically and clearly the price at which each book will be furnished f.o.b. the bidder's depository or delivered to any ordering school district in Oklahoma, and the price the books may be sold through local retail book dealers, and shall be accompanied by a sample copy of each book offered in such bid, together with any teacher edition or teacher aids used with such book. A record of all the books delivered direct to any school district shall be immediately furnished by the shipper and the school district to the State Board of Education. It shall be required that each bidder deposit with the State Treasurer such sums of money as the committee may require, which shall be not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00). Each bid shall be accompanied by a sworn statement specifically stating whether such publisher is the owner of any interest or share in any other textbook publishing houses, and, if so, giving the names and addresses thereof; showing whether any member of the committee is in any manner interested directly or indirectly, in such person, firm or corporation submitting such bid; and showing the name and address of every committee, public official or individual in Oklahoma who has been furnished, within the

preceding twelve (12) months, any copy of the textbook or textbooks or any edition thereof included in the bid, together with the numbers and titles thereof furnished to each recipient. If the fact shall be disclosed that any member of the committee, State Textbook Director or any employee of that office is interested in the bidder, it shall work a disqualification of such member, and he shall not be permitted to serve on the committee, and the bidder shall be disqualified; and if it shall be disclosed that such sworn statement does not accurately and completely give the information required, the State Textbook committee shall disregard the bid. Provided, that Oklahoma authors of school textbooks shall be permitted to receive the customary royalty, regardless of employment. The words "textbook" or "book" as used in this Article XVI shall include all printed materials intended for use in teaching; provided that only materials approved by the State Textbook Committee shall be purchased from State Textbook Funds.

SECTION 1604. BIDS—DELIVERY—INVESTIGATION—CONSULTANTS. All bids shall be sealed and delivered to the secretary of the textbook committee, to be delivered by him to the committee for the purpose of considering same, and it shall be the duty of the committee to meet at the time and place mentioned in the advertisement, and then and there open and examine the sealed bids received, and to make a full and complete investigation of all books and the bids accompanying the same. The committee may use regular classroom teachers as consultants, who shall receive the same compensation and expenses as members of the committee, but not more than five (5) such consultants shall be used for any subject for which a book is to be adopted. The books shall be selected after careful consideration of all the books presented, and the books selected for adoption shall be those which, in the opinion of the committee, are best suited

for the public schools in the state. The committee shall proceed without delay to select, for use of the public schools of this state, textbooks in the grades hereinbefore mentioned and shall notify publishers to whom contracts are awarded.

SECTION 1605. CONTRACT—BOND—FORFEITURE OF DEPOSIT—RETURN OF DEPOSITS. When any person, firm or corporation has been awarded a contract, and the contract and bond required have been filed with the committee, it shall make an order on the Treasurer of the state reciting such fact, and thereupon the Treasurer shall return the deposit of such bidder; but if any successful bidder shall fail to make a contract and bond as herein provided, and within the time stated by the committee in the advertisement for bids, the Treasurer shall place the deposit of such bidder in the General Revenue Fund of the state, and the committee shall readvertise for bids to supply such books. All unsuccessful bidders shall have their deposits returned to them as soon as the committee has decided not to accept their bids.

SECTION 1606. PUBLISHERS' CONTRACTS—PRICE—REDUCTION—TERM OF CONTRACT. 1. All contracts with publishers shall be signed by the chairman and secretary of the State Textbook Committee on behalf of the state. Each contract shall stipulate the price at which each textbook will be sold to the State of Oklahoma, and that all copies supplied to the State of Oklahoma will be equal to or better than the official copy filed with the secretary of the committee. The State Textbook Committee may approve the substitution of a later edition in lieu of the textbook originally selected. The publisher shall stipulate in the contract that the price for which the textbook is to be furnished will be the lowest at which the same textbook will be sold or offered for sale for the purpose of securing a state or local selection or adoption elsewhere in the United States during the six (6) months prior to the



date of the execution of the contract; that he will reduce the contract price of the textbook, if the price of the same textbook is reduced below such contract price elsewhere in the United States, and that he will file with the secretary of the committee a sworn statement of such reduction made elsewhere; that if he prepares any supplementary or abridged or special editions of any of the textbooks, and shall sell such editions elsewhere at a lower price than that stipulated in the contract, he will file copies of any and all such editions, together with the prices thereof, with the secretary of the committee; that he has not entered into any understanding, agreement or combination to control the prices or restrict competition in the sale of textbooks; that he will furnish the textbooks to the State of Oklahoma during the term of the contract in such amounts as may be required, and that he will furnish for a like period in lieu of the corresponding textbooks under contract any other books listed in any annual statement subsequently filed by him during the term of the contract to any school district at the lowest new prices contained in such statement, and that he will maintain said prices uniformly through the state.

2. Each such contract shall contain an exchange provision if the textbook to be sold under the contract is to replace a textbook already in use in the public schools of the state. The exchange provision shall state that the publisher will pay to the State of Oklahoma a certain amount for each old book replaced by a new one during the first year of a contract; provided, that all amounts so received shall be allocated to school districts in the manner provided by Section 1614 hereof. The publisher is hereby granted a sixty-day period in which to pick up or have mailed to the publisher the old book or books, and the publisher shall agree to pay all freight charges on exchange books returned to its depository. After sixty (60) days have elapsed since

date of sale, it will be assumed that the publisher does not wish to have the old book returned.

3. Textbooks that have been selected by the State Textbook Committee may be purchased at the prices for which contracts have been awarded, pending the effective dates of the contracts, if the State Board of Education determines that any school district or districts will be at an educational disadvantage by waiting until the effective dates of the contracts to get needed textbooks.

SECTION 1607. REVISED EDITIONS—LATE ADOPTIONS. 1. In the event that a publisher whose bid has been accepted shall publish at any time before the expiration of the adoption period a new or revised edition of the adopted textbook, the State Textbook Committee may require such publisher to substitute such new or revised edition for the adopted edition at a price to be mutually agreed upon by the publisher and the State Textbook Committee, but not in excess of the lowest price at which the same textbook will be sold or offered for sale for the purpose of securing a state or local selection or adoption elsewhere in the United States during the twelve (12) months preceding the date of submitting such new or revised edition. A contract shall be made for such new or revised edition as for any other selection. Each bidder shall expressly agree to this provision as a part of his bid and the contract awarded if successful.

2. In the event that a publisher shall publish a textbook for a subject during the period for which adoptions for that subject have not expired such publisher may submit a bid for such textbook at the time and in the manner other bids are submitted. If fewer than seven (7) textbooks for such subject have been adopted, then the State Textbook Committee may adopt such book for the balance of the adoption period and thereafter

local textbook committees may adopt such book.

**SECTION 1608. SURETY BOND—ATTORNEY GENERAL—RECOVERIES.** The bidder to whom any contract may be awarded shall make and execute a good and sufficient surety bond, payable to the State of Oklahoma, in a sum not less than Two Thousand Dollars (\$2,000.00), nor more than Ten Thousand Dollars (\$10,000.00), to be fixed by the committee, conditioned that the contractor shall perform all of the conditions of the contract. The contract and bond shall be prepared by the Attorney General and shall be in conformity with, and subject to, all of the provisions of this article, and shall be payable in Oklahoma County. The bond shall not be exhausted by a single recovery thereon but may be sued upon until the full amount thereof is recovered; and the Committee may, after twenty (20) days' notice, require a new bond to be given, and in the event the contractor shall fail to furnish such new bond, such contract may at the option of the committee be forfeited.

**SECTION 1609. RIGHT TO REJECT BIDS—FAILURE TO SECURE TEXTBOOKS.** The State Textbook Committee shall have and reserve the right to reject any and all bids, if said committee be of the opinion that any or all bids should for any reason, be rejected; and in case it fails, from among the proposals submitted, to select sufficient books upon any of the branches of study provided for herein, it may advertise for sealed bids under the same terms as before, and proceed in its investigation in all respects as it did in the first instance.

**SECTION 1610. LIST OF TEXTBOOKS.** As soon as any contract shall have been entered into for the furnishing of textbooks for use in the public schools of the state, the secretary of the State Textbook Committee shall send a list of the textbooks selected by the State Textbook Committee to every county superintendent

of schools, district superintendent of schools and local textbook committee in the state, which list shall show the respective prices of such textbooks and contain such other information as the secretary shall deem advisable, and he shall annually publish and distribute a list of all textbooks that have been selected and that are then in force.

**SECTION 1611. LOCAL TEXTBOOK COMMITTEE—EXAMINATION COPIES—ADOPTIONS—REQUISITIONS.** 1. The superintendent of schools of each independent school district shall appoint a local textbook committee consisting of not less than three (3) nor more than nine (9) teachers employed in the public schools of the district, of which a majority of the membership shall be classroom teachers, and the superintendent of schools or a principal designated by him shall serve as chairman of such local textbook committee.

2. The county superintendent of schools of each county shall likewise appoint a local textbook committee to serve all dependent school districts in his county. Such local textbook committee shall consist of not less than three (3) nor more than nine (9) teachers employed in the dependent school districts of the county, of which a majority of the membership shall be classroom teachers, and the county superintendent of schools shall serve as chairman of such local textbook committee.

3. The publisher of a textbook selected by the State Textbook Committee may, at his discretion, upon the written request of any duly appointed local textbook committee, furnish to such local textbook committee examination copies of such textbook, the teacher edition of such textbook, if one is published, and any teaching aids used with such textbook. Upon receiving a written request therefor from a local textbook committee, the State Board of Education shall furnish to the local textbook committee a reasonable number of

advance examination copies of each textbook selected by the State Textbook Committee, in the subjects taught or to be taught in schools under their jurisdiction. Such advance copies shall be purchased by the State Board of Education from any funds that are or may be available for the purchase of textbooks, and the cost of each advance copy shall be charged against the value of textbooks allowed any school district retaining or using the same; provided, that any such advance copy in new condition may be returned to the control of the State Board of Education within six (6) months after receipt thereof, if there is no longer a need therefor, and credit for the value thereof shall thereupon be given to the school district charged with the value thereof. Provided, further, that any advance examination copies in new condition remaining on hand and with the State Board of Education at the end of the first year of the adoption shall be returned to the proper publisher for credit.

4. On or before a date to be fixed by the State Board of Education, each local textbook committee shall adopt textbooks from the multiple list selected by the State Textbook Committee in such manner as shall be prescribed by the State Board of Education. Each local textbook committee shall serve without compensation and shall cease to exist when local adoptions have been completed and shall be replaced by another local textbook committee appointed in the same manner as herein provided.

5. On or before a date to be fixed by the State Board of Education, the superintendent of schools of each independent school district and the county superintendent of schools of each county, shall submit to the State Board of Education a requisition for all of the textbooks adopted by the local textbook committee that will be needed for the ensuing year in the school or schools for which such adoptions were made, and immediately

upon receipt of such requisitions it shall be the duty of the State Board of Education to make requisitions on the proper depository or depositories for such textbooks. Provided, that the State Board of Education may, for good cause, permit supplemental requisitions to be submitted, and may fill such requisitions after the date specified. Any local adopting unit may requisition any textbooks placed on the official multiple textbook list, if such requisition does not exceed the allocation for each school district as provided herein.

SECTION 1612. JUNIOR HIGH SCHOOLS—SELECTION OF TEXTBOOKS. In selecting textbooks to be used for a school in which grades seven (7) to nine (9), inclusive, or any combination thereof, are taught, and which has been designated as a junior high school by the local board of education, the local textbook committee may select either textbooks adopted for use in junior high school grades or textbooks for use in elementary school grades.

The State Board of Education may authorize local textbook committees to adopt more than one textbook for any subject offered in the public schools of Oklahoma; provided such authorization shall not exceed the textbook allocations for each school district as provided herein.

SECTION 1613. COST OF TEXTBOOKS—WHO PAID—REPAIR SERVICE. The cost of textbooks to be distributed to the several districts of the state shall be paid from funds appropriated for such purposes upon claims approved by the State Board of Education. The price to be paid shall be that stipulated in the contract with the publisher. Upon receipt of a proper requisition for textbooks, it shall be the duty of the State Board of Education to cause the textbooks requisitioned to be delivered to the school district entitled to the same. No textbooks shall be ordered delivered to a school district or purchased by the State Board of Education unless proper requisition therefor has been made from the local adopting unit. The State



Board of Education shall require a bond, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), of the individual charged with the duty of honoring requisitions.

The State Board of Education shall provide sufficient office space, equipment, records and supplies necessary for a proper performance of the duties and functions vested in it and the State Textbook Committee, and the State Board of Education shall appoint and fix the compensation and duties of necessary personnel to assist the State Board of Education in performing its said duties and functions.

The State Board of Education may provide a repair service for textbooks distributed to school districts. Whenever textbooks, through usage or for other reasons, arrive at a state of deterioration where it is no longer advisable to continue them in use, such textbooks shall be sent to a bindery provided or designated by the State Board of Education, and freight costs shall be paid by the bindery. All such damaged textbooks shall undergo a process of reconditioning and rebinding, including the removal of pencil marks, dirty spots, smudges and ink spots, when same can be accomplished without destruction of the reading contents. All torn pages shall be mended or replaced, missing pages shall be replaced, edges retrimmed, each book shall be thoroughly resewed, flyleaves replaced, and new pages, covers and state labels shall be added, whenever necessary. The State Board of Education shall prescribe rules and regulations for the distribution of such repaired textbooks. Nothing herein shall require the State Board of Education to repair textbooks which in its judgment cannot be economically reconditioned.

**SECTION 1614. AGGREGATE VALUE OF TEXTBOOKS DISTRIBUTED TO EACH DISTRICT.** The State Board of Education shall determine the aggregate

value of textbooks, based upon cost to the state, to be distributed to each school district in the state, the amount allowed each school district to be according to the number of pupils enrolled the preceding school year, but not less than Four Dollars (\$4.00) per pupil. Provided, that any unused portion of the value of textbooks allowed to a school district shall be cumulative and shall be allowed to such school district the following fiscal year, in addition to the value of textbooks it is entitled to receive during such fiscal year. When it is determined by the State Board of Education that a surplus of textbooks exists in any school district in the state, the State Board of Education shall have the authority to transfer any or all surplus textbooks to another district or districts where the same are needed. Provided, further, that all textbooks distributed to a school district that have been destroyed by fire or other hazard shall be replaced by the State Board of Education. The total cost of all additional textbooks delivered to school districts to replace those destroyed by fire or other hazard shall not exceed, for the entire state in any fiscal year, the aggregate sum of Twenty-five Thousand Dollars (\$25,000.00), which sum shall be reserved for such purpose from any appropriation made to carry out the provisions of this article for any fiscal year.

**SECTION 1615. CONTRACTORS—DEPOSITORY—SUPPLY OF TEXTBOOKS.** All contractors shall establish and maintain a suitable and convenient depository or depositories in the State of Oklahoma where a stock of their books to supply all immediate demands shall be kept. Said depository or depositories may be operated jointly with other contractors. Each contractor shall maintain at his depository a sufficient supply of textbooks for individuals or boards of education desiring to purchase the same and shall be required to sell such books to any individual or board of education at the same price at which the textbook is sold to the State

of Oklahoma plus cost of transportation to the individual or board of education purchasing the textbook. Upon the failure of any contractor to carry a sufficient stock of books at his depository to take care of all immediate demands of the State of Oklahoma and others requesting the same, or to furnish the textbooks as required by his contract, the county superintendent of schools of the county wherein such books have not been furnished shall report the facts to the Attorney General, who shall bring suit on account of such failure in the name of the State of Oklahoma in the District Court of Oklahoma County, and shall recover on the bond given by such contractor for the full value of the books not furnished as required, and in addition thereto the sum of One Hundred Dollars (\$100.00), and each day of failure to furnish the books shall constitute a separate offense, and the amount so recovered shall be placed to the credit of the General Revenue Fund of the state, and in addition thereto the State Board of Education shall have power to terminate said contract.

**SECTION 1616. MEETINGS OF TEXTBOOK COMMITTEES OPEN TO PUBLIC.** All meetings of the State Textbook Committee and of every local textbook committee shall be open to the public, but any salesman, agent or representative of a textbook publisher may be excluded therefrom. All votes of members of such committees shall be recorded, showing the name of the member casting the vote and how he voted. The records of all such committees shall be subject to inspection by the public on request.

**SECTION 1617. LIST OF NAMES OF AGENTS AND REPRESENTATIVES OF PUBLISHERS.** Each person, firm or corporation offering textbooks for sale in the State of Oklahoma shall list with the secretary of the State Textbook Committee the names and addresses of its agents or representatives, and the secretary of said committee shall issue to each such agent and representative, without charge,

a certificate which will authorize such agent or representative to represent such person, firm or corporation in the State of Oklahoma; provided, not more than four (4) authorized agents or representatives may be listed at any one time for any person, firm or corporation. Provided, further, each such list shall be a matter of public record in the office of the secretary of the State Textbook Committee.

**SECTION 1618. RULES AND REGULATIONS FOR ISSUANCE OF TEXTBOOKS.** The State Board of Education shall adopt rules and regulations for the issuance of textbooks to school children and for the preservation of such textbooks, and all rules and regulations it deems necessary to carry out its duties and functions, and all such rules and regulations shall apply alike to all school districts. It shall prescribe the form of all reports and applications, and county superintendents of schools, district superintendents of schools, and boards of education shall be required to make such reports fully and completely at the time and in the manner prescribed by the State Board of Education. The State Board of Education shall keep an exact account of the cost of books distributed to each school district, together with the proper proportion of transportation and accounting charges.

The State Textbook Committee shall also have the power to adopt such rules and regulations as it deems necessary to enable it to perform its functions and duties.

**SECTION 1619. SAMPLE TEXTBOOKS.** All advance or sample copies of textbooks or any edition thereof furnished to any member of the State Textbook Committee, or to any individual for the purpose of obtaining a selection of the textbook by the State Textbook Committee, shall not be sold by the recipient thereof, but shall be disposed of as may be prescribed by the rules and regulations of the State Board of Education. Any advance or sam-

ple textbook or any edition thereof furnished to a member of a local textbook committee, or to any school official or individual for the purpose of obtaining a local adoption of the textbook, may be retained for the use of the school district involved, or returned for credit if the cost of such book was charged against the value of textbooks allowed such school district. All publishers having contracts to furnish textbooks to the State of Oklahoma shall be required to file with the State Board of Education, not later than the first day of January and the first day of July of each year following the dates of their respective contracts, a sworn statement showing the names and addresses of all persons to whom they have furnished, during the preceding six (6) months, any advance or sample copies of such textbooks, or any edition thereof, together with the numbers and titles of such textbooks furnished to each such recipient, and a failure to do so, or to give accurate and complete information concerning the same, shall authorize the State Board of Education to cancel the contract of such publisher.

**SECTION 1620. PRIOR CONTRACTS.** All legally executed contracts and extensions thereof now existing between any person, firm or corporation and the State of Oklahoma for furnishing textbooks on the basis of an exclusive adoption shall remain in full force and effect until such contract or extension thereof has expired, and the State Board of Education shall purchase and distribute such textbooks.

**SECTION 1621. FREE TEXTBOOKS—OWNERSHIP.** All textbooks adopted, purchased and distributed to school districts shall be furnished free of cost to the school children of such districts and shall be owned by such districts and each district shall mark each textbook with an appropriate number or other identification as deemed necessary to maintain proper records thereof. Every child shall be issued a complete set of textbooks for his grade, for his personal use, and the State

Board of Education shall maintain a replacement program so that each child shall have, at all times, textbooks that are in satisfactory condition, and so that worn-out textbooks or textbooks that are in an unsanitary condition will not be used. All such textbooks shall be requisitioned, and no money allocated for the purchase of such textbooks shall be sent directly to a school district. The State Board of Education shall issue purchase orders for books to the Oklahoma depository of the publisher of the books, immediately upon receipt of requisitions therefor which are not in excess of the allocations for the district for the current or ensuing fiscal year. Nothing herein shall prevent the purchase, from local school district funds, of any adopted textbook or any additional and supplementary textbooks if the board of education of any school district deems it necessary to make such purchases in order to establish and maintain the highest standards of excellence of its schools. Provided, that the chairman and secretary of the State Textbook Committee, on the advice and approval of the Attorney General, are hereby authorized and directed, with the consent of any holders of state textbook contracts, to change said contracts to conform to the provisions of this article. Provided, further, that all officially selected textbooks bearing the state stamp as previously required by law may be purchased by the State Board of Education even though the said stamp has not been removed. Provided, further, that all officially selected textbooks which have been purchased by the State Board of Education are hereby made the property of the school district now in possession of said textbooks.

**SECTION 1622. BRIBES—PUNISHMENT.** Any person who directly or indirectly promises or offers to give, or causes to be promised, offered or given, any money, books, bribe, present or reward or any valuable thing whatsoever to any member of the State Board of Education,



the State Textbook Committee, or a local textbook committee, or any member of a board of education, teacher or other person with the intent to influence his or her decision on any question, matter, cause or proceeding in the selection or adoption of any textbooks, or series of textbooks, shall be guilty of a felony and punishable as such. Any teacher in the public schools of Oklahoma, any county superintendent of schools, any superintendent of schools of a school district or any employee of a school district who shall in any way be interested in the profits, proceeds or sale of any school textbook used in the public schools under his charge, or with which he is connected in any official capacity, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00) and shall in addition thereto forfeit his office or position.

**SECTION 1623. SOLICITATION OR RECEIVING BRIBES—PUNISHMENT.** Any member of the State Board of Education and any member of the State Textbook Committee who directly or indirectly solicits, receives or agrees to receive any money, goods, bribe, present, reward or any valuable thing whatsoever with the intent, and which will have the effect, to influence his or her decision on any question, matter, cause or proceeding in the selection or adoption of any textbook or series of textbooks provided for in this article, shall be guilty of a felony and punishable as such.

Any county superintendent of schools, district superintendent of schools, any member of a board of education, and any member of a local textbook committee who directly or indirectly solicits, receives or agrees to receive any money, goods, bribe, present, reward or any valuable thing whatsoever with the intent and which will have the effect to influence his or her decision on any question, matter, cause or proceeding in the selection

or adoption of any textbook or series of textbooks, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term of not to exceed six (6) months or both such fine and imprisonment.

**SECTION 1624. VIOLATIONS OF ACT—PUNISHMENT.** Any person, firm or corporation that violates any of the provisions of this article, or any of the rules or regulations of the State Board of Education or the State Textbook Committee adopted pursuant to the provisions of this article, the penalty for violation thereof not otherwise being provided herein, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not less than ninety (90) days and not more than one (1) year or by both such fine and imprisonment. Any public official or public employee violating any of the provisions of this article or any of such rules and regulations shall be subject to the foregoing penalties and in addition thereto shall forfeit his position or office. Any officer or employee of the State Board of Education or of the State Textbook Committee who knowingly or willingly apportions or disburses any money appropriated to carry out the provisions hereof, contrary to the provisions hereof, shall be subject to the foregoing penalties and in addition thereto shall forfeit his office or position.

#### ARTICLE XVII

#### RESERVED

#### ARTICLE XVIII

#### FINANCE SECTION

#### FOR EDUCATIONAL IMPROVEMENT

**SECTION 1801. DECLARATION OF LEGISLATIVE INTENT, POLICIES AND PRINCIPLES.** The Legislature hereby declares that this act is passed for the general improvement of the public schools in the State of Oklahoma; to provide the

best possible educational opportunities for every child in Oklahoma; and to have a more beneficial use of public funds expended for education; and this act shall be liberally construed to attain these goals within the purview of the following principles and policies:

1. The education of our children is more than the performance of a duty or act of love. It is these things and also the highest expression of enlightened self-interest by the people of Oklahoma. Education is our finest investment.

2. The system of public schools should be designed to strengthen and encourage local responsibility for control of public education. Local school districts should be so organized, financed and directed that they can provide full educational opportunities for all children. The maximum public autonomy and responsibility for public education should remain with the local school districts and the patrons of such districts.

3. It is the responsibility of the state on behalf of the people of Oklahoma to establish, maintain, and continually improve the public schools of Oklahoma. In furtherance of this responsibility, the people of Oklahoma through the state have the responsibility to support financially the public schools.

4. Effective local control requires that local school districts contribute to the support of school budgets in proportion to their respective abilities.

5. The system of public school support should assure that state and local funds are adequate for the support of a realistic foundation program. It is unrealistic and unfair to the children of the less wealthy districts to provide less state support than is necessary for full educational opportunities.

6. The system of public school support should encourage local school districts to provide and support improved educational programs.

7. The system of public school support

should make provisions for the apportionment of state funds to local school districts on a strictly objective basis that can be computed as well by the local districts as by the state.

8. The system of public school support should effect a partnership between the state and each local district, with each participating in accordance with its relative ability. The respective abilities should be combined to provide a financial plan between the state and the local school district that will assure full educational opportunities for every child in Oklahoma.

9. State support should be extended to all local districts regardless of wealth, for this not only develops a sense of broader responsibility, but also creates flexibility taxwise permitting the exercise of local initiative. State support should, to assure equal educational opportunity, provide for as large a measure of equalization as possible among districts. The taxing power of the state should be utilized to raise the level of educational opportunity in the financially weakest districts of the state.

10. The system of public school support should provide for an equitable system of state and local sharing in the foundation program. The degree of local sharing should be based, as nearly as possible, on the true ability of the local district, so that each may continue uniformly to the foundation program.

SECTION 1802. APPROPRIATIONS. There shall be apportioned and disbursed annually by the State Board of Education, from appropriations made by the Legislature for this purpose and from funds derived from other sources provided by law for this purpose, to the several school districts of the state, such sums of money as each school district may be qualified to receive under the provisions of this article. The methods of apportionment and disbursements contained herein shall remain in force until the same are amended or repealed by the Legislature.

SECTION 1803. PURPOSE OF FUNDS

— FEDERAL FUNDS. 1. The funds apportioned and disbursed to the several school districts of the state shall be for the purpose of aiding each school district receiving the same to finance its school budget for each fiscal year. The State Board of Education shall notify the county clerk, county superintendent of schools, the board of education, superintendent of each school district and the school district treasurer of the tentative amount of said district is to receive from the funds apportioned under the provisions of this article and disbursed according to the provisions hereof. After such allocation of State Aid has been made by the State Board of Education and certified to the county clerk, treasurer of the school district, county superintendent of schools and district superintendent of schools, such aid may be included as probable income by the board of education in its Estimate of Needs and Financial Statement as submitted to the county excise board, and said excise board shall include such amount in the approved appropriations, and in addition thereto any federal aid certified or allocated by the State Board of Education shall be included in the appropriation made by the excise board if requested by the board of education; provided, no such federal aid estimate shall be used in any way to reduce the State Foundation Aid or Incentive Aid for such school district or sustain a protest for the reduction of a tax levy. If such allocation of aid is not included in the board of education's estimate of needs, it shall be added by the county clerk to the items of appropriation designated by the board of education of the school district. Funds received under the provisions of this article shall be deposited in the general fund of such school district. Provided, funds received from the federal government for current expense purposes shall likewise be added to the appropriation of the general fund if so designated by the board of education of such school district. Provided, further, that the board of education of

a school district may enter into agreements with federal agencies for educational projects and programs to be maintained in such districts; and federal funds received by the district in pursuance thereof shall, consistent with the agreement and requirements of the federal agency, be kept, administered and disbursed in such manner as may be prescribed by rules and regulations of the board of education.

2. If the State Board of Education should ascertain that any of the factors on which the apportionment or allocation of State Aid to any school district has so changed as to disqualify such district or to reduce its State Aid, then the State Board of Education shall forthwith notify the county superintendent of schools, the district superintendent, the clerk of the board of education, and the treasurer thereof, as to the amount of reduction in the allocation of State Aid, and the board of education of such district shall immediately request the county clerk to adjust the items of appropriation in accordance with such reduction as to effect a total reduction in the appropriation by the amount which the State Aid allocation was reduced; and if there has been an overpayment the same shall be returned to the State Treasurer and credited to a refund account which shall be available for further payment of State Aid. Whenever it becomes necessary for a school district to refund any overpayment of monies previously received, such refunds shall be made by warrant issued pursuant to a properly approved claim filed by the person, firm, or agency to whom the repayment is to be made. Provided, school districts using the alternate accounting system shall issue such warrant against a properly approved encumbrance in the manner provided by law. Such claim or encumbrance shall be coded as a refund of prior revenue and paid from the current expense appropriation of the general fund or such other fund or account from which such refund may properly be paid



by the school district.

**SECTION 1804. STATE AUDITOR — COPY OF APPORTIONMENTS.** The State Board of Education shall furnish the State Auditor with a copy of the apportionments made from the funds appropriated for each fiscal year to each of the several school districts of the state, and warrants shall be drawn by the State Auditor against appropriations for each fiscal year in accordance with such apportionments only upon the order of the State Board of Education through the Director of Finance. The warrants for the payments to the several school districts of any county shall be forwarded by the State Board of Education through the Director of Finance to the county treasurer, who shall cash the same and apportion the proceeds to the several school districts of the county, as provided by this article, provided it shall be mandatory for the county treasurer to make such apportionment within fifteen (15) days of receipt of same.

**SECTION 1805. CLASSIFICATION OF STATE AID FOR PUBLIC SCHOOLS.** The programs of State Aid to public schools shall consist of two parts. The first shall be known as "Foundation Program Aid," and the second shall be known as "Equalized Percentage Matching Grant," as provided in Sections 1806 through 1811 of this article.

**SECTION 1806. DEFINITIONS.** 1. "Average Daily Attendance" (ADA) means the legal average number of pupils, kindergarten through grade twelve, in a school district during a school year as determined pursuant to the provisions of Section 1810 of this article. One kindergarten day shall count as one-half (1/2) ADA.

2. "District Net Equalized Assessed Valuation" (DNEAV) means the net equalized assessed valuation of taxable real property added to the assessed valuation of personal property and public service property.

3. "Average Assessment — Sales Ra-

tio" (AA-SR) means the ratio of the consideration paid in real property sales to the assessed valuation on said properties on a statewide and countywide basis, as determined by the State Tax Commission. (County average of preceding four (4) years shall be used if greater than preceding year.) State average assessment sales ratio for 1970 through 1972 shall be twenty-one and five-tenths percent (21.5%).

4. "County Valuation Ratio" (CVR) means the state average assessment-sales ratio divided by the county average assessment-sales ratio.

5. "District Real Property Net Equalized Valuation" (DRPNEV) means the county valuation ratio multiplied by the district real property net assessed valuation.

6. "District's Net Equalized Valuation Per ADA" (DNEV-ADA) means the district net equalized valuation divided by the preceding year ADA.

7. "State Assessed Valuation Per ADA" (SAVADA) means state assessed valuation divided by the state ADA.

8. "Base Foundation Support Level" (BFSL) means the dollar amount in the basic foundation program per ADA.

9. "District Wealth Ratio" (DWR) means the district net equalized valuation per ADA divided by the state net valuation per ADA.

10. "Equalized Percentage Matching Support Level" (EPMSL) means the support level per ADA for each mill of the general fund levy above the Foundation Program income fifteen (15) mills chargeable levy. (Not to include the mills levied under Section 9(b), Article X, Oklahoma Constitution.)

11. "Local Support Factor" (LSF) means the percent factor required to be multiplied by the EPMSL in order to get a product equal to the state average valuation per pupil times one (1) mill.

12. "District's State Support Ratio" (DSSR) means the district local support ratio subtracted from 1.0000.

13. "District's Local Support Ratio" (DLSR) means the district wealth ratio multiplied by the Local Support Factor.

SECTION 1807. STATE AID: HOW DETERMINED — FOUNDATION PROGRAM — FOUNDATION PROGRAM INCOME — FOUNDATION AID — EQUALIZED PERCENTAGE MATCHING GRANT. Recognizing the state's responsibility to guarantee a realistic educational program for every school district in accordance with its relative ability to support such program, the amount of State Aid each district will receive shall be the sum of the Foundation Aid and Equalized Percentage Matching Grant defined as follows:

1. Foundation Program:

a. District average daily attendance for the next preceding year multiplied by the Base Foundation Support Level.

(1) BFSL for 1970-71 equals Two Hundred Forty-five Dollars (\$245.00).

(2) BFSL for 1971-72 equals Two Hundred Sixty Dollars (\$260.00)

b. Four Thousand Five Hundred Dollars (\$4,500.00) multiplied by the number of special education units approved by the State Board of Education.

c. Two Thousand Five Hundred Dollars (\$2,500.00) for each vocational education teacher approved for reimbursement by the Division of Vocational-Technical Education. Provided, further, that for the school year 1964-65 and each year thereafter the salary of a vocational education teacher shall be calculated on a basis of the months for which the teacher is actually employed, subject to the approval of the State Board for Vocational Education, but not to exceed two (2) months in addition to the school term as defined by this Article.

For each additional month employed, the additional salary shall be calculated on the basis of one-tenth (1/10) of the minimum teacher's salary as prescribed by the school code in effect for the school year the teacher is employed.

d. Seventy-five percent (75%) of the average expenditure for pupil transportation during the next preceding three (3) years as approved by the State Board of Education.

e. Each district shall be allowed a Size-Cost Adjustment based upon the following schedule:

District ADA

1 — 1,500

1,501 — 3,000

3,001 — 20,000

20,001 and above

Calculation

ADA X \$25.00

\$ 37,500 plus \$20.00 (ADA-1,500)

\$ 67,500 plus \$12.50 (ADA-3,000)

\$280,000 plus \$17.50 (ADA-20,000)

Maximum

\$ 37,500.00

\$ 67,500.00

\$280,000.00

The sum of a. through e. in paragraph 1 above, shall be the Foundation Program Cost.

2. Foundation Program Income:

a. The net equalized assessed valuation of the school district during the next preceding year multiplied by fifteen (15) mills.

b. Seventy-five percent (75%) of the amount received by the school district from the proceeds of the county levy during the second preceding fiscal year, as levied under Section 9(b), Article X, Oklahoma Constitution.

c. Auto License and Farm Truck Tax, actual collections during the second preceding year computed on a per capita average daily attendance basis.

d. Gross Production Tax.

e. State apportionment.

f. R.E.A. Tax.

Each of the above-mentioned items of the Foundation Program Income from d. through f., inclusive, shall be the amount actually collected from such source during the second preceding fiscal year cal-

culated on a per capita basis on the unit provided by law for the distribution of each such revenue. Notwithstanding the foregoing, the amount to be charged as Foundation Program Income from gross production tax shall be the actual collections from such source during the next preceding year if any producing oil or gas wells in the county have been plugged, or any pipelines have been abandoned so as to cause a loss in revenue greater than ten percent (10%) from the amount actually collected during the second preceding fiscal year.

### 3. Foundation Aid:

The "Foundation Aid" shall be determined by subtracting the amount of the Foundation Program Income from the cost of the Foundation Program.

### 4. The Equalized Percentage Matching Grant: Calculated as follows:

Step One. Multiply the District Wealth Ratio by the Local Support Factor. This is the district's Local Support Ratio. For the year 1970-71 the LSF shall be 0.60; for the year 1971-72 LSF shall be 0.55.

Step Two. Subtract the product in step one from 1.000 to determine the District's State Support Ratio. For the school year 1970-71 the District State Support Ratio shall be a minimum of 0.40 and a maximum of 0.48; for the year 1971-72 the District State Support Ratio shall be a minimum of 0.45 and a maximum of 0.60.

Step Three. Multiply the District's State Support Ratio by the Equalized Percentage Matching Support Level.

SCHOOL CODE ART XVIII P 8 thru 13 ecj

Step Four. Multiply the product of step three by the number of mills levied and apportioned for general fund purposes under subsections 9(a), 9(b), 9(c), 9(d) and 9(d-1), Article X, Oklahoma Constitution; provided, the first nineteen (19) mills shall not be used in this calculation and the multiplier shall not exceed twenty (20).

Step Five. Multiply the product obtained in step four by the District's Legal ADA for the preceding year. This will be the

District's Equalized Percentage Matching Grant.

The above five steps may be reduced to the following formula:  $(1.0000 \text{ minus } (DWR \times LSF)) \times EPMSL \times (\text{the number of General Fund mills levied minus } 15) \times \text{District ADA equals DEPMG}.$

## SECTION 1808. ADJUSTMENTS AND LIMITATIONS.

1. The State Board of Education is authorized to adjust the State Aid for any district on the average daily attendance for a number of consecutive months equal to one-half (1/2) of the current year for districts in which there has been an increase in average daily attendance over the preceding year of twenty-six (26) average daily attendance; or, two percent (2%) of the first ten thousand (10,000) average daily attendance, plus one-half percent of the next twenty thousand (20,000) average daily attendance, plus one-fourth percent of all over thirty thousand (30,000), whichever is the greater. Method of payment: Current year Foundation Aid per capita plus EPMG per capita multiplied by increase in ADA.

2. If any district, or a part of a district, becomes a part of another district by consolidation, annexation, or otherwise, the attendance in such district for the immediately preceding year and the valuation for the current year shall be proportionately considered in computing the average daily attendance and the amount of State Aid of the district or districts wherein its pupils will attend school the ensuing year.

3. A full term of school under the provisions of this article shall consist of ten (10) school months in which school has been in session not less than one hundred eighty (180) days; provided, however, that five (5) days may be used for attendance at professional meetings. Provided, further, that a school district may maintain school less than a full term only when other conditions beyond the control of school authorities make impossible the



maintenance of said term, but shall have its State Aid reduced proportionately.

4. If a school district operates a school located in a state institution for the pupils of school age incarcerated in such institution, the attendance of such children shall not be included in the attendance of other schools of such school district for the purpose of calculating the State Aid of the district. Provided, such attendance shall not be used for apportioning other miscellaneous revenue; but such school district shall be paid State Aid in the amount of the Foundation Program Aid and Equalized Percentage Matching Grant of such school regardless of whether the school district qualifies for State Aid as provided elsewhere in this article.

5. In the event the legislative appropriations are insufficient to finance the State Aid to all districts of the state, the State Board of Education is hereby authorized to reduce the Foundation Aid and the Equalized Percentage Matching Grant Aid per child on a proportionate basis; provided no district shall receive less than is provided by Section 1811 of this code.

**SECTION 1809. DETERMINATION OF DISTRICT'S NET EQUALIZED ASSESSED VALUATION.** On or before August 1 of each year the State Tax Commission shall determine and certify to the State Board of Education, the State Average Assessment-Sales Ratio and the County Average Assessment-Sales Ratio. The Director of Finance shall determine the Net Equalized Assessed Valuation for each district in the following manner:

1. Divide the State Average Assessment-Sales Ratio by the County Average Assessment-Sales Ratio to determine the County Valuation Ratio. The State Average Assessment-Sales Ratio shall be that of the calendar year preceding the school year in which the ratio will be used; the County Average Assessment-Sales Ratio shall be that of the calendar year preceding the school year in which the ratio will be used, or the average of the past four (4) years, whichever is higher. In

no case shall the County Valuation Ratio be greater than 1.000.

2. Multiply the County Valuation Ratio times the District's Net Assessed Valuation of Real Property to determine the District's Real Property Net Equalized Assessed Valuation. (Districts having territory in more than one county shall use the CVR of the county having administrative jurisdiction over the district.)

3. Add the (a) DRPNEV to the (b) Personal Property Assessed Valuation, and (c) Public Service Property Assessed Valuation. The sum of (a) plus (b) plus (c) equals the DNEV.

**SECTION 1810. AVERAGE DAILY ATTENDANCE — LEGALLY RESIDENT PUPILS.** No pupil shall be counted in the average daily attendance of any district for the purpose set out in this article, unless said pupil is a legal resident of said district or has been transferred thereto; provided, that a pupil moving from a school district during a school term shall be entitled to attend such school for the remainder of that school term. School districts shall not include out-of-state pupils in their average daily attendance for the purpose set out in this article. Provided, the following pupils shall not be counted: Those who have attained the age of twenty-one (21) years by September 1 or who have completed the twelfth grade, except as elsewhere provided by law for veterans of World War II, the Korean War or the Vietnam War, and those who have not attained the age of five (5) years by November 1 of that school year. In determining the ages of pupils for State Aid purposes, birth certificates shall be presented, if obtainable, as proof of age.

**SECTION 1811. ALLOCATION GUARANTEE.** No school district shall receive less State Aid per ADA under this program in 1970-71 or succeeding years than the district would have received by adding the 1969-70 "Q" factor to Ninety-seven Dollars (\$97.00) and multiplying the sum by the preceding year ADA.

**SECTION 1812. MINIMUM SALARY INCREASES AND MINIMUM SALARIES.**

For the school year 1968-69 no teacher shall receive less than Five Hundred Dollars (\$500.00) increase over the amount provided for such teacher in that district during the school year 1967-68; provided, that for the school year 1969-70 no teacher shall receive less than Nine Hundred Dollars (\$900.00) increase over the amount provided for such teacher in that district during the school year 1967-68; provided, that for the school year 1970-71 and thereafter, no teacher shall receive less than a One Thousand Three Hundred Dollar (\$1,300.00) increase over the amount provided for such teacher in that district during the school year 1967-68; these raises shall be in addition to any increment as now provided by law. Provided, further, that no teacher shall be paid less than Five Thousand Dollars (\$5,000.00) for the school year 1968-69, nor less than Five Thousand Two Hundred Fifty Dollars (\$5,250.00) for the school year 1969-70, nor less than Six Thousand Dollars (\$6,000.00) for the school year 1970-71, and thereafter. Provided, further, that no board of education shall apply more than five (5) years active duty in the military service for the purpose of salary increments of years experience counted toward the tenure or retirement if either is provided for at the local or state level. Said provision shall apply whether or not a state of emergency exists or is declared in existence.

**SECTION 1813. ANNUAL BUDGET CAN INCLUDE INCREASED AID.**

In the preparation of their budgets and estimates of income for the school years 1968-69 and thereafter, the school districts of this state may include the increased amounts of State Aid provided by this act.

**SECTION 1814. OPERATION OF BUSES CONTRARY TO RULES AND REGULATIONS — FORFEIT STATE AID.**

1. Any school district which wilfully operates

school buses contrary to the rules and regulations prescribed by the State Board of Education shall forfeit its State Aid for the time of noncompliance. All State Aid funds shall be withheld from any school district that does not comply with the standards of the State Board of Education for accrediting.

2. a. None of the funds apportioned to school districts under the provisions of this article shall be paid by the state unless and until there has been filed with the State Board of Education on forms prescribed by such Board an itemized sworn account of the expenditures of the school district during the next preceding fiscal year and a teacher personnel report for the current year.

b. No State Aid shall be paid to any district unless and until the district budget, as filed with the State Auditor, shows that the appropriations of the district, plus the State Aid and other cash funds for which the district qualifies, will enable it to maintain a full term of school as defined by this article.

3. School districts receiving State Aid shall not spend any of these funds except by regularly issued warrants based upon a sworn and certified itemized claim executed by or on behalf of the person or firm furnishing the service or things for which payment is claimed. All claims shall be approved by the board of education of the school district at a regular meeting or a special meeting called for that purpose. A copy of said claim, together with a certificate issued by the clerk of the board of education, certifying that said claim was approved at a board meeting and giving the date of said meeting, shall be filed with the treasurer of the school district at the time the warrant is submitted to him for registration, and it shall be unlawful to register or pay the same unless such claim and such warrant conform to the statutes regulating the allowance and issue thereof. Said treasurer shall keep on file in his office

copies of all such claims for a period of five (5) years after the date of filing. Provided, this subsection as it pertains to issuance of claims and warrants shall not apply to those districts using any alternate accounting system authorized by law.

4. All board of education members, employees, or other officials of school districts required to make reports to the State Board of Education or other agencies under the provisions of this article, and all persons lawfully charged with the duty of making records of original entry, such as teachers' registers, transportation records, and financial records, which form the basis, in whole or in part, of said reports, shall exercise the highest degree of diligence, accuracy, and good faith in making said records, and reports reflect the truth. Teachers' registers shall be marked daily in ink, by the teacher or principal in charge of rooms or groups of pupils. Provided, the State Board of Education may authorize alternate systems of accounting for pupils attendance in districts using data processing methods.

5. The State Board of Education shall revoke the certificate of any teacher, principal, or superintendent who knowingly or wilfully violates any of the provisions of this article.

6. Any official involved in the execution of this article who shall fail or refuse to carry out any of the provisions thereof shall be liable on his official bond, if any, for the monetary damages resulting from said failure to act, and in addition thereto shall be subject to removal from office for neglect of duty under the provisions of law relating to the removal of public officials.

7. Any person or firm who shall knowingly or wilfully violate any of the provisions of this article shall be guilty of a misdemeanor. Any public official or public employee violating any of the provisions of this article shall be subject to the penalties for a misdemeanor and in addition

thereto shall forfeit his position or office. Any officer or employee of the State Board of Education who knowingly or wilfully apports or disburses any monies appropriated by this article contrary to the provisions of this article shall be subject to the penalties for a misdemeanor and in addition shall forfeit his office or position.

8. The State Board of Education shall prescribe the form of all records, reports and applications for State Aid necessary to the proper administration of this article, and it shall be the duty of all county superintendents, school district superintendents, and boards of education of school districts to make such reports fully and completely at the time and in the manner prescribed by the State Board of Education. The State Board of Education shall also have authority and it shall be its duty to promulgate rules and regulations, not inconsistent with the provisions hereof, relative to the distribution of funds and for the administration of this article. Such regulations and rules shall apply alike to all school districts. Provided, however, where there has been unusual decreases in A.D.A. in districts having Military Installations, the district's State Aid shall not be reduced for a period of two (2) years thereafter.

SECTION 1815. STATE AID — APPORTIONMENT. All apportionments of State Aid to school districts shall be made by the State Board of Education through its Director of Finance, who shall not knowingly make any apportionment or disbursement of State Aid Funds which is not authorized by law. He shall execute a corporate surety bond in the penal sum of Two Hundred Thousand Dollars (\$200,000.00) payable to the State of Oklahoma, conditioned for the faithful performance of his duties, and the State Board of Education may require other personnel in the Finance Division of the State Board of Education to execute corporate surety bonds for the faithful performance of their duties. The cost of all bonds executed un-



der this section shall be paid from appropriations allocated for administration of State Aid funds. All such funds shall be approved by the State Board of Education and shall be filed in the office of the Secretary of State. Any State Aid funds illegally disbursed by the Director of Finance shall be returned to the State Treasurer by the school district receiving such funds, or legal action shall be instituted in the name of the state against such school district or on the bond of the Director of Finance.

**SECTION 1816. EXAMINERS — STATE AID FUNDS DEFINED.** 1. The State Board of Education is hereby authorized to appoint a Chief Examiner and Deputy Examiners. They shall audit the State Aid funds received by the school districts of the state and the use made thereof, and shall make such other audits as may be required by the State Board of Education. The school districts and officers and employees thereof shall be jointly and severally liable for any diversion of any funds received by any such district from the purpose for which the funds were apportioned to said district. If said audits should disclose that State Aid funds have been illegally apportioned to, or illegally disbursed or expended by, a school district or any of its officers or employees, the State Board of Education shall make demand that such funds so illegally apportioned, disbursed or expended be returned to the State Treasurer by such school district. If such funds are not returned, the amount in excess of the State Aid funds that would be payable to such district for the succeeding fiscal year shall be withheld. The State Board of Education shall cause suit to be instituted to recover for the state any monies illegally disbursed or expended, if not otherwise recovered as provided in this article.

2. Any Foundation Program Aid or Equalized Percentage Matching Grant apportioned in accordance with the provisions of this article shall be considered

as State Aid funds and all persons responsible for the apportionment or expenditure of such funds shall be liable for the proper distribution and use of such funds as provided by law.

**SECTION 1817. SALARY OF COUNTY SUPERINTENDENT.** Notwithstanding any provisions hereinabove contained to the contrary, the State Board of Education is hereby authorized to apportion, from any appropriation provided for the purposes of this article, an amount equal to the difference between

a. the amount necessary to provide for the county superintendent of schools in each county in the state a salary computed on the basis of the 1963-64 minimum salary of teachers serving as superintendents of schools in school districts, and

b. an amount equal to the salary paid to such county superintendent of schools from county funds of the county of which he, or she, is county superintendent of schools. The State Board of Education shall furnish the State Auditor with a copy of the apportionments made for the salary of the county superintendent of each county and upon the submission of claims by the State Board of Education the State Auditor shall draw a warrant each month for one-twelfth (1/12) of the total apportionment made to supplement the salary of the county superintendent of schools in each county as herein provided, and such warrants shall be forwarded to the county superintendent of schools by the State Board of Education as soon as they are received from the State Auditor.

## **ARTICLE XIX DRIVER'S EDUCATION**

**SECTION 1901. DRIVER'S EDUCATION — PURPOSE.** The aims and purposes of driver's education shall be to develop a knowledge of those provisions of the Oklahoma Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true ap-

preciation of the causes, seriousness, and consequences of traffic accidents, and to develop the knowledge, attitudes, habits, and skills necessary for the safe operation of motor vehicles.

**SECTION 1902. AUTOMOBILE DRIVER EDUCATION FOR PUPILS.** The school board of any school district maintaining a secondary school, which includes any of the grades ten (10) through twelve (12), inclusive, may, in its discretion, establish and maintain automobile driver education for pupils enrolled in the day secondary public school in that district.

**SECTION 1903. PROGRAMS FOR DRIVER EDUCATION.** The establishment, conduct and scope of the driver education program for secondary schools shall be the program established by existing rules and regulations heretofore adopted and promulgated by the State Board of Education pursuant to the provisions of S.J.R. No. 24 of the Twenty-ninth Regular Session of the Oklahoma Legislature (70 O. S. Supp. 1969, § § 1210.21-1210.33), subject to the requirements and exceptions set forth in this act. Said program shall be established and maintained only in accordance with such regulations. The State Superintendent of Public Instruction shall prepare an administrative budget from funds made available under this Article, which budget shall be approved by the State Board of Education. It shall be the responsibility of the State Superintendent of Public Instruction to administer this program in accordance with rules and regulations established by the State Board of Education and to appoint supervisors of safety education and the necessary clerical personnel.

**SECTION 1904. ELIGIBILITY OF STUDENTS.** Each school district providing driver education shall prescribe regulations determining who can best profit by and who shall receive instruction under this program.

**SECTION 1905. REPORT BY SCHOOL**

**DISTRICTS.** Each school district shall report annually to the State Superintendent of Public Instruction the cost of instructing pupils during the preceding year in driver education, the number of pupils actually enrolled and trained in such course during the preceding year, and such other information as may be required for the computation of the cost incurred therein.

**SECTION 1906. COST OF PROGRAM.** A determination of the cost of a driver education program in a secondary school shall include, but by no means is limited to, the cost of the replacement of the automobile or machinery used in the instruction of pupils, the cost of the instructor's salary, the upkeep and maintenance of said automobiles, and the cost of such other equipment and classroom data as may be required in a driver education program operated in compliance with the rules and regulations of the State Board of Education.

**SECTION 1907. STATE FUNDS.** The State Superintendent of Public Instruction shall allow to each school district an amount equal to the actual cost, but in no case to exceed Thirty-five dollars (\$35.00) per pupil completing this course in the driver education programs in each school district during the preceding fiscal year in accordance with the regulations set forth by the State Board of Education, to the school districts for instructing pupils in driver education; provided, however, during the first year of a school district's participation in an approved driver education program, the State Board of Education may advance to the school district an amount not to exceed fifty percent (50%) of the estimated cost for that year.

**SECTION 1908. COMPLIANCE WITH RULES AND REGULATIONS.** No allowance shall be made under this section for the instruction of pupils in driver education unless the respective school district has complied with the rules and regulations as set forth by the State Board of

Education governing the establishment, conduct, and scope of driver education.

SECTION 1909. MOTOR VEHICLE DRIVER EDUCATION FUND. There is hereby created in the State Treasury a fund to be known as the "Motor Vehicle Driver Education Fund," which fund shall be under the control of and reserved for the exclusive use and expenditure of the State Board of Education to assist in defraying the cost of motor vehicle driver education in accordance with the provisions of this Article XIX.

SECTION 1910. AUTHORITY OF THE STATE BOARD OF EDUCATION. In addition to and supplementary of all other powers authorized by law, the State Board of Education is hereby authorized and empowered to promulgate reasonable rules and regulations deemed necessary to carry out the legislative intent of this article as established in Section 1901. The State Board of Education is authorized to purchase for cash, lease, or by lease-purchase agreement all the necessary equipment, visual and training aids and devices, and related materials required to administer the provisions of this article, in compliance with existing law.

SECTION 1911. ACCOUNTING FOR FUNDS. All funds provided for and expended under the authority of this article shall be accounted for as provided in existing law.

SECTION 1912. DISBURSEMENTS OF FUNDS. Funds expended under authority of this article shall be paid by the State Treasurer out of the Driver Education Fund or other funds used in administering this article, upon warrants issued by the State Auditor.

ARTICLE XX  
RESERVED

ARTICLE XXI  
RESERVED

ARTICLE XXII  
OKLAHOMA PUBLIC SCHOOL  
AUDIT LAW

SECTION 2201. OFFICIAL TITLE OF

LAW. This article may be cited as the "Oklahoma Public School Audit Law."

SECTION 2202. "PUBLIC SCHOOL" — DEFINED. The term "Public School" as used herein shall include a school district as provided in the Oklahoma Statutes. The term "auditor" as used herein means a person or partnership who makes an audit and prepares a report thereon as provided in this article.

SECTION 2203. ANNUAL AUDITS REQUIRED—OTHERS AUTHORIZED. The governing body of each school district in this state shall provide for and cause to be made an annual audit or, in the case of school districts with fifty thousand (50,000) or more in average daily attendance, audit or audits of the financial affairs and transactions of each of the funds and activities of such public school for each fiscal year. Such audit or audits shall be made as of the end of the fiscal year; provided, however, the local board of education may require that audits be made at more frequent intervals. It is further provided that in school districts where the United States Department of Agriculture or other federal agencies require the state to make compliance audits of School Lunch Programs, the provisions of this section shall be optional with the local board of education, as to the audit of such school lunch programs.

SECTION 2204. STANDARDS — QUALIFICATIONS OF ACCOUNTANTS — LIABILITY INSURANCE. The audit of each public school shall be made in accordance with generally accepted auditing standards as defined by the American Institute of Certified Public Accountants, except in those instances in which such standards are in violation of the laws of the State of Oklahoma or the rules and regulations of the State Board of Education. All accountants or partnerships of accountants, before entering into audit contracts required under this article, shall satisfy the State Board of Education that such accountant or at least one partner



of a partnership of accountants is a resident of the State of Oklahoma with at least two (2) years of public accounting experience and is currently maintaining an office in the State of Oklahoma. Provided, such accountants or partnerships of accountants shall make application for approval by the State Board of Education for the ensuing year on or before the first day of March of each calendar year. If and when the State of Oklahoma requires all auditors to be licensed by the State Board of Accountancy, each accountant or partnership of accountants shall also satisfy the State Board of Education that such accountants or partnership of accountants has been so licensed before being placed on the list of approved school auditors. Provided, that any accountant approved prior to the requirement of such license and who is still in good standing with the State Board of Education, shall continue to be eligible for approval and inclusion on the list of approved auditors. Provided, further, that all accountants or partnerships of accountants entering into audit contracts required under this article, shall carry a minimum of Two Hundred Fifty Thousand Dollars (\$250,000.00) accountants' professional liability insurance or the total amount of the budget being audited, whichever is less. Any such policy may exclude from coverage the first One Thousand Dollars (\$1,000.00) of any loss incurred. Such exclusion shall not, however, be so construed as to relieve the person on whom such insurance is written from liability.

SECTION 2205. EXPENSES. The expenses of audits required by this article, whether ordered by the local board of education or the State Board of Education, shall be paid by the local board of education for which the audit is made. It shall be the duty of the board of education of the local public school to make provision for payment of said expenses.

SECTION 2206. PREPARATION OF BUDGETS AND FINANCIAL STATE-

MENTS. The board of education may employ persons other than those enumerated in Section 2202 of this article for the preparation of the estimate of needs and financial statement for presentation to the county excise board.

SECTION 2207. AUDIT REPORTS — CONTENTS. Each report on audit of public schools shall contain at least the following:

1. A statement of the scope of examination;
2. The auditor's opinion as to whether the audit was made in accordance with generally accepted auditing standards as heretofore established;
3. The auditor's opinion as to whether the financial statements included in the audit report present fairly the results of the operations during the period audited;
4. The auditor's opinion as to whether the financial statements accompanying the audit report were prepared in accordance with generally accepted accounting principles applicable to schools and in accordance with the laws of the State of Oklahoma and the rules and regulations of the State Board of Education;
5. The reason or reasons an opinion is not rendered with respect to subsections 3 and 4 in the event the auditor is unable to express an opinion with respect thereto;
6. The auditor's opinion as to whether the school's budgetary and disbursement procedures conform to the requirements of the Oklahoma Statutes;
7. Financial statements presented in the form and manner approved by the State Board of Education so as to disclose the results of the operations of each fund of the public school.

SECTION 2208. AUDIT REPORTS — TIME TO COMPLETE — DISTRIBUTION OF COPIES. 1. Each audit required by this act shall be completed and the audit report thereon shall be submitted by the auditor to the local board of education within six (6) months after the close of

the fiscal year of the local board of education.

2. One copy of the audit report shall be filed by the local board of education in the office of the county clerk of the county wherein the principal office of the local board of education is located.

3. One copy of the audit report shall be maintained by the local board of education as a public record for public inspection at all reasonable times at the office of the local board of education. All records shall be kept at least five (5) years.

4. The local board of education shall forward a copy of the audit report to the State Board of Education within thirty (30) days after receipt of said audit. The State Board of Education shall retain such copy in its office as a public record where it shall be available for public inspection at all reasonable times. A copy of the audit report shall be available to the State Examiner and Inspector from the State Board of Education upon request by the State Examiner and Inspector at all reasonable times.

5. The State Board of Education may make inquiries it deems necessary to determine that each school is properly complying with this article. If within seven (7) months after the end of the fiscal year of the public school a copy of the audit report has not been received by the State Board of Education, an inquiry shall be made by the State Board of Education as to why such report has not been filed. Should the State Board of Education find that the local board of education has failed to cause an annual audit to be commenced, the State Board of Education shall make a written demand on said board to complete and file such annual audit within thirty (30) days of the date of such demand.

**SECTION 2209. EXAMINATION OF REPORTS — DEFICIENCIES.** The State Board of Education shall examine all reports submitted to it and shall determine

whether said reports comply with the provisions of this article. If the State Board of Education finds that they have not been complied with, the board shall notify the local board of education and the auditor who submitted said audit report by submitting to them a statement of deficiencies. If the deficiencies are not corrected within ninety (90) days from the date of the statement of deficiencies or within twelve (12) months after the end of the fiscal year of the local district, whichever is later, the State Board of Education shall make or cause an audit to be made in the manner provided for in Section 2208 of this article.

**SECTION 2210. FALSE STATEMENTS IN REPORTS — FALSE INFORMATION**

**— PENALTY.** 1. In any case where an accountant or partnership of accountants has knowingly issued an audit report, required under the provisions of this article, containing any false or misleading statements the State Board of Education shall report such violation in writing to the board of education of such public school and in the case of Certified Public Accountants or partnerships of Certified Public Accountants, to the Oklahoma State Board of Certified Public Accountancy. The State Board of Education shall revoke their rights to perform such audits in the future.

2. Any member of the governing body of the local board of education or any member, officer, employee or agency of any department, board or commission of the public school who knowingly and willfully furnishes to the auditor or to his employee any false or fraudulent information shall be deemed guilty of malfeasance, and upon conviction, the court shall enter judgment that such person so convicted shall be removed from office or employment of said public school. It shall be the duty of the court rendering such judgment to cause immediate notice of such removal from office or employment to be given to the proper officer of the

school district so that the vacancy thus caused may be filled.

SECTION 2211. DUTIES OF BOARD OF EDUCATION — REMOVAL OF MEMBERS. It shall be the duty of each local board of education to cause such audits to be made in accordance with this article. It shall be the further duty of said board to file a copy of said audit with the proper authorities set forth in this article. Such filings shall be not later than thirty (30) days after completion of the audit. Any court of competent jurisdiction shall have the power to remove members of such board from office for violation of this article.

SECTION 2212. STATE AID WITHHELD FOR FAILURE TO COMPLY WITH ARTICLE. All further payment of State Aid for each district shall be withheld until the provisions of this article have been fulfilled by said district.

SECTION 2213. STATE BOARD OF EDUCATION TO PRESCRIBE ACCOUNTING SYSTEMS AND PROCEDURES. All accounting systems and procedures used by the school districts of the State of Oklahoma shall conform with the accounting systems and procedures prescribed by the State Board of Education.

#### ARTICLE XXIII

##### THE OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY

SECTION 2301. PURPOSE OF THE TELEVISION AUTHORITY. It is the intent of the Oklahoma Legislature and the purpose of this article to make educational television services available to all Oklahoma citizens on a coordinated statewide basis. Said educational television services shall be provided by and through the various educational and cultural agencies in the State of Oklahoma under the direction and supervision of the Oklahoma Educational Television Authority hereinafter created.

The Oklahoma Educational Television Authority is hereby authorized and empowered to plan, construct, repair, main-

tain and operate educational television facilities with channels assigned by the Federal Communications Commission to the State of Oklahoma for educational television purposes. The purpose of said Authority shall be to provide a statewide educational television system, including any arrangements for extension thereof and interchanges and rental as may be necessary in establishing such statewide facilities.

The Oklahoma Educational Television Authority is hereby authorized to issue revenue bonds of the Authority payable solely from dedicated revenues to pay the cost of providing educational television facilities as authorized in this article. Such revenue bonds shall never become obligations of the State of Oklahoma, but shall be retired by the Authority as provided in this article. Such revenue bonds shall contain on the face thereof a statement to the effect that neither the state nor the Authority shall be obligated to pay the same or the interest thereon except from revenues dedicated by the Legislature, and that neither the faith and credit nor the taxing power of the state or any political subdivision thereof is pledged, or may hereafter be pledged, to the payment of the principal of, or the interest on, such bonds.

SECTION 2302. ADVERTISING UNLAWFUL. It shall be unlawful for the Authority to permit any individual, company, corporation, or organization to advertise or otherwise attempt to sell its products or services through the use of the facilities controlled by the Authority; and it shall also be unlawful for said Authority to permit any individual or organization to in any way sponsor the election of any party or individual for any public office; provided, however, that nothing in this section shall be construed in a manner which would exclude announcements and programs of nonprofit charitable and educational organizations which are for the public good. Information programs spon-



sored by legally authorized agencies of the state and federal governments for the public good are to be considered proper program material.

**SECTION 2303. POWER TO SELECT ADVISORY COMMITTEE.** The Oklahoma Educational Television Authority shall have the power to organize and select an advisory committee, the membership of which shall not exceed thirty-five (35) persons who shall serve without compensation.

The Authority shall determine the membership of the committee and the time and number of meetings of such committee. It shall be the duty of this committee to assist the Authority in carrying out the provisions of this article. Although the final responsibility of operating television facilities rests with the Authority, it is the duty of the Authority to seek the advice and counsel of representative citizens of the state. The members of the advisory committee shall be selected from such sources as:

1. Oklahoma State Legislative Council;
2. State and independent educational organizations, including both common schools and institutions of higher learning;
3. Departments of the state government;
4. Educational representatives from those cities where educational television channels may be located;
5. Labor organizations;
6. Organizations of municipalities;
7. Business and professional organizations;
8. Charitable, social service, and civic organizations; and
9. Agricultural organizations.

**SECTION 2304. THE MEANING OF WORDS AND TERMS.** As used in this article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

1. The State Department of Education

is that department of the state government in which are placed the agencies created or authorized by the Constitution and Legislature and are charged with the responsibility of determining the policies and directing the administration and supervision of the common school system of the state. These agencies are the State Board of Education, the State Superintendent of Public Instruction and such divisions and positions as may be established by law and by the State Board of Education.

2. The State Board of Education is that agency in the State Department of Education which is the governing board of said department and the common school system of the state.

3. The State Superintendent of Public Instruction is the elected official provided for in Article VI, Section 1, of the Constitution of Oklahoma, who is the executive officer of the State Board of Education.

4. The Oklahoma State Regents for Higher Education is that body created by Article XIII-A of the Constitution of Oklahoma to coordinate the affairs of all institutions of higher learning supported by taxation in the State of Oklahoma.

5. The common schools of Oklahoma are composed of private schools and all schools supported by public taxation and consist of elementary and secondary schools including not to exceed two (2) years of junior college work, night school, adult and other special classes and vocational instruction.

6. The institutions of higher learning consist of private institutions and all the state universities and colleges which are supported by public taxation or otherwise authorized by laws which are now in effect or which may be hereinafter enacted.

7. The word "Authority" shall mean the Oklahoma Educational Television Authority created by Section 2305 of this article, or, if said Authority shall be abolished, the board, body, or commission

succeeding to the principal functions thereof, or to whom the power is given by law.

8. The word "facilities" shall mean channels, all equipment, and properties plus the construction and operation thereof at any given point, together with all rights, easements, leases, and interests which may be acquired by the Authority for said construction and operation which may be deemed necessary for the accomplishment of the purposes set forth in Section 2301 of this article.

9. The word "cost" as applied to the facilities shall embrace the cost of construction, the cost of the acquisition of all land, rights-of-way, property, rights, easements, and interest acquired by the Authority for such construction, the costs of all machinery and equipment, financing charges, interest prior to and during construction, and costs of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing any such facilities, administrative expense and such other expense as may be necessary or incident to the construction of the facilities, the financing of such construction and the placing of the facilities in operation.

10. The word "owner" shall include all individuals, copartnerships, associations, or corporations having any title or interest in any property, rights, easements, and interest authorized to be acquired by this article.

11. The "Oklahoma Educational Television Network" shall include the educational television channels allocated to the state by the Federal Communications Commission and maintained and operated by the Oklahoma Educational Television Authority.

**SECTION 2305. MEMBERSHIP OF AUTHORITY.** There is hereby created a body corporate and politic to be known as the "Oklahoma Educational Television Authority," and by that name the Authority

may sue and be sued, and plead and be impleaded. The Authority is hereby constituted an instrumentality of the state, and the exercise by the Authority of the powers conferred by this article, in the planning, construction, operation and maintenance of educational television facilities, shall be deemed and held to be an essential function of the state.

The Oklahoma Educational Television Authority shall consist of thirteen (13) members, including the President of the University of Oklahoma, the President of Oklahoma State University of Agriculture and Applied Science, the State Superintendent of Public Instruction, the Chancellor of the Oklahoma State Regents for Higher Education, the president of one of the state-supported four-year colleges chosen by the presidents of this group of institutions, the president of one of the state-supported junior colleges chosen by the presidents of this group of institutions, and seven (7) additional members to be appointed by the Governor by and with the consent of the Senate to serve seven-year terms.

The appointed members shall have been residents of the state for at least five (5) years preceding the date of their appointment.

The seven (7) appointed members shall include one member from each of the six (6) congressional districts and one member-at-large.

A majority of the appointed members shall be actively engaged in the educational profession.

Each appointed member of the Authority, before entering upon his duties, shall take an oath as provided by Section 1 of Article XV of the Constitution of the State of Oklahoma.

The seven (7) members first appointed by the Governor shall continue in office for terms expiring on June 30, 1954; June 30, 1955; June 30, 1956; June 30, 1957; June 30, 1958; June 30, 1959; and June 30, 1960, respectively. The terms of each of the first appointed members shall be desig-

nated accordingly by the Governor, and said members shall serve for their appointed terms and until their respective successors shall be appointed and qualified. The successor of each such member shall be appointed for a term of seven (7) years, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term in such vacancy.

The Authority shall elect one of the members as chairman and another as vice chairman, and shall also elect a secretary-treasurer. Seven (7) members of the Authority shall constitute a quorum, and the vote of seven (7) members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

The secretary-treasurer shall execute a surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00), such surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the State of Oklahoma as surety and to be approved by the Attorney General and filed in the office of the Secretary of State.

The members of the Authority shall not be entitled to compensation for their services, but each member shall be reimbursed for his actual expenses incurred in carrying out the provisions of this article, shall be payable solely from funds provided under the authority of this article and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which monies shall have been provided under the authority of this article.

**SECTION 2306. POWERS OF AUTHORITY.** The Authority is hereby authorized and empowered:

1. To accept, assume and control the television channels assigned by the Federal Communications Commission to the

State of Oklahoma for educational purposes;

2. To adopt bylaws for the regulation business;

3. To adopt an official seal and alter the same at pleasure;

4. To maintain an office at such place or places within the state as it may designate;

5. To sue and be sued in its own name, plead and be impleaded; provided, however, that any and all actions, at law or in equity, against the Authority shall be brought in the county in which the principal office of the Authority shall be located, or in the county of the residence of the plaintiff, or in the county where the cause of action arose;

6. To construct, maintain, repair and operate television facilities which with their access connections are designated ultimately to extend to and include all sections and areas of the State of Oklahoma;

7. To issue revenue bonds of the Authority, payable solely from dedicated revenues, for the purpose of paying all or any part of the cost of needed facilities;

8. To fix and revise from time to time any necessary charges for the use of any facilities;

9. To pay for the annual cost of the operation, maintenance and repair of such facilities;

10. To pay as and when due the principal and interest on the revenue certificates or bonds issued to pay for such facilities;

11. To accumulate and maintain such reserves as are provided for in the resolution or trust indenture under which such bonds are issued or secured;

12. To acquire, hold, or dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;

13. To acquire in the name of the Authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exer-



cise of the right of condemnation in manner hereinafter provided, such public or private lands, rights-of-way, property, rights, easements, and interests, as it may deem necessary for carrying out the provisions of this article; and it is the intent of the Legislature that all public property damaged in carrying out the powers granted by this article shall be restored or repaired and placed in its original condition as nearly as practicable;

14. To designate, except as is provided for herein, the locations; and to establish, limit and control such points of ingress to and egress from each facility as may be necessary or desirable in the judgment of the Authority to insure the proper operation and maintenance of such facility;

15. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article, and to employ consulting, engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation;

16. To receive appropriations from the State Legislature and accept from any federal agency grants for or in aid of the construction and operation of any project; provided, the acceptance of such grants or appropriations will not reduce the amount of federal aid for other education in this state; and to receive and accept aid or contributions from any source of either money, property, labor, or other things of value;

17. To do any and all things necessary to comply with rules, regulations, or requirements of the Federal Communications Commission or any other federal agency administering any law enacted by the Congress of the United States to aid or encourage education;

18. To do all things necessary or convenient to carry out the powers expressly granted in this article;

19. It shall be unlawful for any member, officer, or employee of the Authority to transact with the Authority, either directly or indirectly, any business for profit of such member, officer, or employee; and any person, firm or corporation knowingly participating therein shall be equally liable for violation of this provisions.

The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift or consideration to such member, officer or employee.

Violation of any of the provisions of this section shall constitute a felony, and shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not more than five (5) years, or by both such fine and imprisonment.

**SECTION 2307. POWERS CONTINUED.**  
The Authority is hereby authorized and empowered to acquire by purchase, whenever it shall deem such purchase expedient, any land, property, rights, rights-of-way, franchises, easements, or other interests in lands as it may deem necessary or convenient for the construction, maintenance, and operation of the facilities upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Authority and the owner thereof, and to take title thereto in the name of the Authority.

**SECTION 2308. THE AUTHORITY HAS POWER TO CONDEMN PROPERTY.**  
Whenever a reasonable price cannot be agreed upon, or whenever the owner is legally incapacitated, or is absent, unknown, or unable to convey valid title, the Authority is hereby authorized and empowered to acquire by condemnation proceedings in the same manner as land is condemned for railroad purposes any land, property, rights, rights-of-way, franchises, easements, or other property necessary or convenient for the construction or the efficient operation of any facil-

ities, or necessary in the restoration of public or private property damaged or destroyed. No act or obligation of the Authority shall impose any liability upon the state or the Authority except such as may be paid from the funds provided under the authority of the article.

**SECTION 2309. AUTHORITY MAY ISSUE REVENUE BONDS.** The Authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the Authority for the purpose of paying all or any of the cost of any one or more projects, but each project shall be covered by a separate resolution and separate bond issue or issues. The principal of and the interest on such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at a rate not to exceed ten percent (10%), and shall mature in annual installments at such time or times not exceeding the maximum time permitted by the Constitution of the State of Oklahoma, but in any event not more than forty (40) years after their date as may be determined by the Authority. The Authority may cause the bonds or any installment thereof to be made redeemable before maturity, at the option of the Authority, at such price or prices, and under such terms and conditions as may be fixed by the Authority prior to the issuance of the bonds. The Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. The bonds shall be signed by the chairman of the Authority, and the official seal of the Authority shall be affixed thereto and attested by the secretary-treasurer of the Authority, and any coupons attached thereto shall bear the facsimile signature of the chairman of the Authority. In case any officer whose sig-

nature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All bonds issued under the provisions of this article shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state. The bonds may be issued in coupon or in registered form or both, as the Authority may determine, and provisions may be made for the registration of any coupon bonds as to principal and interest. The Authority shall sell such bonds at public sale. Notice of the sale shall be published in a Thursday issue for two (2) successive weeks in a daily newspaper of general circulation in the State of Oklahoma. The date mentioned in the notice for the sale of the bonds shall not be less than ten (10) days after the first publication thereof. All bonds shall be sold to the bidder who will bid therefor par and accrued interest, and who shall stipulate in his bid the lowest rate of interest which such bonds shall bear. It is the intent of this article that the bonds shall be awarded to the bidder bidding rate or rates of interest which will be the lowest interest cost during the life of the bonds. Any premium bid shall not be considered in figuring such interest cost but shall be considered only in case two or more bidders bid the same interest cost. Upon the acceptance of such bid, the bonds shall be issued in accordance therewith and shall be delivered to the purchaser upon payment of the purchase price. Each bidder shall submit with his bid such sum in cash or its equivalent as may be determined by the Authority, and upon the acceptance of any bid such deposit shall become the property of the Authority and shall be credited on the purchase price of the bonds, upon the understanding that if the purchaser shall

fail five (5) days after the tender of bonds to pay the balance of the purchase price, said sale shall be thereby annulled and said deposit shall be in such event retained by the Authority and credited to the account for which such bonds are being issued and shall be used accordingly. All other deposits shall be returned. The Authority shall have the right to reject all bids and readvertise the bonds for sale. The bonds need not be issued and sold in series. In no event shall the bonds be sold at a price so low as to require the payment of interest on the money received therefor at more than ten percent (10%), computed with relation to the absolute maturity of the bonds in accordance with the standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on the redemption of any bonds prior to maturity.

The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the project, for which such bonds shall have been issued, and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance of such bonds or in the trust agreement hereinafter mentioned securing the same. If the proceeds of the bonds of any issue, by error of estimates or otherwise, may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds of any issue shall exceed such cost, the surplus shall be deposited to the credit of the sinking fund for such bonds.

Prior to the preparation of definitive bonds, the Authority may, under like restrictions, issue interim receipts or tem-

porary bonds, with or without coupons, exchangeable for definite bonds when such bonds shall have been executed and are available for delivery. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under provisions of this article without obtaining the consent of any department, division, commission, board, bureau or agency of the state, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions, or things which are specifically required by this article.

**SECTION 2310. SINKING FUND.** The principal and interest necessary to retire any bonds issued by the Authority shall be paid out of the "Oklahoma Educational Television Bond Sinking Fund" hereinafter established by Section 2311 of this article.

**SECTION 2311. CREATION OF SINKING FUND.** There is hereby created the Oklahoma Educational Television Bond Sinking Fund in the State Treasury and the State Treasurer is hereby authorized and directed to transfer revenues accruing to the Public Building Fund, not otherwise appropriated as of the date this article becomes effective, to the Oklahoma Educational Television Bond Sinking Fund to be used solely for the purpose of retiring bonds issued by the Oklahoma Educational Television Authority.

**SECTION 2312. TRUST AGREEMENTS.** In the discretion of the Authority any bonds issued under the provisions of this article may be secured by a trust agreement by and between the Authority and a corporate trustee which may be any trust company or bank having the powers of a trust company within or without the state. Such trust agreement may pledge or assign the revenues to be received from the project constructed by the use of the proceeds of the bonds, but shall not convey or mortgage any project or part



thereof. Such trust agreement or resolution providing for the issuance of such bonds may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the Authority in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation and insurance of the project in connection with which such bonds shall have been authorized, and the custody, safeguarding and application of all monies, and provisions for the employment of consultants or operation of such project or projects. It shall be lawful for any bank or trust company incorporated under the laws of the state which may act as depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by the Authority. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporates. In addition to the foregoing any such trust agreement may contain such other provisions as the Authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as part of the cost of the operation of the project or projects.

**SECTION 2313. AUTHORITY MAY COLLECT FEES.** The Authority, subject to the provisions hereof, is hereby authorized to fix, revise, charge and collect fees for the use of any of its facilities.

**SECTION 2314. MONIES RECEIVED ARE TRUST FUNDS.** All monies received pursuant to the authority of this article, whether as proceeds from the sale of bonds or other revenues, shall be deemed to be trust funds, to be held and

applied solely as provided in this article. The resolution authorizing the bonds of any issue or the trust agreement securing such bonds shall provide that any officer to whom, or any bank or trust company to which, such monies shall be paid shall act as trustee of such monies and shall hold and apply the same for the purposes hereof, subject to such regulations as this article and such resolution or trust agreement may provide.

**SECTION 2315. RIGHTS OF TRUSTEE.** Any holder of bonds issued under the provisions of this article or any of the coupons appertaining thereto, and the trustee under the trust agreement, except to the extent the rights herein given may be restricted by such trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding protect and enforce any and all rights under the laws of the state or granted hereunder or under such trust agreement or the resolution authorizing the issuance of such bonds, and may enforce and compel the performance of all duties required by this article or by such trust agreement or resolution to be performed by the Authority or by any officer thereof including the fixing, charging and collecting of fees.

**SECTION 2316. AUTHORITY TAX EXEMPT.** The exercise of the powers granted by the article will be in all respects for the benefit of the people of the state, to serve their educational and cultural interests and needs, and for the improvement of their health and living conditions. The operation and maintenance of projects by the Authority will constitute the performance of essential governmental functions, and the Authority shall not be required to pay any taxes or assessments upon any project or any property acquired or used by the Authority under the provisions of this article or upon the income therefrom, and the bonds issued under the provisions of this article, their transfer and the income therefrom, including any profit made on the sale thereof, shall at

all times be free from taxation within the state.

**SECTION 2317. SECURITIES OF BONDS.** Bonds issued under the provisions of this article are hereby made securities by which all banks, trust companies, trust and loan associations, investment companies and others carrying on a banking business, all insurance companies and insurance associations, and others carrying on an insurance business may legally and properly invest funds including capital in their control or belonging to them.

**SECTION 2318. PROJECTS TO BECOME PART OF THE STATE EDUCATIONAL SYSTEM.** Each project when constructed and placed in use shall be maintained and kept in good condition and repair by the Authority. When all bonds issued under the provisions of this article in connection with any project and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project, if then in good condition and repair to the satisfaction of the State Legislature, shall become part of the State Educational System.

All counties, cities, towns, municipalities, school districts of the state and all state boards, commissions, officials, and other public agencies, notwithstanding any contrary provision of law, are hereby authorized and empowered:

1. To lease, lend, grant or convey to the Authority at its request upon such term and conditions as the proper authorities of such counties, cities, towns, municipalities, school districts of the state, and all state boards, commissions, officials and other public agencies may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality other than the regular and formal action of the authorities concerned, any personal property, real property and other things of value

which may be necessary or convenient to the effectuation of the authorized purposes of the Authority, including real property already devoted to public use; and

2. To lease, rent or contract from the Authority for telecasting purposes, any programs that would be beneficial of their interest and that of the State of Oklahoma.

**SECTION 2319. AUTHORITY MAY CONTRACT WITH TELEVISION STATIONS.** The Authority is hereby authorized and empowered to enter into contract with other television stations, networks or other agencies for the purpose of receiving or exchanging television programs.

**SECTION 2320. BOND APPLICATION MAY BE FILED WITH OKLAHOMA SUPREME COURT.** The Authority is authorized in its discretion to file an application with the Supreme Court of Oklahoma for the approval of any bonds to be issued thereunder, and exclusive original jurisdiction is hereby conferred upon the Supreme Court to hear and determine each such application. It shall be the duty of the court to give such applications precedence over the other business of the court and to consider and pass upon the applications and any protests which may be filed thereto as speedily as possible. Notice of the hearing on each application shall be given by a notice published in a newspaper of general circulation in the state that on a day named the Authority will ask the court to hear its application and approve the bonds. Such notice shall inform all persons interested that they may file protests against the issuance of the bonds and be present at the hearing and contest the legality thereof. Such notice shall be published one time not less than ten (10) days prior to the date named for the hearing and the hearing may be adjourned from time to time in the discretion of the court. If the court shall be satisfied that the bonds have been properly authorized in accordance with this article and that when issued, they will

constitute valid obligations in accordance with their terms, the court shall render its written opinion approving the bonds and shall fix the time within which a petition for rehearing may be filed. The decision of the court shall be a judicial determination of the validity of the bonds, shall be conclusive as to the Authority, its officers and agents, and thereafter the bonds so approved and the revenues pledged to their payment shall be incontestable in any court in the State of Oklahoma.

**SECTION 2321. AUTHORITY IS AUTHORIZED TO ISSUE REFUNDING BONDS.** The Authority is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the Authority for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this article, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds. Each refunding issue shall be limited to the project in connection with which the bonds being refunded were issued, and revenues pledged to pay any such refunding issue shall be limited to the revenue derived from said separate project. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the Authority in respect of the same shall be governed by the provisions of this article insofar as the same may be applicable.

**SECTION 2322. AUTHORITY MUST RETORT TO LEGISLATURE.** The Authority shall make and submit to the Legislature, on or before December 31 of each year, a full report showing projects under construction and in operation, planned projects, and the financial condition of the Authority, and such other information as the Legislature shall require.

**SECTION 2323. THIS ARTICLE PROVIDES ALTERNATIVE METHODS FOR THINGS AUTHORIZED HEREBY.** The

foregoing sections of this article shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing; provided, however, that the issuance of revenue bonds or revenue refunding bonds under the provisions of this article need not comply with the requirements of any other law applicable to the issuance of bonds.

**SECTION 2324. ARTICLE TO BE LIBERALLY CONSTRUED.** This article being necessary for the advancement of education and the welfare of the state and its inhabitants shall be liberally construed to effect the purposes thereof; provided that until specifically authorized by the Legislature the provisions of this article shall not be utilized in any other manner.

#### ARTICLE XXIV MISCELLANEOUS

**SECTION 2401. PUPILS—SUSPENSION—APPEAL.** Any pupil who is guilty of immorality or persistent violation of the regulations of a public school may be suspended by the principal teacher of such school, which suspension shall not extend beyond the current school year; provided, the pupil suspended shall have the right to appeal from the decision of such principal teacher to the board of education of the district, which shall, upon a full investigation of the matter, determine the guilt or innocence of the pupil and its decision shall be final.

**SECTION 2402. PUPILS—DANGEROUS WEAPONS—ILLEGAL DRUGS.** The superintendent of any public school in the State of Oklahoma shall have the authority to detain and authorize the search for dangerous weapons or illegal drugs of any pupil or pupils on any school premises or while in transit under the authority of the school, or at any function sponsored or authorized by the school. The superintendent or principal authorizing such



search shall notify the local law enforcement agency which shall be responsible for obtaining any warrant or other authorization necessary to conduct such search. The notification of such law enforcement agency shall constitute reasonable grounds for obtaining a search warrant. The search shall be conducted by a person of the same sex as the person being searched.

The superintendent or principal authorizing the search shall have authority to detain the pupil or pupils to be searched and to preserve any dangerous weapons or illegal drugs that might be in their possession including the authority to authorize any other persons they deem necessary to restrain such pupil or pupils or to preserve any dangerous weapon or illegal drugs.

Any pupil found to be in possession of dangerous weapons or illegal drugs may be suspended by the superintendent or principal for a period not to exceed the current school year. Any such suspension may be appealed to the board of education of the school district by any pupil suspended under this section.

**SECTION 2403. BRIBES IN CONNECTION WITH SCHOOL BONDS AND SCHOOL SUPPLIES.** It is hereby declared to be unlawful for any officer or employee of the State Board of Education, county superintendent of schools, member of a board of education or employee thereof to solicit, take, retain, or receive any money, property or thing of value in the nature of commission or otherwise for the purchase or sale of school bonds, or for the purchase of any furniture or supplies, and the soliciting, taking, retaining or receiving any such money or other thing of value is hereby declared to be a misdemeanor.

**SECTION 2404. PAYMENT OR TENDER OF MONEY OR PROPERTY—UNLAWFUL WHEN.** It is hereby declared to be unlawful and a misdemeanor for any person, corporation or individual to offer,

tender to pay or deliver to any such officer or employee of the State Board of Education, county superintendent of schools, member of a board of education or employee thereof, any such property, money or other thing of value in any way connected with the issuing of school bonds or the purchase of furniture or supplies, whether the same be denominated commission or otherwise.

**SECTION 2405. FRATERNITIES, SORORITIES AND SECRET SOCIETIES.** The board of education of each school district shall have full power and authority to regulate, control or prohibit any fraternity, sorority, secret society, club or group composed in whole or in part of pupils enrolled in the elementary and high schools of the district if it deems it advisable and to the best interest of the school program to do so.

**SECTION 2406. UNITED STATES FLAG—DISPLAY.** The board of education of every school district in this state shall be required to own and display, either inside or outside each classroom building in the district, a United States Flag.

**SECTION 2407. ARBOR DAY.** The Friday following the second Monday in February of each year shall be known throughout Oklahoma as Arbor day.

**SECTION 2408. RESERVE FOR DELINQUENT TAXES.** The reserve for delinquent taxes used by the county excise board in computing tax levies for school districts shall hereafter be ten percent (10%) for each school district.

**SECTION 2409. OKLAHOMA STATEHOOD DAY—NOVEMBER 16.** The date of November 16 of each year is hereby designated "Oklahoma Statehood Day" in and for the public schools of this state. Any year in which the date of November 16 is a Saturday or Sunday the public schools of this state shall observe the next succeeding school day as "Oklahoma Statehood Day," as provided herein.

**SECTION 2410. OKLAHOMA STATEHOOD DAY—PROGRAM FOR.** The sev-

eral school boards of this state and the superintendents, principals, and other school officials shall on "Oklahoma Statehood Day" plan and conduct programs commemorating Oklahoma history and the achievements of Oklahoma from an historical viewpoint and shall in other appropriate manner conduct a program or programs for the purpose of teaching and inspiring the school children of our state in the appreciation of the rich Oklahoma heritage and the achievements of the sons and daughters of Oklahoma in peace and war.

**SECTION 2411. BILL OF RIGHTS DAY.** The date of December 15 is hereby designated "Bill of Rights Day" in and for the public schools of this state. Any year in which the date of December 15 is a Saturday, Sunday, or school holiday, the public schools of this state shall observe the next succeeding school day as "Bill of Rights Day," as provided herein.

**SECTION 2412. PROGRAMS.** The several school boards of this state and the superintendents, principals, and other school officials shall on "Bill of Rights Day" plan and conduct programs commemorating the Bill of Rights of the United States Constitution and the Bill of Rights of the Constitution of the State of Oklahoma and shall in other appropriate manner conduct programs for the purpose of teaching and inspiring the school children of our state in the appreciation of the significance for individual freedom of said Bills of Rights.

**SECTION 2413. RULES AND REGULATIONS TO BE ADOPTED BY STATE BOARD OF EDUCATION.** The State Board of Education is authorized and directed to adopt such rules and regulations as may be necessary for carrying out the

intent and purpose of Section 2410 and 2412 hereof.

**SECTION 2414. PUPIL RECORDS—DUPLICATE COPIES TO BE KEPT.** The governing board of each school district in Oklahoma shall require every public school within its jurisdiction to prepare duplicate copies of individual scholastic and other permanent records relating to each pupil enrolled. In the case of dependent school districts the duplicate copy of said records shall be filed with the county superintendent of public instruction. In the case of independent school districts the duplicate of said records shall be filed in a building separate and apart from the building where the original copy is filed or shall be filed in a fire-proof vault designed for the purpose of protecting permanent records. The original copy of said records shall be filed and permanently retained by the respective schools of this state.

**SECTION 2415. STORM AND FALLOUT SHELTERS.** In addition to other authority and powers now or hereafter conferred upon boards of education, the board of education of each school district is hereby authorized and empowered to construct, equip, and maintain storm and fallout shelters independently or jointly with other departments, offices, agencies, and all other entities of federal, state, and local governments. For the purposes of this article, said boards of education are hereby authorized and empowered:

1. to expend funds;
2. to accept federal, state, and local governmental and private funds as may be available;
3. to negotiate and enter into agree-

ments, contractual and otherwise, with such departments, offices, agencies, and other entities of federal, state, and local governments and with private corporations, companies, and individuals;

4. to authorize the construction of said storm and fallout shelters on school properties; and

5. to adopt such rules and regulations governing the use of such facilities as may be deemed necessary and proper, not inconsistent with laws of this state or rules and regulations of the State Board of Education.

**SECTION 2416. HIGH SCHOOL DIPLOMAS—ISSUED ON 30 HOURS COLLEGE WORK.** Any person who has been admitted to any accredited college or university may be awarded a high school diploma by the State Department of Education within this state, provided that such person has successfully completed at least thirty (30) hours of college work at an accredited college or university.

**SECTION 2417. SAFETY GOGGLES—SCHOOL BOARD TO PROVIDE FOR CERTAIN PERSONNEL.** The school board of each school district in Oklahoma shall provide safety goggles as approved by the National Safety Council for all personnel using materials and machines that may damage the vision of such personnel because of flying particles, intense light, severe heat or other harmful effects.

**SECTION 2418. RESPIRATORS—SCHOOL BOARD TO PROVIDE FOR CERTAIN TEACHERS AND STUDENTS.** The school board of each school district in Oklahoma shall provide respirators where needed in the opinion of the State Health Department as approved by the

National Safety Council in sufficient numbers to protect teachers and students in industrial arts, vocational training, technical training and chemistry classes using or handling toxic materials or other substances which may cause damage to the respiratory system and shall further direct that such respirators be maintained in satisfactory working condition and are located within easy access wherever such materials or substances are used or stored.

**SECTION 2419. HISTORY OF NEGRO RACE AND OTHER MINORITY RACES.** The State Board of Education shall adopt necessary rules and regulations providing coverage of the outstanding events involving and surrounding the history of the Negro race and other minority races and the development of their cultures.

**SECTION 2420. TRUANCY—REPORTS TO DEPARTMENT OF PUBLIC WELFARE—WITHHOLDING OF ASSISTANCE PAYMENTS.** At the close of each attendance period of the school term, the board of education of each school shall advise the Department of Public Welfare of the name of any child who has not been present for instruction at least eighty percent (80%) of the time except for such times of absence as are included in a doctor's certificate, Christian Science practitioner's certificate, school nurse's certificate, or county nurse's certificate of a child's illness. Upon the receipt of such information from the board of education of a school, the Director of Public Welfare is authorized to withhold assistance payments to the payee of such child and to instigate an investigation for the purpose of improving the school attendance of such child. After such investigation, if the attendance record of the child



investigated is satisfactory, such withheld payments may be released. In the event the investigation results in change in custody and care of such child, payments to the payee shall be canceled.

**SECTION 2421. SAFETY BELTS FOR SCHOOL BUS DRIVERS.** No vehicle shall be used by any school district within this state for the transportation of school children on or after the beginning of the 1968-69 school year, unless such vehicle be equipped with a safety belt or safety harness for the use of the driver of such vehicle. Such seat belt and safety harness shall conform to such standards as may be prescribed. The Department of Public Safety shall prescribe standards, and each seat belt or safety harness used in such vehicle shall conform thereto. The Department of Public Safety shall provide the State Board of Education with a detailed description of the standards prescribed and the said board shall furnish a copy of such standards to the board of education of each school district. The driver of every vehicle used by a school district for the transportation of school children shall make use of such seat belts while in operation of the vehicle, and failure to do so shall be deemed to constitute a misdemeanor, and upon conviction therefor such driver shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

**SECTION 2422. CODIFICATION.** House Bill No. 1586, enacted by the Second Session of the Thirty-second Oklahoma Legislature, and all unrepealed sections of Article XVII of 70 O.S. 1961, and all unrepealed sections of Chapter 157, O.S.L. 1969 (70 O.S. Supp. 1969, §§17-101 through 17-

119, inclusive), shall be codified as Article XVII of this code.

**SECTION 2423. CODIFICATION.** House Bill No. 1403, enacted by the Second Session of the Thirty-second Oklahoma Legislature shall be codified as Article XXI of this code.

**SECTION 2424.** This act being a general act, intended as a uniform coverage of its subject matter, it is hereby declared to be the legislative intent that all other enactments of the Second Session of the Thirty-second Oklahoma Legislature on the same general subject be codified in their proper relation in Title 70 of the Oklahoma Statutes. However, no part of this act shall be deemed to have been repealed impliedly or otherwise by any such enactment.

**SECTION 2425. EFFECT OF HEADINGS.** Article and section headings contained in this act shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any article or section hereof.

**SECTION 2426. SEVERABILITY.** The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**SECTION 2427. LAWS REPEALED.** All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed, but only to the extent that the same are irreconcilable with the provisions of this act. The following laws are hereby expressly repealed: Articles 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

and 18 of Title 70 of the Oklahoma Statutes 1961, as amended; Sections 1 through 8, inclusive, and Sections 10, through 12, inclusive, of S.J.R. No. 24 of the 1963 Oklahoma Legislature (70 O.S. Supp. 1969, §§ 1210.21-1210.28, inclusive, and §§ 1210.30-1210.32, inclusive); Sections 1 through 13, inclusive, Chapter 47, O.S.L. 1967, as amended (70 O.S. Supp. 1969, §§ 505.1-505.13, inclusive; 70 O.S. 1961, §§ 2141-2165, inclusive; 70 O.S. 1961, §§ 20-1 through 20-5, inclusive; Sections 1, 2 and 3 of Chapter 28, O.S.L. 1965 (70 O.S. Supp. 1969, §§ 20-6, 20-7 and 20-8); Sections 1, 2 and 3 of Chapter 228, O.S.L. 1969 (70 O.S. Supp. 1969, §§ 20-9, 20-10 and 20-11); 70 O.S. 1961, §§ 1209 and 1210.1; Section 1 of Chapter 191, O.S.L. 1963 (70 O.S. Supp. 1969, § 1926); Section 1 of Chapter 82, O.S.L. 1965 (70 O.S. Supp. 1969, § 599); Section 1 of Chapter 521, O.S.L. 1965 (70 O.S. Supp. 1969, § 600); Section 1 of Chapter 329, O.S.L. 1967 (70 O.S. Supp. 1969, § 688.1); Section 1 of Chapter 133, O.S.L. 1968 (70 O.S. Supp. 1969, § 630); and Section 1 of Chapter 233, O.S.L. 1968 (70 O.S. Supp. 1969, § 629).

SECTION 2428. EFFECTIVE DATE. The provisions of this act shall become effective July 2, 1970.

SECTION 2429. EMERGENCY CLAUSE. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Terrill, Howard, Miller, Hamilton, Baggett.

FOR THE HOUSE: Allard, Ford, Tabor, Clemons, Abbott.

Senator Miller moved that the Conference Committee Report on **HB 1590** be adopted.

Senator Grantham, joined by Senator Field, as a substitute for the Miller motion, moved that the Senate reject the Conference Committee Report on **HB 1590**, request further conference, and request that the Senate Conferees be instructed to reject the use of the assessment sales ration formula as applied to the foundation program and also in the equalized percentage matching grant, and use the net valuation of property in the local school district as a basis for calculating foundation aid and equalized percentage matching grants, which motion was tabled upon motion of Senator Terrill upon a roll call as follows:

Aye: Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Graves, Ham, Hargrave, Holden, Lane, Luton, McGraw, McSpadden, Martin, Massey, Mcdearis, Miller, Murphy, Nichols, Payne, Porter, Short, Smith, Stansberry, Taliaferro, Terrill.—28.

Nay: Baggett, Field, Garrison, Grantham, Hamilton, McCune, Romang, Williams, Young.—9.

Excused: Atkinson, Boecher, Ferrell, Garrett, Horn, Howard, Inhofe, Keels, Phillips, Smalley, Stipe.—11.

Senator Short, as a substitute for the Miller motion, moved that the Senate reject the Conference Committee Report on **HB 1590**, request further conference, and that the Senate Conferees be instructed to amend the Conference Committee Report by adding the following language to sub-section 2 of Section 304, to-wit: "and shall have the authority to approve merit

pay systems on application from any school district" which motion was tabled upon motion of Senator Smalley.

Senator Short, as a substitute for the Miller motion, moved that the Senate reject the Conference Committee Report on **HB 1590**, request further conference, and that the Senate Conferees be instructed to amend the Conference Committee Report by adding the following language to sub-section 9 of Section 304, to-wit: "Provided, further the maximum academic requirements for certification as a classroom teacher shall be a Bachelor's Degree from any accredited college or university with no more than six (6) semester hours professional education courses and six (6) hours of practice teaching being mandatory;" which motion was tabled upon motion of Senator Smalley.

Senator Garrison, as a substitute for the Miller motion, moved that the Senate refuse to accept the Conference Committee Report on **HB 1590**, and request the Honorable House to grant a further conference on the measure with the Senate Conferees instructed to amend same as follows: "To amend Article XVIII, the Finance Section, to provide for one (1) year of operation rather than two (2) years" which amendment was tabled upon motion of Senator Terrill upon a roll call as follows:

Aye: Baggett, Birdsong, Bradley, Crow, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Smalley, Smith, Stipe, Taliaferro, Terrill, Young.—29.

Nay: Baldwin, Boecher, Breckinridge, Dacus, Ferrell, Field, Garrison, Grantham, Inhofe, McCune, McGraw, Romang, Short, Stansberry, Williams.—15.

Excused: Atkinson, Berrong, Phillips, Porter.—4.

The vote occurring upon the Miller mo-

tion the Conference Committee Report on **HB 1590** was declared adopted.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—41.

Nay: Garrison, Grantham, Inhofe, Williams.—4.

Excused: Atkinson, Phillips, Porter.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Young.—41.

Nay: Garrison, Grantham, Inhofe, Williams.—4.

Excused: Atkinson, Phillips, Porter.—3.

The emergency was declared passed.

**HB 1590**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## PENDING SENATE ACTION

**SCR 84** by Terrill of the Senate and Wolf (Leland) of the House was called up for consideration.

Senator Terrill moved to amend **SCR 84**, page 1, line 31, by striking the word "Thursday, April 9" and inserting in lieu



thereof the words "Tuesday, April 14" which amendment was declared adopted.

**SCR 84**, as amended, was read at length, adopted upon motion of Senator Terrill and ordered referred for engrossment.

#### **PENDING CONSIDERATION OF HAS**

Upon motion of Senator Baggett, the Senate concurred in **HAs** to Engrossed **SB 640**.

**SB 640**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Crow, Dacus, Field, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Murphy, Payne, Smith, Stipe, Terrill, Young.—27.

Nay: Breckinridge, Ferrell, Garrison, Inhofe, McCune, Romang, Short, Williams.—8.

Excused: Atkinson, Baldwin, Boecher, McGraw, Massey, Medearis, Miller, Nichols, Phillips, Porter, Smalley, Stansberry, Taliaferro.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Murphy, Payne, Romang, Short, Smith, Stipe, Terrill, Williams, Young.—34.

Excused: Atkinson, Baldwin, Boecher, Hamilton, Luton, Massey, Medearis, Miller, Nichols, Phillips, Porter, Smalley, Stansberry, Taliaferro.—14.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

#### **MOTIONS TO RECONSIDER VOTES**

Senator Young asked for an extension of one legislative day for consideration of his motion to reconsider the vote by which **HB 1512** failed of passage, which was the order.

Senator Crow asked unanimous consent to withdraw his motion to reconsider the vote by which **HB 1141** passed, which was the order.

**HB 1141**, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 10:00 a.m., Monday, which motion was adopted.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1522** and **1664**.

The above numbered Enrolled Bills were after fourth reading, properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1063**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1461, 1648** and **1701**, as amended.

#### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to Engrossed **HB 1532** requesting Conference and naming Conferees as follows: Camp, York and Bickford.

#### **MESSAGE FROM THE HOUSE**

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1070**—By Privett, Willis and Mis-

kelly—A Concurrent Resolution expressing the Legislative intent for use of monies appropriated by the Second Session of the 32nd Legislature to various departments and agencies of state government.

Consideration of the Resolution was deferred for this Legislative day.

### CONFERENCE COMMITTEE REPORT

The following CCR on SB 590 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred SB 590—By Garrett and Bradley of the Senate and McCune of the House, entitled:

An Act relating to authority to pass ordinances; amending 11 O. S. 1961, \*\*\* and publication of ordinances; providing an effective date; and declaring an emergency,

together with House Amendments thereto—

to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

No. 1. That the House recede from Amendment No. 1.

No. 2. That the Senate accept House Amendments No. 2 and No. 3.

No. 3. That the following Conference Committee Amendment be adopted:

C. C. AMENDMENT NO. 1. Page 2, Line 2. After the word “day,” and before the word “until” insert the following: “and not less than Five Dollars (\$5.00) per day if he performs useful labor,”

FOR THE SENATE: Garrett, Grantham, Young.

FOR THE HOUSE: McCune, Sandlin.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m., Monday, April 13, 1970.





## **Fifty-sixth Legislative Day**

**Monday, April 13, 1970**

Pursuant to adjournment, the Senate was called to order by its President, Lieutenant Governor George Nigh.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—38.

Excused: Berrong, Boecher, Dacus, Ham, Hargrave, Horn, Martin, Porter, Stansberry, Stipe.—10.

The President declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain, the Reverend Joe Dickens, Pastor of John Calvin Presbyterian Church, Tulsa, Oklahoma and is incorporated herein, upon request of Senator Breckinridge:

Good Lord, who turned the water into wine, surely you can turn our weak deeds into good. Gracious God, who turned the shame of the Cross into a victory over death and hell, surely you can turn our selfish acts, our hypocritical words, our narrow bickering into a good thing.

We do not ask for the luxury of groveling in our sin and weakness, but we do ask to be reminded of the greatness in each of us. For our miracle today, turn hypocrisy into honesty, our wavering into a passion for justice, politicians into statesmen, and weaklings into men.

Grant to those members of the Honorable Oklahoma State Senate, who have served well and tackled weighty matters, the grace and strength for this final week. Amen.

The Journal for the last legislative day was declared approved.

Senator Terrill asked unanimous consent, which was granted, that Senator Stipe be shown excused for the remainder of this Legislative Session because of official business in Vietnam; Senator Stipe being enroute to DaNang for the purpose of defending Marine Lance Cpl. Randell Dean Harrod of Calvin, Oklahoma, who is charged in the shooting deaths of several Vietnamese civilians.

### **INTRODUCTION OF GUESTS**

By unanimous consent, Senator Terrill introduced Donald and Susan Smith, the charming young son and daughter of President Pro Tempore Smith.

Senator McSpadden asked unanimous consent that Donald be made Honorary President Pro Tempore for this legislative week, and that Susan be made Honorary Journal Clerk, with the further request that the above be incorporated in the Journal, which was the order.

By unanimous consent, Senator Baggett introduced handsome Young Cory Roys Chambers, student at the Medical Center Speech and Hearing Clinic, and asked that Cory be made an Honorary Page for this legislative day; and, that such introduction and request be incorporated in the Senate Journal, which was the order.

# MESSAGE FROM THE GOVERNOR

The following Veto Message was read, and consideration deferred for this legislative day:

I have on this date, April 10, 1970, vetoed **SJR 22** because the question of average daily attendance requirements was settled one year ago and it would be bad precedent to allow a high school to reopen under the terms of this Bill. Also, the Bill is financially unsound as the State would be required to pay twice for the education of the affected students.

# MESSAGE FROM THE GOVERNOR

Advising approval by him, April 10, 1970, of Enrolled SBs 401, 425, 450, 490, 513, 623 and 632 entitled:

**SB 401**—By Smalley of the Senate and Ferguson and Lindstrom of the House—An Act relating to public schools of Oklahoma; amending Section 5, Chapter 397, O.S.L. 1965 (70 O.S. Supp. 1969, § 18-5A); \*\*\* and declaring an emergency.

**SB 425**—By McSpadden, Massey and Berrong of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Department of Libraries and making appropriations thereto; \*\*\* making the provisions of this Act severable; and declaring an emergency.

**SB 450**—By Hamilton of the Senate and Sullivan and Thornhill of the House—An Act relating to the Oklahoma Industrial Finance Authority Act; amending 74 O. S. 1961, § 856, to authorize an increase from five percent (5%) per annum to seven and one-half percent (7½%) per annum until July 1, 1971, as the maximum rate of interest state industrial finance bonds may bear; providing authority shall seriously consider redemption feature; and declaring an emergency.

**SB 490**—By Short, Nichols, et al of the Senate and Hancock, Sandlin, et al of the House—An Act relating to crimes and punishment, amending Sections 1 and 2, Chapter 308, O.S.L. 1969 (21 O.S. Supp. 1969, § §

1373 and 1374); providing that any person not a student, officer or employee who shall refuse to leave the campus facilities of any college or university or public school upon request is guilty of a misdemeanor; defining terms; and declaring an emergency.

**SB 513**—By Luton of the Senate and Derryberry of the House—An Act relating to estates; providing rights of judgment creditors of heirs, legatees or devisees; and declaring an emergency.

**SB 623**—By Smalley, Hamilton, Garrison and Horn of the Senate and Cate of the House—An Act providing for the creation of an archeological survey for the State of Oklahoma; making it a responsibility of the regents of the University of Oklahoma; fixing the duties of the archeological survey; and declaring an emergency.

**SB 632**—By McSpadden, Payne and Stansberry of the Senate and Bickford et al of the House—An Act relating to the profession of dentistry; stating the object and purpose; defining certain terms; creating the registered dentists of Oklahoma; designating power and authority of the organization; \*\*\* and providing for severability; providing an effective date; repealing 59 O. S. 1961, § § 327.1 - 327.52, inclusive; and declaring an emergency.

# MESSAGE FROM THE GOVERNOR

Advising approval by him, April 13, 1970, of Enrolled SBs 569, 586, 649 and 658 entitled:

**SB 569**—By Grantham of the Senate and Camp, et al of the House—An Act relating to probate procedure; amending 58 O. S. 1961, § 426, as amended by Section 17 of Chapter 302, O. S. L. 1969, (58 O. S. Supp. 1969 § 426), pertaining to sales by executors or administrators; and declaring an emergency.

**SB 586**—By Grantham of the Senate and Conaghan and Boettcher of the House—An Act relating to cemeteries; providing for a lien on cemetery lots when upkeep payments are in default; providing for

procedure for foreclosure; and declaring an emergency.

**SB 649**—By Garrett, et al of the Senate and York of the House—An Act relating to county employees; amending Section 2, Chapter 182, O. S. L. 1963, as last amended by Section 1, Chapter 332, O. S. L. 1969, and 19 O. S. 1961, § 960, as last amended by Section 5, Chapter 222, O. S. L. 1967 (19 O. S. Supp. 1969, § § 956 and 960); providing county employees' eligibility for retirement benefits shall not begin until attainment of age sixty-two and fifteen years in county's service, the last two of which shall have been consecutive immediately preceding retirement and cessation of such service; \*\*\* providing for severability; and declaring an emergency.

**SB 658**—By Breckinridge and Baggett of the Senate and Sullivan of the House—An Act relating to corporations; \*\*\* directing codification; and declaring an emergency.

### CITATIONS

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the Spiro High School Boys' Basketball Team and their Coach Gerald Blankenship for having won the Class AA County and District Tournaments.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Commendation was ordered issued to Class B LeFlore High School Girls' Basketball Team and their coach, Nadine Carpenter for having won the Rock Island Conference, Eastern All-Girls, District, Regional and Area Tournaments.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Spiro High School Girls' Basketball Team and their coach, Cordell Hull as District AA Champions.

Upon motion of Senator Bradley, pursuant to Rule 8-b, a Citation of Congratu-

lations was ordered issued to Miss Karel Kolker, student at Charles Page High School for her many achievements.

Upon motion of Senator Ferrell, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to the Community of Guthrie, Oklahoma on the dedication of the Guthrie Public Library.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### PENDING SENATE ACTION

Upon motion of Senator Young, the request of the Honorable House for a conference on **HB 1510** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1510**: Young, Payne and Boecher.

### PENDING SENATE ACTION

Upon motion of Senator Short, the request of the Honorable House for a conference on **HB 1532** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1532**: Short, Romang and Garrett.

### GENERAL ORDER

**HJR 1058** by Townsend of the House and Graves of the Senate was read and considered.

Upon motion of Senator Graves, **HJR 1058** was advanced to engrossment.

By unanimous consent, upon request of Senator Graves, **HJR 1058** was placed on third reading and final passage.

### THIRD READING

**HJR 1058** was read for the third time at length.



On the question of passage of Resolution, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Breckinridge, Crow, Field, Garrett, Garrison, Graves, Holden, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Taliaferro, Terrill, Williams, Young.—28.

Nay: Bradley, Grantham, Howard, Medearis, Smith.—5.

Excused: Baggett, Berrong, Boecher, Dacus, Ferrell, Ham, Hamilton, Hargrave, Horn, Inhofe, McSpadden, Martin, Porter, Stansberry, Stipe.—15.

The Resolution was declared passed.

**HJR 1058** was properly signed and ordered returned to Honorable House.

Senator Berrong asked to be shown present, which was the order.

#### **PENDING CONSIDERATION OF HAS**

Upon motion of Senator Williams, the Senate concurred in **HAS** to Engrossed **SB 517**.

**SB 517**, as amended by the Honorable House, was read at length.

On the question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Crow, Field, Garrison, Grantham, Graves, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Romang, Short, Smalley, Taliaferro, Terrill, Williams.—29.

Excused: Baggett, Boecher, Dacus, Ferrell, Garrett, Ham, Hamilton, Hargrave, Horn, Howard, Martin, Massey, Murphy, Nichols, Porter, Smith, Stansberry, Stipe, Young.—19.

The bill, as amended, was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

#### **PENDING CONSIDERATION OF CCRs**

Upon motion of Senator Garrett, the Conference Committee Report on **SB 590** was declared adopted.

**SB 590**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Excused: Baldwin, Birdsong, Boecher, Dacus, Ham, Hamilton, Hargrave, Horn, Martin, Porter, Stansberry, Stipe, Taliaferro, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—34.

Excused: Baldwin, Birdsong, Boecher, Dacus, Ham, Hamilton, Hargrave, Horn, Martin, Porter, Stansberry, Stipe, Taliaferro, Young.—14.

The emergency was declared passed.

**SB 590**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senators Ham and Horn asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

#### **PENDING CONSIDERATION OF HAS**

Upon motion of Senator, Howard, the

Senate concurred in **HAs** to Engrossed **SB 320**.

**SB 320**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Horn, Howard, Inhofe, Luton, McGraw, Medearis, Murphy, Nichols, Short, Smalley, Smith, Terrill, Williams, Young.—26.

Nay: Crow, Field, Keels, Lane, McCune, McSpadden, Phillips, Romang, Taliaferro.—9.

Excused: Baggett, Boecher, Dacus, Hamilton, Hargrave, Holden, Martin, Massey, Miller, Payne, Porter, Stansberry, Stipe.—13.

The bill, as amended, was declared passed.

Senator Boecher asked to be shown present, which was the order.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Birdsong, Dacus, Hamilton, Hargrave, Martin, Massey, Porter, Stansberry, Stipe, Taliaferro.—10.

The emergency was declared passed.

## MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Crow moved that the vote be reconsidered by which **SB 320** passed.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SCRs 84, 88 and 89; HB 1810; HCRs 1039 and 1068** each correctly engrossed.

**SB 311 and SRs 65, 71 and 72** each correctly enrolled.

Engrossed **SCRs 84, 88 and 89** were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1810 and HCRs 1039 and 1068**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 311** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SRs 65, 71 and 72** were properly signed and ordered transmitted to the Secretary of State.

Senator Baldwin presiding.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Bradley, the Senate concurred in **HAs** to Engrossed **SB 618**.

**SB 618**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Horn, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smith, Taliaferro, Terrill, Williams.—32.

Nay: Ferrell, McCune, Short.—3.

Excused: Crow, Dacus, Hamilton, Hargrave, Holden, Howard, Martin, Massey, Porter, Smalley, Stansberry, Stipe, Young.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Field, Garrett, Garrison, Grantham, Graves, Ham, Horn, Inhofe, Keels,

Lane, Luton, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smith, Taliaferro, Terrill, Williams.—32.

Nay: Ferrell, McCune, Short.—3.

Excused: Crow, Dacus, Hamilton, Hargrave, Holden, Howard, Martin, Massey, Porter, Smalley, Stansberry, Stipe, Young.—13.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Boecher presiding.

### REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 393, 414, 419, 429, 446, 565, 640** and **SCR 87** each correctly enrolled.

Enrolled **SBs 393, 414, 419, 429, 446, 565** and **640** were, after 4th Reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCR 87** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Baldwin presiding.

Senator Hargrave asked to be shown present, which was the order.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 211** was declared adopted.

**SB 211**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill.—33.

Nay: Taliaferro.—1.

Excused: Baggett, Berrong, Crow, Dacus, Hamilton, Howard, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Williams, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill.—33.

Nay: Taliaferro.—1.

Excused: Baggett, Berrong, Crow, Dacus, Hamilton, Howard, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Williams, Young.—14.

The emergency was declared passed.

**SB 211**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **SB 413** was declared adopted.

**SB 413**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Terrill.—32.

Nay: Berrong, Short, Williams.—3.

Excused: Crow, Dacus, Hamilton, Howard, Martin, Murphy, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—13.



The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Terrill.—32.

Nay: Berrong, Short, Williams.—3.

Excused: Crow, Dacus, Hamilton, Howard, Martin, Murphy, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—13.

The emergency was declared passed.

**SB 413**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **SB 415** was declared adopted.

**SB 415**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill, Williams.—34.

Excused: Baggett, Crow, Dacus, Hamilton, Howard, Luton, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Gran-

tham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill, Williams.—34.

Excused: Baggett, Crow, Dacus, Hamilton, Howard, Luton, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—14.

The emergency was declared passed.

**SB 415**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **SB 416** was declared adopted.

**SB 416**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill, Williams.—34.

Excused: Baggett, Crow, Dacus, Graves, Hamilton, Howard, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Terrill, Williams.—34.

Excused: Baggett, Crow, Dacus, Graves, Hamilton, Howard, Martin, Porter, Smalley, Smith, Stansberry, Stipe, Taliaferro, Young.—14.

The emergency was declared passed.

**SB 416**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

**SB 421**, as amended in conference, was called up for consideration.

Senator McSpadden moved that the Conference Committee Report on **SB 421** be adopted.

Senator Grantham, joined by Senators Field, Berrong and Smalley, as a substitute for the McSpadden motion, moved that the Senate reject Conference Committee Report on **SB 421** and request further conference; and that, the Senate Conferees be instructed to delete any ear-marking of funds from said report and leave the allocation of funds to the discretion of the Board of Higher Regents of the State of Oklahoma, which motion was tabled upon motion of Senator Payne upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams.—32.

Nay: Baggett, Berrong, Field, Grantham, Inhofe, Medearis, Miller, Smalley.—8.

Excused: Dacus, Hamilton, Howard, Martin, Porter, Stansberry, Stipe, Young.—8.

Senator Smalley presiding.

The vote occurring upon the McSpadden motion, the Conference Committee Report on **SB 421** was declared adopted, upon a roll call as follows:

Aye: Atkinson, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Taliaferro, Terrill, Williams, Young.—35.

Nay: Baggett, Berrong, Field, Grantham, Miller, Smalley.—6.

Excused: Dacus, Garrett, Martin, Medearis, Porter, Stansberry, Stipe.—7.

**SB 421**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—42.

Excused: Dacus, Martin, Medearis, Porter, Stansberry, Stipe.—6.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—42.

Excused: Dacus, Martin, Medearis, Porter, Stansberry, Stipe.—6.

The emergency was declared passed.

**SB 421**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

## **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SB 544** correctly enrolled.

Enrolled **SB 544** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

**PENDING CONSIDERATION OF CCRs**

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 427** was declared adopted.

Senator Hamilton asked to be made a coauthor of **SB 427**, which was the order.

**SB 427**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Short, Smalley, Smith, Terrill, Williams, Young.—36.

Excused: Breckinridge, Dacus, McCune, McGraw, Martin, Medearis, Phillips, Porter, Romang, Stansberry, Stipe, Taliaferro.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Short, Smalley, Smith, Terrill, Williams, Young.—36.

Excused: Breckinridge, Dacus, McCune, McGraw, Martin, Medearis, Phillips, Porter, Romang, Stansberry, Stipe, Taliaferro.—12.

The emergency was declared passed.

**SB 427**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Martin asked to be shown present, which was the order.

President Pro Tempore Smith presiding.

Upon motion of Senator McSpadden, the

2d Conference Committee Report on **SB 432** was declared adopted.

**SB 432**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Smalley, Smith, Terrill, Young.—35.

Excused: Boecher, Breckinridge, Dacus, McGraw, Medearis, Nichols, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Williams.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Payne, Phillips, Smalley, Smith, Terrill, Young.—35.

Excused: Boecher, Breckinridge, Dacus, McGraw, Medearis, Nichols, Porter, Romang, Short, Stansberry, Stipe, Taliaferro, Williams.—13.

The emergency was declared passed.

**SB 432**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **SB 442** was declared adopted.

**SB 442**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-



rong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Crow, Dacus, McCune, McGraw, Medearis, Porter, Romang, Stansberry, Stipe, Taliaferro.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Short, Smalley, Smith, Terrill, Williams, Young.—38.

Excused: Crow, Dacus, McCune, McGraw, Medearis, Porter, Romang, Stansberry, Stipe, Taliaferro.—10.

The emergency was declared passed.

**SB 442**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 509** was declared adopted.

**SB 509**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The emergency was declared passed.

**SB 509**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1208** was declared adopted.

**HB 1208**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-

rong, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—40.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe, Taliaferro.—8.

The emergency was declared passed.

### MOTION TO RECONSIDER VOTE

As provided under Rule 19-b, Senator Baggett moved that the vote be reconsidered by which **HB 1208**, as amended in conference, passed.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1547** was declared adopted.

**HB 1547**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—32.

Nay: Boecher, Field, Horn, Howard, Keels.—5.

Excused: Berrong, Crow, Dacus, McGraw, Medearis, Miller, Porter, Stansberry, Stipe, Taliaferro, Young.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Gar-

rett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Lane, Luton, McCune, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—32.

Nay: Boecher, Field, Horn, Howard, Keels.—5.

Excused: Berrong, Crow, Dacus, McGraw, Medearis, Miller, Porter, Stansberry, Stipe, Taliaferro, Young.—11.

The emergency was declared passed.

**HB 1547**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1558** was declared adopted.

**HB 1558**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Luton, McCune, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—33.

Nay: Berrong, Boecher, Horn, Howard, Keels.—5.

Excused: Crow, Dacus, Garrett, Grantham, Lane, McGraw, Medearis, Porter, Stansberry, Stipe.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrison, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Luton, McCune, McSpadden, Martin, Massey, Miller, Mur-

phy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—33.

Nay: Berrong, Boecher, Horn, Howard, Keels.—5.

Excused: Crow, Dacus, Garrett, Grantham, Lane, McGraw, Medearis, Porter, Stansberry, Stipe.—10.

The emergency was declared passed.

**HB 1558**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **HB 1578** was declared adopted.

**HB 1578**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Nay: Boecher, Horn.—2.

Excused: Crow, Dacus, Garrett, Keels, McGraw, McSpadden, Medearis, Nichols, Porter, Stansberry, Stipe.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Breckinridge, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, Martin, Massey, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Nay: Boecher, Horn.—2.

Excused: Crow, Dacus, Garrett, Keels, McGraw, McSpadden, Medearis, Nichols, Porter, Stansberry, Stipe.—11.

The emergency was declared passed.

**HB 1578**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1780** was declared adopted.

**HB 1780**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—33.

Nay: Berrong, Garrett, Garrison, Grantham, McCune, Miller, Williams, Young.—8.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Ferrell, Field, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—33.

Nay: Berrong, Garrett, Garrison, Grantham, McCune, Miller, Williams, Young.—8.

Excused: Crow, Dacus, McGraw, Medearis, Porter, Stansberry, Stipe.—7.

The emergency was declared passed.

**HB 1780**, together with Conference Com-



mittee Report thereon, was ordered returned to Honorable House.

Senator Stansberry asked to be shown present, which was the order.

Senator Terrill moved that the Senate stand recessed until 2:30 p.m., which motion was declared adopted.

At 2:30 p.m., the Senate reassembled with President Pro Tempore Smith presiding.

### CONFERENCE COMMITTEE REPORTS

The following CCR on SB 424 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 424, entitled:

An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; \*\*\* and declaring an emergency.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. The House recede from its Amendment No. 1.

2. The Conference Committee recommends that the following Conference Committee Substitute be approved.

**CCS for SB 424**—By McSpadden, Massey, and Ferrell of the Senate and Willis, et al, of the House—An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; stating the purpose; providing that the Administrative Secretary shall fix the duties and compensation of employees; providing the Administrative Secretary with authority to buy equipment, pay hourly wages, and other necessary expenses from the appropriation for microfilming; providing lapse date; making provisions of this Act severable; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

**SECTION 1.** There is hereby appropriated to the Office of the Oklahoma Historical Society, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year indicated, not otherwise appropriated, the following amounts or so much thereof as may be necessary to perform the duties imposed upon the Office of the Oklahoma Historical Society by law:

	Fiscal Year Ending June 30, 1971
<b>GENERAL REVENUE FUND</b>	
Personal Services (Including retirement costs) .....	\$124,640
Personal Services to keep museum and library open weekday evenings and on weekends .....	12,769
Operating Expenses .....	36,000
Microfilming of newspapers and historical documents .....	41,722
Purchase of U. S. Census Microfilm from 1800 through 1880 ....	17,000
Historical Sites Survey and Development .....	11,000
Oklahoma Historical Day .....	1,500
Historical Sites for Specific Facilities, Personal Services (Including retirement costs) Operations and Development:	
Sequoyah's Home .....	13,500
Fort Washita .....	17,500
Erin Springs .....	12,000
Peter Conser's Home .....	13,500
Jim Thorpe Home .....	12,000
Sod House .....	12,000
Chickasaw House .....	12,000
Honey Springs Battlefield .....	25,000
Provided that additional land purchased for the Honey Springs Battlefield Site in McIntosh County shall be confined to Section 2, Township 12N, Range 17E, provided, however, that purchases in McIntosh County outside Section 2 may be made if made by private treaty.	
Construction of Wiley Post Monument .....	7,500

Foreman Home .....	10,000
Governor McCurtain's House .....	7,000
Chief's Home .....	14,000
Fulsom Chapel .....	1,500
Old Ft. Towson .....	7,500
Chickasaw Canadian Historical Society .....	5,000
Oklahoma Territorial Museum, Guthrie .....	25,000
<b>TOTAL .....</b>	<b>\$439,571</b>

SECTION 2. There is hereby appropriated from the Income Tax Adjustment Fund the sum of Forty Thousand Dollars (\$40,000.00), or so much thereof as may be necessary for editing and publication of Will Rogers' papers.

SECTION 3. There is hereby appropriated from the Income Tax Adjustment Fund the sum of Twenty-five Thousand Dollars (\$25,000.00), or so much thereof as may be necessary for the purchasing of land and restoration of the Sam Houston Neosho Wigwam.

SECTION 4. The Administrative Secretary shall appoint and fix the duties and compensations of the employees necessary to perform the duties imposed upon the Oklahoma Historical Society by law.

SECTION 5. The Administrative Secretary is hereby authorized to pay, from the appropriation made for microfilming of newspapers and historical documents in Section 1 of this Act, such amounts as are necessary for purchase of equipment, salaries of employees paid on an hourly wage basis and other necessary operating expenses.

SECTION 6. The appropriations made by this Act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 7. The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or im-

pair any of the remaining parts or provisions of this Act.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Lane, Williams, Boecher, Garrison, Grantham, Hargrave, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Allard, Bradley, Cate, Connor, Skeith, Sparkman, Townsend.

The following CCR on SB 447 was read and consideration deferred:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 447, entitled:

(Oklahoma Industrial Development and Park Commission and emergency)

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

2. The Conference Committee recommends that the following Conference Committee Substitute be approved:

CCS for SB 447—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Oklahoma Industrial Development and Park Commission and making appropriations thereto; stating the purpose; authorizing utilization of unexpended funds for other purposes; prohibiting expenditures in leased state-owned lodges for certain purposes; directing the expenditure of certain funds appropriated to the division of publicity, advertising and information; direct-

ing the expenditure of certain funds appropriated to the division of research and planning; providing for the reimbursement of employees' general expenses; appropriating funds for special purposes and providing for their expenditure; providing for the appointment and compensation of officials and employees; providing for agreements with the Federal Government; authorizing payment of premiums for Workmen's Compensation and other necessary insurance; providing for use of revenue received from the sale of copies of subscriptions of the magazine "Oklahoma Today"; providing for transfer from Industrial Development and Park Department to the Historical Society certain lots in Block 113 of the original townsite of Purcell, McClain County, Oklahoma; providing for appropriations from the Income Tax Adjustment Fund and providing for their expenditure; providing lapse date; making provisions of this act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. There is hereby appropriated to the Oklahoma Industrial Development and Park Commission, from the General Revenue Fund of the State Treasury, for the fiscal year indicated, not otherwise appropriated, the several amounts set forth in this section, or so much thereof as may be necessary to accomplish the purpose designated with the provision that, where it is unnecessary to expend the amount appropriated for a specific purpose, said amounts not expended may be expended for any other of the several purposes designated in the appropriations. No monies herein appropriated and no monies from any revolving fund or from any source of income whatsoever shall be used for replacing, renovating, or purchasing any equipment or materials in state-owned lodges leased to any person, firm or corporation; provided, further, that such replacements, renovations, and purchases shall be made by the lessee thereof. The Director of State Finance is hereby di-

rected to reject any and all claims in violation of the foregoing provisions.

Fiscal Year  
Ending  
June 30, 1971

GENERAL REVENUE FUND:  
DIVISION OF PARKS, RECREATION AND WATERWAYS

The following appropriation shall be for the expenses of personal services, premiums of workmen's compensation and other necessary insurance, travel, supplies, construction, equipment, acquisition of land needed for park purposes, and any other expenses necessary to the efficient and effective operation of the State Park System and the Waterways Division -----\$2,286,548.00

DIVISION OF ADMINISTRATION

Expenses of personal services, including per diem of Commissioners, maintenance and operation, including travel, premiums of workmen's compensation insurance, rent and any other expenses necessary to the efficient and effective operation of the Division -----\$ 425,486.00

DIVISION OF PUBLICITY, ADVERTISING AND INFORMATION

Expenses of personal services, maintenance and operation, including travel, printing supplies, movies, exhibits, promotions, advertising, and any other expenses necessary to the efficient and effective operation of this Division including all actual expenses in connection with the promotion of Oklahoma's industrial possibilities and tourist attractions ..\$ 691,674.00

Provided that One Hundred Twenty Thousand Dollars (\$120,000.00) of the amount



appropriated to this Division shall be supplied on a 50-50 matching basis to multi-county organizations for the promotion of their advertising programs after approval of such programs by the Industrial Development and Park Commission. Provided, further, that Fifteen Thousand Dollars (\$15,000.00) of the amount appropriated to this Division shall be for the purpose of conducting schools or seminars by Oklahoma State University for the study, promotion, and development of the tourism industry under the Department's direction, in cooperation with the University, to the end that both the private and public sectors of the industry may be developed and expanded. Provided, further, that Twenty Thousand Dollars (\$20,000.00) of the amount appropriated to this Division shall be for the purpose of study and development at the Clinton-Sherman Air Force Base, Oklahoma, by the Midwestern Oklahoma Development Authority.

EXPENSES FOR PUBLICATION  
OF THE MAGAZINE "OKLAHOMA TODAY" -----\$ 87,578.00

#### DIVISION OF INDUSTRIAL, BUSINESS AND ECONOMIC DEVELOPMENT

Expenses of personal services, contractual services, travel, supplies, exhibits, general operating expenses and all other expenses necessary for the efficient and effective operation of this Division -----\$ 358,241.00

The actual expenses incurred by any employees of said Division for necessary travel and subsistence outside the state shall be reimbursed such employee. The actual and reasonable expenses of travel and subsistence incurred in the showing of industrial sites inside the state shall be reimbursed to the employee incurring such expenses. Reimbursement of such expenses shall be in accordance with rules and regulations adopted by the Commission.

#### DIVISION OF RESEARCH AND PLANNING

Expenses of personal services,

contractual services, travel, supplies, general operating expenses and all other expenses necessary for the efficient and effective operation of this Division. Provided, that Eighty-five Thousand Dollars (\$85,000.00) of the amount appropriated to this Division shall be used in cooperation with the Ozarks Regional Commission. It is further provided that One Hundred Twenty-five Thousand Dollars (\$125,000.00) of the appropriation to this Division will be used for the Community Planning Section of the Division to facilitate what is known as "701 Federal Planning" --\$ 487,394.00

The sum of Ten Thousand Dollars (\$10,000.00) herein appropriated shall be expended for the following purpose; to conduct a management analysis and develop a fiscal/management control program for use by the Legislature in considering all physical planning and development activities, including economic development activities, which take place in Oklahoma. Said funds shall be used to match other monies which may be available to accomplish this purpose, and the total funds devoted to this project shall be expended under the rules, regulations and directions of the Executive Committee of the Oklahoma Legislative Council. Be it further understood that in the event that additional matching funds are not available, the aforementioned project shall be carried out, under the direction of the Executive Committee of the Oklahoma Legislative Council, using a sum not to exceed Forty-five Thousand Dollars (\$45,000.00) from the funds which may be available to the Industrial Development and Parks Department for state planning purposes.

#### DIVISION OF LODGES

Expenses of personal services, premiums for workmen's compensation and other necessary insurance, travel, supplies and

general operating expenses --\$ 45,908.00

#### TOTAL—GENERAL

REVENUE FUND -----\$4,382,829.00

SECTION 2. The Oklahoma Industrial Development and Park Commission shall appoint and fix the duties and compensation of officials and employees necessary to perform the duties imposed upon the Oklahoma Industrial Development and Park Department by law, and shall incur other necessary expenses payable from the appropriations made by this act.

SECTION 3. All funds appropriated by this act may be used and expended in conjunction or cooperation with any Federal agency or instrumentality under such terms and conditions as may be necessary to obtain grants or Federal-aid assistance. The Oklahoma Industrial Development and Park Commission is hereby authorized to collect, receive, and use any and all grants or reimbursements made available through any agency or instrumentality of the Federal Government, provided, however, such funds shall be deposited in the State Treasury and disbursed in accordance with the agreement between the Oklahoma Industrial Development and Park Commission and the applicable Federal agency or instrumentality.

SECTION 4. The Oklahoma Industrial Development and Park Commission is authorized to pay premiums from the appropriations made herein for workmen's compensation and other necessary insurance.

SECTION 5. Revenue received from the sale of copies or subscriptions of the magazine "Oklahoma Today" shall not be used for any purpose other than publishing, promoting, and increasing the circulation of "Oklahoma Today."

SECTION 6. Authority is hereby granted for the transfer from Industrial Development and Parks Department to the Historical Society of the following described property:

All of Lots 9 and 10 of Block 113 of the original townsite of Purcell, McClain County, Oklahoma; and parts and parcels of

Lots 6 and 7 in Block 112 of the original townsite of Purcell, McClain County, Oklahoma, consisting of the following described property, to-wit:

Beginning at the Southwest corner of Lot 7, thence North along the West line of Lot 7, a distance of 184.6 feet to the Northwest corner of Lot 7, thence East along the North line of Lot 7 and Lot 6, a distance of 51 feet to the Northeast corner of Lot 6 thence South along the East line of Lot 6, a distance of 145 feet, thence in a Southwesterly direction, a distance of 64.4 feet to the point of beginning.

SECTION 7. There is hereby appropriated from the Income Tax Adjustment Fund the sum of One Million One Hundred Seventy-six Thousand Five Hundred Dollars (\$1,176,500.00) or so much thereof as may be necessary for capital outlay and major maintenance for the following purposes:

Beavers Bend State Park .....	\$ 35,000.00
Black Mesa State Park .....	20,000.00
Boiling Springs State Park ....	3,500.00
Greenleaf Lake State Park ....	20,000.00
Lake Murray State Park .....	40,000.00
Osage Hills State Park .....	7,500.00
Quartz Mountain State Park ..	20,000.00
Red Rock Canyon State Park ..	20,000.00
Robbers Cave State Park .....	20,000.00
Roman Nose State Park .....	35,000.00
Walnut Creek Peninsula State Park (Keystone Lake) .....	20,000.00
Sequoyah State Park .....	35,000.00
Tenkiller State Park .....	20,000.00
Lake Texoma State Park .....	25,000.00
Lake Wister State Park .....	25,000.00
Murrell Home and Female Seminary .....	1,000.00
Fort Gibson Stockade .....	5,000.00
Pioneer Woman Museum .....	500.00
Black Kettle Museum .....	3,000.00
Great Salt Plains State Park ..	3,000.00
Little River State Park .....	40,000.00
Keystone State Park .....	40,000.00
Clayton Lake Recreation Area ..	15,000.00
Heyburn Lake Recreation Area ..	15,000.00
Rune Stone Historical Site ....	15,000.00
Adair Park (Stilwell) .....	16,000.00

Honey Creek Recreation Area (Grand) .....	10,000.00
Little Sahara Recreation Area .....	2,500.00
Raymond Gary Recreation Area .....	15,000.00
Sequoyah Bay Recreation Area .....	5,000.00
Spavinaw Recreation Area & Cherokee Recreation Nos. 1-2-3 & Upper Spavinaw .....	30,000.00
Twin Bridges Recreation Area (Grand) .....	3,000.00
Will Rogers Recreation Area (Oolagah) .....	10,000.00
Okmulgee Lake Recreation Area .....	7,000.00
Foss Reservoir Area .....	40,000.00
Tucker Tower Museum .....	1,000.00
Blue Hawk Peak (Pawnee Bill) Clinton Recreation Area and Museum .....	25,000.00
Catoosa Recreation Area .....	10,000.00
Canton Lake Recreation Area .....	2,000.00
Saline Park .....	1,000.00
Disney Recreation Area (Grand) .....	5,000.00
Battle Site of the Washita (near Cheyenne) .....	1,000.00
Alabaster Caverns State Park .....	2,000.00
Sallisaw Recreation Area .....	25,000.00
Fort Cobb Recreation Area .....	30,000.00
Seay Mansion and Chisholm Trail Museum .....	15,000.00
Boggy Depot Recreation Area .....	25,000.00
Spiro Mounds and Deer Creek Mounds .....	10,000.00
Cherokee Court House .....	20,000.00
Sequoyah Park Annex .....	15,000.00
River Bend State Park .....	5,000.00
Mountain Fork State Park ....	25,000.00
Feyodi Creek Recreation Area Chisholm Trail Historical Museum .....	20,000.00
Fountainhead State Park .....	25,000.00
Indian Hall of Fame .....	10,000.00
Arrowhead State Park .....	15,000.00
Chouteau Memorial .....	10,000.00
Baker's Branch (Keystone) ...	25,000.00
Great Plains Tourist & Informa- tion Center .....	40,000.00
Cherokee Strip Museum (Enid) ..	35,000.00

Cherokee Strip Museum & Henry S. Johnston Library ..	10,000.00
T. B. Ferguson Museum .....	10,000.00
Bernice Recreation Area .....	5,000.00
Snowdale Park .....	5,000.00
Altus Historical & Cultural Center .....	35,000.00
Saline County Courthouse .....	30,000.00
Talimino State Park .....	7,500.00
Rocky Ford State Park .....	15,000.00
Ottawa Reclamatory Authority ..	5,000.00
<b>TOTAL .....</b>	<b>\$1,176,500.00</b>

SECTION 8. The appropriations made by this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 9. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Williams, Boecher, Garrison, Grantham, Hargrave, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Allard, Bradley, Cate, Connor, Skeith, Sparkman, Townsend.

The following CCR on SB 449 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 449, entitled:



(State Soil Conservation Board and Emergency)

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. That the Conference Committee recommends:

1. Page 1, Line 23, strike the figure "\$83,500.00" and insert the figure "\$90,000.00".

2. Page 1, Line 24, strike the figure "\$278,228.00" and insert the figure "137,000.00".

3. Page 1, Line 25, strike the figure "713,158.00" and insert the figure "713,556.00".

4. Page 1, Line 26, strike the figure "\$1,074,886.00" and insert the figure "\$940,556.00".

5. Restore the Title to read as follows:

An Act relating to the State Soil Conservation Board and making appropriations thereto; providing for the payment of operational expenses by the State Soil Conservation Board; providing for the appointment and compensation of employees; providing for the payment of district supervisors; making an appropriation to the small watershed control fund; expressing Legislative intent; providing lapse date; making the provisions of this act severable; and declaring an emergency.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice-Chairman, Lane, Williams, Boecher, Garrison, Grantham, Hargrave, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice-Chairman, Allard, Bradley, Cate, Connor, Skeith, Sparkman, Townsend.

The following CCR on SB 451 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed SB 451, entitled:

An Act relating to the Special Events Commission and making appropriations thereto; \*\*\* and declaring an emergency, together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from its Amendment No. 1.

2. The Conference Committee recommends that the following Conference Committee Substitute be approved:

CCS for SB 451—By Hamilton of the Senate and Sullivan of the House—An Act relating to the Special Events Commission and making appropriations thereto; stating purpose; providing for allocation of funds appropriated; providing lapse date; making provisions of Act severable; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. There is hereby appropriated to The Special Events Commission from the Income Tax Adjustment Fund, not otherwise appropriated, the sum of Sixty-three Thousand Two Hundred Dollars (\$63,200.00) or so much thereof as may be necessary for the purpose of enabling The Special Events Commission to perform the duties and functions imposed upon and delegated to it by H.B. No. 1135 of the Thirty-second Oklahoma Legislature of presenting certain special events.

SECTION 2. The funds appropriated in Section 1 of this act shall be allocated to special events in accordance with the following schedule:

Wichita Mountains Easter Service	\$ 3,000.00
Kiowa Gourd Dance Clan	1,000.00
Chisholm Trail Memorial	
Committee—Chickasha	750.00

Pawnee Indian Exposition and Fair .....	7,500.00	Kihekah Steh Indian Club—	
Cheyenne-Arapaho Exposition—Blaine, Canadian and Kingfisher Counties .....	1,500.00	Skiatook .....	500.00
Cheyenne-Arapaho Exposition—Seiling .....	500.00	Wall-eye Fishing Festival .....	500.00
Cheyenne-Arapaho Exposition—Hammon .....	500.00	Pioneer Day Celebration—Okemah .....	500.00
Sac-Fox Exposition—Sac-Fox Agency—Stroud .....	1,000.00	Permanent "Oklahoma" Production .....	5,000.00
Prague Kolache Festival .....	500.00	Every Man's Land Celebration ..	500.00
Otoe-Missouri Powwow .....	500.00	'89er Celebration—Guthrie .....	1,000.00
Ponca Indian Powwow .....	1,000.00	Cherokee Strip Celebration—Perry .....	500.00
Rush Springs Water-melon Festival .....	1,000.00	Crescent Fourth of July Celebration .....	500.00
Hub City Intertribal Powwow ..	500.00	Sapulpa Historical Celebration Day .....	2,000.00
Chickasaw Festival .....	1,500.00	Western Hills—Colina Festival ..	500.00
Sand Bass Festival .....	2,000.00	Black Mesa Services—Cimarron County .....	500.00
Tulsa Powwow Club .....	1,500.00	Ellis Sportsman Celebration ....	500.00
Gray Horse Indian Exposition ...	500.00	Payne County Rural-Urban Agricultural Day .....	3,000.00
Chouteau Pioneer Celebration ...	500.00	Oil Appreciation Day—Duncan ..	500.00
Boley Frontier Day .....	500.00	Dune Buggy Celebration—Little Sahara .....	250.00
Pawhuska Indian Exposition ....	500.00	Cushing Western and Heritage Day .....	750.00
Hominy Indian Exposition .....	500.00	Porter Peach Festival .....	250.00
Stilwell Strawberry Festival—Stilwell .....	750.00	Broken Bow Powwow .....	500.00
Faith Seven Bowl Game .....	750.00	Broken Arrow Rooster Day ....	500.00
Terral Watermelon Festival .....	250.00		
Waurika Rattlesnake Hunt .....	250.00		
Seminole Indian Celebration ....	250.00		
Cheyenne-Arapaho Powwow—Colony .....	1,500.00		
Czech Festival—Yukon .....	500.00		
Eastern Oklahoma Labor Day Celebration—Henryetta .....	500.00		
Love County Frontier Days .....	500.00		
Craig County Historical Museum ..	500.00		
Cushing Loyalty Day .....	750.00		
Guymon Pioneer Day .....	500.00		
Western Heritage—Bristow .....	500.00		
Oil Progress Day—Drumright ..	500.00		
Indian Territory and Pioneer Associations .....	500.00		
Marlow Annual Red Pork Jubilee ..	500.00		
Quapaw Historical Indian Ground ..	4,000.00		
Washita Historical Museum .....	3,500.00		
Drumright Historical Celebration Day .....	500.00		
Oklahoma City Powwow Club ..	1,200.00		
		TOTAL .....	\$63,200.00

SECTION 3. The appropriation made by this act shall not be subject to fiscal year limitations and shall be available for expenditure and encumbrance purposes for a period of thirty (30) months from the date this act is approved.

SECTION 4. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Lane, Williams, Boecher, Garrison, Grantham, Hargrave, Young.

HOUSE CONFEREES: Willis Chairman, Miskelly, Vice Chairman, Allard, Bradley, Cate, Connor, Skeith, Sparkman, Townsend.

The following CCR on SB 478 was read and consideration deferred:

Mr. President  
and

Mr. Speaker:

The Conference Committee, to which was referred SB 478—By Luton, et al, entitled:

An Act relating to insurance; amending 36 O. S. 1961, § § 903, 1004 and 1016, \*\*\* and declaring an emergency

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

NO. 1. That the House recede from AMENDMENT NO. 1, and that the Senate accepts AMENDMENTS NO. 2 and 3.

NO. 2. That the following Conference Committee amendments be adopted:

1. Page 2, line 32, strike the words "the notice of".

2. Page 4, line 23, strike the words "the notice of".

3. On line 13½ of the Title strike "THIRTY DAYS" and insert "FIFTEEN DAYS" on the same line, and strike the words "THE NOTICE OF", also on the same line.

FOR THE SENATE: Luton, Birdsong, Berrong.

FOR THE HOUSE: Tarwater, Greenhaw.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1141, 1461, 1514, 1517, 1659, 1674 and 1701.

The above numbered Enrolled Bills and/

or Resolutions were, after fourth reading properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 311, 393, 414, 419, 429, 446, 565, 544 and 640.

The above numbered Enrolled Bills were referred to the Governor.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 87.

The above numbered Enrolled Resolution was ordered referred to the Secretary of State.

#### MESSAGE FROM THE HOUSE

Transmitting following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1719 and 1740.

The following CCR on HB 1719 was read and consideration deferred:

Conference Committee Report on HB 1719 was submitted as follows:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1719, and Engrossed Senate Amendments thereto, by Tarwater of the House and Berrong of the Senate, entitled:

AN ACT RELATING TO INSURANCE; AMENDING 36 O. S. 1961, SECTION 1115, AS AMENDED BY SECTION 1, CHAPTER 82, O. S. L. 1969 (36 O. S. SUPP. 1969, § 1115); \*\*\* AND DECLARING AN EMERGENCY,

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the House recede from the Senate



amendment and that the attached conference committee substitute be adopted.

CONFERENCE COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1719—By Tarwater of the House and Berrong of the Senate.

AN ACT RELATING TO INSURANCE; AMENDING 36 O. S. 1961, SECTION 1115, AS AMENDED BY SECTION 1, CHAPTER 82, O. S. L. 1969 (36 O. S. SUPP. 1969, § 1115); IMPOSING A TAX ON INSURANCE POLICIES ISSUED BY UNAUTHORIZED INSURERS; REQUIRING REPORTS WITH RESPECT TO SUCH POLICIES; MAKING THE INSURED LIABLE FOR SUCH TAXES UPON SUCH POLICIES PURCHASED THROUGH UNAUTHORIZED SOURCES; ALLOCATING PROCEEDS TO THE INSURANCE COMMISSIONER UNTIL JUNE 30, 1971; MAKING PROVISIONS SEVERABLE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. 36 O. S. 1961, § 1115, as amended by Section 1, Chapter 82, O. S. L. 1969 (36 O. S. Supp. 1969, § 1115), is amended to read as follows:

§ 1115. A. On or before the first day of April of each year, each surplus line broker shall remit to the State Treasurer through the Insurance Commissioner a tax on the premiums, exclusive of sums collected to cover Federal and state taxes and examination fees, on surplus line insurance subject to tax transacted by him during the preceding calendar year, as shown by his annual statement filed with the Insurance Commissioner. Such tax shall be at the rate of Six percent (6%) of the gross premiums less premiums returned on account of cancellation or reduction of premium, and shall exclude gross premiums and returned premiums upon business exempted from surplus line provisions under Section 1119 of this Article.

B. Except as provided in subsection C hereof, for the purpose of determining

the surplus line tax, the total premium charged for surplus line insurance placed in a single transaction with one (1) underwriter or group of underwriters, whether in one or more policies, shall be allocated to this State in such proportion as the total premium on the insured properties or operations in this State, computed on the exposure in this State on the basis of any single standard rating method in use in all states or countries where such insurance applies, bears to the total premium so computed in all such states or countries.

C. The surplus line tax on insurance on motor transit operations conducted between this and other states shall be paid on the total premium charged on all surplus line insurance less (1) the portion of the premium determined as provided in subsection B hereof charged for operations in other states taxing such premium of an insurer maintaining its headquarters office in this State, or (2) the premium for operations outside of this State of an insured maintaining its headquarters office outside of this State and branch office in this State.

D. (1) Every person, corporation, association or partnership procuring or accepting any policy of insurance from an unauthorized insurer, upon covering or relating to a subject of insurance resident or having a situs in the State of Oklahoma, or any such policy of insurance which is to be performed in whole or part in the State of Oklahoma, except such policies as are lawfully obtained through a licensed surplus line broker in this State, shall within thirty (30) days next succeeding the issuance of such policy, report the purchase of such policy or policies of insurance to the Insurance Commissioner, on forms prescribed by him, and at the same time remit to the Insurance Commissioner a tax in the amount of six percent (6%) of the annual premium agreed to be paid, or paid, for such insurance. Such policies of insurance, providing for

the payment of retrospective premiums, or policies on which the premiums are not determinable at the time of issuance, shall be reported to the Insurance Commissioner, by the insured, within thirty (30) days next succeeding the date such policies are issued and the tax payable on such policies shall be remitted, by the insured, to the Insurance Commissioner within thirty (30) days next succeeding the date such premiums can be determined. The tax on renewal premiums shall be paid by the insured in accordance with this Section, in like manner as provided for payment of the original premium tax, within thirty (30) days next succeeding the date such premiums can be determined.

(2) The taxes imposed by this Section on surplus lines shall be paid into the State Treasury and, until June 30, [1970] 1971, such sum is hereby appropriated to the office of the Insurance Commissioner for the purpose of and for use in enforcing, administering and effectuating the duties of the Insurance Commissioner. All payments out of this appropriation shall be made by the State Treasurer on warrants of the State Auditor issued on vouchers approved by the Insurance Commissioner. This appropriation is in addition to other appropriations made to the office of the Insurance Commissioner, and if not expended by June 30, [1970] 1971, shall revert to the general fund of this State.

SECTION 2. The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

Respectfully submitted,

FOR THE SENATE: Berrong, Birdsong, Luton.

FOR THE HOUSE: Tarwater, Greenhaw.

The following CCR on HB 1740 was read and consideration deferred:

Mr. Speaker

and

Mr. President

We, your Conference Committee to whom was referred Engrossed HB 1740, and Engrossed Senate Amendments thereto by Spearman and Conaghan of the House entitled:

An Act relating to revenue and taxation; amending Sections 24304, 24305, 24306 and 24308 of Section 2, Chapter 501; \*\*\* for release of personal property tax lien; repealing Sections 24307, 24309 and 24310 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24307, 24309 and 24310); and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

CCS for HB 1740—By Spearman and Conaghan—An Act relating to revenue and taxation; amending Sections 24304, 24305, 24306 and 24308 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24304, 24305, 24306 and 24308); providing taxes on real property shall be a lien thereon for fifteen years; providing for personal property tax lien record; providing personal property tax lien record be supplement to district court judgment docket; providing for collection of delinquent personal property tax including penalty and costs; providing for release of personal property tax lien; repealing Sections 24307, 24309 and 24310 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24307, 24309 and 24310); and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 24304 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § 24304), is amended to read as follows:

§ 24304. Taxes upon real property are hereby made a lien for fifteen (15) years from the date upon which such tax became due and payable. [Taxes due from any person upon personal property shall be a lien for a period of two years upon real property owned by such person in the county where the taxes are levied, or in any other county to which the unpaid taxes have been certified after levy made under an alias tax warrant as herein provided, where any such lands may be located, and such lien may be enforced by sale of the real property or any interest therein of the person owing such personal taxes at any time within said two years after such personal taxes become due and payable upon the warrant of the County Treasurer in the manner provided by this Article. If a tax warrant is not issued and a levy made as hereinafter provided within said two years from due date, said personal taxes shall cease to be a lien upon any real property except where the title remains in the original tax debtor.]

SECTION 2. Section 24305 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § 24305), is amended to read as follows:

§ 24305. Within sixty (60) days after taxes on personal property shall become delinquent as of April 1, the county treasurer shall MAIL NOTICE TO THE LAST KNOWN ADDRESS OF SUCH DELINQUENT TAXPAYER AND cause a [list of the same] GENERAL NOTICE to be published one time in some newspaper of general circulation, published in the county, giving the name AND LAST KNOWN ADDRESS of each person owing delinquent personal taxes, [and] STATING the amount thereof due[;], AND STATING THAT SUCH DELINQUENT PERSONAL TAXES, IF NOT PAID WITHIN THIRTY (30) DAYS FROM

DATE OF THIS PUBLICATION SHALL BE CERTIFIED TO THE COUNTY CLERK AS A TAX LIEN TO BECOME A SUPPLEMENT TO OTHER LIENS FILED IN HIS OFFICE. SAID LIENS ARE INFERIOR TO ALL OTHER LIENS, CONVEYANCES OR ENCUMBRANCES FILED PRIOR THERETO, ON REAL OR PERSONAL PROPERTY, AND SHALL BE A LIEN ON ALL REAL AND PERSONAL PROPERTY OF THE TAXPAYER IN THE COUNTY FOR A PERIOD OF FIFTEEN (15) YEARS. ANY PERSON CLAIMING ANY INTEREST IN ANY LAND OR PERSONAL PROPERTY CAN SUE THE COUNTY TREASURER AND BOARD OF COUNTY COMMISSIONERS IN THE DISTRICT COURT TO DETERMINE THE VALIDITY OR PRIORITY OF SAID LIEN. [and within ninety days after such taxes on personal property shall become delinquent the county treasurer shall issue warrants under his hand, directed to the Sheriff commanding such Sheriff to levy the amount of such unpaid taxes, and the interest thereon, and the cost of advertising together with his lawful fees for collecting the same on chattels belonging to the person to whom such taxes were assessed, and on collecting the same to pay the amount collected into the county treasury, and to make returns of such warrants within sixty days thereafter. The Sheriff, on receipt of such a warrant, shall levy the same upon the property of the taxpayer and sell the same in the manner and form as provided for the sale of personal property on execution, and shall be entitled to the same fees therefor as are provided by law for like sales on execution. For failure to make such levy or to return this warrant within the time provided by this Section, such Sheriff shall be subject to the same penalties as provided by law for the failure to levy or return execution.]

SECTION 3. Section 24306 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp.



1969, § 24306), is amended to read as follows:

§ 24306. [It shall be the duty of the several Sheriffs in making their returns of delinquent tax warrants to the County Treasurers of their respective counties to note in their return the county to which such delinquent taxpayer may have removed, or resides, with the date of his removal, if he shall be able to ascertain such fact, and it is hereby made his duty to make diligent inquiry therefor.] WITHIN SIXTY (60) DAYS FROM THE PUBLICATION OF GENERAL NOTICE IN SECTION 24305, THE COUNTY TREASURER SHALL FILE IN THE OFFICE OF THE COUNTY CLERK A TAX LIEN TOGETHER WITH A PERSONAL TAX LIEN RECORD, SHOWING THE NAMES AND ADDRESSES OF ALL PERSONS, FIRMS AND CORPORATIONS OWING DELINQUENT PERSONAL TAXES, SETTING FORTH THE DELINQUENT YEARS AND AMOUNTS DUE AND UNPAID, TOGETHER WITH PENALTY AND COSTS AS PROVIDED IN SECTION 24303 OF THIS TITLE. IT SHALL BE THE DUTY OF THE COUNTY CLERK UPON RECEIPT OF PERSONAL TAX LIEN RECORD, TO MAKE THE TAX LIEN RECORD A SUPPLEMENT TO THE CURRENT DISTRICT COURT JUDGMENT DOCKET. THE TAX LIEN SHALL BE A LIEN ON ALL PERSONAL AND REAL PROPERTY OF THE PERSON, FIRMS AND CORPORATIONS OWING THE DELINQUENT TAX, FOR A PERIOD OF FIFTEEN (15) YEARS FROM DATE OF SAID TAX LIEN, AND IF NOT COLLECTED WITHIN SAID FIFTEEN (15) YEARS FROM DATE OF TAX LIEN, SAID UNPAID PERSONAL PROPERTY TAXES SHALL CEASE TO BE A LIEN UPON ANY REAL OR PERSONAL PROPERTY OF THE PERSON, FIRMS AND CORPORATIONS OWING THE TAX. THE PROVISIONS OF THIS ACT SHALL NOT APPLY TO TAXES WHICH BECAME DUE

OR PAYABLE PRIOR TO THE EFFECTIVE DATE OF THIS ACT.

IT SHALL BE THE DUTY OF THE COUNTY TREASURER TO COLLECT ALL DELINQUENT PERSONAL TAXES DUE AND UNPAID, TOGETHER WITH PENALTIES, AS PROVIDED IN SECTION 24303 OF THIS TITLE, AND COSTS. UPON RECEIVING THE PAID TAX RECEIPT AND PAYMENT OF LIEN DOCKET FEE IN THE AMOUNT OF ONE DOLLAR AND FIFTY CENTS (\$1.50) FROM THE TAXPAYER, TO BE PAID TO THE COUNTY TREASURER AND CREDITED TO THE COUNTY GENERAL FUND, IT SHALL BE THE DUTY OF THE COUNTY CLERK TO RELEASE THE LIEN ON THE LIEN DOCKET RECORD.

SECTION 4. Section 24308 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § 24308), is amended to read as follows:

§ 24308. It shall be the duty of the county treasurer to issue [alias] tax warrants for the collection of delinquent personal taxes upon the demand of any person, or whenever he shall deem it advisable. IN THE EVENT A NOTICE OF PERSONAL TAX LIEN HAS BEEN FILED ANY TAX WARRANT THEREAFTER ISSUED SHALL ALSO INCLUDE ALL ACCRUED COSTS DUE AND OWING THE COUNTY CLERK.

SECTION 5. Sections 24307, 24309 and 24310 of Section 2, Chapter 501, O. S. L. 1965 (68 O. S. Supp. 1969, § § 24307, 24309 and 24310), are hereby repealed.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Garrett, Grantham, Young.

FOR THE HOUSE: Spearman, Browsers.

## PENDING CONSIDERATION OF CCR

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1803** was declared adopted.

**HB 1803**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Hargrave, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—32.

Excused: Atkinson, Baldwin, Boecher, Dacus, Garrett, Graves, Holden, Howard, Inhofe, Martin, Massey, Miller, Phillips, Porter, Stipe, Terrill.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Ham, Hamilton, Hargrave, Horn, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—32.

Excused: Atkinson, Baldwin, Boecher, Dacus, Garrett, Graves, Holden, Howard, Inhofe, Martin, Massey, Miller, Phillips, Porter, Stipe, Terrill.—16.

The emergency was declared passed.

**HB 1803**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## PENDING CONSIDERATION OF HA

Senator McCune moved that the Senate refuse to concur in **HA** to **SB 390** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 390**: McCune, Smalley and Howard.

## MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1214**, requesting Conference and naming Conferees as follows: Hopkins, Browers and Poulos.

President Pro Tempore Smith, on behalf of Senator Hargrave, moved that the request of the Honorable House for a conference on **HB 1214** be ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1214**: Hargrave, Smith and Breckinridge.

## PENDING CONSIDERATION OF CCRs

Upon motion of Senator Murphy, the Conference Committee Report on **SB 504** was declared adopted.

**SB 504**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Ham, Hamilton, Hargrave, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Young.—33.

Nay: Keels.—1.

Excused: Baldwin, Boecher, Dacus, Garrison, Graves, Holden, Howard, Martin, Massey, Miller, Porter, Stipe, Terrill, Williams.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Grantham, Ham, Hamilton, Hargrave, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Young.—33.

Nay: Keels.—1.

Excused: Baldwin, Boecher, Dacus, Garrison, Graves, Holden, Howard, Martin, Massey, Miller, Porter, Stipe, Terrill, Williams.—14.

The emergency was declared passed.

**SB 504**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### MOTION TO RECONSIDER VOTE

Senator Payne asked for consideration of his motion to reconsider the vote by which **HB 1612**, as amended in conference, passed.

Senator Hamilton moved to table the Payne motion, which motion was declared adopted.

**HB 1612**, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Grantham, the Conference Committee Report on **HB 1677** was declared adopted.

**HB 1677**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Romang, Short,

Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—37.

Excused: Baggett, Baldwin, Dacus, Holden, Martin, Massey, Miller, Phillips, Porter, Stipe, Terrill.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Williams, Young.—37.

Excused: Baggett, Baldwin, Dacus, Holden, Martin, Massey, Miller, Phillips, Porter, Stipe, Terrill.—11.

The emergency was declared passed.

**HB 1677**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

#### MOTION TO RECONSIDER VOTE

Senator Luton asked for consideration of the Romang motion to reconsider the vote by which **HB 1145**, as amended, passed.

Senator Payne moved to table the Romang motion, which motion was declared adopted.

**HB 1145**, as amended, was ordered referred for engrossment.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Grantham, the Conference Committee Report on **SB 557** was declared adopted.

**SB 557**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn,



Inhofe, Keels, Lane, Luton, McCune, McGraw, Medearis, Murphy, Payne, Phillips, Romang, Short, Smith, Williams, Young.—32.

Excused: Baggett, Baldwin, Dacus, Hargrave, Howard, McSpadden, Martin, Massey, Miller, Nichols, Porter, Smalley, Stansberry, Stipe, Taliaferro, Terrill.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Medearis, Murphy, Payne, Phillips, Romang, Short, Smith, Williams, Young.—32.

Excused: Baggett, Baldwin, Dacus, Hargrave, Howard, McSpadden, Martin, Massey, Miller, Nichols, Porter, Smalley, Stansberry, Stipe, Taliaferro, Terrill.—16.

The emergency was declared passed.

**SB 557**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Hamilton presiding.

**HB 1726**, as amended in Conference, was called up for consideration.

Senator Keels moved that the Conference Committee Report on **HB 1726** be adopted.

Senator Howard, as a substitute for the Keels motion, moved that the Senate reject the Conference Committee Report on **HB 1726** and ask for a further conference, which motion was declared adopted; President Pro Tempore Smith reappointed the original Senate Conferees—Keels, Lane and Romang.

Upon motion of Senator Garrett, the Conference Committee Report on **HB 1247** was declared adopted.

**HB 1247**, as amended in Conference, was read at length.

On the question of passage of Bill, as

amended in Conference, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Taliaferro, Terrill, Young.—31.

Nay: Boecher, Ferrell, Hamilton, Horn, Short, Williams.—6.

Excused: Atkinson, Baggett, Baldwin, Berrong, Dacus, Keels, Martin, Massey, Porter, Stansberry, Stipe.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Birdsong, Bradley, Breckinridge, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Nay: Ferrell, Hamilton, Williams.—3.

Excused: Atkinson, Baldwin, Berrong, Boecher, Dacus, Hargrave, Horn, Martin, Massey, Porter, Stansberry, Stipe.—12.

The emergency was declared passed.

**HB 1247**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

The following **CCR** on **SB 626** was read and adopted upon motion of Senator Smalley:

Mr. President  
and

Mr. Speaker:

The Conference Committee, to which was referred **SB 626** by Smalley, Birdsong, Howard, McCune and Luton of the Senate and Andrews, Miskelly and Hancock of the House, entitled:

An Act relating to officers;  
together with House Amendments thereto—

to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

Amendment No. 1: That the House recede from House Amendment No. 1.

Amendment No. 2: Page 1, line 31½, add Subsection (c) to read as follows:

(c) In cities and towns with a population of five thousand or less according to the last Federal Decennial Census the Governing Board of the City or Town may by Ordinance establish residency requirements for policemen, firemen and other municipal employees.

FOR THE SENATE: Smalley, McCune, Hamilton.

FOR THE HOUSE: Andrews, Miskelly.

SB 626, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nicols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, Keels, Martin, Massey, Porter, Stansberry, Stipe.—11.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Lane, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nicols, Payne, Phillips, Romang, Short, Smal-

ley, Smith, Taliaferro, Terrill, Williams, Young.—37.

Excused: Baggett, Baldwin, Dacus, Garrett, Inhofe, Keels, Martin, Massey, Porter, Stansberry, Stipe.—11.

The emergency was declared passed.

SB 626, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

## MESSAGE FROM THE HOUSE

The House has rescinded Fourth Reading of Enrolled **HB 1696**, has reconsidered the vote by which the Senate Amendments were concurred in; the House has refused to concur in the Senate Amendments and requests conference, naming House Conferees as follows: Abbott, Odum (Martin) and Cate.

Upon request of Senator Miller, the Senate rescinded its signing and fourth reading of Enrolled **HB 1696**.

Senator Miller moved that the Senate concur in the request of the Honorable House for Conference on **HB 1696**, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1696**: Miller, Baggett and Short.

## PENDING CONSIDERATION OF CCR

Upon motion of Senator Young, the Conference Committee on **HB 1146** was declared adopted.

**HB 1146**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden,

Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Nay: Grantham, Hamilton.—2.

Excused: Baggett, Baldwin, Dacus, Horn, Keels, Martin, Massey, Porter, Stansberry, Stipe.—10.

The Bill, as amended in Conference, was declared passed.

On the question of emergency, the roll call resulted as follows:

Aye: Birdsong, Graves, Ham, Miller, Murphy, Romang, Smith, Williams, Young.—9.

Nay: Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, McCune, McSpadden, Payne, Phillips, Smalley.—21.

Excused: Atkinson, Baggett, Baldwin, Dacus, Howard, Keels, Luton, McGraw, Martin, Massey, Medearis, Nichols, Porter, Short, Stansberry, Stipe, Taliaferro, Terrill.—18.

The emergency was declared failed of passage.

**HB 1146**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Payne requested a ruling as to whether or not the failure of the Emergency would be considered an amendment to the Bill, stating that a Conference Committee Report is not subject to amendment.

President Pro Tempore Smith advised that the Bill and the Emergency Section are two different items, are voted on separately; and, that a measure receiving a majority vote of the membership would become law without the Emergency attached if same failed to receive the required two thirds vote.

#### PENDING CONSIDERATION OF HAS

Upon motion of Senator Breckinridge, the Senate concurred in **HA** to **SB 236**.

**SB 236**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Nay: Boecher, Field.—2.

Excused: Atkinson, Baggett, Baldwin, Berrong, Dacus, Keels, Lane, Martin, Medearis, Miller, Porter, Stansberry, Stipe, Taliaferro.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Birdsong, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Nay: Boecher, Field.—2.

Excused: Atkinson, Baggett, Baldwin, Berrong, Dacus, Keels, Lane, Martin, Medearis, Miller, Porter, Stansberry, Stipe, Taliaferro.—14.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

#### PENDING CONSIDERATION OF CCR

Upon motion of Senator Lane, the Conference Committee Report on **HB 1722** was declared adopted.

**HB 1722**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field,



Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Young.—34.

Nay: Williams.—1.

Excused: Baggett, Baldwin, Bradley, Dacus, Garrett, Howard, Keels, Martin, Medearis, Porter, Stansberry, Stipe, Taliaferro.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Breckinridge, Crow, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Young.—34.

Nay: Williams.—1.

Excused: Baggett, Baldwin, Bradley, Dacus, Garrett, Howard, Keels, Martin, Medearis, Porter, Stansberry, Stipe, Taliaferro.—13.

The emergency was declared passed.

**HB 1722**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator Ham, the Senate concurred in **HA** to **SB 581**.

**SB 581**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Payne, Phillips, Short, Smalley, Smith, Williams.—33.

Excused: Atkinson, Baggett, Baldwin, Dacus, Keels, Martin, Medearis, Nichols, Porter, Romang, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Payne, Phillips, Short, Smalley, Smith, Williams.—33.

Excused: Atkinson, Baggett, Baldwin, Dacus, Keels, Martin, Medearis, Nichols, Porter, Romang, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Ham moved that the Senate concur in **HAS** to **SB 111**.

Senator Terrill joined by Senator Taliaferro, as a substitute for the Ham motion moved that the Senate reject **HAS** to **SB 111** and request a Conference thereon; and, that the Senate Conferees be instructed to delete House Amendment No. 7, concerning planning regions and delineations as provided for in Section 1108-A, Title 70-O. S. Supplement 1969, which motion was tabled upon motion of Senator Garrison upon a roll call as follows:

Aye: Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Ham, Holden, Inhofe, Luton, McCune, McGraw, McSpadden, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smith, Williams, Young.—24.

Nay: Atkinson, Birdsong, Boecher, Field, Garrett, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Massey, Phillips, Smalley, Taliaferro, Terrill.—16.

Excused: Baggett, Baldwin, Berrong, Dacus, Martin, Porter, Stansberry, Stipe.—8.

The vote occurring upon the Ham motion, it was declared adopted.

**SB 111**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Bradley, Breckinridge, Crow, Ferrell, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Luton, McCune, McGraw, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Williams, Young.—30.

Nay: Baggett, Birdsong, Boecher, Field, Garrett, Hamilton, Keels, Lane, Phillips, Taliaferro, Terrill.—11.

Excused: Baldwin, Dacus, Martin, Medearis, Porter, Stansberry, Stipe.—7.

The bill, as amended, was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Luton moved that the Senate reject **HA** to **SB 202** and request a conference thereon, which motion was declared adopted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **SB 202**: Luton, Young and Hamilton.

Upon motion of Senator Hargrave, the Senate concurred in **HA** to **SB 262**.

**SB 262**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Berrong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpad-

den, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams.—35.

Excused: Baggett, Baldwin, Birdsong, Dacus, Grantham, Holden, Martin, Massey, Porter, Stansberry, Stipe, Taliaferro, Young.—13.

The bill, as amended, was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

## MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1705**.

## CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1705** was read and adopted upon motion of Senator Smalley:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1705, and Engrossed Senate Amendments thereto, entitled:

AN ACT RELATING TO SCHOOLS; AMENDING SECTION 1002, CHAPTER 396, O. S. L. 1965, AS AMENDED BY SECTION 1, CHAPTER 14, O. S. L. 1968 (70 O. S. SUPP. 1969, SECTION 4002); AUTHORIZING ISSUANCE OF REVENUE BONDS BY INSTITUTIONS OF HIGHER EDUCATION; INCREASING MAXIMUM RATE OF INTEREST; PROVIDING FOR STATEMENT OF ESSENTIAL FACTS AND CERTIFICATION THEREOF; DIRECTING CODIFICATION; MAKING PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the attached conference committee substitute be adopted.

CONFERENCE COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1705—By Cate of the House and Smalley, Murphy and McGraw of the Senate.

AN ACT RELATING TO SCHOOLS; AMENDING SECTION 1002, CHAPTER 396, O. S. L. 1965, AS AMENDED BY SECTION 1, CHAPTER 14, O. S. L. 1968 (70 O. S. SUPP. 1969, § 4002); AUTHORIZING ISSUANCE OF REVENUE BONDS BY INSTITUTIONS OF HIGHER EDUCATION; INCREASING MAXIMUM RATE OF INTEREST; PROVIDING FOR STATEMENT OF ESSENTIAL FACTS AND CERTIFICATION THEREOF; DIRECTING CODIFICATION; MAKING PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Section 1002, Chapter 396, O. S. L. 1965, as amended by Section 1, Chapter 14, O. S. L. 1968 (70 O. S. Supp. 1969, § 4002), is amended to read as follows:

§ 4002. (a) For the purpose of paying all or part of the cost of acquisition of any such lands, rights-of-way, easements, licenses and permits and the construction, acquisition, equipment and furnishing of any such building or buildings or structure or structures, plants or systems, or of any additions, improvements, or extensions thereto, or any additions to existing buildings, the Board of Regents of the institution for which such buildings, structures, plants or systems (all of which lands, rights-of-way, easements, licenses and permits, buildings, structures, plants and systems constructed, acquired, added to, improved or extended hereunder as a single project are hereafter referred to as "the building") are to be constructed, acquired, added to, improved, extended, furnished or equipped (which Board of Regents or each of them is hereinafter referred to as "the board") is au-

thorized to borrow money on the credit of the income and revenues to be derived from the operation of the building, together with the income and revenue derived from any existing revenue-producing building or facility or facilities and, in anticipation of the collection of such income and revenues, to issue negotiable bonds in such amount as may in the opinion of the board be necessary for such purposes, and is authorized to provide for the payment of such bonds and the rights of the holders thereof as hereinafter provided. Such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty (40) years from their date, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest, not exceeding [six percent (6%)] EIGHT PERCENT (8%) per annum, as may be provided by resolution or resolutions adopted by the board. Such bonds may be sold in such manner and at such price or prices at not less than par plus accrued interest to date of delivery, as may be considered by the board to be advisable, but interest cost to maturity for any bonds issued hereunder shall not exceed [six percent (6%)] EIGHT PERCENT (8%) per annum, computed on the basis of average maturities according to standard tables of bond values. Bonds payable to bearer shall have all the qualities and incidents of negotiable papers.

(b) The board may in any resolution authorizing bonds hereunder provide for the initial issuance of one or more bonds (in this section called "bond") aggregating the amount of the entire issue and make such provision for installment payments of the principal amount of any such bond as it may consider desirable,



and may provide for the making of any such bond payable to bearer or otherwise, registrable as to principal or as to both principal and interest, and where interest accruing thereon is not represented by interest coupons, for the endorsing of payments of interest on such bond. The board may further make provision in any such resolution for the manner and circumstances in and under which any such bond may in the future, at the request of the holder thereof, be converted into bonds of smaller denominations, which bonds of smaller denominations may in turn be either coupon bonds or bonds registrable as to principal or principal and interest.

(c) Bonds issued hereunder and interest thereon shall not be subject to taxation by the State of Oklahoma, or by any county, municipality or political subdivision therein. The board may in its discretion authorize one issue of bonds hereunder for the construction, acquisition, adding to, improving, extending, furnishing or equipping of more than one building, as "building" is above defined, and may make said bonds payable from the combined revenues of all buildings so constructed, acquired, added to, improved, extended, furnished or equipped, in whole or in part, with the proceeds thereof, together with revenues from the operation of any existing revenue-producing building or facility. The term "building" as herein used shall be construed to refer to all such "buildings." If more than one series of bonds shall be issued hereunder payable from the revenues of the buildings or facilities, priority of lien thereof on such revenues shall depend on the provisions of the proceedings authorizing the issuance of such bonds, it being within the discretion of the board, at the time it authorizes the first such series, to provide that subsequent series of bonds payable from such revenues shall not be issued, that subsequent series of bonds shall be subordinate as to lien, or that subsequent series of bonds shall enjoy parity of lien if such conditions and re-

strictions as may be specified in such proceedings can be met.

(d) The board may issue bonds hereunder for the purpose of refunding any obligations of the board payable from the revenues of any building, as "building" is hereinabove defined, together with revenues derived from any existing revenue-producing building or facility or facilities, or may authorize and deliver a single issue of bonds hereunder for the purpose in part of refunding obligations of the board payable from the revenues derived from any building or buildings and in part for the making of additions, improvements and extensions to such building or buildings, or the construction or acquisition of additional buildings, and the furnishing and equipping of such buildings or additions, together with revenues derived from any existing revenue-producing building or facility or facilities. Where bonds are issued under this paragraph solely for refunding purposes, such bonds may either be sold as above provided or delivered in exchange for the outstanding obligations. If sold, the proceeds may be either applied to the payment of the obligations, refunded or deposited in escrow for the retirement thereof. Nothing herein contained shall be construed to authorize the refunding of any outstanding obligations which are not either maturing, callable for redemption under their terms, or voluntarily surrendered by their holders for cancellation, unless the board covenants that sufficient funds to pay all remaining interest and principal payments of the outstanding bonds when due will be placed in escrow as hereinafter set out for such purpose at the time of delivery of and payment for the new bonds issued hereunder.

In any case where refunding bonds are issued and sold six (6) months or more before the earliest date on which all bonds to be refunded thereby mature or are called for redemption in accordance with their terms, the proceeds of the refunding bonds (other than the amount includ-

ed therein incidental to the issuance of the bonds) shall be deposited, together with any other funds available and appropriated by the board for the purpose, in escrow with a suitable banking institution having trust powers within the state, whose deposits are insured by the Federal Deposit Insurance Corporation, and shall be invested in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each obligation refunded to its maturity, or if prepayable, to an earlier designated date on which it may be called for redemption, and to pay the principal amount of each such bond at maturity, or, if prepayable at its designated earlier redemption date, and to pay any premium required for redemption on such date; and before the refunding bonds are delivered, the board shall by resolution irrevocably appropriate for these purposes the escrow account and all payments of principal and interest on the securities held therein, and shall provide for the call of all bonds directed to be prepaid, in accordance with their terms, on the redemption date or dates designated. Securities purchased from the escrow account shall be limited to direct obligations of the United States or obligations whose principal and interest payments are guaranteed by the United States. Such securities shall be purchased simultaneously with the delivery of the refunding bonds. No refunding bonds shall be issued more than ten (10) years before the last date on which the bonds to be refunded thereby mature or are directed to be prepaid in accordance with their terms. All bonds issued under this paragraph and the preceding paragraph shall in all respects be authorized, issued and secured in the manner provided for other bonds issued under this Article, and shall have all of the attributes of such bonds. The board may provide that any

such refunding bonds shall have the same priority of lien on the revenues pledged for their payment as was enjoyed by the bonds refunded thereby.

(e) All proceedings heretofore adopted by said Board of Regents for the issuance of revenue bonds on a parity as to payment with other existing revenue bonds and/or which provide for the pledging of revenues from the building to be constructed, improved and furnished from the proceeds of revenue bonds and income and revenue derived from any existing revenue - producing building or facility, or facilities, and the bonds issued pursuant thereto are hereby validated, ratified and confirmed, and such revenue bonds constitute valid and binding obligations in accordance with the terms of such proceedings.

SECTION 2. For each of the proposed bond issues to be issued pursuant to § § 4001 through 4014, Title 70 of the Oklahoma Statutes, a Statement of Essential Facts shall be prepared by the issuing Board of Regents for the use and information of prospective bond purchasers. It shall be the duty of the Oklahoma State Regents for Higher Education to examine such Statement of Essential Facts and determine that, based upon such facts and projections, the projected revenue will satisfy the financial obligation to be incurred under the proposed bond issue. If the facts are found by the State Regents to be substantially accurate and if the State Regents find that, based upon such facts and projections, the projected revenue will satisfy the financial obligation to be incurred under the proposed bond issue, then the Oklahoma State Regents for Higher Education shall certify such to the Attorney General of Oklahoma before the proposed bond issue can be approved by the Attorney General. The certificate shall be made in substantially the following form:

The Oklahoma State Regents for Higher Education do hereby certify that the provisions of § 4014, Title 70 of the Okla-

homa Statutes have been complied with in proper order, for the revenue bond issue mentioned above.

**SECTION 3.** Section 2 of this act shall be codified as § 4014 of Title 70 of the Oklahoma Statutes.

**SECTION 4.** The provisions of this act are severable and if any part or provision hereof shall be held void, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**SECTION 5.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Respectfully submitted;

**FOR THE SENATE:** Murphy, Garrison, Smalley.

**FOR THE HOUSE:** Cate, Connor, Hesser.

**HB 1705**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—30.

Nay: Boecher, Field.—2.

Excused: Baggett, Baldwin, Berrong, Birdsong, Crow, Dacus, Hargrave, Holden, Martin, Massey, Medearis, Nichols, Porter, Stansberry, Stipe, Taliaferro.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Bradley, Breckinridge, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, How-

ard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—35.

Nay: Field.—1.

Excused: Baggett, Baldwin, Berrong, Boecher, Crow, Dacus, Hargrave, Holden, Martin, Porter, Stansberry, Stipe.—12.

The emergency was declared passed.

**HB 1705**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## **DECLARATION OF VOTE**

Senator Terrill asked that the Record show, had he been present at the time of passage of **SB 504**, as amended in Conference, he would have voted AYE which was the order.

## **PENDING CONSIDERATION OF CCR**

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1577** was declared adopted.

Senator Atkinson asked that he be made a coauthor of **HB 1577**, as amended in Conference, which was the order.

**HB 1577**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Berrong, Breckinridge, Crow, Dacus, Garrett, Holden, Luton, McSpadden, Martin, Porter, Stansberry, Stipe.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Brad-



ley, Ferrell, Field, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—34.

Excused: Baggett, Baldwin, Berrong, Breckinridge, Crow, Dacus, Garrett, Holden, Luton, McSpadden, Martin, Porter, Stansberry, Stipe.—14.

The emergency was declared passed.

**HB 1577**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

### PENDING SENATE ACTION

Upon motion of Senator Keels, the request of the Honorable House for a Conference on **HB 1206** was ordered granted.

### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under **HB 1206**: Keels, Berrong and Lane.

### MOTION TO RECONSIDER VOTES

Senator Young asked for an extension of one legislative day for consideration of his motion to reconsider the vote by which **HB 1512** failed of passage, which was the order.

Senator Young asked for an extension of one legislative day for consideration of his motion to reconsider the vote by which **HB 1671** passed, which was the order.

### PENDING SENATE ACTION

**SCR 86** by Smith and Miller of the Senate and McCune of the House was called up for consideration and read at length.

Upon motion of President Pro Tempore Smith, **SCR 86** was declared adopted and ordered referred for engrossment.

### RESOLUTIONS

By unanimous consent, the following Resolutions were introduced and consideration deferred for this legislative day:

**SCR 90** by Baggett—A Concurrent Resolution directing a specific area of state owned land be reserved for the exclusive use of certain state agencies to construct thereon a law enforcement complex of buildings and facilities; designating agencies involved; appointing a committee to limit types of new construction or activities on state owned property adjacent to and in the area reserved for the law enforcement complex.

**SCR 91** by Baggett—A Concurrent Resolution further expressing legislative intent as to the appropriations to the Oklahoma State Regents for Higher Education contained in Senate Bill No. 421 of the 2nd Session of the 32nd Legislature.

By unanimous consent, **SCR 92** by Lane, Hamilton, Breckinridge, Crow and Phillips of the Senate and Sullivan and Murphy of the House was introduced and read as follows:

A Concurrent Resolution relating to State Boards, Commissions, Departments, Agencies and other State Governmental Entities; directing the filing of all rules, regulations, orders and directives having the force and effect of law with the President Pro Tempore of the Senate and the Speaker of the House of Representatives; directing the reference of same to appropriate standing legislative committees for analysis, evaluation and recommendations; providing that said rules, regulations, orders and directives may be disapproved by the adoption of a joint resolution; prohibiting repromulgation of same except under certain conditions; and preserving certain rights, privileges and interests gained prior to disapproval by the legislature.

**SCR 92** was read at length, adopted upon motion of Senator Lane and ordered referred for engrossment.

**SR 73** by Miller was introduced.

Senator Hamilton asked to be made a coauthor of **SR 73**, which was the order.

**SR 73**, as coauthored, was read at length as follows, adopted upon motion of Senator Miller and ordered referred for enrollment:

**SR 73**—By Miller and Hamilton—A Resolution relating to 1970 interim study by the State Legislative Council; requesting the executive committee of the legislative council to direct an appropriate special or standing committee to study and evaluate methods of increasing resources to expand services of the Oklahoma Educational Television authority; and requesting a report of findings and recommendations for submission to the first session of the Thirty-Third Legislature.

WHEREAS, the Federal Communications Commission has allocated a large number of television channels for educational television purposes which are now unused; and

WHEREAS, the Oklahoma Television Authority is authorized and empowered to accept, assume and control the television channels assigned by the Federal Communications Commission to Oklahoma for educational television purposes; and

WHEREAS, the Authority is authorized to receive appropriations from the State Legislature and accept from any federal agency grants for or in aid of the construction and operation of any project; and

WHEREAS, all counties, cities, towns, municipalities, school districts of the State, and all state boards, commissions, officials and other public agencies are authorized to lease land or contract from the Authority for telecasting purposes any programs that would be beneficial of their interest and that of the State of Oklahoma; and

WHEREAS, the Authority is authorized and empowered to enter into contract with other television stations, networks or

other agencies for the purpose of receiving or exchanging television programs; and

WHEREAS, methods of increasing resources available to expand the services of the Oklahoma Educational Television Authority should be studied in depth by the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to assign to a special or standing committee for intensive study and analysis during the 1970 interim the subject of methods of increasing resources available to expand the services of the Oklahoma Educational Television Authority.

SECTION 2. The committee of reference is hereby requested to schedule public hearings, conduct independent study and take such other steps as may be necessary to assure the preparation of an in-depth and objective report on this subject.

SECTION 3. At the conclusion of its study the committee is requested to prepare its report in the form of findings and recommendations to the 1st Session of the 33rd Legislature and to draft legislation for the prefiling of bills to implement recommendations adopted.

#### PENDING SENATE ACTION

**SCR 78** by Phillips was called up for consideration and read at length.

Upon motion of Senator Phillips, **SCR 78** was declared adopted upon a roll call as follows:

Aye: Atkinson, Birdsong, Bradley, Field, Graves, Hamilton, Hargrave, Horn, Howard, Keels, Luton, McGraw, Massey, Miller, Payne, Phillips, Romang, Smalley, Smith, Terrill.—20.

Nay: Crow, Ferrell, Garrison, Grantham,

Inhofe, McCune, Murphy, Nichols, Short, Williams.—10.

Excused: Baggett, Baldwin, Berrong, Boecher, Breckinridge, Dacus, Garrett, Ham, Holden, Lane, McSpadden, Martin, Medearis, Porter, Stansberry, Stipe, Taliaferro, Young.—18.

**SCR 78** was ordered referred for engrossment.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 335**-coauthored by Tarwater and Dunn.

The above numbered Bill was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1648**.

The above numbered Enrolled Bill, was after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HJR 1058**.

The above numbered Enrolled Resolution was, after 4th Reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising Conferences granted on Engrossed **SBs 202** and **390**, and naming House Conferees as follows:

**SB 202:** Stratton, Bernard and Harrison.

**SB 390:** Ford, Camp and McCune.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed its doors and went into Executive Session.

\*

The Senate reassembled in open session with President Pro Tempore Smith presiding, who made the following announcements:

The Senate, in executive session and up-

on motion of President Pro Tempore Smith, advised and consented to the confirmation of the executive nomination of **ARTHUR WHITT**, Tulsa, as member of the Oklahoma Liquefied Petroleum Gas Board, to serve an unexpired term of four (4) years ending June 30, 1971, and effective upon Senate confirmation. Mr. Whitt fills the unexpired term of Mr. Brackett.

The Senate, in executive session and upon motion of Senator Berrong, advised and consented to the confirmation of the executive nomination of **LAWRENCE HART**, Clinton, as member of the Indian Affairs Commission, to serve a two (2) year term ending August 15, 1971, and effective upon Senate confirmation. Mr. Hart succeeds himself.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of the executive nomination of **FRED WHITE**, Owasso, as Member of the Oklahoma State Board of Public Affairs, to serve a three (3) year term ending 2nd Monday of January 1971, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Garrison, advised and consented to the confirmation of the executive nomination of **A. WILSON MUSSELMAN**, Bartlesville, to serve as Member of the Oklahoma Military Academy Board of Regents, for a five (5) year unexpired term ending June 30, 1973, and effective upon Senate confirmation. Mr. Musselman fills the unexpired term of Mr. Kiker.

The Senate, in executive session and upon motion of Senator Birdsong, advised and consented to the confirmation of the executive nomination of **LEON C. NANCE**, Oklahoma City, to serve as Member of the Board of Trustees of the Capitol Hill Junior College, for a two (2) year term expiring according to State law in March, 1972, and effective upon Senate confirmation.



The Senate, in executive session and upon motion of Senator Keels, advised and consented to the confirmation of the executive nomination of AL SNIPES, Oklahoma City, to serve as member of the Board of Trustees of the Capitol Hill Junior College for a four (4) year term expiring according to State law in March, 1974, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Keels, advised and consented to the confirmation of JIM LOOKABAUGH, Oklahoma City, to serve as member of the Board of Trustees of the Capitol Hill Junior College, to serve a one (1) year term expiring according to State law in March, 1971.

The Senate, in executive session and upon motion of Senator Keels, advised and consented to the confirmation of the executive nomination of CARLTON V. MYHRO, Oklahoma City, to serve as member of the Board of Trustees of the Capitol Hill Junior College for a three (3) year term expiring in March, 1973, according to State law.

The Senate, in executive session and upon motion of Senator Phillips, advised and consented to the confirmation of the executive nomination of R. MARSDEN BELLATTI, Nowata, to serve as Member of the Oklahoma Educational Television Authority for an unexpired term of seven (7) years ending June 30, 1973, and effective upon Senate confirmation. Mr. Bellatti replaces Dr. Harry Halterman.

The Senate, in executive session and upon motion of Senator Lane, advised and consented to the confirmation of QUINTUS H. HERRON, Idabel, as Member of the Board of Registration for Foresters, to serve a five (5) year term ending June 1, 1973, and effective upon Senate Confirmation. Mr. Herron succeeds John Burwell.

The Senate, in executive session and upon motion of Senator Field, advised and consented to the confirmation of TOM H. MORFORD, Alva, as Member

of the Alcohol Beverage Control Board, to serve an unexpired seven (7) year term ending June 23, 1973, and effective upon Senate confirmation. Mr. Morford will fill the unexpired term of Mr. Johnson.

The Senate, in executive session and upon motion of Senator Ferrell, seconded by Senator Nichols, advised and consented to the confirmation of the executive nomination of LUDWIG JOHNSON, Perry to serve as member of the Board of Public Affairs for a three (3) year term ending the second Monday of January, of 1973, and effective upon Senate confirmation. Mr. Johnson succeeds himself.

#### **MESSAGE FROM THE HOUSE**

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed SBs 211, 403-coauthored by Boettcher, Camp and Hatchett, 421, 427, 509 and 599.

The above numbered Bills, as amended in Conference, were referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Returning following Bills, together with Second Conference Committee Reports thereon, advising adoption of Second Conference Committee Reports and passage of Measures as amended: Engrossed SBs 413, 415, 416, 432 and 442.

The above numbered Bills, as amended in Conference, were referred for enrollment.

#### **PENDING SENATE ACTION**

**HCR 1070** by Privett, et al, was called up for consideration.

Senator McSpadden asked to be made a coauthor of **HCR 1070**, which was the order.

**HCR 1070**, as coauthored, was read at length, adopted upon motion of Senator

McSpadden, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1074**—By Boettcher, et al of the House and Grantham of the Senate—A Concurrent Resolution congratulating Miss Debbie Smith for being elected Governor of the 1970 Oklahoma Y.M.C.A. State Hi-Y Youth and government program; and directing distribution.

**HCR 1075**—By Payne, et al, of the House and Boecher and Lane of the Senate—A Concurrent Resolution relating to 1970 Interim Study by the State Legislative Council; requesting the appointment of a special committee to study and audit the Wildlife Conservation Department; requesting authorization of certain powers; and requesting a report of findings and recommendations for submission to the 1st Session of the 33rd Legislature.

Consideration of the Resolutions was deferred for this Legislative day.

#### MESSAGE FROM THE HOUSE

Transmitting following bills with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1214** and **1696**.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **HB 1214** was read and consideration deferred:

Mr. Speaker

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1214**, and Engrossed Senate Amendments thereto, by Hopkins, entitled:

An Act relatın to countries; authorizing each county having a population in excess of three hundred thousand to create a trust authority for the purpose of holding an annual agricultural fair and

industrial exposition; \*\*\* and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation: that the following conference committee substitute be adopted:

**CCS for HB 1214**—By Hopkins—An Act relating to counties; authorizing each county having a population in excess of three hundred thousand to create a trust authority for the purpose of holding an annual agricultural fair and industrial exposition; providing method whereby such authority may be established; specifying its powers; providing for membership, their qualifications and terms; providing for the employment of a director, for his bond, and for audits; providing for representation by district attorney or other counsel; providin for transfer of funds; making provisions of act severable; repealing 2 O. S. 1961, § § 156 through 156q and all conflicting laws or parts of laws; and declaring an emergency.

Be it enacted by the People of The State of Oklahoma:

**SECTION 1.** For the purpose of cooperating with the development of agricultural, mineral and industrial resources and the educational facilities of the state, there may be established in all counties of the State of Oklahoma having a population in excess of three hundred thousand (300,000), according to the last Federal Decennial Census, agricultural and industrial expositions and fairs, in the manner hereinafter provided.

**SECTION 2.** In any county in this state coming within the provisions of Section 1 hereof, the Board of County Commissioners may at its option, and by a resolution entered of record in the Commissioners' Journal of proceedings, disclose its intention to avail such county of the provisions and terms of this act, and within thirty (30) days thereafter such Board of County Commissioners shall

meet for the purpose of placing in force and effect the provisions hereof.

SECTION 3. The Board of County Commissioners of any County qualifying hereunder, may lease the grounds, buildings, equipment and facilities owned and acquired by said county for the purpose of conducting annual agricultural and industrial fairs and expositions to a public trust authority which has been created pursuant to the laws of the State of Oklahoma as they relate to Public Trusts, for the purpose of managing the grounds, buildings, equipment and facilities as well as conducting annual agricultural and industrial fairs and expositions. Such public trust authority shall have all rights, powers, authority, duties and responsibilities which are now or hereafter provided by general law for public trusts in Oklahoma (60 O. S. 1961, § § 176 through 180.3 as amended, and the Oklahoma Trust Act, 60 O. S. 1961 § § 175.1 through 175.53 as amended) which are not inconsistent with the provisions of this act. The trust authority, with the approval of the County Commission, may issue revenue bonds for not to exceed twenty-five (25) year terms in accordance with Trust Laws of the State of Oklahoma. The Trust may sublease any facilities, provided any lease in excess of two (2) years shall be approved by the Board of County Commissioners. Any capital expenditure in excess of One Hundred Thousand (\$100,000.00) on any project shall not be made without prior approval of the Board of County Commissioners.

SECTION 4. The Trust Authority shall be composed of from nine (9) to twenty-one (21) Trustees, to be determined by the Board of County Commissioners in multiples of three (3). Each County Commissioner shall appoint the same number of Trustees for three (3) year terms and such terms shall be staggered, all subject to confirmation by the Board of County Commissioners.

It is the legislative intent that the ap-

pointment of Trustees made by the Commissioners, insofar as possible, shall represent the full geographical area of the county and all areas of participation in the fair and fairground operations. As soon as practicable after the act becomes in force and effect, the Board of County Commissioners of any such county shall appoint the Trustees of the Trust Authority as herein provided, and the terms of such Trustees shall be as follows:

(a) The first one-third (1/3) of said Trustees appointed shall serve for an initial term of one (1) year each from the date of their appointment.

(b) The next one-third (1/3) of said Trustees shall serve for an initial term of two (2) years from the date of their appointment; and

(c) The next one-third (1/3) of said Trustees shall serve for an initial term of three (3) years from the date of their appointment.

After expiration of the aforesaid initial terms, the term of said Trustees shall be three (3) years. All Trustees of such Trust Authority shall serve as such without compensation, and the appointed Trustees shall hold no other municipal, county, state or federal elective office. A vacancy occurring other than through the expiration of a term shall be filled for the remainder of the unexpired term by the Commission who made the appointment that becomes vacant.

SECTION 5. No Trustee, officer or employee of such public trust authority shall be a party either directly or indirectly, to any contract or agreement with such public trust authority from which he or she may derive any personal gain or profit. If any contract or agreement shall be made in violation of the provisions of this section, the same shall be null and void and no action shall be maintained thereon against such public trust authority, and shall constitute cause for the immediate removal of such member, trustee, officer or employee: Provided that



this section shall not prohibit any Trustee or employee from participating in exhibits at the annual fair and events.

SECTION 6. The Trust Authority shall employ a director who shall be paid a reasonable salary to be fixed by the Trust Authority. The director shall give a surety bond in the sum of not less than Fifty Thousand Dollars (\$50,000.00) the specific amount to be determined by the Trust Authority. The bond shall be approved by and made payable to the Trust Authority. The premium for said bond shall be paid by the Trust Authority. The Trust Authority may employ all employees necessary for the purposes of this act and provide for the payment of reasonable salaries, wages, or compensation to such employees. The Trust Authority may elect to place such director and employees under the employees benefits provided by the Board of County Commissioners for other county employees. The cost of such benefits shall be paid by the Trust Authority. The District Attorney shall be authorized to represent the Trust Authority. Provided, however, the Trustees may elect to employ their own legal counsel, and subject to the approval of the Board of County Commissioners, and also in the event the District Attorney certifies it is not practical for him to represent the Trustees, then the District Attorney shall not be required to represent the Trustees.

SECTION 7. The account and books of the Trust Authority, including its receipts, disbursements, contracts, mortgages, investments and other matters relating to its finances, operations and affairs shall be examined and audited from time to time by the State Examiner and Inspector as provided by law.

SECTION 8. Upon appointment of the Trustees, all assets of all kinds, including books and records now in possession of any group, corporation or organization shall be transferred directly to the Trust.

SECTION 9. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 10. 2 O. S. 1961, § § 156 through 156q, and all laws or parts of laws in conflict herewith are hereby repealed.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Hargrave, Smith, Breckinridge.

FOR THE HOUSE: Hopkins, Browers, Poulos.

The following CCR on **HB 1696** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1696**, and Engrossed Senate Amendments thereto, by Abbott and Murphy of the House and Miller of the Senate entitled:

An Act relating to motor vehicles; amending 47 O. S. 1961, § 11-801 as amended by Section 1, Chapter 200, O.S.L. 1969 (47 O. S. Supp. 1969, § 11-801); prescribing the basic rule for maximum and minimum speed; setting maximum lawful speeds; providing for state highway department regulations; requiring the marking of certain school zones including marking exits and entrances to controlled access highways within school zones; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

**CCS for HB 1696**—By Abbott and Murphy of the House and Miller, Baggett, Birdsong, Field, Ham, Holden, Martin and Taliaferro of the Senate—An Act relating to motor vehicles; amending 47 O. S. 1961, § 11-801, as amended by Section 1, Chapter 200, O. S. L. 1969 (47 O. S. Supp. 1969, § 11-801); prescribing the basic rule for maximum and minimum speed; setting maximum lawful speeds; providing for state highway department regulations; requiring the marking of certain school zones including marking exits and entrances to controlled access highways within school zones; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. 47 O. S. 1961, § 11-801, as amended by Section 1, Chapter 200, O.S.L. 1969 (47 O. S. Supp. 1969, § 11-801), is amended to read as follows:

§ 11-801. (a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions then existing and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

(b) Except when a special hazard exists that requires lower speed for compliance with paragraph (a) of this section, the limits specified in this act or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

1. Sixty-five (65) miles per hour in other locations during daytime.

2. Fifty-five (55) miles per hour in such other locations during nighttime.

(3) Seventy (70) miles per hour in such other locations which are four-lane divided highways.

Daytime means from a half hour before sunrise to a half hour after sunset. Nighttime means at any other hour.

4. No person shall drive a truck, truck tractor with semitrailer or poletrailer attached or any other combination of vehicles at a speed greater than a maximum of sixty (60) miles per hour in the day and fifty-five (55) miles per hour during the nighttime.

5. No person shall drive a pickup truck at a greater speed than is prescribed in subsection (b) of Section 11-801; except when such pickup truck is hauling livestock, then and in that event the maximum speed of such pickup truck shall not exceed fifty (50) miles per hour day or night. A pickup truck, as used in this act, shall apply to all vehicles having a rated load capacity of three-quarter ton or less.

6. No person shall drive a school bus at a speed greater than a maximum of fifty (50) miles per hour.

7. On any highway outside of a municipality, the speed limit in a properly marked school zone shall be a maximum of twenty-five (25) miles per hour, provided the zone is marked with movable school zone signs, the signs placed at least one hundred (100) yards on each side of the area of the school proper. These signs shall not be placed upon or left standing on any part of the roadway except during the school day and the period immediately after the closing of school when children are, or are expected to be, crossing the highway in said school area; provided that such signs shall be removed from the roadway at all times when school is actually assembled and in no event shall such signs be placed upon the roadway more than one hour prior to the assembly of school in the morning nor left standing on the roadway for more than one hour after the dismissal of school in the evening. THE OKLAHOMA STATE DEPARTMENT OF HIGHWAYS SHALL MARK SUCH

SCHOOL ZONES, OR ENTRANCES AND EXITS ONTO HIGHWAYS BY BUSES OR STUDENTS, SO THAT THE MAXIMUM SPEED PROVIDED BY THIS SECTION SHALL BE ESTABLISHED THEREIN. EXITS AND ENTRANCES TO CONTROLLED-ACCESS HIGHWAYS WHICH ARE WITHIN SUCH SCHOOL ZONES SHALL BE MARKED IN THE SAME MANNER AS OTHER HIGHWAYS. THE COUNTY COMMISSIONERS SHALL MARK SUCH SCHOOL ZONES ALONG THE COUNTY ROADS SO THAT THE MAXIMUM SPEED PROVIDED BY THIS SECTION SHALL BE ESTABLISHED THEREIN. SAID SIGNS MAY BE EITHER PERMANENT OR TEMPORARY. THE HIGHWAY DEPARTMENT SHALL GIVE PRIORITY OVER ALL OTHER SIGNING PROJECTS TO THE FOREGOING DUTY TO MARK SCHOOL ZONES. THE DEPARTMENT SHALL ALSO PROVIDE OTHER SAFETY DEVICES FOR SCHOOL ZONES WHICH ARE NEEDED IN THE OPINION OF THE DEPARTMENT.

8. No person shall drive any vehicle at a greater maximum speed than twenty-five (25) miles per hour through state schools located on state - owned land adjoining or outside the limits of a corporate city or town where a state educational institution is established.

9. No person shall drive any vehicle on a highway in any state park or wildlife refuge at a rate of speed in excess of thirty-five (35) miles per hour. Provided, however, that the provisions of this paragraph shall not apply to any state or federal designated highway within such areas.

10. No person shall drive any vehicle or combination of vehicles with solid rubber or metal tires at a speed greater than the maximum of ten (10) miles per hour.

The maximum speed limits set forth in this act may be altered as authorized in Sections 11-802 and 11-803.

(c) The Oklahoma State Highway Commission is hereby authorized to prescribe maximum and minimum speeds for all vehicles and any combinations of vehicles using controlled - access highways. Such regulations shall become effective after signs have been posted on these highways giving notice thereof. Such regulations may apply to an entirely controlled-access highway or to selected sections thereof as may be designated by the Oklahoma State Highway Commission. It shall be a violation of this section to drive any vehicle at a faster rate of speed than such prescribed maximum or at a slower rate of speed than such prescribed minimum. However, all vehicles shall at all times conform to paragraph (a) of this section.

Copies of such regulations certified as in effect on any particular date by the Secretary of the Oklahoma State Highway Commission shall be accepted as evidence in any court in this state. WHENEVER CHANGES HAVE BEEN MADE IN SPEED ZONES COPIES OF SUCH REGULATIONS SHALL BE FILED WITH THE STATE COMMISSIONER OF PUBLIC SAFETY.

(d) The driver of every vehicle shall, consistent with the requirements of paragraph (a), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when driving upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.



FOR THE SENATE: Miller, Baggett, Short.

FOR THE HOUSE: Abbott, Odom (Martin), Cate.

#### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed SBs 560 and 590.

The above numbered Bills as amended in Conference were referred for enrollment.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was adopted.

#### CONFERENCE COMMITTEE REPORT

The following CCR on SB 390 was read and consideration deferred:

Mr. President  
and  
Mr. Speaker:

The Conference Committee, to which was referred SB 390—By McCune of the Senate and Ford of the House, entitled:

An Act relating to cities and towns; amending 11 O. S. 1961, § 405; authorizing cities and towns to change or repeal regulations, restrictions and boundaries; providing for additional notice; defining terms; etc.

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honor-

able House, having agreed to recommend and do recommend to the respective Houses, as follows:

The Conference Committee concurs in the House Amendments with the following exceptions:

1. Page 1, Line 18½, by striking the language after the word "Board;" and striking all of the language on Line 19. (Title)

2. Page 4, Line 22, by striking the period (.) after the word "located" and the remainder of the language on Line 22, all of Line 23, reinserting the word "and" on Line 24 and striking the word "or" after the word "and" and before the word "by".

3. By striking all of Lines 35 and 36 on Page 4.

4. Page 5, Line 7 by adding the following:

"SECTION 3. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act."

and renumbering the following Section.

FOR THE SENATE: McCune, Smalley, Howard.

FOR THE HOUSE: Ford, Camp.

#### MESSAGE FROM THE HOUSE

Advising further Conference granted on HB 1726 and naming same Conferees.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m., tomorrow.

# Fifty-seventh Legislative Day

Tuesday, April 14, 1970

Pursuant to adjournment, the Senate was called to order by President Pro Tempore Smith.

Upon roll call, the following members were present:

Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smith, Taliaferro, Williams.—36.

Excused: Boecher, Breckinridge, Grantham, Ham, Hargrave, Howard, Medearis, Smalley, Stansberry, Stipe, Terrill, Young.—12.

The President Pro Tempore declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Crow:

O God, as our minds turn to three of our own in danger in space, we pray for their safety. Their adventure reminds us of the great accomplishments of man, while their peril reminds us how weak and frail we are.

We realize, also, that we are on a space ship, an oasis of life, hurtling through a dead universe, a ship over-crowded with three billion people, half of whom are hungry and ill-clothed, a ship racked by war and crime and excess, a ship with a limited life support system.

Help us, O God, so to appreciate this earth that we will be good stewards of the world you have placed in our hands.

Grant us not to think so much of ourselves as others, and not so much our generation as unborn generations who have the right to a good life on the space ship earth. We pray through Christ, our Lord, Amen.

The Journal for the last legislative day was declared approved.

## MESSAGE FROM THE GOVERNOR

Advising approval by him, April 14, 1970, of Enrolled SBs 486, 571 and 592 entitled:

**SB 486**—By Ham of the Senate and Spearman, et al of the House—An Act relating to courts; amending 20 O. S. 1961, § 104, as amended by Section 1, Chapter 319 O. S. L. 1969 (20 O. S. Supp. 1969, § 104), to provide that when any judge of the district court is ordered by the chief justice of the Supreme Court to perform duties or attend a judicial conference outside the county of his residence he shall be entitled to reimbursement for mileage and subsistence for per diem as expenses necessarily incurred in complying with such order; \*\*\* and declaring an emergency.

**SB 571**—By Terrill of the Senate and Lindstrom of the House—An Act relating to vehicle license and registration; amending Section 1, Chapter 191, O.S.L. 1967 (47 O. S. Supp. 1969, § 22.30j); providing a special registration fee for vehicles owned by a nonresident serviceman, or his wife in Oklahoma; authorizing wife to license vehicle where nonresident serviceman is on active duty in a foreign country; fixing registration fees therefor; and declaring an emergency.

**SB 592**—By Berrong and Young of the Senate and Sandlin, et al of the House—An Act relating to vehicles acquired by public agencies through the State Board of Public Affairs, Central Purchasing Division; providing vehicles so acquired shall not be disposed of prior to 42,000 miles or 12 months use except with written permission of Director of Central Purchasing Division, with certain exceptions; and declaring an emergency.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 169**, **SB 530**, **SB 531**-coauthored by Robinson, Wiedemann and Jones; and **SB 613**-coauthored by Whorton, each as amended.

**HAs to SB 169** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 3, Line 31, by deleting the words and figures "Fifteen Dollars (\$15.00)" and reinstating the words and figures "Ten Dollars (\$10.00)".

Amendment No. 2. Amend Page 4, Line 2, by deleting the words and figures "Fifteen Dollars (\$15.00)" and substitute the words and figures "Ten Dollars (\$10.00)".

Amendment No. 3. Amend Page 4, Line 4, by deleting the words and figures "Ten Dollars (\$10.00) and substitute the words and figures "Seven Dollars and fifty cents (\$7.50)".

Amendment No. 4. Amend Page 4, Line 25, by adding after "a" and before the word "person" the following: "full time".

Amendment No. 5. Amend Page 5, Line 13, by reinstating the words "this act" and adding the following: "or any violation of Sections 201 to 235 of Title 8 of the Oklahoma Statutes or".

Amendment No. 6. Amend Page 7, Lines 6 and 7, by deleting the words and figures "Two Hundred and Fifty Dollars (\$250.00)" and reinstate the words and figures "One Hundred and Fifty Dollars (\$150.00)".

**HAs to SB 530** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Lines 11 and 12, by striking the word "principally" and substituting the word "exclusively".

Amendment No. 2. Amend Title on Line 14½, by striking the word "PRINCIPALLY" and substituting the word "EXCLUSIVELY".

**HA to SB 531** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 2, Line 34, Section 3, to read as follows:

"Section 3. Section 2 of this Act may be codified Section 2405.1 of Title 68 of the Oklahoma Statutes."

**HA to SB 613** read as follows, and consideration deferred:

Amendment No. 1. Amend Page 1, Section 1, Lines 28 through 30, by striking the language on line 28, starting with the word "Provided", and all of lines 29 and 30.

#### MESSAGE FROM THE HOUSE

Substituting Murphy for Bamberger as House Conferee on Engrossed **SB 461**.

#### MESSAGE FROM THE HOUSE

Transmitting herewith Motions, by Representative Robert L. Goodfellow and Senator Don Baldwin, for adoption and concurrence by your Honorable Body, in the issuance of Concurrent Citations by the Oklahoma State Legislature as listed below:

No. 1.—City of Hinton.

No. 2.—David Deason.

No. 3.—Mrs. R. B. Carpenter.

No. 4.—The Industrial Arts Class of Riverside Indian School in Anadarko, Oklahoma.

No. 5.—Anadarko High School Land and Range and Pasture Judging Team and Coach.

No. 6.—Gracemont High School Baseball Team.



No. 7.—Lea Ann Entz.

No. 8.—Sharon Kay Dahlenburg.

No. 9.—Eddie Bellamy.

No. 10.—John Thompson and Jerry Pratt.

No. 11.—Mr. Lawrence Kuykendall.

Upon motion of Senator Baldwin, the Senate concurred in the issuance of said Citations.

Concurrent Citations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 were properly signed and ordered returned to the Honorable House.

### CITATIONS

Upon motion of Senator Baldwin, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Grover E. Skaggs, Jr. of Fort Cobb, Oklahoma as Oklahoma's Outstanding Young Farmer.

Upon motion of Senator Baldwin, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Miss Florence Johnson, of Fort Cobb, Oklahoma upon being named to the All-State Highschool Girls' Basketball Team for 1970.

Upon motion of Senator Hamilton, pursuant to Rule 8-b, a Citation of Congratulations was ordered issued to Roger Brett Webb.

The above requests were ordered referred to the Committee on Engrossed and Enrolled Bills for issuance of Citations.

### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Miller, the Conference Committee Report on **HB 1696** was declared adopted.

**HB 1696**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Williams.—32.

Excused: Baggett, Boecher, Breckinridge, Grantham, Graves, Ham, Hargrave, Howard, McSpadden, Medearis, Phillips, Smalley, Stansberry, Stipe, Terrill, Young.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Hamilton, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Williams.—32.

Excused: Baggett, Boecher, Breckinridge, Grantham, Graves, Ham, Hargrave, Howard, McSpadden, Medearis, Phillips, Smalley, Stansberry, Stipe, Terrill, Young.—16.

The emergency was declared passed.

**HB 1696**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senators Smalley and Young asked to be shown present, which was the order.

Upon motion of Senator Berrong, the Conference Committee Report on **HB 1719** was declared adopted.

**HB 1719**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Holden, Horn, Inhofe, Keels, McCune, McGraw, Martin, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Taliaferro, Williams.—27.

Nay: Hamilton, Luton, Smith, Young.—4.

Excused: Baggett, Boecher, Breckinridge, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Howard, Lane, McSpadden, Medearis, Phillips, Stansberry, Stipe, Terrill.—17.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Holden, Horn, Inhofe, Keels, Luton, McCune, McGraw, Martin, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Williams, Young.—32.

Nay: Hamilton.—1.

Excused: Boecher, Breckinridge, Grantham, Ham, Hargrave, Howard, Lane, McSpadden, Massey, Medearis, Miller, Phillips, Stansberry, Stipe, Terrill.—15.

The emergency was declared passed.

**HB 1719**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Smalley presiding.

#### MOTIONS TO RECONSIDER VOTES

**HB 1208**, together with **CCR**, returned to the Honorable House.

**HB 1671**, as amended, referred for engrossment.

**HB 1690** returned to the Honorable House.

**SB 320**, as amended, referred for enrollment.

President Pro Tempore Smith presiding.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McCune, the Conference Committee Report on **SB 390** was declared adopted.

**SB 390**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Holden, Howard, Inhofe, Keels, Luton, McCune, McSpadden, Massey, Miller, Murphy, Payne, Phillips,

Romang, Short, Smalley, Smith, Williams.—28.

Nay: Crow, Hamilton, Horn, Martin, Porter.—5.

Excused: Berrong, Boecher, Breckinridge, Grantham, Ham, Hargrave, Lane, McGraw, Medearis, Nichols, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows;

Aye: Atkinson, Baldwin, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Hamilton, Holden, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Young.—32.

Nay: Horn.—1.

Excused: Baggett, Berrong, Boecher, Breckinridge, Grantham, Ham, Hargrave, Lane, Medearis, Miller, Stansberry, Stipe, Taliaferro, Terrill, Williams.—15.

The emergency was declared passed.

**SB 390**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senators Ham and Howard asked to be shown present, which was the order.

Senator Luton moved that the Senate refuse to adopt the **CCR** on **SB 478** and request further conference, which motion was declared adopted, President Pro Tempore Smith reappointing original Senate Conferees—Berrong, Luton and Birdsong.

Senator Young moved that the Senate refuse to adopt the **CCR** on **SB 461** and request further conference, which motion was declared adopted, President Pro Tempore Smith reappointing original Senate Conferees—Young, Grantham and Garrett.

#### PENDING SENATE ACTION

**HCR 1075** by Payne, et al, of the House

and Boecher and Lane of the Senate was called up for consideration.

Senators Field and Horn asked to be made coauthors of **HCR 1075**, which was the order.

**HCR 1075**, as coauthored, was read at length, adopted upon motion of Senator Field, properly signed and ordered returned to the Honorable House.

## RESOLUTION

By unanimous consent **SR 74**, by Baldwin, was introduced.

Senator Massey asked that he be made a coauthor of **SR 74**, which was the order.

Upon motion of Senator Baldwin, all other members of the Senate were added as coauthors of the Resolution.

**SR 74**, as coauthored, was read at length as follows, adopted upon motion of Senator Baldwin and ordered referred for enrollment:

**SR 74**—By Baldwin, Massey, Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young—A Resolution commending the Honorable Keith Cartwright for his many contributions to good government through a long and distinguished legislative career; noting Senator Cartwright's dedication to the principle of political conviction, courage and honesty in public life; and directing that a duly authenticated copy of this Resolution be transmitted to the Honorable Keith Cartwright.

WHEREAS, a long and distinguished legislative career dedicated to the cause of good government merits recognition by this body; and

WHEREAS, Keith Cartwright served a

term of two years in the House of Representatives and twelve years in the State Senate; and

WHEREAS, serving in elective public offices, Senator Cartwright followed a family tradition of many decades, one of his ancestors having sought a Congressional seat in 1846 against Abraham Lincoln and his father having served two terms in the Oklahoma Legislature in the early 1930's; and

WHEREAS, during his years of legislative service, Senator Cartwright was an active participant in many issues affecting the public interest, highlighted by his work in the areas of roads and highways, central purchasing, education and mental health; and

WHEREAS, Senator Cartwright served as chairman of the Senate Roads and Highways Committee for a period of four years and is one of the most knowledgeable persons in this area of government, having served for three and a half years after his retirement from the Senate as executive director of the Oklahoma Good Roads and Streets Association; and

WHEREAS, as an announced candidate for governor in 1966, Senator Cartwright expressed his philosophy, well known and recognized by his many friends and colleagues, as follows:

"My legislative record is a blueprint of my philosophy. I believe in having the intestinal fortitude to take a stand on the issues regardless of political outcome"; and

WHEREAS, dedicated to the principle of political conviction, courage, and honesty in public affairs, on numerous occasions he advanced the cause of good government; and

WHEREAS, his firm belief in the importance of taking a stand on the issues tested his courage in fighting governors, the State Supreme Court, and, on occasions, the Senate leadership itself; and

WHEREAS, state government and the



State of Oklahoma generally are better because he chose to accept the sacrifices in serving the public interest as a member of the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. This body hereby commends former Senator Keith Cartwright whose many contributions to good government are recognized and appreciated by his colleagues and many friends throughout the State of Oklahoma.

SECTION 2. Be it further resolved that a duly authenticated copy of this resolution be transmitted to the Honorable Keith Cartwright as a token of our esteem and appreciation for his distinguished public service.

#### PENDING CONSIDERATION OF CCRs

**SB 451**, as amended in Conference, was called up for consideration.

Senator Massey asked unanimous consent that the typographical error appearing in line 5 of Section 2 of the Conference Committee Substitute for **SB 451**, as shown on page 957 of the Senate Journal, be corrected by striking the word "Easter", which was the order.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 451** was declared adopted.

**SB 451**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Williams.—32.

Nay: Crow, McCune, Miller.—3.

Excused: Berrong, Boecher, Breckin-

ridge, Grantham, Hargrave, Keels, Medearis, Phillips, Smalley, Stansberry, Stipe, Terrill, Young.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Porter, Romang, Short, Smith, Taliaferro, Williams.—32.

Nay: Crow, McCune, Miller.—3.

Excused: Berrong, Boecher, Breckinridge, Grantham, Hargrave, Keels, Medearis, Phillips, Smalley, Stansberry, Stipe, Terrill, Young.—13.

The emergency was declared passed.

**SB 451**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 449** was declared adopted.

Senators Hamilton, Horn, Lane and Crow asked to be made coauthors of **SB 449**, as amended in Conference, which was the order.

**SB 449**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Williams.—33.

Excused: Baggett, Berrong, Boecher, Breckinridge, Grantham, Hargrave, Holden, Medearis, Payne, Phillips, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hamilton, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Porter, Romang, Short, Smalley, Smith, Williams.—33.

Excused: Baggett, Berrong, Boecher, Breckinridge, Garrison, Grantham, Hargrave, Holden, Medearis, Payne, Phillips, Stansberry, Stipe, Taliaferro, Terrill, Young.—15.

The emergency was declared passed.

**SB 449**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Upon motion of Senator McSpadden, the Conference Committee Report on **SB 447** was declared adopted.

**SB 447**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Smith, Taliaferro.—34.

Excused: Baggett, Boecher, Breckinridge, Garrison, Grantham, Hargrave, Medearis, Miller, Romang, Stansberry, Stipe, Terrill, Williams, Young.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton,

McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Phillips, Porter, Short, Smalley, Smith, Taliaferro.—34.

Excused: Baggett, Boecher, Breckinridge, Garrison, Grantham, Hargrave, Medearis, Miller, Romang, Stansberry, Stipe, Terrill, Williams, Young.—14.

The emergency was declared passed.

**SB 447**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senators Medearis, Terrill and Hargrave asked to be shown present, which was the order.

Senator McSpadden moved that the Senate reject the Conference Committee Report on **SB 424** and request further Conference, said Bill to be re-referred to the General Conference Committee on Appropriations with instructions to the Senate Conferees to delete the \$40,000.00 figure for the publication of Will Roger's papers, and add the proviso that such funds only be made available in the event private or public donations are insufficient to finance the program.

The motion was declared adopted.

## RESOLUTION

**SR 75** by Hamilton was introduced.

Senators Crow, Lane and Holden asked to be made coauthors of **SR 75**, which was the order.

Senator Hamilton asked that all other members of the Senate, except Senator Massey, be added as coauthors of **SR 75**, which was the order.

**SR 75**, as coauthored, was read at length as follows, adopted upon motion of Senator Hamilton and ordered referred for enrollment:

**SR 75**—By Hamilton, Crow, Lane, Holden, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Me-

dearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young.—A Resolution expressing appreciation and commendation to Senator John L. Massey for his outstanding career as a member of the Legislature; and directing distribution.

WHEREAS, Senator John L. Massey has recently announced that he will not seek reelection to the office of Oklahoma State Senator from District Six; and

WHEREAS, Senator Massey has distinguished himself as an outstanding leader in the State of Oklahoma by his service in the Oklahoma State House of Representatives from 1959 to 1963 and in the Oklahoma State Senate from 1965 to the present; and

WHEREAS, the dedicated, manifold effort of Senator Massey, on behalf of the people of his District and the State of Oklahoma, has built a reputation based on excellence and diligence in the performance of legislative duties; and

WHEREAS, Senator Massey has made an especially important contribution to the State of Oklahoma in his role of leadership on the Senate Appropriations and Budget Committee of which he is Vice-Chairman; and

WHEREAS, Senator Massey's courageous and eminent legislative career will endure as an inspiration and challenge to the members of the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That we, the Members of the Oklahoma State Senate, do hereby express our sincere and heartfelt appreciation and commendation to Senator John L. Massey for his outstanding Legislative Career, which has greatly contributed to good government in Oklahoma.

SECTION 2. That duly authenticated copies of this Resolution be presented to Senator John L. Massey and to his dedicated wife "Pee-Wee" as a token of the

esteem held by those of us who have been truly privileged to serve with one of Oklahoma's finest public servants.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Garrett, the Conference Committee Report on **HB 1740** was declared adopted.

**HB 1740**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Dacus, Garrett, Garrison, Graves, Ham, Hargrave, Horn, Inhofe, Keels, Lane, Luton, McCune, McSpadden, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley Smith, Taliaferro, Terrill, Williams.—30.

Nay: Crow, Hamilton, Holden, McGraw, Martin, Medearis, Phillips, Porter, Young.—9.

Excused: Baggett, Boecher, Breckinridge, Ferrell, Field, Grantham, Howard, Stansberry, Stipe.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Dacus, Ferrell, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Keels, Lane, Luton, McCune, McGraw, Massey, Miller, Murphy, Nichols, Payne, Porter, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—33.

Nay: Crow, Field, Hamilton, Martin, Medearis, Phillips.—6.

Excused: Baggett, Boecher, Breckinridge, Grantham, Howard, Inhofe, McSpadden, Stansberry, Stipe.—9.

The emergency was declared passed.

**HB 1740**, together with Conference Committee Report thereon, was ordered returned to Honorable House.



## REPORT OF ENGROSSED AND ENROLLED BILLS

SCRs 78 and 86 and HB 1145 each correctly engrossed.

SBs 111, 211, 262, 335, 403, 413, 415, 416, 427, 432, 442, 509, 517, 590, 599, 618 and SR 73 each correctly enrolled.

Engrossed SCRs 78 and 86 were properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed SAs to and Engrossed HB 1145, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled SBs 111, 211, 262, 335, 403, 413, 415, 416, 427, 432, 442, 509, 517, 590, 599 and 618 were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled SR 73 was properly signed and ordered transmitted to the Secretary of State.

Senators Grantham and Stansberry asked to be shown present, which was the order.

Senator Terrill moved that the Senate stand recessed until 1:00 p.m., which motion was declared adopted.

At 1.00 p.m., the Senate reassembled with Senator Smalley presiding.

## MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 461 and naming same Conferencees.

## REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 92 correctly engrossed.

SBs 421, 560 and 581 each correctly enrolled.

Engrossed SCR 92 was properly signed and ordered transmitted to the Honorable House for consideration.

Enrolled SBs 421, 560 and 581 were each after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1703 and HJR 1032, each as amended.

## MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 117-coauthored by Allard, Sanguin, Derryberry, Greenhaw, Sullivan, Green, York, Holaday, Jones, Bengtson, Payne, Boren, Murphy, Miskelly, Bernard, Hutchens and Gooden, as amended.

HAs to SB 117 read as follows, and consideration deferred:

Amendment No. 1. Amend the Title to read as follows:

"An Act relating to crimes and punishments; prohibiting the transportation in a moving motor vehicle of nonintoxicating beverages except in the original unopened container; making violation of act a misdemeanor; and prescribing penalties."

Amendment No. 2. Amend Page 1, Section 1, Line 18, by adding the word "moving" after the word "any" and before the word "vehicle".

Amendment No. 3. Amend Page 1, Section 1, Line 18, by deleting the word "or" after the word "street" and before the word "alley", and insert therein a comma; and after the word "alley" insert the following language: ", lake or waterway".

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1146, 1247, 1547, 1558, 1577, 1578, 1612, 1645, 1675, 1677, 1678, 1705, 1721, 1722, 1743, 1780 and 1803.

The above numbered Enrolled Bills were after fourth reading, properly signed and ordered returned to the Honorable House.

## MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1070.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Hargrave, the Conference Committee Report on **HB 1214** was declared adopted.

**HB 1214**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Crow, Dacus, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Field, Garrison, Holden, Horn, Howard, Phillips, Porter, Stipe, Taliaferro.—15.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Crow, Dacus, Ferrell, Garrett, Grantham, Graves, Ham, Hamilton, Hargrave, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—33.

Excused: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Field, Garrison, Holden, Horn, Howard, Phillips, Porter, Stipe, Taliaferro.—15.

The emergency was declared passed.

**HB 1214**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senator Boecher asked to be shown present, which was the order.

The following 2nd **CCR** on **SB 461** was read and adopted upon motion of Senator Young.

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred **SB 461**—By Young, entitled:

An Act relating to the judiciary; amending Section 1, Chapter 350, O.S.L. 1968 (20 O.S. Supp. 1969, § 122), by providing that a special judge shall be appointed for each county within the administrative district with a population of at least 24,000, as determined by the 1960 Federal Decennial Census; etc.,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from its Amendment No. 1.

FOR THE SENATE: Young, Garrett.

FOR THE HOUSE: Murphy, Sullivan, Wayland.

**SB 461**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—34.

Nay: Ferrell.—1.

Excused: Atkinson, Baggett, Berrong, Bradley, Breckinridge, Field, Holden, Inhofe, Miller, Phillips, Porter, Stipe, Taliaferro.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Boecher, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—34.

Nay: Ferrell.—1.

Excused: Atkinson, Baggett, Berrong, Bradley, Breckinridge, Field, Holden, Inhofe, Miller, Phillips, Porter, Stipe, Taliaferro.—13.

The emergency was declared passed.

**SB 461**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### PENDING SENATE ACTION

**HCR 1074** by Boettcher, et al, of the House and Grantham of the Senate was taken up for consideration.

Senator Grantham asked unanimous consent that all members of the Senate be made coauthors of the Resolution, which was the order.

**HCR 1074**, as coauthored, was read at length and adopted upon motion of Senator Grantham.

**HCR 1074** was properly signed and ordered returned to the Honorable House.

#### MOTION TO RECONSIDER VOTE

Senator Luton moved to reconsider the vote by which the Senate rejected the Conference Committee Report on **SB 478**, and by which further conference was requested which motion was declared adopted.

Senator Terrill asked unanimous consent that the Honorable House be advised that the Senate does not desire further conference on **SB 478**, which was the order.

#### PENDING CONSIDERATION OF CCR

**SB 478**, as amended in Conference, was considered further.

Upon motion of Senator Luton, the Conference Committee Report on **SB 478** was declared adopted.

**SB 478**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Bradley, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—35.

Excused: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Field, Holden, Lane, Massey, Phillips, Porter, Stipe, Taliaferro.—13.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, Birdsong, Bradley, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Inhofe, Keels, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—35.

Excused: Atkinson, Baggett, Berrong, Boecher, Breckinridge, Field, Holden, Lane, Massey, Phillips, Porter, Stipe, Taliaferro.—13.

The emergency was declared passed.

**SB 478**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### MOTION TO RECONSIDER VOTE

The vote occurring upon the Young motion to reconsider the vote by which **HB 1512**, as amended, failed of passage, it was



declared adopted upon a roll call as follows:

Aye: Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Howard, Inhofe, Keels, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Short, Smalley, Smith, Williams, Young.—33.

Nay: Hamilton, Horn, Luton, Romang, Stansberry, Taliaferro, Terrill.—7.

Excused: Atkinson, Baggett, Breckinridge, Field, Holden, Lane, Payne, Stipe.—8.

### THIRD READING

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Grantham, Graves, Ham, Hargrave, Howard, Inhofe, Keels, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Phillips, Porter, Smalley, Smith, Stansberry, Williams, Young.—28.

Nay: Baldwin, Garrison, Hamilton, Horn, Luton, McCune, Massey, Romang, Taliaferro, Terrill.—10.

Excused: Baggett, Breckinridge, Field, Garrett, Holden, Lane, McGraw, Payne, Short, Stipe.—10.

The bill was declared passed.

**HB 1512**, as amended, was referred for engrossment.

### CONFERENCE COMMITTEE REPORT

The following CCR on **SB 214** was read and adopted upon motion of President Pro Tempore Smith:

Mr. President  
and  
Mr. Speaker

The Conference Committee, to which was referred **SB 214**—By Smith of the Senate and Wolfe (Stephen) and Hopkins of the House, entitled: An Act relating to motor vehicles; defining terms; pro-

towing services, \*\*\* and making provisions of act severable,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from its Amendment No. 1.

2. The Conference Committee recommends the adoption of the following Conference Committee Substitute for Engrossed **SB 214**.

**CCS for SB 214**—By Smith of the Senate and Wolfe (Stephen) and Hopkins of the House—An Act relating to motor vehicles; defining terms; providing for regulation of wreckers and towing services; granting jurisdiction to corporation commission to issue licenses; fixing fees and vesting authority of enforcement in department of public safety; authorizing the adoption of rules and regulations; prescribing authority and duties of the Department of Public Safety; prohibiting gifts; prohibiting financial interest; allowing independent employment of wrecker or towing services; providing for penalties; and making provisions of act severable.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. As used in this act:

(1) "Wrecker or towing service" means any motor vehicle of three-fourth (3/4) ton or more rated capacity, capable of pulling or towing any wrecked, damaged or disabled motor vehicle otherwise incapable of self-propulsion.

(2) "Commissioner" means the Commissioner of Public Safety.

(3) "Department" means the Department of Public Safety.

(4) "Commission" means the Corporation Commission of the State of Oklahoma.

(5) "Operator" means any person owning or operating a wrecker or towing service.

(6) "Officer" means any authorized officer of the Department of Public Safety.

SECTION 2. (A) The Department of Public Safety shall have power and authority necessary to supervise, govern and control the operation and use of wreckers and towing services by operators when engaged in a wrecker or towing service for hire.

(B) The Department of Public Safety shall adopt and prescribe such rules and regulations as are necessary to carry out the intent of this act.

(C) Regulations adopted by the Department of Public Safety shall state the requirements for facilities, for storage of vehicles, necessary towing equipment, the records to be kept by operators, liability insurance and insurance covering the vehicle and its contents while in storage in such sum and with such provisions as the Department of Public Safety deems necessary to adequately protect the interests of the public, and such other matters as the Department may prescribe for the protection of the public.

SECTION 3. (A) No operator or his employee shall be permitted to make service calls without first having filed tariffs with the Commission as provided in Sections 161 through 180(m) of Title 47, Oklahoma Statutes and obtained from the Commission a wrecker license, the number of which shall be displayed on both sides of every wrecker vehicle he operates. Provided that the license fee set out in this Section shall be in lieu of the motor carrier filing fee as required in Section 165 of Title 47, Oklahoma Statutes and provided further, each application for a license will not be required to prove public convenience and necessity, file notices, nor will there be a public hearing held. The fee for such license shall be Twenty five Dollars (\$25.00), of which Fifteen Dollars (\$15.00) shall be al-

located to the Corporation Commission and Ten Dollars (\$10.00) allocated to the Department of Public Safety for the administration of this Act.

(B) All licenses shall expire on the last day of the calendar year and may be renewed annually at a cost of Ten Dollars (\$10.00) upon application to the Commission as prescribed by regulation. Such Ten Dollar (\$10.00) fee shall be divided as follows:

Seven Dollars (\$7.00) to the Department of Public Safety

Three Dollars (\$3.00) to the Corporation Commission

No license fee shall be refunded in the event that the license is suspended or revoked.

(C) Any person engaged in the business of the operation or use of wreckers or towing services on the effective date of this act shall comply with the provisions hereof within ninety (90) days after the promulgation of rules and regulations by the Department.

(D) The Commission shall cancel, suspend, revoke or refuse to issue or renew a wrecker operator's license in any case where it finds the licensee or applicant has not complied with, or has violated any of the provisions of this act or any regulation adopted by the Department hereunder. Any cancelled, suspended, or revoked license shall be returned to the Commission by the licensee, and its holder shall not be eligible to apply for a license under this act until six (6) months have elapsed since the date of suspension or revocation.

(E) The provisions of the Administrative Procedures Act of Oklahoma are expressly made applicable to this act.

SECTION 4. The Commission shall be charged with the duty of policing and enforcing the provisions of this act. Its duly appointed officers shall have authority to make arrests for violations of the provisions of this act. Such officers, upon

reasonable belief that any wrecker is being operated in violation of any provision of this act shall be authorized to require the operator thereof to stop and exhibit such documentation as may be required to establish his authority.

SECTION 5. Any officer of the Department of Public Safety is hereby authorized to cause to be removed any vehicle found upon the highway when:

(1) Report has been made that such vehicle has been stolen or taken without the consent of its owner.

(2) The officer has reason to believe the vehicle has been abandoned as defined in § 902 of Title 47.

(3) The person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested or summoned before a proper magistrate without unnecessary delay.

(4) At the scene of an accident, when the owner or driver is not in a position to take charge of his vehicle and direct or request proper removal thereof.

Each officer of the department shall carry a list of the holders of current wrecker operator licenses in such officer's district, and shall use the services of the licensed operator whose location is nearest to the vehicle to be removed in all instances specified under subsections (1), (2), (3) and (4), above, provided that the requests for services may be alternated among all licensed wrecker operators who are located within a reasonable radius of each other. In like manner, such officer shall advise any person requesting information as to the availability of wrecker service, the name of the nearest licensed wrecker service operator, giving equal consideration to all licensed wrecker operators located within a reasonable radius of each other. Provided, however, in all cities of less than fifty thousand (50,000) population, all licensed wrecker service operators located near or in the city limits of said

cities, shall be considered as being equal distance and shall be called on an equal basis as nearly as possible.

Any officer of the department who has been requested by a person in need of wrecker service to call a specific wrecker service for such person, and who calls a different wrecker service other than the one requested without the consent of the aforesaid person, except where hazardous conditions exist, shall be suspended from the department, without compensation, for a period of thirty (30) days, except in instances where a vehicle is removed from the road under the authority of subsections (3) and (4) above.

SECTION 6. (A) No operator or employee of a wrecker or towing service shall offer any compensation, gift, loan, favor or service to any officer or employee of the Commission or to any officer of the department for the purpose of influencing such officer in the discharge of his official duties; nor shall any officer or employee of the Commission or any officer of the department accept directly or indirectly any compensation, gift, loan, favor or service given for the purpose of influencing his activities or decisions while in the performance of his duties.

(B) No officer of the Corporation Commission or the Department of Public Safety shall have any interest, financial or otherwise, in a wrecker or towing business operation.

SECTION 7. The provisions of this act shall not preclude any person from employing or contracting with any wrecker or towing service of his own choice, except where hazardous conditions exist.

SECTION 8. Violation of any provision of this act or any regulation promulgated pursuant hereto shall constitute a misdemeanor, and any person, upon conviction therefor shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or imprisonment for not more



than thirty (30) days in the county jail, or both such fine and imprisonment.

**SECTION 9.** Any certificate of authorization heretofore issued by the Corporation Commission shall constitute and be a license, the same as if issued hereunder, and the holder of such certificate of authorization shall not be required to make further application or renew such license for a period of five (5) years from and after the date of issuance thereof by the Corporation Commission. Provided further, however, the holder of such certificate of authorization shall be subject to all other regulatory provisions of this act.

**SECTION 10.** The provisions of this act are severable, and if any part or provision hereof shall be held void, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act."

FOR THE SENATE: Smith, Birdsong, Lane.

FOR THE HOUSE: Wolfe (Stephen), Green, Skeith.

**SB 214**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Garrison, Ham, Hamilton, Holden, Horn, Inhofe, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Terrill, Williams.—28.

Nay: Graves.—1.

Excused: Baggett, Bradley, Breckinridge, Ferrell, Field, Garrett, Grantham, Hargrave, Howard, Keels, Lane, Luton, McCune, Medearis, Porter, Short, Stipe, Taliaferro, Young.—19.

The Bill, as amended in Conference, was declared passed.

**SB 214**, together with Conference Com-

mittee Report thereon, was ordered transmitted to Honorable House.

## GENERAL ORDER

**HB 1702** by Derryberry, et al, of the House and Luton, Birdsong and Phillips of the Senate was read and considered.

Senator Garrison moved to amend **HB 1702**, page 20, beginning on line 12 by striking the language "from a list of ten names submitted to the Governor by said labor organization" which amendment was declared adopted.

Senator Berrong moved to amend **HB 1702**, page 30, line 10, by inserting after the word "Commission" and before the word "a" the words "up to" and on line 15 by inserting after the word "year" and before the word "period" the language "said percentage to be fixed by the Commissioner and based upon his certification that the proceeds thereof are reasonable and necessary to accomplish the objectives of this Act" which amendment was declared adopted.

Upon motion of Senator Luton, **HB 1702**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, **HB 1702**, as amended, was considered engrossed and placed upon third reading and final passage.

## THIRD READING

**HB 1702** was read for the third time at length.

On the question of passage of Bill, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill.—36.

Nay: Bradley, Ferrell, Grantham, Williams.—4.

Excused: Baggett, Breckinridge, Hargrave, Murphy, Porter, Short, Stipe, Young.—8.

The bill was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Crow, Dacus, Field, Garrett, Garrison, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Smalley, Smith, Stansberry, Taliaferro, Terrill.—36.

Nay: Bradley, Ferrell, Grantham, Williams.—4.

Excused: Baggett, Breckinridge, Hargrave, Murphy, Porter, Short, Stipe, Young.—8.

The emergency was declared passed.

**HB 1702**, as amended, was referred for engrossment.

#### **PENDING SENATE ACTION**

**SCR 90** by Baggett was called up for consideration.

Following discussion, Senator McSpadden asked that further consideration of **SCR 90** be deferred for this legislative day, which was the order.

President Pro Tempore Smith presiding.

**SCR 91** by Baggett was called up for consideration.

Senators Baldwin, Miller and Bradley asked to be made coauthors of **SCR 91**, which was the order.

**SCR 91**, as coauthored, was read at length, adopted upon motion of Senator Baggett, and ordered referred for engrossment.

#### **PENDING CONSIDERATION OF CCR**

The following **CCR** on **SB 655** was read and adopted upon motion of Senator Baggett:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was

referred **SB 655**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House, entitled:

An Act authorizing and Directing the State of Oklahoma Building Bonds Commission to Sell and Issue Series B,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from Engrossed House Amendments Nos. 1 and 2.

2. That the following Conference Committee Substitute be adopted:

**CCS for SB 655**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House—An Act authorizing and directing the State of Oklahoma Building Bonds Commission to sell and issue Series B of the State of Oklahoma Building Bonds of 1968 in the principal sum of Twenty-six Million Seventy-eight Thousand Dollars under the terms and conditions of Chapter 339, O. S. L. 1969 (62 O. S. Supp. 1969 § § 57.121-57-136); prescribing the schedule for payments into the sinking fund for payment of interest and principal of such Series B Bonds; prescribing the schedule of repayment of the principal sum of such Series B Bonds; providing for rejection of bids and readvertising; providing for the investment of bond sale proceeds pending expenditures and depositing interest from investment into sinking fund until July 1, 1971, with limitations; providing severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** The State of Oklahoma Building Bonds Commission is hereby authorized and directed to sell and issue Series B of the State of Oklahoma Building Bonds of 1968 in the principal sum of Twenty-six Million Seventy-eight Thousand Dollars (\$26,078,000.00) on or about October 15, 1970, under the terms and conditions of

Chapter 339, O. S. L. 1969 (62 O. S. Supp. 1969, § § 57.121-57.136), except where such terms and conditions are superseded by the provisions of this act.

SECTION 2. The State Treasurer shall deposit in the State of Oklahoma Building Bonds of 1968 Sinking Fund, in addition to all other amounts required to be deposited therein, the following sums for the following fiscal year for the payment of the principal upon the Series B Bonds:

FISCAL YEAR  
BEGINNING

JULY 1	AMOUNT
1970	—0—
1971	—0—
1972	\$708,000.00
1973	\$750,000.00
1974	\$795,000.00
1975	\$845,000.00
1976	\$895,000.00
1977	\$950,000.00
1978	\$1,005,000.00
1979	\$1,070,000.00
1980	\$1,130,000.00
1981	\$1,195,000.00
1982	\$1,270,000.00
1983	\$1,350,000.00
1984	\$1,425,000.00
1985	\$1,510,000.00
1986	\$1,605,000.00
1987	\$1,700,000.00
1988	\$1,800,000.00
1989	\$1,910,000.00
1990	\$2,025,000.00
1991	\$2,140,000.00

SECTION 3. The Series B Bonds shall be serial coupon bonds. Said bonds and the interest thereon shall be payable at such place or places as may be designated by the State of Oklahoma Building Bonds Commission. The Series B Bonds shall mature on January 15 in the years and amounts, respectively, as follows:

YEAR	AMOUNT
1973	\$708,000.00
1974	\$750,000.00
1975	\$795,000.00
1976	\$845,000.00
1977	\$895,000.00

1978	\$950,000.00
1979	\$1,005,000.00
1980	\$1,070,000.00
1981	\$1,130,000.00
1982	\$1,195,000.00
1983	\$1,270,000.00
1984	\$1,350,000.00
1985	\$1,425,000.00
1986	\$1,510,000.00
1987	\$1,605,000.00
1988	\$1,700,000.00
1989	\$1,800,000.00
1990	\$1,910,000.00
1991	\$2,025,000.00
1992	\$2,140,000.00

The Series B Bonds shall bear interest, payable semiannually on January 15 and July 15 of each year, shall be in such denomination or denominations, shall be in such form either coupon or registered, shall carry such registration or conversion privileges, shall be executed in such manner, shall be payable in such medium of payments at such place or places, as shall be provided by resolution or resolutions to be adopted by the State of Oklahoma Building Bonds Commission; provided, that all such bonds maturing on and after ten (10) years from their dates may, at the discretion of the Commission, be made subject to call and redemption, in inverse order of bond numbers, at par or with premium, and accrued interest, with the detailed provisions for such calling and redemption thereof and the amount of the premium, if any, to be fixed by the Commission in the resolution or resolutions for the issuance of such bonds. Until such time as the Sinking Fund shall be sufficient to retire all outstanding State of Oklahoma Building Bonds of 1968, including interest thereon, there shall be paid into the Sinking Fund during each fiscal year from the sources hereinabove pledged such amounts as shall be necessary to pay the interest and principal as they become due. All bonds issued pursuant to this act shall have all the qualities and incidents of negotiable paper, and neither said bonds nor the interest earned thereon shall be subject to taxation by the



State of Oklahoma or any county, municipality or political subdivision thereof.

SECTION 4. The State of Oklahoma Building Bonds Commission may reject all bids for such bonds if, in the judgment of the Commission, the interest rate bid is unfavorable and there is a substantial prospect that a more favorable interest rate can be obtained at a later time, in which event the Commission shall readvertize and reoffer such bonds all in accordance with the provisions of said Chapter 339, O. S. L. 1969.

SECTION 5. Notwithstanding the provisions of Section 13 of Chapter 339, O. S. L. 1969 (62 O. S. Supp. 1969, § 57.133) to the contrary, the proceeds from the sale of such Series B Bonds shall be deposited in the State of Oklahoma Building Bonds of 1968 Fund, where the proceeds shall remain subject to disposition as provided for by the Legislature of Oklahoma, provided that it shall be the duty of each agency to which an appropriation therefrom is made by Senate Bill No. 656 of the Second Session of the 32nd Legislature to advise in writing the State Treasurer of the dates and amounts when each such appropriated sums or portion thereof will be required by such agency to satisfy its program for the expenditure thereof, such written advice to be delivered by each such agency to the State Treasurer within ten (10) days of the sale of such bonds, and it shall be the duty of the State Treasurer to invest the proceeds from the sale of such bonds in direct obligation of the United States of America or in certificates of deposit from banks in Oklahoma acceptable as depositories by the State Depository Board when such certificates of deposit are secured by acceptable collateral and yield as much or more than direct obligations of the United States of America, maturing at such times and in such amounts as to enable the State of Oklahoma to issue warrants in the amounts and at the times indicated by the said agencies in their said written advices to the State Treasurer, and the income from such investments through June 30,

1971, shall be deposited by the State Treasurer in the State of Oklahoma Building Bonds of 1968 Sinking Fund and shall be used to pay the interest on such Series B Bonds; provided, further, that from and after July 1, 1971, this Section 5 shall be of no further force or effect and said Section 13 of Chapter 339, O. S. L. 1969 shall apply.

SECTION 6. The provisions of this act are severable and if any of the provisions of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity or constitutionality of any of the other provisions.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Baggett, Smalley, Miller, Massey, Baldwin.

FOR THE HOUSE: Willis, Miskelly, Hargrave, McKee, Bernard.

SB 655, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, Martin, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Young.—39.

Excused: Breckinridge, Howard, McGraw, McSpadden, Massey, Murphy, Stipe, Taliaferro, Williams.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison,

Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, Martin, Medearis, Miller, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Terrill, Young.—39.

Excused: Breckinridge, Howard, McGraw, McSpadden, Massey, Murphy, Stipe, Taliaferro, Williams.—9.

The emergency was declared passed.

**SB 655**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

The Conference Committee Report on **SB 656** was submitted.

Senator Atkinson asked to be made a coauthor of **SB 656**, as amended in Conference, which was the order.

The **CCR** on **SB 656** was read as follows and adopted upon motion of Senator Baggett:

Mr. President

Mr. Speaker

The Conference Committee, to which was referred **SB 656**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House, entitled:

An Act appropriating from the proceeds of the sale of bonds authorized by Section 38, Article X of the Oklahoma Constitution; declaring purpose\*\* and declaring an emergency.

together with House Amendments thereto — to which the Senate disagrees — having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from Engrossed Amendments Nos. 1 and 2.
2. That the following Conference Committee Substitute be adopted:

**CCS** for **SB 656**—By Baggett and Smalley of the Senate and Willis and Miskelly of the House—An Act appropriating from the proceeds of the sale of bonds authorized by Section 38, Article X of the

Oklahoma Constitution; declaring purpose of act; appropriating fifteen million six hundred fifty thousand dollars to the Oklahoma State Regents for higher Education for expenditure at the constituent institutions of the Oklahoma State system of higher education, the Medical Center of the University of Oklahoma, the new Tulsa junior college and the new Midwest City junior college and existing community junior colleges; appropriating nine million one hundred seventy - eight thousand dollars to the State Board of Public Affairs for the use of various Departments and agencies at designated institutions and for other specified purposes; appropriating to the Regents for Higher Education seven hundred fifty thousand dollars for Oklahoma State University School of Technical Training at Okmulgee and five hundred thousand dollars for Oklahoma State University Technical Institute at Oklahoma City from Item 10 and Item 1, respectively, in Section 38, Article X of the Oklahoma Constitution; appropriating one million two hundred thousand dollars to the State Military department; specifying the purposes for which such appropriations are to be expended and providing restrictions and limitations on expenditures; designating the respective contracting agencies and authorizing them to contract for expenditures hereunder; authorizing and directing State Department of Health to allocate and spend two hundred fifty thousand dollars from proceeds of 1965 bond issue for Community Social Center at Ada; authorizing and directing coordination and cooperation with federal granting agencies; making appropriations nonfiscal; specifying effective date; making provisions of this act severable; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

**SECTION 1.** It is hereby declared to be the purpose of this act to provide for appropriation of part of the proceeds of

the sale of bonds to be issued and sold pursuant to Senate Bill No. 655 of the Second Session of the Thirty-second Oklahoma Legislature enacted pursuant to Section 38, Article X of the Oklahoma Constitution.

SECTION 2. The appropriations made by this act are appropriated from the proceeds of the sale of the Series B Bonds issued and sold pursuant to Senate Bill No. 655 enacted by the Second Session of the Thirty-second Oklahoma Legislature and deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury; said bonds to be issued and sold under the constitutional grant of power, conferred by the people of Oklahoma in the adoption of Section 38, Article X of the Oklahoma Constitution.

SECTION 3. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Five Million Dollars (\$5,000,000.00) to be allocated by the Regents to the constituent institutions comprising the Oklahoma State System of Higher Education according to the needs of said institutions for planning and construction, furnishing and equipping new buildings and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements including the acquisition of real property necessary for such buildings, additions and improvements. The governing boards of the institutions of higher education are authorized to enter into necessary contracts and exercise supervision of the expenditure of funds appropriated by this act. It is the intention of the Legislature that the Regents shall allocate and the governing board shall utilize the funds so as to gain the maximum available Federal participation consistent with the priorities of need established by the Regents.

SECTION 4. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Seven Million Dollars (\$7,000,000.00) to be allocated by the Regents to the University of Oklahoma for expenditure at the Medical Center for the planning and construction, furnishing and equipping of new buildings and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements including the acquisition of real property necessary for such buildings, additions and improvements. The Board of Regents for the University of Oklahoma is authorized to enter into necessary contracts and exercise supervision of the expenditure of funds appropriated by this section.

SECTION 5. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Two Million Dollars (\$2,000,000.00) to be allocated by the Regents to the Tulsa Junior College for the planning and construction, furnishing and equipping of a new junior college to be located in Tulsa.

SECTION 6. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Four Hundred Thousand Dollars (\$400,000.00) to be allocated by the Regents for the planning and construction, furnishing and equipping of a new junior college to be located in Midwest City and for capital improvements at existing community junior colleges.

SECTION 7. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department



of Mental Health from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000.00) for the planning and construction, furnishing and equipping of new buildings, and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements at Central State Griffin Memorial Hospital, Eastern State Hospital, and Western State Hospital; and for planning and constructing, furnishing and equipping community mental health centers; provided, however, that none of the funds appropriated by this section may be used for the acquisition of real property or any interest therein.

SECTION 8. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Health from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Nine Hundred Ninety-one Thousand Dollars (\$991,000.00) for the planning and construction, furnishing and equipping of a new building or buildings for the administrative offices and laboratories of the State Department of Health to be located in or adjacent to the Medical Center of the University of Oklahoma, including the acquisition of real property necessary for such buildings.

SECTION 9. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Health from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) to be allocated and expended for constructing community social services centers at Ada, Shawnee, Lawton, Durant, Tulsa and other communities approved

by the State Department of Health. The real property necessary for a community social services center shall be contributed in fee simple title to the State of Oklahoma free of cost before any funds appropriated by this section are expended on such center.

SECTION 10. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Public Safety from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Four Hundred Ninety-seven Thousand Dollars (\$497,000.00) to be used (1) for the construction and equipping of a Plans and Training Building and (2) for district headquarters. None of the funds appropriated by this section can be used for the acquisition of real property.

SECTION 11. There is hereby appropriated to the State Board of Public Affairs for the use of the State Bureau of Investigation from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Two Hundred Thousand Dollars (\$200,000.00) to be used for the construction and equipping of a headquarters building. None of the funds appropriated by this section can be used for the acquisition of real property. The building shall be erected on the state-owned land South of Northeast Thirty-sixth Street and East of Eastern Avenue in Oklahoma City.

SECTION 12. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Vocational Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) (a) for the planning and construction of area vocational and technical schools, provided, that none of the funds hereby appropriated shall be

used for the acquisition of real property; and (b) for the purchase of equipment to be used in the area vocational and technical schools and in the institutions of higher education which provide vocational and technical training, provided, that title to such equipment shall be in the State of Oklahoma.

SECTION 13. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to be allocated by the Regents for expenditure at Oklahoma State University School of Technical Training at Okmulgee for planning and construction, furnishing and equipping new buildings, and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements. The appropriation made in this section is from the amount in Item 10 of Section 38, Article X of the Oklahoma Constitution.

SECTION 14. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) to be allocated by the Regents for expenditure at Oklahoma State University Technical Institute at Oklahoma City for planning and construction, furnishing and equipping new buildings, and for other capital additions and improvements. The appropriation for the technical institute made in this section is from the amount in Item 1 of Section 38, Article X of the Oklahoma Constitution.

SECTION 15. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Public Welfare from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of

1968 Fund in the State Treasury the sum of One Million Dollars (\$1,000,000.00) for planning and construction, furnishing and equipping new buildings and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements at Pauls Valley State School, Enid State School, Hissom Memorial Center, School for the Blind, School for the Deaf, Whitaker State Children's Home, Taft State Children's Home, Helena State School for Boys, Boley State School for Boys, Taft State School for Girls and Tecumseh Girls' Town.

SECTION 16. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Public Welfare from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) for planning and construction, furnishing and equipping a Juvenile Diagnostic Evaluation and Receiving enter.

SECTION 17. There is hereby appropriated to the State Military Department from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) for planning and construction, furnishing and equipping new headquarters and warehouse buildings and related capital improvements to be located on the state-owned land in the vicinity of Grand Boulevard and Northeast Thirtieth Street in Oklahoma City and for planning and construction, furnishing and equipping new armory buildings and for remodeling, modernizing, repairing, furnishing and equipping existing armory buildings, and for other capital additions and improvements. The State Military Department is hereby authorized to enter into the necessary contracts and exercise su-

pervision of the expenditure of funds appropriated by this section.

SECTION 18. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Corrections from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) for the planning and construction, furnishing and equipping of a reception and diagnostic center and other capital improvements at the State Penitentiary and for planning, constructing, renovating and equipping academic and vocational school facilities and other capital projects at the State Reformatory.

SECTION 19. There is hereby appropriated to the State Board of Public Affairs for the use of the State Department of Public Welfare from the proceeds of the sale of bonds deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury the sum of Three Hundred Forty Thousand Dollars (\$340,000.00) for planning and construction, furnishing and equipping of new buildings, and for remodeling, modernizing, repairing, furnishing and equipping existing buildings, and for other capital additions and improvements at Taft State Hospital. The appropriation made in this section is from the amount in Item 5 of Section 38, Article X of the Oklahoma Constitution. This item is to fully satisfy the item of the same amount in the sixth sentence of Section 1 (a) of Enrolled Senate Bill No. 455 of the Second Session of the Thirty-second Legislature.

SECTION 20. The State Board of Public Affairs is hereby authorized to enter into the necessary contracts and exercise supervision of the expenditure of funds appropriated under Sections 7, 8, 9, 10, 11, 12, 15, 16, 18 and 19 of this act.

SECTION 21. In addition to the One Million Dollars (\$1,000,000.00) heretofore provided in Section 25, Chapter 315, 1969

Oklahoma Session Laws, the State Department of Health is hereby authorized and directed to allocate and expend forthwith Two Hundred Fifty Thousand Dollars (\$250,000.00) from the proceeds of the sale of bonds under Section 37 of Article X of the Oklahoma Constitution for the planning and construction of a community social service center at Ada.

SECTION 22. Any funds allocated from the monies herein appropriated to any institution may be used and expended in conjunction or cooperation with any Federal agency or instrumentality under such terms and conditions as may be necessary to obtain grants of Federal aid and assistance, and it shall be the duty of such institutions to make a bona fide attempt to obtain such Federal aid and assistance.

SECTION 23. The appropriations herein made shall not be subject to fiscal year limitations and said appropriations after they become effective may be contracted against and expended to and including the constitutional lapse period of thirty (30) months after the passage of this act. These appropriations shall take effect the date that the aforesaid bonds are sold and the proceeds thereof deposited in the State of Oklahoma Building Bonds of 1968 Fund in the State Treasury.

SECTION 24. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 25. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Baggett, Smalley, Miller, Massey, Baldwin.



FOR THE HOUSE: Willis, Miskelly, Hargrave, McKee, Bernard.

SB 656, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—40.

Excused: Baggett, Breckinridge, Hargrave, Inhofe, McGraw, Porter, Stipe, Taliaferro.—8.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Lane, Luton, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Terrill, Williams, Young.—40.

Excused: Baggett, Breckinridge, Hargrave, Inhofe, McGraw, Porter, Stipe, Taliaferro.—8.

The emergency was declared passed.

SB 656, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

### MESSAGE FROM THE HOUSE

Transmitting following Bills together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1542 and 1579.

### CONFERENCE COMMITTEE REPORTS

The following CCR on HB 1542 was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1542, and Engrossed Senate Amendments thereto, by Smalley entitled:

An Act relating to certain public employees; amending Section 2, Chapter 50, O.S.L. 1963, as last amended by Section 1, Chapter 349, O.S.L. 1969 (74 O.S. Supp. 1969, § 902); redefining the terms "compensation," "eligible employer," "employee," and "final average compensation"; providing for severability; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation:

That the following conference committee substitute be adopted:

1. That the Senate recede from Amendment Number 1.

CCS for HB 1542 By—Mountford.

An Act relating to certain public employees; amending Section 2, Chapter 50, O.S.L. 1963, as last amended by Section 1, Chapter 349, O.S.L. 1969 (74 O.S. Supp. 1969, § 902); redefining the terms "compensation," "eligible employer," "employee," and "final average compensation"; amending Section 10, Chapter 50, O.S.L. 1963, as last amended by Section 5, Chapter 400, O.S.L. 1968 (74 O.S. Supp. 1969, § 910), to require certain resolutions by participating county hospitals; amending Section 11, Chapter 50, O.S.L. 1963, as last amended by Section 5, Chapter 349, O.S.L. 1969 (74 O.S. Supp. 1969, § 911); deleting subsection (4) thereof providing for disability benefits; amending Section 12, Chapter 50, O.S.L. 1963 (74 O.S. Supp. 1969, § 912); permitting certain consolidation of certain retirement systems of employees of cities or towns and deleting subsection (2) providing for approval of consolidation; amending Section 13, Chapter 50 O.S.L. 1963, as last amended by Section 6, Chap-

ter 349, O.S.L. 1969 (74 O.S. Supp. 1969, § 913); providing adjustments of certain prior and participating service credits; amending Section 15, Chapter 50, O.S.L. 1963, as last amended by Section 3, Chapter 400, O.S.L. 1968 (74 O.S. Supp. 1969, § 915); increasing amount of retirement benefit, providing disability benefits and qualifications therefor; amending Section 19, Chapter 50, O.S.L. 1963, as last amended by Section 7, Chapter 349, O.S.L. 1969 (74 O.S. Supp. 1969, § 919); increasing deduction and providing for participation by certain elected officials; amending Section 20, Chapter 50, O.S.L. 1963, as amended by Section 8, Chapter 432, O.S.L. 1965 (74 O.S. Supp. 1969, § 920); providing for certain employer contribution rates and determination thereof for the state or its departments or agencies; excluding certain justices and judges from the effects of this act; providing for severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 2, Chapter 50, O. S. L. 1963, as last amended by Section 1, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 902), is amended to read as follows:

§ 902. The following words and phrases shall have the following meanings respectively ascribed to each of them, unless a different meaning is plainly required by the context:

(1) "System," the Oklahoma Public Employees Retirement System as established by this act and as it may hereafter be amended;

(2) "Accumulated Contributions," the sum of all contributions by a member to the system which shall be credited to the member's account;

(3) "Act," Sections 901 to 931, inclusive, of this title;

(4) "Actuarial Equivalent," a deferred income benefit of equal value to the accumulated deposits or benefits when com-

puted upon the basis of the actuarial tables in use by the system;

(5) "Actuarial Tables," the actuarial tables approved and in use by the board at any given time;

(6) "Actuary," the actuary or firm of actuaries employed by the board at any given time;

(7) "Agent," the individual designated by each participating employer through whom system transactions and communication shall be directed;

(8) "Beneficiary," any person named by a member to receive any benefits as provided for by this act. If there is no beneficiary living at time of member employee's death, his estate shall be the beneficiary;

(9) "Board of Trustees," the managing body of the system which shall be known as the Oklahoma Public Employees Retirement System Board of Trustees;

(10) "Compensation," all salary and wages, exclusive of payment for overtime, payable to a member of the system for personal services performed for a participating employer, including maintenance, or any allowance in lieu thereof provided a member as a part of compensation but shall not include compensation or reimbursement for traveling, or moving expenses, or any compensation in excess of *Seven Thousand Eight Hundred Dollars (\$7,800.00)* TWELVE THOUSAND DOLLARS (\$12,000.00) per annum;

(11) "Credited Service," the sum of participating service and prior service;

(12) "Dependent," a parent, child, or spouse of a member who is dependent upon the member for at least one-half (½) of his support.

(13) "Effective Date," the date upon which the system becomes effective by operation of law;

(14) "Eligible Employer," the State of Oklahoma and any county, COUNTY HOS-

PITAL, city or town whose employees are covered by Social Security and are not covered by or eligible for another retirement plan authorized under the laws of the State of Oklahoma which is in operation on the initial entry date. PROVIDED AFFILIATION BY A COUNTY HOSPITAL SHALL BE IN THE FORM OF A RESOLUTION ADOPTED BY THE BOARD OF CONTROL. Provided, FURTHER, however, that prior to adoption of the resolution providing for participation in the Oklahoma Public Employees Retirement System by any city or town, the city commission, council or town board of trustees shall hold a public hearing on the question of the city or town's participation in said system. At such hearing a representative of the Oklahoma Public Employees Retirement System shall be present to explain the benefits and liabilities of entering the Oklahoma Public Employees Retirement System and all interested parties may be heard;

(a) If a class or several classes of employees of any above-defined employers are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of the State of Oklahoma, which is in operation on the effective date, such employer shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this section.

(b) A class or several classes of employees who are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of the State of Oklahoma, which is in operation on the effective date, and when the qualifications for employment in such class or classes are set by state law; and when such class or classes of employees are employed by county or municipal government pursuant to such qualifications; and when the services provided by such employees are of such na-

ture that they qualify for matching by or contributions from state or federal funds administered by an agency of state government which qualifies as a participating employer, then the agency of state government administering the state or federal funds shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this subsection; provided, that the required contributions to the retirement plan may be withheld from the contributions of state or federal funds administered by the state agency and transmitted to the system on the same basis as the employee and employer contributions are transmitted for the direct employees of the state agency. The retirement or eligibility for retirement under the provisions of law providing pensions for service as a volunteer fireman shall not render any person ineligible to participation in the benefits provided for in this act.

(15) "Employee," any officer or employee of a participating employer, whose employment is not seasonal or temporary and whose employment requires at least one thousand (1,000) hours of work per year and whose salary or wages is at least Ninety Dollars (\$90.00) per month or a salary established by statute to be more than Ninety Dollars (\$90.00) per month, but not including:

(a) any employee who is covered by or eligible for or who will become eligible for another retirement plan authorized under any other law of this state in operation on the entry date, except that this definition shall not exclude any person as defined herein who is covered only by Social Security; or who prior to being employed in employment subject to this act was covered by the Teachers' Retirement System and still retains eligibility under said system or Social Security or both; PROVIDED THAT ANY EMPLOYEE OF THE COUNTY SUPERINTENDENT NOT A MEMBER OF THE TEACHERS RETIREMENT SYSTEM



SHALL HAVE THE OPTION OF BEING A MEMBER OF THIS SYSTEM;

(b) any employee who is a contributing member of the United States Civil Service Retirement System;

(c) any officer or employee of the *[Grand River Dam Authority, the Wildlife Conservation Department or the]* Oklahoma Employment Security Commission or any other class of officers or employees specifically exempted by the laws of the State of Oklahoma, unless there be a consolidation as provided by Section 912 of this title.

(16) "Entry Date," the date as of which an eligible employer joins the system. The first entry date pursuant to this act shall be January 1, 1964;

(17) "Executive Director," the managing officer of the system employed by the board under this act;

(18) "Final Average Compensation," the average annual salary up to, but not exceeding *[Seven Thousand Eight Hundred Dollars (\$7,800.00)]* TWELVE THOUSAND DOLLARS (\$12,000.00) received during any five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment, or, if participating service is less than five (5) years, the average annual compensation up to but not exceeding *[Seven Thousand Eight Hundred Dollars (\$7,800.00)]* TWELVE THOUSAND DOLLARS (\$12,000.00) paid to the member during the full period of participating service;

(19) "Fiscal Year," of the Oklahoma Public Employees Retirement System, the period commencing July 1 of any year and ending June 30, of the next year;

(20) "Oklahoma Public Employees Retirement Fund," the fund created by this act for payment of expenses and benefits under the system and referred to herein as the "fund";

(21) "Leave of Absence," a period of absence from employment without pay,

authorized and approved by the employer and acknowledged to the board, and which after the effective date does not exceed one (1) year;

(22) "Member," an eligible employee who is in the system and is making the required employee contributions, or any former employee who shall have made the required contributions to the system and shall have not received a refund;

(23) "Military Service," service in the Armed Forces of the United States in time of war or national emergency, which service is immediately preceded by a period of employment with a participating employer and is followed by return to employment as an employee with the same or another participating employer within ninety (90) days immediately following discharge from such military service;

(24) "Normal Retirement Date," the date on which a member may retire with full retirement benefits, pursuant to this act, namely, the first day of the month coinciding with or following his sixty-fifth birthday;

(25) "Participating Employer," an eligible employer who has agreed to make contributions to the system on behalf of its employees;

(26) "Participating Service," the period of employment after the entry date for which credit is granted a member;

(27) "Prior Service," the period of employment of a member by an eligible employer prior to his entry date for which credit is granted a member under this act;

(28) "Retirant," a member who has retired under the system;

(29) "Retirement Benefit," a monthly income with benefits accruing from the first day of the month coinciding with or following retirement and ending on the first day of the month in which death occurs or the actuarial equivalent thereof paid in such manner as specified by the member pursuant to this act or as other-

wise allowed to be paid at the discretion of the board;

(30) "Social Security," means the old age survivors and disability section of the Federal Social Security Act; and

(31) "Total Disability," a physical or mental disability accepted for disability benefits by the Federal Social Security System.

SECTION 2. Section 10, Chapter 50, O. S. L. 1963, as last amended by Section 5, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 910), is amended to read as follows:

§ 910. (1) An eligible employer may join the system in January of any year commencing January 1, 1964. Application for affiliation shall be in the form of a resolution approved by the governing or legislative body of the eligible employer or by any other body or officer authorized by the law or recognized by the board to approve such resolution or action; provided, that no county, COUNTY HOSPITAL, city or town shall become a participating employer except by the adoption of a resolution thereof which shall be published once each week for two (2) consecutive weeks in the official county newspaper or, if there is none, in a newspaper of general circulation therein, and no such resolution shall take effect until sixty (60) days after its final publication, and if, within sixty (60) days of its final publication, a petition signed by a number of electors equal to not less than five percent (5%) of the number of electors who voted at the last preceding general election in such county, city or town shall be filed in the office of the clerk of such county, demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. Upon the filing of a certified copy of such resolution with the board, such election shall be irrevocable and the employer shall become a participating employer on January 1 of the year immediately

following the filing of such election with the board. Any county which has elected heretofore to join the Oklahoma Public Employees Retirement System may elect to withdraw therefrom by filing a resolution to such effect with the board within thirty (30) days after the effective date of this enactment; provided, however, that such withdrawal shall be conditioned upon:

(A) the county commissioners of such withdrawing county assuming responsibility on behalf of said county for payment of the amount of actuarial obligations incurred by the Retirement System during the participating period and providing the necessary information to the Secretary of the Retirement System to determine the actuarial obligations of such county;

(B) arrangements for payment of all obligations of such county to the system up to the date of filing being made within sixty (60) days after notice from the system of the amount due; and

(C) the rights of any employee or annuitant which have vested prior to the date of filing such notice of withdrawal from the system shall be guaranteed by said county and the Retirement System.

(2) Arrangements for payment of obligations of such county to the system may be made in a single sum, or amortized in annual installments, to discharge the county's obligation to vested rights of retired employees for any period of time agreed to by such county and the system, or a combination of a down payment with deferred balance in amortized, annual installments. The actuarial value of benefits to be received must be fully funded within five (5) years from date of this act, with interest not to exceed six percent (6%) per annum.

(3) The State of Oklahoma, in its capacity as an eligible employer shall become a participating employer on the first entry date and thereafter on the entry date immediately following the creation of any state agency not now in existence.

SECTION 3. Section 11, Chapter 50, O. S. L. 1963, as last amended by Section 5, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 911), is amended to read as follows:

§ 911. (1) Any employee of a participating employer on the entry date of such employer shall be a member of the system on the entry date.

(2) Any employee other than an elected official who is employed by a participating employer after the entry date of such employer and who had not attained age fifty-nine (59) at date of employment shall be a member of the system on the first day of the month immediately following employment. Any employee employed after the entry date of his employer who had attained age fifty-nine (59) at date of employment shall not be a member of the system.

(3) Any employee who is in military service or on leave of absence on the entry date of his employer shall become a member of the system upon his return to active employment.

[(4) Any employee with at least twenty (20) years' prior service who was employed by a participating employer, and who became totally disabled after January 1, 1963, and before January 1, 1964, and so became totally disabled while in the employment of said participating employer, shall be eligible for equivalent retirement benefits calculated for prior service benefits. Said employee would be considered as totally disabled if said employee qualified for the payment of Social Security Disability Benefits.]

SECTION 4. Section 12, Chapter 50, O. S. L. 1963 (74 O. S. Supp. 1969, § 912), is amended to read as follows:

§ 912. (1) The State of Oklahoma [or], any county, CITY OR TOWN, or ANY instrumentality thereof whose employees or a class of whose employees are members of any other retirement or pension plan authorized by a statute of the State of Oklahoma may, by resolution adopted

by the official board, body, or officer or officers authorized to apply for application, request the board to submit a proposal for consolidation of such other system with the Oklahoma Public Employees Retirement System, including an estimate of the contribution rate necessary to comply with the actuarial standard of this system. Such proposal shall provide that: (a) the operation of such other pension system shall be discontinued; (b) the existing retirants or annuitants of such other system shall continue to be paid by the Oklahoma Public Employees Retirement System on the basis of the benefits schedule applicable in such other system at the date of proposed consolidation; (c) all cash and securities to the credit of such other system shall be transferred to the Oklahoma Public Employees Retirement System; (d) funds of such other system which represent accumulated contributions, if any, of members shall be credited to the employees accumulated contribution reserve of each employee. The balance of the funds so transferred to the Oklahoma Public Employees Retirement System shall be offset against the liability on account of existing retirants, annuitants, and active members; (e) the resulting liability so determined shall be the basis for a rate of contribution of such employer; (f) such consolidation shall take effect only on the anniversary of the entry date.

[(2) Before any employer shall adopt a resolution of affiliation which shall propose to accept a proposal of the board as provided in this section at least sixty percent of the members (not) retirants or annuitants) shall approve such consolidation. The board shall prescribe the manner in which such consent shall be exercised.]

SECTION 5. Section 13, Chapter 50, O. S. L. 1963, as last amended by Section 6, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 913), is amended to read as follows:



§ 913. (1) Prior service shall be credited as follows:

(a) A member shall receive full credit for continuous employment prior to the entry date with his employer on the entry date. Provided, that if the employee was employed by such employer or any other employer who is a participating employer as of such entry date on or before the fifteenth day of March of the year immediately preceding such entry date of such employer, continuously to such entry date, then all previous employment with any participating employer whether or not continuous shall be credited, otherwise no credit shall be granted for employment prior to a break in continuous employment. Provided, that at such time that an employer becomes a participating employer on or after January 1, 1965, and before January 1, 1972, each member and each retirant, upon making proper written application therefor, shall receive prior service credit for service with such employer in the same manner as if such participating employer had been a participating employer on the date first eligible to become a participating employer; and increased benefits attributable to such increased prior service credit shall commence with the next monthly benefit payment due following receipt and approval of such application by the board of trustees. And provided further, that any person who was employed as a participating employee on January 1, 1964, by a participating employer and who had previously been employed, and on the payroll of other state agencies now subject to the Oklahoma Public Employees Retirement System for a period of fifteen (15) consecutive years or more immediately prior to January 1, 1964, and who has accumulated five (5) years of accredited participating service, shall receive credit for prior service and be eligible for participation regardless of age. PROVIDED, FURTHER, THAT PRIOR TO JANUARY 1, 1970, ANY MEMBER EMPLOYEE WHO WAS EMPLOYED BY HIS EMPLOYER OR

HIS EMPLOYER'S SUCCESSOR ON THE 15TH DAY OF MARCH, 1963, PRIOR TO THE ENTRY DATE OF THE EMPLOYER AND WHO VOLUNTARILY TERMINATED HIS EMPLOYMENT BETWEEN MARCH 15, 1963, AND THE ENTRY DATE OF HIS EMPLOYER, BUT WHO AFTER THE EMPLOYER'S ENTRY DATE WAS REEMPLOYED BY HIS PREVIOUS EMPLOYER, SHALL RECEIVE CREDIT FOR ALL PREVIOUS EMPLOYMENT BY HIS EMPLOYER, WHETHER CONTINUOUS OR NOT.

(b) Leaves of absence and military service leaves shall not be counted as breaks in continuous employment; however, military service which is immediately preceded and followed by employment with a participating employer shall be credited, but leaves of absence shall not be credited. The burden of proof regarding prior service shall be with the member and shall be documented in such manner as the board may direct.

(c) An elective state, county, city or town official who is ineligible for membership as a result of any applicable state law or constitutional provision making him ineligible solely because of his being such an official at the time of his eligibility for membership at the time his employer becomes a participating employer shall nevertheless not forfeit the prior service credit to which he would be entitled except for such ineligibility, provided that he either (i) becomes an employee of a participating employer within one hundred twenty (120) days of the expiration of his term of office current at the time of his eligibility except for his being an elective state or county official, or (ii) within a period of four (4) years after the expiration of his term of office current at the time of his eligibility except for his being an elective state or county official, is elected as a state or county official and thereupon becomes a member of the system, or (iii) has completed ten (10) years of credited service as of the date of his eligibility for

membership except for his being an elective state or county official.

(d) In addition to other benefits received by reason of employment by another participating employer all elected state officials serving after January 1, 1964, as a state elected official and having completed six (6) years or more of credited service as an elected state official and having paid to the Oklahoma Public Employees Retirement System sufficient contributions which shall be determined by the board of trustees shall receive a minimum of Seventy-five Dollars (\$75.00) monthly benefits and shall receive an additional Twelve Dollars and fifty cents (\$12.50) per month for each additional year of service, OR ANY ELECTED STATE OFFICIAL SERVING AFTER JULY 1, 1970, MAY ELECT TO CONTRIBUTE SIX (6%) PERCENT OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) AND SHALL RECEIVE A MINIMUM OF ONE HUNDRED TWENTY DOLLARS (\$120.00) MONTHLY BENEFITS AND SHALL RECEIVE AN ADDITIONAL TWENTY DOLLARS (\$20.00) PER MONTH FOR EACH ADDITIONAL YEAR OF SERVICE. Provided, however, members under this subsection shall be entitled to the retirement options as set forth in Section 918 of this act and may make an election with respect to vested benefits at any time before retirement date.

(e) Beginning July 1, 1965, all employees of the Department of Public Welfare shall participate in the Oklahoma Public Employees Retirement System to the same extent as other employees of participating employers in such system. Provided that any employee performing teaching services in the Oklahoma School for the Deaf or the Oklahoma School for the Blind may elect to participate in the Teachers' Retirement System of Oklahoma in lieu of the Oklahoma Public Employees Retirement System; and any other employee at each such institution or

any other institution under the jurisdiction of the Oklahoma Department of Public Welfare, participating in the Teachers' Retirement System of Oklahoma, may elect to continue to participate in such system in lieu of the Oklahoma Public Employees Retirement System. All employees who shall have participated in the Teachers' Retirement System of Oklahoma and not continuing therein shall have the right to withdraw their membership from the Teachers' Retirement System of Oklahoma on the same terms as other members withdrawing from such system before retirement. Provided, all persons employed at the Oklahoma School for the Blind and Oklahoma School for the Deaf on June 30, 1965, who became subject to the Oklahoma Public Employees Retirement System, on July 1, 1965, shall receive credit for prior service and be eligible for participation, regardless of age.

(2) Participating service shall be credited as follows:

(a) A member shall receive credit for participating service with a participating employer in accordance with the rules and regulations established by the board; provided, however, that no more than one calendar quarter of participating service shall be credited for any employment within one calendar quarter.

[(b) A member born before 1905 and having ten (10) or more years of prior service on the first entry date may convert up to one half ( $\frac{1}{2}$ ), but not to exceed ten (10) years, of any such prior service to participating service and be entitled to the benefits for participating service by applying to the board and paying into the system on or before January 1, 1965, a sum of money determined by the board to be actuarially equivalent to the contributions necessary to pay participating service benefits based on the age and earnings of any such member.]

[(c)] (B) Leaves of absence and military service shall not count as a break in continuous employment provided the

member leaves his accumulated contribution on deposit with the fund; however, the period of military service shall be credited but leaves of absence shall not be credited.

[(d)] (C) A period of retirement under the system or a period of total disability, immediately followed by employment with a participating employer, shall not count as a break in continuous employment; provided, that such periods while not employed shall not be credited.

[(e)] (D) Termination of employment with a participating employer followed by employment with the same or another participating employer within one hundred twenty (120) days shall not constitute a break in continuous employment; provided, that such period while not employed shall not be credited as participating service.

(3) In determining the number of years of credited prior service or participating service, a fractional year of six (6) months or more shall be considered as one (1) year and a fractional year of less than six (6) months shall be disregarded.

SECTION 6. Section 15, Chapter 50, O. S. L. 1963, as last amended by Section 3, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 915), is amended to read as follows:

§ 915. A. (1) Any member who shall retire on or after his normal retirement date shall be entitled to receive an annual retirement benefit equal to the sum obtained by adding an amount for participating service and an amount for prior service determined as herein provided. The amount for prior service shall be equal to the sum of Sixty Dollars (\$60.00) per annum multiplied by the number of years of prior service entitled to credit as provided in Section [13] 913 of this [Act] TITLE. The amount for participating service shall be equal to [one and one-fourth percent (1¼%)] ONE AND

ONE-HALF PERCENT (1½%) of the member's final average salary multiplied by the number of years of participating service entitled to credit as provided in Section [13] 913 of this [Act] TITLE, EXCEPT THAT IT SHALL NOT BE LESS THAN THE MINIMUM AMOUNT FOR PRIOR SERVICE.

(2) Any member who shall retire before the normal retirement date shall receive an annual retirement benefit equal to the actuarial equivalent of but not exceeding the benefit payable had the member retired on the normal retirement date but based upon the member's final average salary and years of participating and prior service to date of actual retirement.

(3) Upon death of a retirant, there shall be paid to his beneficiary an amount equal to the excess, if any, of his accumulated contributions over the sum of all retirement benefit payments made.

(4) Such annual retirement benefits shall be paid in equal monthly installments, except that the board may provide for the payment of retirement benefits which total less than Two Hundred Forty Dollars (\$240.00) a year on other than a monthly basis.

(5) In the event that an application in such form as may be prescribed by the board for any amount due under the provisions of this act is not filed with the office of the retirement system by the person entitled to same within one (1) year of the date such amount became due and payable, an amount equal to same shall be transferred to the retirement benefit accumulation reserve and such amount shall no longer be due and payable; however, if any such person shall present evidence satisfactory to the board that his failure to file such application within said time period was due to lack of knowledge or incapacity on his part, the amount equal to the amount originally due shall be transferred from the retirement benefit accumulation reserve to the reserve or reserves from



which such transfer was initially made and the amount originally due shall be paid to such person.

B. A MEMBER SHALL BE CONSIDERED DISABLED IF SUCH MEMBER QUALIFIES FOR THE PAYMENT OF SOCIAL SECURITY DISABILITY BENEFITS, AND SHALL BE ELIGIBLE FOR BENEFITS HEREUNDER UPON PROOF OF SUCH DISABILITY AND AFTER COMPLETION OF AT LEAST TEN (10) YEARS OF PARTICIPATING SERVICE OR COMBINED PRIOR AND PARTICIPATING SERVICE. BENEFITS SHALL BE BASED UPON LENGTH OF SERVICE AND COMPENSATION AS OF THE DATE OF DISABILITY, WITHOUT ACTUARIAL REDUCTION BECAUSE OF COMMENCEMENT PRIOR TO AGE SIXTY-FIVE (65), BUT ANY SUCH BENEFIT SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY AMOUNT RECEIVED BY THE MEMBER BY REASON OF WORKMEN'S COMPENSATION DISABILITY BENEFITS. NO OPTIONAL FORMS OF BENEFIT PAYMENTS SHALL BE ALLOWED. BENEFIT PAYMENTS SHALL CEASE UPON THE MEMBER'S RECOVERY FROM DISABILITY PRIOR TO AGE SIXTY-FIVE (65). FUTURE BENEFITS, IF ANY, SHALL BE PAID BASED UPON LENGTH OF SERVICE AND COMPENSATION AS OF THE DATE OF DISABILITY. IN THE EVENT THAT DISABILITY CEASES AND THE MEMBER RETURNS TO EMPLOYMENT WITHIN THE SYSTEM CREDITED SERVICE TO THE DATE OF DISABILITY SHALL BE RESTORED, AND FUTURE BENEFITS SHALL BE DETERMINED ACCORDINGLY.

SECTION 7. Section 19, Chapter 50, O. S. L. 1963, as last amended by Section 7, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 919), is amended to read as follows:

§ 919. (1) Each participating employer, beginning with the first monthly payroll for service performed after the entry

date, shall deduct from the compensation of each member [three percent (3%) of the first Three Hundred Seventy-five Dollars (\$375.00) of his compensation each month and four percent (4%) of his monthly compensation in excess of Three hundred Seventy five Dollars (\$375.00) but not exceeding Six Hundred Fifty Dollars (\$650.00)] FOUR PERCENT (4%) OF THE FIRST ONE THOUSAND DOLLARS (\$1,000.00) OF HIS COMPENSATION EACH MONTH; provided, that additional sums may be deducted upon the authorization for payroll deduction by individual members for such other benefits as the board is authorized herein to administer. Such deductions shall be remitted quarterly, or as the board may otherwise provide, to the executive director for deposit in the Oklahoma Public Employees Retirement Fund. Such deductions shall be credited to the members' individual accounts.

(2) EACH ELECTED STATE OFFICIAL SERVING AFTER JANUARY 1, 1964, AS AN ELECTED STATE OFFICIAL AND HAVING COMPLETED SIX (6) YEARS OR MORE OF CREDITED SERVICE AS AN ELECTED STATE OFFICIAL, WHO ELECTS TO BECOME A MEMBER OF THE OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM, SHALL BE DETERMINED TO HAVE CONTRIBUTED SUFFICIENT CONTRIBUTIONS TO SAID RETIREMENT SYSTEM TO RECEIVE THE RETIREMENT BENEFITS PROVIDED IN SECTION 913(1)(D) OF THIS TITLE BY CONTRIBUTING FOUR AND ONE-HALF PERCENT (4½%) OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) PAID TO SAID ELECTED STATE OFFICIAL BEGINNING JULY 1, 1970, OR ANY ELECTED STATE OFFICIAL SERVING AFTER JULY 1, 1970, MAY ELECT TO CONTRIBUTE SIX PERCENT (6%) OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) PAID TO SAID ELECT-

ED STATE OFFICIAL BEGINNING JULY 1, 1970, AND THEREAFTER AS LONG AS THE ELECTED STATE OFFICIAL is a member of the retirement system.

(3) Any elected state official who was not a participating member after February 1, 1965, shall pay Five Hundred Three Dollars and eighty-four cents (\$503.84) per year for each year of prior service not later than July 1, 1970, to be eligible to receive the retirement benefits provided in Section 913(1)(d) of this title.

SECTION 8. Section 20, Chapter 50, O. S. L. 1963, as amended by Section 8, Chapter 432, O. S. L. 1965 (74 O. S. Supp. 1969, § 920), is amended to read as follows:

§ 920. (1) Upon the basis of each annual actuarial valuation and appraisal as provided for in this act, the board shall certify, on or before July 15 of each year, to the Division of Budget in the case of the state and to the agent for each participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the past service cost over a period of not to exceed forty (40) years from the entry date and the cost of administration of the system, as determined by the board, upon recommendation of the actuary.

(2) The Division of the Budget and the Governor shall include in the budget and in the budget request for appropriations the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system

a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which said contribution is made is paid from or from any other funds available to it for such purpose.

(5) The rate of contribution certified to a participating employer as provided in this section shall apply during the first fiscal year of the participating employer which begins in the calendar year immediately following such certification; provided, that the rate of contribution during the period from January 1, 1964, to the fiscal year beginning in 1965 shall be equal to three percent (3%) of the amount of compensation on which the members contributed during the period.

(6) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in [Section 12 of this act] SECTION 912 OF THIS TITLE, at rates different from the rate fixed for employers joining within one year of the first entry date. PROVIDED HOWEVER, THE EMPLOYER CONTRIBUTIONS FOR THE STATE OF OKLAHOMA OR ANY DEPARTMENT OR AGENCY THEREOF FOR THE FISCAL YEAR BEGINNING JULY 1, 1970 SHALL BE SIX PERCENT (6%) OF THE ANNUAL COMPENSATION AS PROVIDED IN THIS ACT AND THEREAFTER AS MAY BE DETERMINED BY THE BOARD OF TRUSTEES OF THE OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM.

(7) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

SECTION 9. The provisions of this act shall not operate either to enlarge or to diminish any rights any Justice or Judge

may now have under the provisions of the Public Retirement System.

SECTION 10. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Smalley, Birdsong, Martin.

FOR THE HOUSE: Mountford, Musgrave, Goodfellow.

The following CCR on **HB 1579** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **HB 1579**, entitled:

(An Act relating to the Corporation Commission and declaring an emergency), together with Engrossed Senate amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

That the following Conference Committee Substitute be adopted:

**CCS for HB 1579**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Corporation Commission; making appropriations thereto; stating the purpose; providing that the commissioners shall fix the duties and compensation of employees within certain limits; appropriating funds for cost of litigation; providing for lapse date; making provisions of this act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. There is hereby appropriated to the Corporation Commission, from the funds indicated in the State Treasury, for the fiscal year indicated, not otherwise appropriated, the following amounts or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law:

Fiscal Year  
Ending  
June 30, 1971

**GENERAL REVENUE FUND**

Personal Services other than Oil & Gas Conservation Program .....	\$ 731,385.00
Operations other than Oil & Gas Conservation Program ..	108,172.00

Total General Revenue Fund \$ 839,557.00

**CONSERVATION FUND**

Personal Services Oil & Gas Conservation Program .....	\$ 725,000.00
Operations Expense Oil & Gas Conservation Program ..	\$ 275,000.00
Personal Services other than Oil & Gas Conservation Program .....	172,723.00
Operations Expense o t h e r than Oil & Gas Conserva- tion Program .....	35,601.00

Total Conservation Fund .....\$1,208,324.00

**GRAND TOTAL** .....\$2,047,881.00

SECTION 2. The Commissioners shall appoint and fix the duties and compensation of the employees necessary to perform the duties imposed upon the Corporation Commission by law. The number and compensation of officials and employees, payable from the appropriations made in Section 1 of this act, shall be subject to the following schedule:



TITLE	NUM- BER AU- THOR- IZED		
	MINI- MUM	MAXI- MUM	
Commissioner	3	\$19,000.00	\$19,500.00
Executive Secretary	3	7,380.00	9,720.00
Administrative Assistant	1	8,700.00	11,400.00
Court Clerk/ Marshal	1	5,880.00	7,800.00
Typist Clerk III	2	4,680.00	6,240.00
Typist Clerk II	2	4,200.00	5,580.00
Clerk II	1	3,960.00	5,280.00
Clerk I	1	3,720.00	4,980.00
Accountant III	1	8,700.00	11,400.00
Account I	1	5,880.00	7,800.00

The salaries of the Commissioner and the employees listed above shall be paid not to exceed seventy-five percent (75%) from the Conservation Fund and the remaining percentage from the General Revenue Fund.

## LEGAL DIVISION

TITLE	NUM- BER AU- THOR- IZED		
	MINI- MUM	MAXI- MUM	
Attorney IV	1	\$14,100.00	\$18,420.00
Attorney III	3	12,000.00	15,720.00
Attorney II	1	9,180.00	12,000.00
Court Reporter	1	7,380.00	9,720.00
Special Investigator	1	5,880.00	7,800.00
Steno Clerk III	4	4,980.00	6,600.00
Steno Clerk II	2	4,440.00	5,880.00

The salaries of the employees listed above shall be paid not to exceed fifty percent (50%) from the Conservation Fund and the remaining percentage from the General Revenue Fund.

## PUBLIC UTILITY DIVISION

TITLE	NUM- BER AU- THOR- IZED		
	MINI- MUM	MAXI- MUM	
Director—Public Utilities Division	1	\$14,100.00	\$18,420.00
Assistant Director	1	12,300.00	15,600.00
Plant Evaluation Engineer	1	11,400.00	14,880.00
Accountant—Public Utilities Division	2	11,400.00	14,880.00
Auditor II	3	7,380.00	9,720.00
Auditor I	2	6,600.00	8,700.00
Public Utility Engineer	3	11,400.00	14,880.00
Steno Clerk III	4	4,980.00	6,600.00
Steno Clerk II	1	4,440.00	5,880.00
Chief Cotton Gin Inspector	1	5,880.00	7,800.00
Assistant Public Utility Engineer	2	7,380.00	9,720.00

## COMMON CARRIER RATE DIVISION

TITLE	NUM- BER AU- THOR- IZED		
	MINI- MUM	MAXI- MUM	
Interstate Rate Counsel, Attorney IV	1	\$14,100.00	\$18,420.00
Attorney II	1	9,180.00	12,000.00
Freight Rate Analyst	1	6,960.00	9,180.00
Traffic Rate Specialists	1	6,240.00	8,220.00
Transportation Rate Field Agents	2	6,600.00	8,700.00
Auditor—Inspectors	2	7,380.00	9,720.00
Steno Clerk III	2	4,980.00	6,600.00
Steno Clerk II	2	4,440.00	5,880.00

## MOTOR CARRIER DIVISION

Director	1	\$11,400.00	\$14,880.00
Assistant Director	1	7,800.00	10,260.00
Steno Clerk III	1	4,980.00	6,600.00

Motor Carrier			
Insurance-Review Clerk	1	4,980.00	6,600.00
Insurance Clerk-Typist Clerk II	1	4,440.00	5,880.00
Stenographer-Steno Clerk II	2	4,440.00	5,880.00
Identification Plate Clerks-Typist Clerk II	2	4,440.00	5,880.00
Typist Clerk II	1	4,200.00	5,580.00
Information Clerk	1	4,320.00	5,580.00

## FUEL INSPECTION DIVISION

TITLE	THOR- IZED	MINI- MUM	MAXI- MUM
State Fuel Inspector	1	11,000.00	12,900.00
Assistant State Fuel Inspector	1	9,000.00	10,900.00
Chemist	1	9,400.00	10,400.00
Assistant Chemist	1	6,240.00	8,220.00
Stenographer Clerk II	1	4,440.00	5,880.00

## PIPELINE DIVISION

TITLE	THOR- IZED	MINI- MUM	MAXI- MUM
Pipeline Engineer	1	12,660.00	16,560.00
Steno Clerk II	1	4,440.00	5,880.00
Pipeline Inspectors	2	5,880.00	7,800.00

## ENFORCEMENT DIVISION

TITLE	THOR- IZED	MINI- MUM	MAXI- MUM
Chief Enforcement Officer	1	10,260.00	13,380.00
Enforcement Officer/Fuel Inspectors	55	5,880.00	7,380.00

Steno Clerk II	1	4,440.00	5,880.00
OIL AND GAS CONSERVATION DIVISION			
TITLE	NUM- BER AU- THOR- IZED	MINI- MUM	MAXI- MUM
Director	1	14,880.00	19,440.00
Attorney IV	1	14,100.00	18,420.00
Attorney II	1	9,180.00	12,000.00
Attorney III	2	12,000.00	15,720.00
Manager-Pollution Abatement	1	12,000.00	15,720.00
Manager-Field Operations	1	12,000.00	15,720.00
Manager of Office Administration	1	12,000.00	15,720.00
Supervisor-Data Processing	1	9,180.00	12,000.00
Data Processing Programmer	1	7,380.00	9,720.00
Machine Operator (Computer)	0		
Key punch Operators I	4	4,200.00	5,580.00
Manager-Technical Department	1	12,000.00	15,720.00
Senior Engineer	1	10,800.00	14,100.00
Senior Geologist	1	10,800.00	14,100.00
Staff Engineers and Geologists	5	10,200.00	13,380.00
District Managers	4	10,260.00	13,380.00
District Office Assistants	4	5,280.00	6,960.00
Field Inspectors	32	5,880.00	7,800.00
Trial Examiners	3	12,000.00	15,720.00
Court Reporters	3	7,380.00	9,720.00
Manager-Statistical Department	1	10,800.00	14,100.00
Statistician	1	6,600.00	8,700.00
Assistant Statistician	9	5,580.00	7,380.00
Secretaries (Steno Clerk II)	4	4,440.00	5,880.00
Secretaries (Steno Clerk III)	7	4,980.00	6,600.00
Typist Clerk II	2	4,200.00	5,580.00
Clerk I	1	3,720.00	4,980.00

Typist Clerk II	5	4,200.00	5,580.00
Librarian	1	4,980.00	6,600.00
Duplicating Machine			
Operator	2	4,200.00	5,580.00

SECTION 3. There is hereby appropriated to the Corporation Commission, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Fifty Thousand Dollars (\$50,000.00) to be used by the Commission: (a) In the furtherance of establishing compensatory intrastate motor carrier freight rates and for litigation involving interstate freight rates to, from, or through the State of Oklahoma when such litigation is pending or about to be instituted before the Interstate Commerce Commission, or in courts reviewing the decisions of the Interstate Commerce Commission, with the restriction that said fund may be used for the purpose of making necessary investigation prior to the institution of complaints before the Interstate Commerce Commission; for actual and necessary traveling expenses of the Commissioners and personnel of the Common Carrier Rate Division in attending conferences, hearings, and oral arguments before or after litigation has been commenced; for the preparation of exhibits; for payment of tuition fees, enrollment fees, books and supplies, subsistence and transportation of Commission members and personnel of the Common Carrier Rate Division attending professional schools, conventions, or conferences in connection with interstate freight rates; for the payment of witness fees or traveling expenses of persons whose testimony is to be presented in such litigation; for the purchasing of transcripts of such testimony, and for the preparation, printing, serving, and presentation of briefs and motions in such litigation; and for the preparation and presentation of oral arguments therein. (b) In the furtherance of public utility rate litigation when such litigation is pending or about to be instituted. With the above restrictions, said

fund may be used for actual and necessary traveling expenses, attending conferences, hearings, and oral arguments; for the preparation, printing, and presentation of exhibits; for payment of tuition fees, enrollment fees, books and supplies, subsistence, and transportation of Commission members and their staffs attending professional schools, conventions, or conferences, and in connection with intrastate utility rates.

Each claim against such fund shall specifically name the litigation and whether pending or filed and shall enumerate the services, as above authorized, which said claim covers. Each claim shall be verified and shall state that the expenses therein covered were necessarily incurred in connection with the specific proceedings designated thereon.

SECTION 4. There is hereby appropriated to the Corporation Commission, from the Income Tax Adjustment Fund of the State Treasury, the sum of Fifty Thousand Dollars (\$50,000.00) for the purchase of equipment for the determination of octane rating and other quality standards of gasoline and other motor fuels. Provided, that it is the intent of the Legislature that the fuel inspection activities of the Corporation Commission shall include appropriate inspection and testing of aviation fuel and diesel fuel.

SECTION 5. There is hereby appropriated to the Corporation Commission from any monies in the Conservation Fund, the sum of One Hundred Thousand Dollars (\$100,000.00), to be used by the Commission for the purposes provided in Senate Bill No. 553, Second Session Thirty-second Legislature.

SECTION 6. The compensation of employees provided by this act shall be payable also from any funds on hand credited to the following special funds: the Special Motor Vehicle Enforcement Fund created by 47 O. S. 1961, §171; the Brake Fluid Fund created by 47 O. S. 1961, §610; the Antifreeze Fund created by 47 O. S. 1961,



\$469; and the Pipeline Enforcement Fund created by 52 O. S. Supp. 1969, \$2.

SECTION 7. The appropriations made by Section 1, Section 3 and Section 4 of this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year. The appropriation made by Section 5 of this act shall not be subject to fiscal year limitations and shall be available for encumbrances and expenditure purposes for a period of thirty (30) months from the date this is approved.

SECTION 8. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 9. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Massey, Atkinson, Berrong, Boecher, Garrison, Grantham, Hamilton, Murphy, Nichols, Smalley, Young.

HOUSE CONFEREES: Willis, Miskelly, Abbott, Allard, Bradley, Cate, Connor, Fine, Greenhaw, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman, Townsend.

#### MESSAGE FROM THE HOUSE

Transmitting following Bills, together with 2nd Conference Committee Reports thereon, advising adoption of 2nd Conference Committee Reports and passage of Measures as amended: Engrossed HBs 1568, 1575 and 1726.

#### SECOND CONFERENCE COMMITTEE REPORTS

The following 2nd CCR on HB 1568 was read and consideration deferred:

Mr. Speaker  
and  
Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1568, entitled:

(An Act relating to the State Department of Health and declaring an emergency), together with Engrossed Senate amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the Senate recede from the Senate Amendment.

2. That the following Conference Committee amendment be adopted:

Page 1, lines 16 and 17, strike the words and figures "Two Hundred Forty Thousand Dollars (\$240,000.00)" and insert in lieu thereof the words and figures "Two Hundred Fifteen Thousand Dollars (\$215,000.00)".

3. Restore title.

SENATE CONFEREES: McSpadden, Massey, Atkinson, Berrong, Boecher, Garrison, Grantham, Hamilton, Murphy, Nichols, Smalley, Young.

HOUSE CONFEREES: Willis, Miskelly, Abbott, Allard, Bradley, Cate, Connor, Fine, Greenhaw, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman, Townsend.

Mr. President  
and

Mr. Speaker:

The following 2nd CCR on HB 1575 was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB 1575, entitled:

(An Act making the Department of Corrections; declaring an emergency.)

together with Engrossed Senate Amendments thereto, beg leave to report that we

have had the same under consideration and herewith return same with the following recommendations:

That the following 2nd Conference Committee Substitute be adopted:

**CCS for HB 1575**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the Department of Corrections, the Oklahoma State Penitentiary and the Oklahoma State Reformatory; making appropriations thereto; stating the purpose; providing that the Director of the Department of Corrections shall appoint personnel and fix duties and compensation within prescribed limits; providing for employment of college student help; appropriating funds for the operation of the State Penitentiary and expressing legislative intent; appropriating funds for the operation of the Oklahoma State Reformatory and dedicating funds for operation of school; providing employees of the Department of Corrections shall not be employed by other state departments or institutions; providing offices and residences for the wardens at the Oklahoma State Penitentiary and Reformatory; prescribing salary grade of the wardens of the Penitentiary and Reformatory and establishing minimum salary of other employees; limiting the expenditure of medical research program funds; providing lapse date; making provisions of this act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** There is hereby appropriated to the Department of Corrections, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Nine Hundred Twenty Thousand Forty-eight Dollars (\$920,048.00), or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

**SECTION 2.** The appropriations made in

Section 1 of this act shall be expended in carrying out the duties imposed upon the Department of Corrections in Chapter 261, O. S. L. 1967 (57 O. S. Supp. 1969, § § 501-525), in accordance with the following schedule and subject to provisions of this act:

For Administration, Division of Inspections and Divisions of Institutions:

Personal Services (Including Retirement Costs) .....	\$127,587.00
Travel .....	8,500.00
Operating Expenses .....	7,500.00
Rent .....	13,750.00
Per Diem and Travel of State Board of Corrections .....	7,500.00
<b>Total .....</b>	<b>\$164,837.00</b>

For the Division of Probation and Parole:

Personal Services Including Retirement Costs) .....	\$578,031.00
Travel .....	136,000.00
Operation Supplies and Expenses .....	41,180.00
<b>Total .....</b>	<b>\$755,211.00</b>

**SECTION 3.** The Director of the Department of Corrections shall appoint and fix the duties and compensation of employees necessary to carry out the duties imposed upon the Department of Corrections by law. The State Board of Corrections shall appoint and fix the salary of the Director of the Department of Corrections. The number and compensation of officials and employees, payable from the appropriations made in Section 1 of this act, shall be subject to the following schedule:

ADMINISTRATION			
NO.	POSITION	MINIMUM	MAXIMUM
1	Director	\$16,500.00	\$16,500.00
1	Administrative Assistant/Accountant	8,600.00	10,700.00
1	Account Clerk II	4,440.00	5,880.00

1	Clerk II	3,960.00	5,280.00
1	Secretary I	5,580.00	7,380.00
2	Microfilm Operator	3,720.00	4,980.00
1	Typist Clerk II	4,200.00	5,580.00

8

## DIVISION OF INSPECTION

NO.	POSITION	MINIMUM	MAXIMUM
1	Consultant (Part time). Such consultant shall be performed by the Commissioner of Charities and Corrections	\$ 3,500.00	\$ 3,500.00

## DIVISION OF INSTITUTIONS

NO.	POSITION	MINIMUM	MAXIMUM
1	Deputy Director	\$13,000.00	\$16,500.00
1	Psychologist II	12,660.00	15,000.00
1	Correctional Treatment and Training Program Development Coordinator	7,800.00	10,260.00

3

## DIVISION OF PROBATION AND PAROLE

NO.	POSITION	MINIMUM	MAXIMUM
1	Deputy Director	\$13,000.00	\$15,000.00
1	Assistant Deputy Director	9,600.00	11,400.00
1	Administrative Assistant	7,380.00	9,720.00
5	Probation and Parole District Supervisor	7,380.00	9,720.00
53	Probation and Parole Officer	6,240.00	8,220.00
3	Stenographer Clerk I	3,960.00	5,280.00

3	Stenographer Clerk II	4,440.00	5,880.00
7	Stenographer Clerk III	4,980.00	6,600.00
6	Typist Clerk II	4,200.00	5,580.00
1	Duplicating Equipment Operator I	4,200.00	5,580.00

81

SECTION 4. The Department of Corrections is hereby authorized to employ college student help in the summer.

SECTION 5. There is hereby appropriated to the Department of Corrections for the operation of the State Penitentiary, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Three Million Six Hundred Thirty-nine Thousand Eight Hundred Fifty-four Dollars (\$3,649,854.00) or so much thereof as shall be necessary for the operation of the Penitentiary. The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) of the amount appropriated in this section is hereby dedicated to the question of the "Ouachita Vocational and Technical Camp." It is the intent of the Legislature that an amount not to exceed Thirty Thousand Dollars (\$30,000.00) of the appropriations made by this section be used by the Oklahoma State Penitentiary for repairs, maintenance and improvements of the roads serving the Penitentiary, Vocational Training School and McLeod Honor Farm.

SECTION 6. There is hereby appropriated to the Department of Corrections for the operation of the Oklahoma State Reformatory, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of One Million Two Hundred Ninety-one Thousand Seven Hundred Forty-one Dollars (\$1,291,741.00), or so much thereof as shall be necessary for the operation of the Reformatory. The sum of One Hundred Fifty Thousand Dollars (\$150,000.00) of the amount appropriated



ed in this section is hereby dedicated for the operation of the school at that institution.

SECTION 7. There is hereby appropriated to the Department of Corrections, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as shall be necessary for the purpose of operations of halfway houses, vocational training projects, probation and parole employee training projects and other projects qualifying for federal matching grants.

SECTION 8. Effective July 1, 1970, full-time employees of the Department of Corrections shall not be employed by other state departments or institutions as part-time or full-time employees.

SECTION 9. The Board of Corrections shall provide offices and residences for the Wardens at the Oklahoma State Penitentiary and the Oklahoma State Reformatory and shall furnish and maintain them together with necessary allowance for actual subsistence expenses for their families and guests therein, out of funds appropriated herein.

SECTION 10. The salary of the Warden at the Oklahoma State Penitentiary shall be established in accordance with the provisions of Grade 36 of the State Personnel Board, and the salary of the Warden at the Oklahoma State Reformatory shall be established in accordance with the provisions of Grade 34 of said Board.

The minimum salary for any other employee at the penitentiary or the reformatory shall be not less than Three Hundred Ten Dollars (\$310.00) per month.

SECTION 11. The Department of Corrections is authorized to pay expenses incurred in carrying out the medical research program at the State Penitentiary from funds received pursuant to such research program. Provided, however, that any funds not expended in carrying out such research program can only be expended for goods, services, personnel, and

capital improvement at the State Penitentiary at McAlester, the McLeod Honor Farm, the Stringtown Subprison and the Grante Reformatory. Provided further that the Department of Corrections be permitted to match such federal funds that may be available from the Federal Omnibus Crime Act.

SECTION 12. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through through June 30, 1971. Any unexpended funds remaining after November 15, 1971, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 13. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 14. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Massey, Atkinson, Berrong, Boecher, Garrison, Grantham, Hamilton, Murphy, Nichols, Smalley, Young.

HOUSE CONFEREES: Willis, Miskelly, Abbott, Allard, Bradley, Cate, Connor, Fine, Greenhaw, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman, Townsend.

The following 2nd CCR on HB 1726 was read and adopted upon motion of Senator Keels:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1726, and Engrossed Senate Amendments thereto, by York, et al, entitled:

An Act relating to crimes and punishments; making it a misdemeanor to show

at an outdoor theater certain motion pictures under certain circumstances; providing for punishment for violation thereof; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following 2nd conference committee substitute be adopted:

2nd CCS for **HB 1726**—By York, et al,—An Act relating to crimes and punishments; making it a misdemeanor to show at an outdoor theater certain motion pictures depicting any person, whether nude or clad, in an act of sexual intercourse or unnatural copulation under certain circumstances; providing for punishment for violation thereof; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Every owner or operator of an outdoor theater in this state who shows or causes to be shown a motion picture depicting any person, whether nude or clad, in an act of sexual intercourse or unnatural copulation where the viewing portion of the screen of such theater is situated within the view of any residence or public street or highway where children under eighteen (18) years of age have an understanding view of the picture is guilty of a misdemeanor and upon conviction thereof shall be imprisoned in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or be both so imprisoned and fined.

**SECTION 2.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

**FOR THE SENATE:** Keels, Romang, Lane.

**FOR THE HOUSE:** York, Hutchens, Sandlin.

**HB 1726**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—39.

Excused: Breckinridge, Hargrave, Horn, Luton, McGraw, Porter, Stansberry, Stipe, Taliaferro.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Howard, Inhofe, Keels, Lane, McCune, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—39.

Excused: Breckinridge, Hargrave, Horn, Luton, McGraw, Porter, Stansberry, Stipe, Taliaferro.—9.

The emergency was declared passed.

**HB 1726**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## PENDING SENATE ACTION

**HCR 1057** by Converse, et al, of the House was taken up for consideration.

Senator Crow asked to be made Senate Author of **HCR 1057**, which was the order.

Senator Miller asked to be made a co-author of **HCR 1057**, which was the order.

Following discussion, Senator Crow asked that further consideration of **HCR**

1057 be deferred for this legislative day, which was the order.

#### MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed **SB 424**, referring said bill to the General Conference Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1561**.

#### CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1561** was read and adopted upon motion of Senator McSpadden:

Mr. Speaker

Mr. President

We, your General Conference Committee tee on appropriations, to whom was referred Engrossed **HB 1561**, entitled:

(An Act relating to the State Board of Education and declaring an emergency), together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

That the following Conference Committee Substitute be adopted:

**CCS** for **HB 1561**—By Willis and Miskelly of the House and McSpadden and Massey of the Senate—An Act relating to the state board of education; making an appropriation for state aid to the school districts of the state; providing for the apportionment and disbursement of funds appropriated; providing for adjustments in foundation aid; limiting amount of funds that may be used for administration of state aid; authorizing participation in educational commission of the states; providing for special education; providing for additional allotments of state aid for maintenance, transportation and counseling; requiring allotment of state aid to provide minimum teachers' salary; providing allot-

ment for a kindergarten program; making an appropriation for the school textbook program and stating the purpose; limiting the amount of funds that may be used for administering the textbook program; making an appropriation for the school lunch program and stating the purpose; making an appropriation for the operation of the State Department of Education; making an appropriation for an educational program in drug abuse and narcotic education; making an appropriation for reimbursement of costs of educating homebound children and directing the manner of said reimbursement; providing for the education of children in Children's Memorial Hospital; providing for use of funds deposited in the teachers' certificate fund and transfer of excess funds to the general revenue fund; providing for the appointment, compensation and duties of personnel; reappropriating certain funds; providing for supplemental aid to meet minimal revenue; providing that certain appropriations shall not be subject to fiscal year limitations; providing lapse date for certain appropriations; making provisions of this act severable; and declaring an emergency.

Be it Enacted by the People of The State of Oklahoma:

SECTION 1. There is hereby appropriated to the State Board of Education from any monies in the General Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of One Hundred Fourteen Million, Nine Hundred Twenty-seven Thousand, Four Hundred Forty-five Dollars (\$114,927,445.00) or that portion thereof which may be necessary for the support and maintenance of public schools in the State of Oklahoma for the fiscal year ending June 30, 1971. The funds appropriated in this section are to be apportioned and disbursed by the State Board of Education pursuant to the terms of Title 70, Chapter A, Article 18, Oklahoma Statutes 1961, Oklahoma School Code, as amended. Provid-



ed, however, where there has been an unusual decrease in the average daily attendance as defined by the State Board of Education in districts having a Military Installation which has been deactivated, the districts' State Aid shall not be reduced for a period of two (2) years from the effective date of this act. Provided, further, any school district that does not receive sufficient funds from the provisions of this act, plus all other sources of revenue, to provide an average daily attendance expenditure of Five Hundred Dollars (\$500.00) from General Fund Revenue, the State Board of Education is directed to supplement the State Aid, provided in this act, up to One Million, Two Hundred Thousand Dollars (\$1,200,000.00), with an amount sufficient to assure the district up to Five Hundred Dollars (\$500.00) of General Fund Revenue per ADA (based on previous year) during fiscal year 1970-71, provided no district shall receive additional aid if said district is not levying thirty-nine (39) mills locally, provided further, the 1969-70 General Fund surplus shall not exceed ten percent (10%).

SECTION 2. Not to exceed the sum of Two Hundred Eighty-two Thousand Dollars (\$282,000.00) of the funds appropriated by Section 1 of the act shall be used by the State Board of Education to be allotted to those school districts where the Incentive Aid provided in Section 3, Chapter 48, O.S.L. 1968 (70 O.S. Supp. 1969, § 18-8A) will not provide a minimum raise of Four Hundred Dollars (\$400.00) per year for each teacher on which State Aid is calculated. The State Board of Education is hereby authorized to make an adjustment in Foundation Aid to provide for such deficit.

SECTION 3. Not to exceed the sum of Three Hundred Sixty-three Thousand, Four Hundred Fifty-seven Dollars (\$363,457.00), of the funds appropriated by Section 1 of this act shall be used by the State Board of Education during the fiscal year ending June 30, 1971, to defray all expenses of administration of the funds appropriated in said Section.

SECTION 4. Not to exceed the sum of Twenty-three Thousand Dollars (\$23,000.00) of the funds appropriated by Section 1 of this act shall be used by the State Board of Education during the fiscal year ending June 30, 1971, for the state's annual contribution to the Educational Commission of the States, and for the expenses and per diem of Oklahoma's members in attending the meetings of the Commission and for the Oklahoma Education Council.

SECTION 5. Not to exceed the sum of Seven Hundred Thousand Dollars (\$700,000.00) of the funds appropriated by Section 1 of this act shall be used by the State Board of Education during the fiscal year ending June 30, 1971, for the education of exceptional handicapped children to help defray the cost of each program so approved by the State Board of Education for the current year. Not to exceed Fifty Thousand Dollars (\$50,000.00) shall be used for a special education clinic for students having emotional or psychological problems, with the funds to be used exclusively for salaries.

SECTION 6. The sum of Seven Hundred Thousand Dollars (\$700,000.00) of the funds appropriated by Section 1 of this act shall be used for the purpose of establishing new special education programs in school districts not presently offering special education programs or additional types of special education programs in school districts now offering some but not all types of special education; provided none of such appropriation shall be allocated to school districts for existing programs or classes, except those programs and classes which were initiated in school year 1969-70 under the provisions of Sections 6 and 7, Chapter 292, O.S.L. 1969 (Sections 6 and 7 of Senate Bill No. 69 of the 1969 Legislature). It is the intention of the Legislature to establish new programs of special education in school districts not presently offering special education programs and additional types of special education in school districts not presently offering such types; and particularly, but not exclusively, to

encourage new classes for children with learning disabilities in school districts not presently offering such classes. If a school district qualifies under the rules and regulations which the State Board of Education is hereby authorized to make then such district shall be allocated an amount not to exceed Four Thousand Five Hundred Dollars (\$4,500.00) per class. Provided, however, that special education classes and programs approved and funded under this Section or under Sections 6 and 7, Chapter 292, O.S.L. 1969, shall be funded hereunder in lieu of funding under the Foundation Program.

SECTION 7. The State Board of Education shall allot Nine Hundred Sixty Thousand Dollars (\$960,000.00) of the funds appropriated in Section 1 of this act to public schools for maintenance costs. Each district's allotment of Foundation Aid shall be increased by a pro rata share of the above based on the previous year's legal average daily attendance of such district. Provided, for the school year 1970-71 the State Board of Education is authorized to adjust the Foundation Aid to the several districts by an amount not to exceed three percent (3%) in addition to other Foundation Aid provided by this act.

SECTION 8. The State Board of Education shall allot Six Hundred Thousand Dollars (\$600,000.00) of the funds appropriated in Section 1 of this act to the several districts for pupil transportation costs. Each district's transportation allowance for the school year 1970-71 shall be increased by the percentage that the above amount bears to the total state transportation allowance.

SECTION 9. The State Board of Education shall allot Four Hundred Thousand Dollars (\$400,000.00) of the funds appropriated in Section 1 of this act to public schools for pupil counseling services. The State Board of Education shall make such allotments on a formula to be adopted by said Board.

SECTION 10. The State Board of Educa-

tion shall allot Four Hundred Thousand Dollars (\$400,000.00) of the funds appropriated in Section 1 of this act, or such additional amount as may be necessary, to public schools to provide a minimum annual salary of Six Thousand Dollars (\$6,000.00) for teachers in said schools. The State Board of Education shall make allotments which when added to the legal salary of each teacher provides a minimum legal salary of Six Thousand Dollars (\$6,000.00) annually. Provided, however, that no allotments shall be made to schools whose compensation plan for the school year 1969-70 provided a minimum annual salary to teachers of Five Thousand Six Hundred Dollars (\$5,600.00) or more.

SECTION 11. The State Board of Education shall allot Three Million Dollars (\$3,000,000.00) of the funds appropriated in Section 1 of this act, or that portion thereof which may be necessary to carry out the provisions of Chapter 172, O.S.L. 1969 (70 O.S. Supp. 1969, §§ 1210.101-1210.105, inclusive) to provide for a tuition free kindergarten program during the fiscal year ending June 30, 1971.

SECTION 12. There is hereby appropriated to the State Board of Education, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Three Million, Eight Hundred Four Thousand, One Hundred Ninety-three Dollars (\$3,804,193.00) for the purchase, replacement, repair, rebinding and distribution of school textbooks; including cost of advance copies, payment of the cost of administration of the free textbook program, per diem and expenses of the members of the State Textbook Committee, compensation and expenses of personnel necessary to carry out and make effective the free textbook program of the State of Oklahoma, and for the purpose of otherwise carrying out the provisions of 70 O.S. 1961, §§ 16-1, et seq.

SECTION 13. Not to exceed the sum of Fifty-eight Thousand, Seven Hundred Fifty-

seven Dollars (\$58,757.00) of the funds appropriated in Section 11 of this act shall be used by the State Board of Education during the fiscal year ending June 30, 1971, to defray all expenses of administration of the textbook program.

SECTION 14. There is hereby appropriated to the State Board of Education, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1971, not otherwise appropriated, the sum of Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Board to carry out the provisions of the School Lunch Program of the State Board of Education by law.

SECTION 15. The amount of Two Hundred Seventy-five Thousand Dollars (\$275,000.00) originally appropriated to the School Lunch Division of the State Board of Education by Chapter 178, O.S.L. 1969, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1970, is hereby continued and reappropriated in the original amount as adjusted by transfer, less the amount that has been expended upon the effective date of this act. The amount herein reappropriated shall be used to carry out the provisions of the School Lunch Program of the State Board of Education.

SECTION 16. There is hereby appropriated to the State Board of Education, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year indicated, not otherwise appropriated, the following amounts or so much thereof as may be necessary for the purpose specified:

Fiscal Year  
Ending  
June 30, 1971

DEPARTMENT OF EDUCATION:

Personal Services and Operating Expenses ----- \$629,992.00  
Reimbursement for costs of

educating homebound children pursuant to provisions of Section 2, Chapter 379, O. S. L. 1967 (70 O. S. Supp. 1969, §13-8) ----- 150,000.00

For Conduct of a special program relating to drug abuse and narcotic education ----- 50,000.00

Total ----- \$829,992.00

The salary of the Deputy State Superintendent shall be established at the beginning of Step 45 of the State Personnel Board, beginning July 1, 1970.

SECTION 17. Funds appropriated in Section 16 of this act for reimbursement of costs of educating homebound children shall be disbursed by claim filed by the State Board of Education prior to the lapse date provided in Section 25 of this act.

SECTION 18. The State Board of Education is hereby authorized to make all necessary provisions for the education of all children of school age who are patients in the Children's Memorial Hospital, including the employment of teachers and paying other costs involved in operating the school, payable from the appropriation made in Section 14 of this act.

SECTION 19. The amount of Seven Hundred Fifty-two Thousand, Two Hundred Dollars (\$752,200.00) originally appropriated to the State Board of Education by Chapter 251, O.S.L. 1969, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1970, is hereby continued and reappropriated in the original amount as adjusted by transfer, less the amount that has been expended on the effective date of this act. The amount herein reappropriated shall be used by the State Board of Education for the administration of the State Department of Education.

SECTION 20. All funds collected by the State Department of Education for the issuance of certificates to instructional, supervisory and administrative personnel



in the public schools of the state and deposited in the "Teachers' Certificate Fund" in the State Treasury, as provided in Subsection 9, Section 1, Chapter 87, O.S.L. 1969 (74 O.S. Supp. 1969, § 2A-4) shall be used to finance the activities of the Professional Standards Board; provided, however, that any unobligated balance in said fund in excess of Ten Thousand Dollars (\$10,000.00) on June 30 of any fiscal year shall be transferred to the General Revenue Fund of the State of Oklahoma.

SECTION 21. The State Board of Education is hereby authorized to appoint and fix the duties and compensation of personnel necessary to carry out the duties imposed on the State Board of Education by law.

SECTION 22. The appropriation set forth in Section 4 of Enrolled Senate Bill No. 69 of the 1969 Legislature (Section 4, Chapter 292, O.S.L. 1969) for the Educational Commission of the States and for the Oklahoma Education Council, is hereby continued and reappropriated, and any unexpended balance thereof shall be made available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 23. The appropriation set forth in Section 8 of Enrolled Senate Bill No. 69 of the 1969 Legislature (Section 8, Chapter 292, O.S.L. 1969) for the study and codification of school laws is hereby continued and reappropriated, and any unexpended balance thereof shall be made available to the Legislative Council for such purposes or other purposes related to education for a period of thirty (30) months from the date this act is approved.

SECTION 24. In the event House Bill No. 1590, of the Second Regular Session of the Oklahoma Legislature establishing a new code for public schools is enacted into law, the total amount as appropriated in Section 1 of this act shall be used to finance the new code for the fiscal year ending June 30, 1971. Except, the amount

in Section 3 of this act shall be used as provided, to defray all expenses of administration. In the event this section becomes applicable, Sections 12, 14 and 16 shall also be operative to appropriate the monies provided for therein.

SECTION 25. The State Board of Education is hereby authorized to grant additional State Aid to school districts which by fire, windstorm or other natural disasters have sustained an irreparable damage or loss to ten or more classrooms in a single structure. Provided that said additional State Aid shall not exceed One Thousand Dollars (\$1,000.00) per classroom.

SECTION 26. It is the intent of the Legislature that a sum not to exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00) of the funds appropriated by Section 1 of Chapter 292, O.S.L. 1969, shall be used by the State Board of Education during the fiscal year ending June 30, 1970, as reimbursement for costs of educating homebound children pursuant to provisions of Section 2, Chapter 379, O.S.L. 1967 (70 O.S. Supp. 1969, § 13-8).

SECTION 27. The appropriations made in this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 28. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 30. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: Mc Spadden-Chairman, Massey - Vice Chairman,

Atkinson, Berrong, Boecher, Garrison, Grantham, Hamilton, Murphy, Nichols, Smalley, Young.

**HOUSE CONFEREES:** Willis - Chairman, Miskelly - Vice Chairman, Abbott, Allard, Bradley, Cate, Connor, Fine, Greenhaw, Hesser, Odom (V. H.), Sanguin, Skeith, Sparkman, Townsend.

**HB 1561**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

**Aye:** Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Smalley, Smith, Terrill, Williams, Young.—39.

**Excused:** Boecher, Breckinridge, Crow, Martin, Phillips, Short, Stansberry, Stipe, Taliaferro.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

**Aye:** Atkinson, Baggett, Baldwin, Berrong, Birdsong, Bradley, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Murphy, Nichols, Payne, Porter, Romang, Smalley, Smith, Terrill, Williams, Young.—39.

**Excused:** Boecher, Breckinridge, Crow, Martin, Phillips, Short, Stansberry, Stipe, Taliaferro.—9.

The emergency was declared passed.

**HB 1561**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## DECLARATION OF VOTES

Senators Short, Martin and Taliaferro

asked that the record show, had they been present at the time of passage of **HB 1561**, as amended in Conference, they would have voted AYE, which was the order.

## CONFERENCE COMMITTEE REPORT

The Conference Committee Report on **SB 537** was submitted and read as follows:

Mr. President

and

Mr. Speaker:

The Conference Committee, to which was referred **SB 537** By Holden of the Senate, entitled:

An Act relating to civil procedure; amending 12 O.S. 1961, § 936, as amended by Section 1, Chapter 135, O.S.L. 1967 \*\*\* emergency.

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

1. That the House recede from Engrossed House Amendments Nos. 1 and 2.

2. That the following Conference Committee Substitute be adopted in lieu of Engrossed Senate Bill No. 537:

**CCS for SB 537**—By Holden.

An Act relating to civil procedure and the Uniform Consumer Credit Code: amending 12 O.S. 1961, § 936, as amended; §§ 2-202 (3), 2-301, 2-306, 2-413, 3-202(3), 3-301, 3-306, 3-404, 5-203 and 6-104(2); providing for the taxing of attorneys fees as costs in certain cases; providing for consumer credit contracts to include provisions for reasonable attorneys fees with exceptions; amending Consumer Credit Code as to certain definitions, inclusions and exclusions, treatment of closing costs, applicability, disclosure exceptions, inclusions of arrangers for credit, and empowering administrator and commission to adopt rules conforming to Federal Consumer Credit Protection Act where incon-

sistent with code; repealing 24 O.S. 1961, §§ 81 and 82, providing severability.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 12 O. S. 1961, § 936, as amended by Section 1, Chapter 135, O. S. L. 1967 (12 O. S. Supp. 1969, § 936), is amended to read as follows:

§ 936. In any civil action to recover on AN open [accounts] ACCOUNT, a [state-ments] STATEMENT of [accounts] ACCOUNT, [accounts] ACCOUNT stated, NOTE, [bills] BILL, NEGOTIABLE INSTRUMENT, [and written contracts] OR CONTRACT relating to the purchase or sale of goods, wares, or merchandise, OR FOR LABOR OR SERVICES, unless otherwise provided BY LAW OR the contract is the subject to the action, the prevailing party shall be allowed a reasonable attorney fee to be set by the court, to be taxed and collected as costs.

SECTION 2. Section 2-202, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 2-202) is hereby amended to read as follows:

§ 2-202. ADDITIONAL CHARGES. (1) In addition to the credit service charge permitted by this Part, a seller may contract for and receive the following additional charges in connection with a consumer credit sale:

- (a) official fees and taxes;
- (b) charges for insurance as described in subsection (2); and
- (c) charges for other benefits, including insurance, conferred on the buyer, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the credit service charge by rule adopted by the Administrator.

(2) An additional charge may be made for insurance written in connection with the sale, other than insurance protecting

the seller against the buyer's default or other credit loss,

(a) with respect to insurance against loss of or damage to property, or against liability, if the seller furnishes a clear and specific statement in writing to the buyer, setting forth the cost of the insurance if obtained from or through the seller, and stating that the buyer may choose the person through whom the insurance is to be obtained; and

(b) with respect to consumer credit insurance providing life, accident or health coverage, if the insurance coverage is not a factor in the approval by the seller of the extension of credit and this fact is clearly disclosed in writing to the buyer, and if, in order to obtain the insurance in connection with the extension of credit, the buyer gives specific affirmative written indication of his desire to do so after written disclosure to him of the cost thereof.

(3) For the purposes of the Part on Disclosure and Advertising (Part 3), [or the credit service charge with respect to a sale of an interest in land does not exceed ten percent (10%) per year (Paragraph (b) of subsection (2) of Section 2-104),] reasonable closing costs [even though not within subsection (1) may be treated as] ARE additional charges.

SECTION 3. Section 2-301, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 2-301) is hereby amended to read as follows:

§ 2-301 APPLICABILITY: INFORMATION REQUIRED. (1) for the purposes of this Part, consumer credit sale includes the sale of an interest in land without regard to the rate of the credit service charge if the sale is otherwise a consumer credit sale (Section 2-104).

(2) The seller shall disclose to the buyer to whom credit is extended with respect to a consumer credit sale the information required by either [(a)] this Part[;] or [(b) except with respect to a consumer



credit sale of an interest in land or secured by an interest in land,] the Federal Consumer Credit Protection Act.

(3) For the purposes [of paragraph (b)] of subsection (2), information which would otherwise be required pursuant to the Federal Consumer Credit Protection Act is sufficient even though the transaction is one of a class of credit transactions exempted from that Act pursuant to regulation of the Board of Governors of the Federal Reserve System.

(4) The lessor shall disclose to the lessee to whom credit is extended with respect to a consumer lease the information required by this Part.

SECTION 4, Section 2-306, Chapter 352, O.S.L. 1969 (14A O.S. Supp. 1969, § 2-306) is hereby amended to read as follows:

§ 2-306. CONSUMER CREDIT SALES NOT PURSUANT TO REVOLVING CHARGE ACCOUNT.

(1) This section applies to a consumer credit sale not made pursuant to a revolving charge account (Section 2-310).

(2) The seller shall give to the buyer the following information:

(a) brief description or identification of the goods, services, or interest in land;

(b) cash price of the goods, services, or interest in land and any applicable sales, use, excise, transfer, or documentary stamp taxes not included in the cash price; if property and related services are sold as part of one transaction, the price of the property and services may be separately stated or combined;

(c) amount of the down payment and a statement of the portion paid in money and the portion paid by an allowance for property traded in; if there is a security interest in the property traded in which the seller agrees to discharge, the seller shall also state the amount which the seller agrees to pay to discharge the security interest and this amount may be deducted from the allowance for property traded in;

(d) difference between the amount of

cash price (paragraph (b) ) and the amount of downpayment (paragraph (c) );

(e) amount paid or payable for registration, certificate of title or license fees, if not included in the cash price, and a description or identification of the fees;

(f) amount of official fees and taxes if not included in the cash price and a description or identification of them;

(g) brief description of insurance to be provided or paid for by the seller including the type and amount of the coverages, and if a separate charge is made, the amount of the charge;

(h) amount of other additional charges (Section 2-202), and a brief description or identification of them;

(i) amount financed (sum of amounts stated in paragraphs (d), (e), (f), (g), and (h) );

(j) except in the case of a sale of a dwelling [when the credit service charge does not exceed ten percent (10%) per year (Section 2-104),] the amount of the credit service charge and the amount of the unpaid balance (amount financed plus credit service charge);

(k) rate of the credit service charge as applied to the amount financed in accordance with the provisions on calculation of rate (Section 2-304), except in the case of a credit service charge which does not exceed Five Dollars (\$5.00) when the amount financed does not exceed Seventy-five Dollars (\$75.00) or Seven Dollars and fifty cents (\$7.50) when the amount financed exceeds Seventy-five Dollars (\$75.00);

(l) number of payments, amount of each payment, due date of first payment, and the due date of subsequent payments or interval between payments;

(m) default, delinquency, or similar charges payable in the event of late payments; and

(n) description of any security interest held or to be retained or acquired by the seller in connection with the extension

of credit, and a clear identification of the property to which the security interest relates.

SECTION 5. Section 2-413, Chapter 352, O.S.L. 1969 (14A O.S. SUPP. 1969, § 2-413), is amended to read as follows;

§ 2-413. With respect to a consumer CREDIT sale or WITH RESPECT TO A consumer lease the agreement may [not] provide for the payment by the buyer or lessee of REASONABLE attorneys fees NOT IN EXCESS OF FIFTEEN PERCENT (15%) OF THE UNPAID DEBT AFTER DEFAULT AND REFERRAL TO AN ATTORNEY NOT A SALARIED EMPLOYEE OF THE SELLER, OR OF THE LESSOR OR HIS ASSIGNEE PROVIDED, HOWEVER, THAT NO ATTORNEYS FEE SHALL BE ALLOWED IF THE AMOUNT FINANCED IS ONE THOUSAND DOLLARS (\$1,000.00) OR LESS AND THE CREDIT SERVICE CHARGE EXCEEDS TEN PERCENT (10%) PER YEAR CALCULATED ACCORDING TO THE ACTUARIAL METHOD.

SECTION 6. Section 3-202, Chapter 352, O.S.L. 1969 (14A O.S. Supp. 1969, § 3-202 is hereby amended to read as follows:

§ 3-202. ADDITIONAL CHARGES. (1) In addition to the loan finance charge permitted by this Part, a lender may contract for and receive the following additional charges in connection with a consumer loan:

- (a) official fees and taxes;
- (b) charges for insurance as described in subsection (2);
- (c) annual charges, payable in advance, for the privilege of using a lender credit card or similar arrangement which entitles the user to purchase goods or services from at least one hundred persons not related to the issuer of the lender credit card or similar arrangement, under an arrangement pursuant to which the debts resulting from the purchases are payable to the issuer; and
- (d) charges for other benefits, including

insurance, conferred on the debtor, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the loan finance charge by rule adopted by the Administrator.

(2) An additional charge may be made for insurance written in connection with the loan, other than insurance protecting the lender against the debtor's default or other credit loss

(a) with respect to insurance against loss of or damage to property, or against liability, if the lender furnishes a clear and specific statement in writing to the debtor, setting forth the cost of the insurance if obtained from or through the lender, and stating that the debtor may choose the person through whom the insurance is to be obtained; and

(b) with respect to consumer credit insurance providing life, accident, or health coverage, if the insurance coverage is not a factor in the approval by the lender of the extension of credit, and this fact is clearly disclosed in writing to the debtor, and if in order to obtain the insurance in connection with the extension of credit, the debtor gives specific affirmative written indication of his desire to do so after written disclosure to him of the cost thereof.

(3) For the purpose of the Part on Disclosure and Advertising (Part 3), [if the loan finance charge with respect to a loan primarily secured by an interest in land does not exceed ten percent (10%) per year (Section 3-105).] reasonable closing costs [even though not within subsection (1) may be treated as] ARE additional charges.

SECTION 7. Section 3-301, Chapter 352, O.S.L. 1969 (14A O.S. 1969, § 3-301) is hereby amended to read as follows:

§ 3-301. APPLICABILITY; INFORMATION REQUIRED. (1) For purposes of this Part, consumer loan includes a loan

secured primarily by an interest in land without regard to the rate of the loan finance charge if the loan is otherwise a consumer loan (Section 3-104).

(2) The lender shall disclose to the debtor to whom credit is extended with respect to a consumer loan the information required by either [(a)] this Part[;] or [(b) *except with respect to a consumer loan secured primarily by an interest in land,*] the Federal Consumer Credit Protection Act.

(3) For the purposes of [paragraph (b) of] subsection (2), information which would otherwise be required pursuant to the Federal Consumer Credit Protection Act is sufficient even though the transaction is one of a class of credit transactions exempted from that Act pursuant to regulation of the Board of Governors of the Federal Reserve System.

SECTION 8. Section 3-306, Chapter 352, O.S.L. 1969 (14A O.S. Supp 1969, § 3-306) is hereby amended to read as follows:

§ 3-306. CONSUMER LOANS NOT PURSUANT TO REVOLVING LOAN ACCOUNT. (1) This section applies to a consumer loan not made pursuant to a revolving loan account (Section 3-309).

(2) The lender shall give to the debtor the following information:

(a) net amount paid to, received by, or paid or payable for the account of the debtor or in the case of a loan resulting from a refinancing, the amount prescribed by the provisions on loan finance charge on refinancing (subsection (1) of Section 3-205); if any amount is paid or payable to a third person, a brief itemization, which may be contained in a separate writing or writings, shall also be given;

(b) amount paid or payable for registration, certificate of title or license fees, if not included in (a) and a description or identification of the fees;

(c) amount of official fees and taxes and a description or identification of them;

(d) brief description of insurance to

be provided or paid for by the lender including the type and the amount of the coverages and if a separate charge is made, the amount of the charge;

(e) amount of other additional charges (Section 3-202), and a brief description or identification of them;

(f) amount of principal (sum of amounts stated in paragraphs (a), (b), (c), (d) and (e));

(g) except in the case of a loan secured by a first lien on a dwelling, made to finance the purchase of that dwelling, [and in which the loan finance charge does not exceed ten percent (10%) per year (Section 3-104),] the amount of the loan finance charge and the amount of the unpaid balance (principal plus loan finance charge);

(h) rate of the loan finance charge as applied to the principal in accordance with the provisions of calculation of rate (Section 3-304), except in the case of a loan finance charge which does not exceed Five Dollars (\$5.00) when the principal does not exceed Seventy-five Dollars (\$75.00) or Seven Dollars and fifty cents (\$7.50) when the principal exceeds Seventy-five Dollars (\$75.00).

(i) number of payments, amount of each payment, due date of first payment, and the due date of subsequent payments or interval between payments;

(j) default, delinquency, or similar charges payable in the event of late payments; and

(k) description of any security interest held or to be retained or acquired by the lender in connection with the extension of credit, and a clear identification of the property to which the security interest relates.

(3) If a lender makes a binding commitment to make a consumer loan by allowing the debtor to draw on the lender and at the time the commitment is made the amount of the loan has not been determined, the lender shall then give to



the debtor a statement of the terms under which the loan will be made, including the rate of the loan finance charge calculated in accordance with the provisions on calculation of rate (Section 3-304). If the rate of the loan finance charge varies according to the amount of the loan, the lender shall state the minimum and maximum annual percentage rates which would be applicable to the amounts which could be drawn pursuant to the commitment. If additional charges (Section 3-202) may be made, the lender shall also state the conditions under which the charges may be made, the amount or method of computing the charges, and a brief description or identification of the charges. Within a reasonable time after the loan is made, and in any event on or before the due date of the first installment, the lender shall give the information required by this section.

SECTION 9. Section 3-404, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 3-404) is hereby amended to read as follows:

§ 3-404. ATTORNEY'S FEES. EXCEPT AS PROVIDED BY THE PROVISIONS ON LIMITATIONS ON ATTORNEY'S FEES AS TO CERTAIN SUPERVISED LOANS (SECTION 3-514) with respect to a consumer [*credit sale or consumer lease*] LOAN the agreement may provide for the payment by the [*buyer or lessee*] DEBTOR of reasonable attorney's fees not in excess of fifteen percent (15%) of the unpaid debt after default and referral to an attorney not a salaried employee of the [*seller, or of the lessor or his assignee*] LENDER. A provision in violation of this section is unenforceable.

SECTION 10. Section 5-203, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969 § 5-203) is hereby amended to read as follows:

§ 5-203. CIVIL LIABILITY FOR VIOLATION OF DISCLOSURE PROVISIONS. (1) Except as otherwise provided in this section, a creditor who, in violation of the

provisions on disclosure (Part 3), other than the provisions on advertising (Sections 2-313 and 3-312), of the Article on Credit Sales (Article 2) and the Article on Loans (Article 3), fails to disclose information to a person entitled to the information under this Act is liable to that person in an amount equal to the sum of

(a) twice the amount of the credit service or loan finance charge in connection with the transaction, but the liability pursuant to this paragraph shall be not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00); and

(b) in the case of a successful action to enforce the liability under paragraph (a), the cost of the action together with reasonable attorney's fees as determined by the court.

(2) A creditor has no liability under this section if within fifteen (15) days after discovering an error, and prior to the institution of an action under this section or the receipt of written notice of the error, the creditor notifies the person concerned of the error and makes whatever adjustments in the appropriate account are necessary to insure that the person will not be required to pay a credit service charge or loan finance charge in excess of the amount or percentage rate actually disclosed.

(3) A creditor may not be held liable in any action brought under this section for a violation of this Act if the creditor shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid the error.

(4) Any action which may be brought under this section against the original creditor where the assignee, its subsidiaries, or affiliates were in a continuing business relationship with the original creditor either at the time the credit was extended or at the time of the assignment, unless the assignment was involuntary,

or the assignee shows by a preponderance of evidence that it did not have reasonable grounds to believe that the original creditor was engaged in violations of this Act and that it maintained procedures reasonably adapted to apprise it of the existence of the violations.

(5) No action pursuant to this section may be brought more than one (1) year after the date of the occurrence of the violation.

(6) IN THIS SECTION, CREDITOR INCLUDES A PERSON WHO IN THE ORDINARY COURSE OF BUSINESS REGULARLY EXTENDS OR ARRANGES FOR THE EXTENSION OF CREDIT, OR OFFERS TO ARRANGE FOR THE EXTENSION OF CREDIT.

SECTION 11. Section 6-104, Chapter 352, O.S.L. 1969 (14A O.S. Supp. 1969, § 6-104) is hereby amended to read as follows:

§ 6-104. POWERS OF ADMINISTRATOR; HARMONY WITH FEDERAL REGULATIONS; RELIANCE ON RULES; DUTY TO REPORT. (1) In addition to other powers granted by this Act, the Administrator may within the limitations provided by law

(a) receive and act on complaints, take action designed to obtain voluntary compliance with this Act, or commence proceedings on his own initiative;

(b) counsel persons and groups on their rights and duties under this Act;

(c) establish programs for the education of consumers with respect to credit practices and problems;

(d) make studies appropriate to effectuate the purposes and policies of this Act and make the results available to the public; and

(e) with commission approval adopt, amend, and repeal substantive rules when specifically authorized by this Act, and adopt, amend, and repeal procedural rules to carry out the provisions of this Act, all as provided by the general act of this State governing Administrative Procedures

(Title 75, Oklahoma Statutes, Chapters 7 and 8).

(2) The Administrator shall adopt rules not inconsistent with the Federal Consumer Credit Protection Act to assure a meaningful disclosure of credit terms so that a prospective debtor will be able to compare more readily the various credit terms available to him to avoid the uninformed use of credit. These rules may *[require disclosure by persons who arrange for the extension of credit.]* SUPERSEDE ANY PROVISIONS OF THIS ACT WHICH ARE INCONSISTENT WITH THE FEDERAL CONSUMER CREDIT PROTECTION ACT IF THE ADMINISTRATOR AND COMMISSION FIND SUCH AN INCONSISTENCY TO EXIST AND DECLARE THEIR PURPOSE TO SUPERSEDE THIS ACT TO RESOLVE SUCH INCONSISTENCY, AND may contain classifications, differentiations or other provisions, and may provide for adjustments and exceptions for any class of transactions subject to this Act which in the judgment of the Administrator are necessary or proper to effectuate the purposes or to prevent circumvention or evasion of, or to facilitate compliance with, the provisions of this Act relating to disclosure of credit terms.

(3) To keep the Administrator's rules in harmony with the Federal Consumer Credit Protection Act and the regulations prescribed from time to time pursuant to that Act by the Board of Governors of the Federal Reserve System and with the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code, the Administrator, so far as is consistent with the purposes, policies and provisions of this Act, shall

(a) before adopting, amending, and repealing rules, advise and consult with administrators in other jurisdictions which enact the Uniform Consumer Credit Code; and

(b) in adopting, amending, and repealing rules, take into consideration

(i) the regulations so prescribed by the Board of Governors of the; Federal Reserve System; and

(ii) the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code.

(4) Except for refund of an excess charge, no liability is imposed under this Act for an act done or omitted in conformity with a rule of the Administration notwithstanding that after the act or omission the rule may be amended or repealed or be determined by judicial or other authority to be invalid for any reason.

(5) The Administrator shall report annually on or before January 1 to the Governor and Legislature on the operation of his office, on the use of consumer credit in the State, and on the problems of persons of small means obtaining credit from persons regularly engaged in extending sales or loan credit. For the purpose of making the report, the Administrator is authorized to conduct research and make appropriate studies. The report shall include a description of the examination and investigation procedures and policies of his office, a statement of policies followed in deciding whether to investigate or examine the offices of credit suppliers subject to this Act, a statement of the number and percentages of offices which are periodically investigated or examined, a statement of the type of consumer credit problems of both creditors and debtors which have come to his attention through his examinations and investigations and the disposition of them under existing law, a statement of the extent to which the rules of the Administrator pursuant to this Act are not in harmony with the regulations prescribed by the Board of Governors of the Federal Reserve System pursuant to the Federal Consumer Credit Protection Act or the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code and the reasons for such

variations, and a general statement of the activities of his office and of others to promote the purposes of this Act. The report shall not identify the creditors against whom action is taken by the Administrator.

SECTION 12. 24 O. S. 1961, § 81 and 82, are hereby repealed.

SECTION 13. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

FOR THE SENATE: Holden, Baggett.

FOR THE HOUSE: Cate, Smith (N).

Senator Baggett moved the adoption of the Conference Committee Report on **SB 537**.

Senator Hamilton raised a point of order, which was overruled, against consideration of the Conference Committee Report, stating that it was not germane to the subject matter contained in the Bill.

Senator Horn, as a substitute for the Baggett motion, moved that the Senate reject the Conference Committee Report on **SB 537**.

Senator Nichols, in lieu of all pending motions, moved that **SB 537** be stricken from the Calendar, and that the subject matter contained therein be assigned to an Interim Committee for further study.

Senator Smalley moved to table the Nichols motion, which motion was declared adopted.

Senator Baggett moved to table the Horn substitute motion, which motion was declared failed of adoption.

The vote occurring upon the Horn substitute motion, it was declared failed of adoption upon a roll call as follows:

Aye: Birdsong, Bradley, Ferrell, Field, Ham, Hamilton, Hargrave, Horn, Howard, Lane, McCune, Medearis, Nichols, Payne, Phillips, Romang, Short.—17.

Nay: Atkinson, Baggett, Baldwin, Ber-



rong, Dacus, Garrett, Garrison, Grantham, Graves, Holden, Inhofe, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Smalley, Smith, Taliaferro, Terrill.—21.

Excused: Boecher, Breckinridge, Crow, Keels, Luton, Porter, Stansberry, Stipe, Williams, Young.—10.

The vote occurring upon the Baggett motion, it was declared adopted.

**SB 537**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Bradley, Crow, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Howard, Inhofe, Keels, McGraw, McSpadden, Massey, Murphy, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—27.

Nay: Birdsong, Ferrell, Hamilton, Horn, Lane, Luton, McCune, Martin, Medearis, Nichols, Payne, Phillips.—12.

Excused: Boecher, Breckinridge, Dacus, Hargrave, Miller, Porter, Stansberry, Stipe, Young.—9.

The Bill, as amended in Conference, was declared passed.

**SB 537**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1208, 1696, 1703, 1719 and 1740**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

#### DECLARATION OF VOTE

Senator Bradley asked that the record show, had he been present at the time of passage of **HB 1214**, as amended in Conference, he would have voted AYE, which was the order.

#### CONFERENCE COMMITTEE REPORT

The following 2d CCR on **SB 424** was read

and adopted upon motion of Senator McSpadden:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 424**, entitled:

An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; \*\*\* and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. The Conference Committee recommends that the following Second Conference Committee Substitute be approved:

2nd CCS for **SB 424**—By McSpadden, Massey and Ferrell of the Senate and Willis, et al, of the House—An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; stating the purpose; providing that the administrative secretary shall fix the duties and compensation of employees; providing the administrative secretary with authority to buy equipment, pay hourly wages, and other necessary expenses from the appropriation for microfilming; providing lapse date; making provisions of this act severable; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** There is hereby appropriated to the Office of the Oklahoma Historical Society, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year indicated, not otherwise appropriated, the following amounts or so much thereof as may be necessary to perform the duties imposed upon the Office of the Oklahoma Historical Society by law:

	Fiscal Year Ending June 30, 1971
<b>GENERAL REVENUE FUND:</b>	
Personal Services (Including retirement costs) .....	\$124,640.00
Personal Services to keep museum and library open week-day evenings and on week-ends .....	12,709.00
Operating Expenses .....	36,000.00
Microfilming of newspapers and historical documents ....	41,722.00
Purchase of U. S. Census Microfilm from 1800 through 1880 .....	17,000.00
Historical Sites Survey and Development .....	11,000.00
Oklahoma Historical Day .....	1,500.00
Historical Sites for Specific Facilities, Personal Services (Including retirement Costs) Operations and Development:	
Sequoyah's Home .....	13,500.00
Fort Washita .....	17,500.00
Erin Springs .....	12,000.00
Peter Conser's Home .....	13,500.00
Jim Thorpe Home .....	12,000.00
Sod House .....	12,000.00
Chickasaw House .....	12,000.00
Honey Springs Battlefield .....	25,000.00
Provided that additional land purchased for the Honey Springs Battlefield Site in McIntosh County shall be confined to Section 2, Township 12N, Range 17E, provided, however, that purchases in McIntosh County outside Section 2 may be made if made by private treaty.	
Construction of Wiley Post Monument .....	7,500.00
Foreman Home .....	10,000.00
Governor McCurtain's House .....	7,000.00
Chief's Home .....	14,000.00
Fulsom Chapel .....	1,500.00
Old Ft. Towson .....	7,500.00

Chickasaw Canadian Historical Society .....	5,000.00
Oklahoma Territorial Museum, Guthrie .....	25,000.00

**TOTAL** .....\$439,571.00

SECTION 2. There is hereby appropriated from the Income Tax Adjustment Fund the sum of Forty Thousand Dollars (\$40,000.00), or so much thereof as may be necessary for editing and publication of Will Roger's papers; provided that funds appropriated in this section will only be made available for the purpose stated in the event private or public donations are insufficient to expedite the program.

SECTION 3. There is hereby appropriated from the Income Tax Adjustment Fund the sum of Twenty-five Thousand Dollars (\$25,000.00), or so much thereof as may be necessary for the purchasing of land and restoration of the Sam Houston Neosho Wigwam.

SECTION 4. There is hereby appropriated from the Income Tax Adjustment Fund the sum of Twenty-five Thousand Dollars (\$25,000.00), or so much thereof as may be necessary for the construction and/or equipping a Cultural and Historical Center at Langston University.

SECTION 5. The Administrative Secretary shall appoint and fix the duties and compensations of the employees necessary to perform the duties imposed upon the Oklahoma Historical Society by law.

SECTION 6. The Administrative Secretary is hereby authorized to pay, from the appropriation made for microfilming of newspapers and historical documents in Section 1 of this act, such amounts as are necessary for purchase of equipment, salaries of employees paid on an hourly wage basis and other necessary operating expenses.

SECTION 7. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1971. Any unexpended funds remaining after November 15, 1971,

shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

**SECTION 8.** The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**SECTION 9.** It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

**SENATE CONFEREES:** McSpadden, Massey, Lane, Williams, Boecher, Garrison, Grantham, Hargrave, Young.

**HOUSE CONFEREES:** Willis, Miskelly, Allard, Bradley, Cate, Connor, Skeith, Sparkman, Townsend.

**SB 424**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—38.

Excused: Baggett, Boecher, Breckinridge, Dacus, Hargrave, Keels, Porter, Stansberry, Stipe, Young.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Bradley, Crow, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Lane, Luton, McCune, McGraw, McSpad-

den, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—38.

Excused: Baggett, Boecher, Breckinridge, Dacus, Hargrave, Keels, Porter, Stansberry, Stipe, Young.—10.

The emergency was declared passed.

**SB 424**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

## DECLARATION OF VOTE

Senator Crow asked that the record show, had he been present at the time of passage of **HB 1561**, as amended in Conference, he would have voted AYE, which was the order.

## RESOLUTIONS

By unanimous consent, **SR 76** by Baldwin, Howard, Dacus, Grantham, Field, Ham, Horn, Boecher, Martin, Nichols, Lane, Phillips, Garrett, Baggett, Birdsong, Crow, Smith, Hamilton, Hargrave, Bradley, Murphy, Holden, Smalley, Massey, Payne, Terrill, Miller and McSpadden was introduced.

Senators Short and Ferrell asked to be made coauthors of **SR 76**, which was the order.

**SR 76**, as co-authored, was read at length as follows, adopted upon motion of Senator Baldwin, and ordered referred for enrollment:

**SR 76**—By Baldwin, Howard, Dacus, Grantham, Field, Ham, Horn, Boecher, Martin, Nichols, Lane, Phillips, Garrett, Baggett, Birdsong, Crow, Smith, Hamilton, Hargrave, Bradley, Murphy, Holden, Smalley, Massey, Payne, Terrill, Miller, McSpadden, Short and Ferrell—A Resolution of Commendation to Mrs. L. E. (Sue) Ruble for her many years of service to the Democratic party and the State of Oklahoma; and directing distribution.

WHEREAS Mrs. L. E. (Sue) Ruble deserves the highest recognition and respect for her manifold contributions to



the Democratic Party and the State of Oklahoma; and

WHEREAS, Mrs. Ruble served as Oklahoma County Co-Chairman and Chairman of the Democratic Party for six years; as State Co-Chairman for six years and was a delegate to the National Democratic Convention six different times and in 1956 served on the important Resolutions Committee at the Democratic National Convention; and

WHEREAS, Mrs. Ruble was named "Mrs. Democrat of Oklahoma" in 1964; and

WHEREAS, she was President of the Jefferson Bryan Club for sixteen years and before that was President of the Ruth Bryan Owens Club; and

WHEREAS, during the term of former Governor Raymond Gary she served as his Executive Assistant; and

WHEREAS, she is a former school teacher and is a graduate of Southeastern State College of Durant, Oklahoma, and is listed in "Who's Who in Oklahoma"; and

WHEREAS, she is a member of and a tireless worker in many civic, cultural and charitable organizations and served as Adviser and helped organize the Oklahoma Federation of Women's Democrat Clubs; and

WHEREAS, Mrs. Ruble has distinguished herself in the Democratic Party as a person of high moral character with absolute dedication to democratic principles of government and has also distinguished herself in her professional and civic activities by reason of her conscientious application to duty in any project in which she participated, as well as for her talent, initiative and personality; and

WHEREAS, it is fitting that his body commend this outstanding Democrat.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. That this Honorable Body does hereby express its commendation to Mrs. L. E. (Sue) Ruble for her manifold

contributions to the Democratic Party and the State of Oklahoma.

SECTION 2. That a duly authenticated copy of this Resolution be sent to Mrs. Ruble.

Senator Grantham presiding.

By unanimous consent, **SCR 93** by Smith was introduced and read as follows:

A Concurrent Resolution expressing legislative intent in the enactment of enrolled Senate Bill No. 375 of the Second Session of the Thirty-Second Oklahoma Legislature.

**SCR 93** was read at length, adopted upon motion of President Pro Tempore Smith and ordered referred for engrossment.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SCR 91** and **HBs 1528, 1702** and **1783** each correctly engrossed.

**SB 236** correctly enrolled.

Engrossed **SCR 91** was properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **HBs 1528, 1702** and **1783**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SB 236** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 111, 211, 262, 335, 403, 413, 415, 416, 421, 427, 432, 442, 509, 517, 560, 581, 590, 599** and **618**.

The above numbered Enrolled Bills were referred to the Governor.

#### **MESSAGE FROM THE HOUSE**

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of measures as amended: **SBs 390, 447, 449, 451, 478, 504—**

coauthored by Privett, Cole and Sparkman, Murphy and Goodfellow; and 587.

The above numbered Bills, as amended in Conference, were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 89**.

The above numbered Resolution was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signatures Enrolled **HB 1690**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1075**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 84**, as amended.

**HA** to **SCR 84** read as follows and consideration deferred:

Amendment No. 1. Amend Page 1, Line 27, by deleting "Tuesday, April 14" and inserting in lieu "Wednesday, April 15".

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**HB 1512** correctly engrossed.

Engrossed **SAs** to and Engrossed **HB 1512**, as amended, were properly signed and ordered returned to the Honorable House.

Senator Terrill moved, when the Clerk's desk is clear, the Senate stand adjourned until 10:00 a.m., tomorrow, which motion was declared adopted.

#### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **SBs 214, 557 and 626**.

The above numbered Bills, as amended in Conference, were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1361, 1684, 1756, 1801 and 1810**, as amended.

#### MESSAGE FROM THE HOUSE

Transmitting following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **HBs 1206, 1510, 1653 and HJR 1053**.

#### CONFERENCE COMMITTEE REPORTS

The following **CCR** on **HB 1206** was read and consideration deferred:

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1206**, and Engrossed Senate Amendments thereto, by Harrison and Bamberger entitled:

An Act relating to motor vehicles; amending 47 O. S. 1961, § 157.1; providing for purchase of certain insurance coverages by the State Highway department, The State Board of Agriculture and the State Department of Public Welfare; \*\*\* and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the House recede from the Senate Amendments, and that the following conference committee substitute be adopted:

**CCR** for **HB 1206** by Harrison and Bamberger entitled:

An Act relating to motor vehicles; amending 47 O. S. 1961, § 157.1; providing for purchase of certain insurance coverages by the State Highway Department, The State Board of Agriculture and The State Department of Public Welfare; providing for maximum limits of coverages; providing for waiver of governmental immunity to extent of coverage; prohibiting mention of insurance coverage at trial; providing for venue; providing for service of summons; making provisions of act severable; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. 47 O. S. 1961, § 157.1, is amended to read as follows:

§ 157.1. The State Highway Department, the State Board of Agriculture, and the State Department of Public Welfare of the State of Oklahoma are hereby authorized to carry insurance on vehicles, motorized machinery, or equipment owned and operated by the State Highway Department, the State Board of Agriculture, and the State Department of Public Welfare, such insurance to be of the following kinds and in *[the following]* amounts NOT EXCEEDING THE FOLLOWING:

(a) bodily injury liability, *[Five Thousand Dollars (\$5,000.00)]* TEN THOUSAND DOLLARS (\$10,000.00) each person, *[Ten Thousand Dollars (\$10,000.00)]* TWENTY THOUSAND DOLLARS (\$20,000.00) each accident;

(b) property damage liability, *[Five Thousand Dollars (\$5,000.00)]* TEN THOUSAND DOLLARS (\$10,000.00) each accident;

(c) medical and hospital insurance, One Thousand Dollars (\$1,000.00).

Such insurance shall be on standard policy forms approved by the State Insurance Commissioner and with companies authorized to do business in Oklahoma, and shall be paid for out of administrative funds of such departments

. SUCH INSURANCE MAY COVER NOT ONLY THE DEPARTMENT OR STATE AGENCY PURCHASING THE INSURANCE BUT ALSO THE PERSONAL LIABILITY OF THE OPERATOR. THE OWNERSHIP, MAINTENANCE, OPERATION AND USE OF MOTOR VEHICLES AND MOTORIZED MOVABLE EQUIPMENT OWNED, LEASED, USED OR OPERATED BY SUCH DEPARTMENTS OR STATE AGENCIES NAMED IN THIS SECTION IS HEREBY DECLARED TO BE A PUBLIC GOVERNMENTAL FUNCTION. AN ACTION FOR DAMAGES MAY BE BROUGHT AGAINST SUCH DEPARTMENT OR STATE AGENCY, BUT THE GOVERNMENTAL IMMUNITY OF SUCH DEPARTMENT OR STATE AGENCY SHALL BE WAIVED ONLY TO THE EXTENT OF THE AMOUNT OF INSURANCE PURCHASED. SUCH DEPARTMENT OR STATE AGENCY SHALL BE LIABLE FOR NEGLIGENCE ONLY WHILE SUCH INSURANCE IS IN FORCE, BUT IN NO CASE IN ANY AMOUNT EXCEEDING THE LIMITS OF COVERAGE OF ANY SUCH INSURANCE POLICY. NO ATTEMPT SHALL BE MADE IN THE TRIAL OF ANY ACTION BROUGHT AGAINST ANY SUCH DEPARTMENT OR STATE AGENCY TO SUGGEST THE EXISTENCE OF ANY INSURANCE WHICH COVERS IN WHOLE OR IN PART ANY JUDGMENT OR AWARD WHICH MAY BE RENDERED IN FAVOR OF THE PLAINTIFF, AND IF THE VERDICT RENDERED BY THE JURY EXCEEDS THE LIMITS OF THE APPLICABLE INSURANCE, THE COURT SHALL REDUCE THE AMOUNT OF SAID JUDGMENT OR AWARD TO A SUM EQUAL TO THE APPLICABLE LIMITS STATED IN THE POLICY. TO THE EXTENT THAT THE INSURER HAS PROVIDED INDEMNITY IN THE CONTRACT OF INSURANCE TO A DEPARTMENT OR STATE AGENCY DESCRIBED IN THIS SECTION, THE SAID INSURER MAY NOT PLEAD AS A DEFENSE IN ANY AC-



TION INVOLVING INSURANCE PURCHASED BY THE AUTHORITY OF THIS SECTION, THE GOVERNMENTAL IMMUNITY OF EITHER THE STATE OF OKLAHOMA OR OF ANY DEPARTMENT OR AGENCY THEREOF PURCHASING INSURANCE PURSUANT TO THIS SECTION. VENUE OF ALL ACTIONS PROVIDED FOR HEREIN SHALL BE IN THE COUNTY OF THE RESIDENCE OF THE PLAINTIFF OR WHERE THE CAUSE OF ACTION AROSE, BUT SUMMONS MAY BE SERVED UPON THE DIRECTOR, HEAD OR GOVERNING BOARD OR BODY OF THE DEPARTMENT OR STATE AGENCY BEING SUED AND ALLEGED TO COME WITHIN THE PURVIEW OF THIS SECTION, WHEREVER HE MAY BE FOUND. **[provided, if]** IF the State Insurance Fund of the State of Oklahoma is hereafter authorized to write such insurance, then the Department of Highways, the State Board of Agriculture, and the State Department of Public Welfare shall obtain the insurance from the State Insurance Fund. Such policies shall be filed in the office of the Secretary of State as a public record.

SECTION 2. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Keels, Berrong, Lane.

FOR THE HOUSE: Harrison, Tarwater, Greenhaw.

The following CCR on HB 1510 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1510, and Engrossed Senate Amendments thereto, by Hancock and McCune of the House entitled:

An Act relating to the sale of nonintoxicating beverages; amending 37 O. S. 1961, 163.11, as last amended by Section 5, Chapter 414, O. S. L. 1968 (37 O. S. Supp. 1969, 163.11); providing retail dealers shall obtain permits from Court Clerk, prescribing procedure for issuance thereof, and if there are protests they shall be heard by the District Court; providing for annual showing of good character; providing for revocation of permit for certain reasons; providing for reports to Oklahoma Tax Commission; making the provisions of this act severable; and providing for effective date,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute as co-authored by Young of the Senate be adopted:

**CCS for HB 1510**—By Hancock and McCune of the House and Young of the Senate—An Act relating to the sale of nonintoxicating beverages; amending 37 O. S. 1961, 163.11, as last amended by Section 5, Chapter 414, O. S. L. 1968 (37 O. S. Supp. 1969, 163.11); providing retail dealers shall obtain permits from court clerk, prescribing procedure for issuance thereof, and if there are protests they shall be heard by the District Court; providing for annual showing of good character; providing for revocation of permit for certain reason; providing for reports to Oklahoma Tax Commission; making the provisions of this act severable; and providing for effective date.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 37 O. S. 1961, 163.11, as

amended by Section 5, Chapter 414, O. S. L. 1968 (37 O. S. Supp. 1969, 163.11), is amended to read as follows:

163.11. It shall be unlawful for any person, or persons, to maintain or operate any place where nonintoxicating beverages, as herein defined, are sold for consumption on or off the premises without first securing a permit issued by the District Court Clerk in and for the county wherein such premises are located. The person applying for such permit must make a showing once a year, and must satisfy the District Court Clerk that he is a person of good moral character; that he has never been convicted of violating any of the laws prohibiting the traffic in any spirituous, vinous, fermented or malt liquors, or of any of the gambling laws of the state, or any other state of the United States, within three (3) years immediately preceding the date of his petition, or any of the laws commonly called "Prohibition Laws," or had any permit or license to sell nonintoxicating liquors revoked in any county of this state within twelve (12) months; and that at the time of his petition for a license, he is not the holder of a retail liquor dealer's permit or license from the United States Government to engage in the sale of intoxicating liquor. Nor shall any permit be issued to sell nonintoxicating beverages in any place, location or address, for which there is outstanding license or permit from the United States Government. A fee of Five Dollars (\$5.00) per year shall be charged for the issuance of such permit, which fee shall be deposited in the county court fund. Upon petition being filed, the District Court Clerk shall give five (5) days' notice by CAUSING THE SAME TO BE POSTED on the front of the building in which said nonintoxicating beverages are to be sold; and a copy of said notice shall also be mailed to the District Attorney, the sheriff and the chief of police or marshal of any city or town in which said business is to be

operated. Said notice shall contain the name of the applicant and the location of said place of business. IF THERE ARE NO PROFITS AND THE PETITION IS SUFFICIENT ON ITS FACE, THEN SAID PERMIT SHALL BE GRANTED BY THE DISTRICT COURT CLERK. PROVIDED, THAT IF ANY CITIZEN OF THE COUNTY FILES A WRITTEN PROTEST SETTING FORTH OBJECTIONS, THEN THE DISTRICT COURT CLERK SHALL ADVISE THE CHIEF JUDGE WHO SHALL ASSIGN SUCH PETITION TO A DISTRICT JUDGE OR ASSOCIATE DISTRICT JUDGE FOR HEARING. The application for such permit must be verified and in writing, contain the information above required, and must be set for hearing on a date named in the notice required to be posted. All testimony before the District Court shall be under oath.

A judge of the District Court, upon five (5) days' notice to the person holding such permit, shall revoke such permit for any one of the following reasons:

(1) Drunkenness of the person holding such permit or permitting any intoxicated person to loiter in or around his place of business;

(2) PERSON UNDER THE INFLUENCE OF DRUGS HOLDING SUCH PERMIT OR PERMITTING ANY DRUGGED PERSON TO LOITER IN OR AROUND HIS PLACE OF BUSINESS;

(3) The sale to any person under twenty-one (21) years of age of nonintoxicating beverages for consumption on the premises;

(4) Nonpayment of any of the taxes or license fees imposed by the provisions of this act on complaint of the Oklahoma Tax Commission;

(5) Violating any of the laws of the state commonly called "Prohibition Laws" or violating any of the gambling laws of the state or permitting anyone to violate any of said laws in such places or violating any of the provisions of this act,

(6) Conviction for the violation of any of the laws of this state or the United States for the sale or possession of intoxicating liquors within three (3) years immediately preceding the issuance of such dealer's license;

(7) Proof that the operator has in his possession or on the premises in which said business is being operated, a Federal excise or occupational tax stamp or receipt, designating such person or premises as the person or place for dealing in liquor or evidencing the payment of a tax for being a dealer in such liquor;

(8) Violating any law pertaining to the use of, possession of, or sale of drugs or narcotics or the violation of the narcotics laws of the State of Oklahoma or the United States;

(9) After the revocation of any such permit, for any of the above reasons, except paragraph (3) for nonpayment of taxes, or license fees, no new permit shall be issued to the same person for the same location or premises prior to the expiration of a period of one (1) year from the date of such revocation.

On or before the tenth day of each month each district court clerk shall file with the Oklahoma Tax Commission, on forms prescribed and furnished by the Commission, a report showing the name, address, and county permit number of each such person to whom a county permit has been issued or whose permit has been revoked, or who shall have been refused a county permit, during the previous calendar month. In case of the revocation of a permit by a judge of the District Court, the district court clerk shall within five (5) days report such action to the Oklahoma Tax Commission. If county permits shall have been issued, revoked or refused during the month, the district court clerk shall make a report accordingly to the Commission.

SECTION 2. The provisions of this act are severable and if any part or provision hereof shall be held void the

decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 3. This act shall take effect January 1, 1971.

FOR THE SENATE: Young, Payne.

FOR THE HOUSE: Hancock, Finch, Fine.

The following CCR on HB 1653 was read and consideration deferred:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed HB 1653, and Engrossed Senate Amendments thereto, by Mountford entitled:

An Act relating to the Grand River Dam authority; amending 82 O. S. 1961, § § 862, 865, 875 and 863, as amended by Section 1, Chapter 376, O. S. L. 1965 (82 O. S. Supp. 1969, § 863); providing for exercise of certain powers of the authority by a board of directors; providing for appointment of members, qualifications therefor, their tenure, compensation, and for organization of the board; prescribing methods for and conditions upon handling monies and assets; providing the authority's exercise of certain controls upon land and lake usage; authorizing the exercise of eminent domain in acquiring realty; authorizing leasing and transferring proprietary interests in realty to certain state agencies; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the following conference committee substitute be adopted:

1. That the Senate Recede from Amendments No. 1 & 2.

CCS for HB 1653—By Mountford—An Act relating to the Grand River Dam authority; amending 82 O. S. 1961, § §



862, 865, 875 and 863, as amended by Section 1, Chapter 376, O. S. L. 1965 (82 O. S. Supp. 1969, § 863); providing for exercise of certain powers of the authority by a board of directors; providing for appointment of members, qualifications therefor, their tenure, compensation, and for organization of the board; prescribing methods for and conditions upon handling monies and assets; providing the authority's exercise of certain controls upon land and lake usage; authorizing the exercise of eminent domain in acquiring realty; authorizing leasing and transferring proprietary interests in realty to certain state agencies; and declaring an emergency.

Be it enacted by the People of The State of Oklahoma:

SECTION 1. 82 O. S. 1961, § 862, is amended to read as follows:

§ 862. The district shall have and is hereby authorized to exercise the following powers, rights and privileges:

(a) To control, store and preserve, within the boundaries of the district, the waters of Grand River and its tributaries, for any useful purpose, and to use, distribute and sell the same within the boundaries of the district; provided, however, that any municipal corporation within the area included within the jurisdiction of the said Grand River Dam Authority shall be entitled to take water from the Grand River and any of its tributaries in any quantities that may be needed by such municipal corporation without payment of any fees or charges for such water;

(b) To develop and generate water power, electric power and electric energy within the boundaries of the district; distribute electric power and energy in and to buy, sell, resell, interchange and order to carry forward the business and functions of the district now or hereafter authorized by law and may enter into contracts for such purposes, such contracts to run for a period of not to ex-

ceed fifty (50) years, and may contain such reasonable provisions, limitations, qualifications, protective clauses and rights and obligations of purchase and sale, and such provisions for the dedication of the use of facilities and the construction of additional facilities to serve the load requirements of all the parties as may be deemed advisable by the district to safeguard the business and properties of all the parties to such contracts, all within the limits of sound business judgment and practice, good conscience, and not contrary to the public policy of the state;

(c) To prevent or aid in the prevention of damage to person or property from the waters of the Grand River and its tributaries;

(d) To forest and reforest and to aid in the foresting and reforesting of the watershed area of the Grand River and its tributaries and to prevent and to aid in the prevention of soil erosion and floods within said watershed area;

(e) To acquire by purchase, lease, gift, or in any other manner, and to maintain, use and operate any and all property of any kind, real, personal, or mixed or any interest therein, and to own, construct, operate and maintain any project or works in conjunction or jointly with any other department or agency of the State of Oklahoma or the United States of America, or any department or agency thereof, within or without the boundaries of the district, necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by § § 861-881 of this title;

(f) To acquire by condemnation any and all property of any kind, real, personal, or mixed, or any interest therein, within or without the boundaries of the district, necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this act, in the manner provided by general law with respect to condemnation; provided that nothing in this act shall ever

be construed to authorize the district to acquire by condemnation any privately, municipally, or publicly owned electric public utility system or any part thereof outside of the high-water mark of a reservoir area or outside a properly located damsite, except the districts may require the relocation of transmission lines and substations so owned where such relocation is necessary for the construction and maintenance of dams, reservoirs levees, spillways and floodways, and in such event just compensation shall be paid. Provided that the Grand River Dam Authority shall have the right to cross transmission lines of other electric utility companies under proper engineering standards of construction as approved by the Corporation Commission;

(g) Subject to the provisions of this act, from time to time sell or otherwise dispose of any property of any kind, real, personal, or mixed, or any interest therein, which shall not be necessary to the carrying on of the business of the district;

(h) To overflow and inundate any public lands and public property and to require the relocation of roads and highways in the manner and to the extent necessary to carry out the purposes of this act; provided, that said district shall be liable in damages to the State of Oklahoma and-or any subdivision thereof for any injury occasioned or expense incurred by reason thereof;

(i) To construct, extend, improve, maintain and reconstruct, to cause to be constructed, extended, improved, maintained, and reconstructed, and to use and operate any and all facilities of any kind necessary or convenient to the exercise of such powers, rights, privileges and functions;

(j) To sue and be sued in its corporate name IN CONTRACTS, REVERSE CONDEMNATION, TORT, EQUITY, MANDAMUS AND SIMILAR ACTIONS AND IN ITS OWN NAME PLEAD AND BE IMPEADED, PROVIDED, HOW-

EVER, THAT ANY AND ALL ACTIONS OF LAW OR IN AN EQUITY AGAINST THE DISTRICT SHALL BE BROUGHT IN THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE DISTRICT SHALL BE LOCATED OR IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE;

(k) To adopt, use, and alter a corporate seal;

(l) To make bylaws for the management and regulation of its affairs;

(m) To appoint officers, agents, and employees, to prescribe their duties and to fix their compensation; and enter into contracts with labor unions, provided, that contracts with labor unions shall not abrogate the rights of the district to cooperate and carry out Veterans on the Job Training;

(n) To make contracts and to execute instruments necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this act;

(o) To borrow money for its corporate purposes and, without limitation of the generality of the foregoing, to borrow money and accept grants from the United States of America, or from any corporation or agency created or designated by the United States of America, and, in connection with any such loan or grant, to enter into such agreements as the United States of America or such corporation or agency may require; and to make and issue its negotiable bonds for moneys borrowed, in the manner provided in this act. Nothing in this act shall authorize the issuance of any bonds, notes, or other evidences of indebtedness of the district, except as specifically provided in this act;

(p) To prescribe and enforce rules and regulations for the use for recreational and commercial purposes of the lakes created by the district by impounding the waters of said lakes, and the shorelands of the district bordering thereon, includ-

ing the use of firearms, the inspection of all boats of every character proposing to operate or operating on said lakes, the issuance of permits for the operation of boats, surfboards, aquaplanes, sea-skies, or similar devices on said lakes for hire; the charging and collection of fees for the inspection and-or operation of such boats, surfboards, aquaplanes, sea-skis, or other similar devices on said lakes for hire; preventing the launching and-or operation of any commercial or for-hire boat, surfboard, aquaplane, sea-ski, or similar device for hire, on the waters of said lakes without a certificate of inspection and a permit for such use; prescribing the type, style, location, and equipment of all wharves, docks, and anchorages along the shores and upon the water of said lakes; the issuance of permits for wharfage, dock, and-or anchorage privileges when used for commercial purposes and charging fees for such commercial permits; and the establishment and maintenance of public wharves, docks, and-or anchorages and the charging and collection of fees for the use thereof by the public; to appoint or employ such persons as the district may deem proper and suitable for the purpose of enforcing such rules and regulations as may be issued hereunder, and for the enforcing of the provisions of this act, which employees shall have the power of peace officers in and upon the properties of the district, except in the serving or execution of civil process; and

(q) To do any and all other acts or things necessary or convenient to the exercise of the powers, rights, privileges, or functions conferred upon it by this act or any other act or law. Provided said district shall be liable for damage caused by said district, its agents, servants, and employees in creating, constructing, maintaining or operating said district to any corporation, partnership, person, or individual whose property, either real or personal, within or without said district, has been damaged and said

damages may be determined by appropriate action as provided by law. Nothing in this act shall be construed as rendering the district liable for damage where it is not liable on general principles of law or statute or Constitutional provision.

Provided, however, that in the course of exercising its powers as herein enumerated, the said district shall at all times consider the rights and needs of the people living within and upon the land lying within the watershed of the rivers or streams developed by the district; provided, however, that nothing herein shall prevent the district from selling for irrigation purposes within the boundaries of the district any water impounded by it under authority of law, provided that nothing herein contained shall authorize the state to engage in agriculture except for educational and scientific purposes and for the support of its penal, charitable, and educational institutions.

SECTION 2. 82 O. S. 1961, § 863, as amended by Section 1, Chapter 376, O.S.L. 1965 (82 O. S. Supp. 1969, § 863), is amended to read as follows:

§ 863. The powers, rights, privileges, and functions of the district shall be exercised by a board of seven (7) directors (herein called the Board), to be appointed by the Governor, by and with the advice and consent of the Senate, all of whom shall be residents and freehold property taxpayers in the district, providing that one director of said Board shall be selected from industrial customers of the Authority, providing that one director of said Board shall be selected from municipal customers of the Authority, PROVIDING THAT ONE DIRECTOR OF SAID BOARD SHALL BE SELECTED FROM RURAL ELECTRIC CUSTOMERS OF THE AUTHORITY and [five] THE REMAINING directors of said Board shall be selected at large; and provided, further, that those selected by the Governor shall have demon-



strated capability in business, finance or professional fields.

No more than one of such directors shall be residents of the same county; provided, that no person shall be eligible for such appointment if he has, during the three (3) years before his appointment, been employed by any privately owned utility company of any kind or character whatsoever, or holding a federal, state, county, city or town office, elective or appointive; and, further, provided, that such director shall have lived in said district five (5) years prior to his appointment.

The terms of office of the directors first taking office after the approval of this act IN 1965 shall expire as designated by the Governor at the time of nomination; one on the second Tuesday of January, 1966; one on the second Tuesday of January, 1967; one of the second Tuesday of January, 1968; one on the second Tuesday of January, 1969; one on the second Tuesday of January, 1970; one on the second Tuesday of January, 1971; and one on the second Tuesday of January, 1972. A successor to a director of the Board shall be appointed in the same manner as the original directors and shall have a term of office expiring seven (7) years from the date of the expiration of the term for which his predecessor was appointed. Any director appointed to fill a vacancy in the Board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Each director shall qualify by taking the official oath of office prescribed by general statute. Any director may be removed from office for just cause.

Each director shall receive a fee of **["fifteen dollars (\$15.00)"]** TWENTY-FIVE DOLLARS (\$25.00) per day for each day spent in attending meetings of the Board and attending to authorized business of the Authority and in addition, each shall be allowed his actual and nec-

essary expenses incurred in attending the meetings of the Board and in attending to the authorized business of the Authority. No director shall, at the same time he is serving on the Board of Directors as a director, hold any other position with the Grand River Dam Authority, and shall draw no money or salary from the said Authority while he is a member of the Board, except the **["Fifteen Dollars (\$15.00)"]** TWENTY-FIVE DOLLARS (\$25.00) per day for every day spent in attending meetings of the Board and attending to authorized business of the Authority and the proper expenses incurred in attending such meetings and to the business of the Authority.

The time and place of the regular meetings and the manner in which special meetings may be called shall be set forth in the bylaws of the said Authority. Four (4) directors shall constitute a quorum at any meeting, and except as otherwise provided in this act or in the bylaws, all action may be taken by the affirmative vote of the majority of the directors present at any such meeting, except that no contracts which involve an amount greater than Ten Thousand Dollars (\$10,000.00), or which **["is"]** OR to run for a longer period than one (1) year, and no bonds, notes, or other evidence of indebtedness, and no amendment of the bylaws, shall be valid unless authorized or ratified by the affirmative vote of four (4) directors.

SECTION 3. 82 O. S. 1961, § 865, is amended to read as follows:

§ 865. The moneys of the district shall be disbursed only on check, drafts, orders, or other instruments signed by such persons as shall be authorized to sign the same by the bylaws or resolution concurred in by not less than four (4) directors, **SUCH PERSONS MAY EXECUTE OR CAUSE TO BE EXECUTED CHECKS WITH A FACSIMILE SIGNATURE IN LIEU OF THEIR MANUAL SIGNATURES.** The general manager, the treasurer and all other officers, agents,

and employees of the district who shall be charged with the collection, custody or payment of any funds of the district shall give bond conditioned on the faithful performance of their duties and an accounting for all funds and property of the district coming into their respective hands, each of which bonds shall be in form and amount and with a surety (which shall be a surety company authorized to do business in the State of Oklahoma) approved by the Board, and the premiums on such bonds shall be paid by the district and charged as an operating expense.

SECTION 3. 82 O. S. 1961, § 875, is amended to read as follows:

§ 875. The district shall not prevent free public use of its lands and lakes for recreation purposes and for hunting and fishing, except at such points where, in the opinion of the Directors, such use would be dangerous or would interfere with the proper conduct of its business, but may in the interest of public health and safety make reasonable regulations governing such use.

All existing public **[right of ways]** RIGHTS-OF-WAY to the areas to be flooded by the impounded waters shall remain open as a way of free public passage to and from the lakes created, and no charge shall ever be made to the public for right to engage in hunting, fishing, boating, or swimming **[thereon]** IN SAID LAKES, and no charges shall ever be made for a permit to operate or use or for the inspection of boats and equipment, docks, anchorages, and landings in private use. The public shall have free use of and access to the waters of the lakes for private use, and shall have the right to anchorage, WHARF, dock, BOATDOCK, HOUSEBOAT and landing privileges free of charge when used for private boating, BUT SUCH ANCHORAGE, WHARF, DOCK, BOATDOCK, HOUSEBOAT AND LANDING PRIVILEGES SHALL ONLY BE ALLOWED AFTER A PERMIT

THEREFROM HAS BEEN ISSUED PROVIDED THAT NO PERMIT FOR ANY ANCHORAGE, WHARF, DOCK, BOATDOCK, HOUSEBOAT AND LANDING PRIVILEGES SHALL BE ISSUED WHICH WOULD DEPRIVE THE OWNER OF LAND ADJACENT TO THE SHORE LAND OR LAKE FRONT OR ABUTTING THEREON OF ANY ANCHORAGE, WHARF, DOCK, BOATDOCK, HOUSEBOAT AND LANDING PRIVILEGES. The district may designate areas closed to such use, where in their opinion such use would interfere with the health or safety of the public, or with the proper conduct of the business of the district. The district shall prescribe suitable rules for the use of firearms on its lands and lakes and suitable rules and regulations and rules of travel, in the interest of public safety, for the use of the waters on the lakes. The rules and regulations and the rules of travel of boats used on or plying the waters of the lakes shall be in keeping with the rules and regulations of the United States Bureau of Navigation for inland waters.

(a) The district shall prescribe, in the interest of public safety, suitable rules and regulations governing the keeping for hire, or operations of a boat or boats, surfboards, aquaplanes, sea-skis or similar devices for pecuniary profit or gain on the waters of the lakes. The keeping for hire, or operation of a boat or boats surfboards, aquaplanes, sea-skis or similar devices, for pecuniary profit or gain. on the waters of the lake, shall only be allowed after a permit therefor has been issued by the district. Applications for such permits are to be in writing, upon a form prescribed and furnished by the district, and containing such information as is required by the district. For the issuance of such a permit the district shall charge a fee in an amount as specified by the district, and shall have the power to prescribe the size and type of boat or boats allowed to operate under

such permit and the equipment necessary to such operation. A permit shall be procured for the construction of wharves, docks, landings, and anchorages when constructed for commercial or rental purposes. For the issuance of such a permit the district shall charge a fee in an amount as specified by the district. The district shall prescribe the type, style and location and equipment of wharves, docks, anchorages, and landings from which such boats operate and their rules of travel. Issuance of permits [are] IS to be deferred and withheld unless and until the applicant therefor has paid the permit fee and procured and deposited with the district a good and sufficient bond, either in cash, or by a surety company licensed to do business in Oklahoma, or public liability and property damage insurance, written by a company licensed to do business in Oklahoma, in an amount and in such form as the district shall specify, so as to assure compensation for injuries to, or death of persons, and loss or damage to property for which the holder of such permit may be legally liable. Upon it being called to the attention of the Attorney General of Oklahoma by any citizen of Oklahoma, that this section has not been complied with, it shall be the duty of the Attorney General of Oklahoma to institute the proper legal proceedings to require said district, or [their] ITS [successors] SUCCESSOR, to comply with the provisions of this section.

The district may acquire by purchase, condemnation, or otherwise, lands suitable for park purposes or roadways along the shores of said lakes. After acquiring such lands the Grand River Dam Authority may, but shall not be required to, assign OR LEASE the same to the State of Oklahoma for park or road purposes and if such assignment is made the same shall be under the supervision and control of the [Oklahoma Planning and Resources Board] OKLAHOMA INDUSTRIAL DEVELOPMENT AND PARK

DEPARTMENT, OR THE OKLAHOMA WILDLIFE COMMISSION, which shall keep said lands so assigned open to the public without charge so that the public in general may have access to the lakes.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Phillips, McSpadden, Luton.

FOR THE HOUSE: Mountford, Odom (V), Green.

The following CCR on HJR 1053 was read and consideration deferred.

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed HJR 1053, and Engrossed Senate Amendments thereto, by Converse of the House and Miller of the Senate entitled:

A Joint Resolution relating to deaf persons; providing for augmenting grants by Oklahoma Vocational Rehabilitation Service to deaf young persons who pursue collegiate training so that for two semesters in college the full amount a student will receive will total \$1,200.00.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute be adopted:

CCS for HJR 1053—By Converse of the House and Miller of the Senate—A Joint Resolution relating to deaf persons; providing maximum possible be granted by Oklahoma Vocational Rehabilitation Service for matching available federal funds to assist deaf persons pursuing collegiate courses.

WHEREAS, traditional training in vocational schools and industry are not



generally geared to the deaf and their particular needs because of the lack of communication skills of the deaf people; and

WHEREAS, the Oklahoma School for the Deaf and Jane Brooks School for the Deaf with their existing facilities, the specialized knowledge of their staffs, and the willingness of the administration to cooperate with the Oklahoma Vocational Rehabilitation Service to provide improved rehabilitation services to deaf people in the State of Oklahoma, performs an indispensable function in educating young people, stimulating in them desire for higher education; and

WHEREAS, pursuant to cooperative agreement aforesaid grants in indefinite but inadequate amount are furnished by Oklahoma Vocational Rehabilitation Service to young Oklahoma persons who are afflicted with hearing disability for college education, and such persons ought to be assured of a definite amount which assurance should be provided.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 32ND LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the Oklahoma Reha-

bilitation Service provide the maximum federal funds available for the purpose of assisting deaf persons who are pursuing a collegiate course of study.

FOR THE SENATE: Miller, Medearis.

FOR THE HOUSE: Converse, Abbott, Bradley.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 533**; **SB 603**—coauthored by Bradley, Sullivan and Murphy; **SB 650**—coauthored by Connor.

The above numbered Bills were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and adoption of Engrossed **HCR 1068**, as amended.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1074**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

As provided under the Terrill motion, the Senate was declared adjourned until 10:00 a.m., tomorrow.

## Fifty eighth Legislative Day

Wednesday, April 15, 1970

Pursuant to adjournment, the Senate was called to order by Senator Terrill, designated by President Pro Tempore Smith so to do.

Upon roll call, the following members were present:

Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—39.

Excused: Baggett, Ferrell, Garrett, Garrison, Horn, Howard, Porter, Smalley, Stipe.—9.

The Presiding Officer declared a quorum present.

The following prayer was offered by the Permanent Senate Chaplain, and is incorporated herein, by unanimous consent, upon request of Senator Massey:

Great God, the source of all our joy, the creator of love and our only hope, we give Thee thanks at the end of this session for the blessings of the past.

Let us not be defeated by our past sins and failures, but let us use them as a springboard and dedication to do better in the future.

Let us not rest on our laurels, but offer to Thee that which we have sought to do for the good of our State and our fellow man.

We give Thee genuine thanks, O God, for the men and women who serve in the Senate. For these men who serve in

the limelight, subject, always, to harsh and even unjust criticism, we are grateful. For all who work behind the scenes, clerks, secretaries, sergeant-at-arms, janitors, servants all, we are grateful. For their loyalty to duty and their dedication to service to the people of Oklahoma, we are grateful.

Give us great leaders that we may be a great people. Let not the failures of the past lead to despair, nor the successes cause them to rest.

May the fellowship of these who serve together and the memory of those who have served well in the past, give strength.

We pray for these servants of the people in the name of Him who was servant of all. Amen.

The Journal for the last legislative day was declared approved.

### MESSAGE FROM THE GOVERNOR

Advising approval by him, April 15, 1970, of Enrolled SBs 232, 271, 281, 376, 487, 521, 553, 563, 594, 595, 604, 607, 627, 635, 641, 648 and SJR 29 entitled:

SB 232—By Baggett of the Senate and Cate of the House—An Act relating to the uniform commercial code; amending 12A O. S. 1961, § § 2-702, 3-501, 7-209, 8-102 and 8-313; \*\*\* and providing for codification.

SB 271—By Keels, et al of the Senate and Nance and Mountford of the House—An Act relating to licensing and registration of motor vehicles; providing for codification; fixing effective date; and declaring an emergency.

SB 281—By Luton, et al of the Senate

and Sparkman, et al of the House—An Act relating to employment security; amending 40 O. S. 1961, § 213, as amended by Section 1 of Chapter 398, O. S. L. 1967 (40 O. S. Supp. 1969, § 213); increasing minimum and maximum benefit amounts; \*\*\* providing effective date; and declaring an emergency.

**SB 376**—By Keels and Birdsong of the Senate and Nance of the House—An Act relating to highways; providing for periodic educational meetings of county commissioners at which State Highway Commission shall furnish information relative to highway department regulations and instruct county commissioners in road building methods; \*\*\* and declaring an emergency.

**SB 487**—By Smalley, et al of the Senate and Cate of the House—An Act to confer upon minors over the age of sixteen years the power to execute enforceable written obligations to secure loans or other aid or assistance for the purpose of furthering their education at accredited or approved educational institutions; specifying the conditions under which the power exists; repealing 15 O.S. 1961, § 30; and declaring an emergency.

**SB 521**—By Boecher of the Senate and Rogers of the House—An Act relating to public finance; providing regular periodic billings of public utilities for services furnished municipalities need not as a condition to allowance and payment by a municipality be required to be upon verified claims; amending Section 1, Chapter 310, O. S. L. 1969 (62 O. S. Supp. 1969, § 305.1); and declaring an emergency.

**SB 553**—By Holden of the Senate and Payne, et al of the House—An Act relating to oil and gas; amending sections 1 and 2 Chapter 191, O. S. L. 1965 (52 O. S. Supp. 1969, §§ 309 and 310); directing codification; setting an effective date; and declaring an emergency.

**SB 563**—By Young of the Senate and York, McCune and Sparkman of the

House—An Act relating to courts; amending Section 1, Chapter 157, O. S. L. 1968 (20 O.S. Supp. 1969, § 30.1); \*\*\* providing for severability; and declaring an emergency.

**SB 594**—By Grantham and Garrison of the Senate and Boettcher and Sandlin of the House—An Act relating to probate procedure; amending 58 O. S. 1961, § 25, as last amended by Section 1 of Chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § 25), pertaining to notice of hearing petition for probate of will; amending 58 O. S. 1961, § 128, as last amended by Section 4 of Chapter 302, O. S. L. 1969 (58 O. S. Supp. 1969, § 128), pertaining to notice of hearing petition for letters of administration; and declaring an emergency.

**SB 595**—By Grantham of the Senate and Boettcher and Conaghan of the House—An Act relating to the judiciary; amending Section 2, Chapter 128, O. S. L. 1968, as amended by Section 1, Chapter 328, O. S. L. 1969 (20 O. S. Supp. 1969, § 1102, providing eligibility for retirement for certain judges; and declaring an emergency.

**SB 604**—By Howard of the Senate and Hutchens, et al of the House—An Act relating to criminal procedure; \*\*\* repealing Section 1, Chapter 165, O. S. L. 1965 (22 O. S. Supp. 1969, § 1073) on the effective date of this act; providing for effective date; and declaring an emergency.

**SB 607**—By McGraw of the Senate and Sanguin of the House—An Act relating to motor vehicles — Commissioner of Public Safety; amending 47 O. S. 1961, § 2-102, as amended by Section 1, Chapter 20, O. S. L. 1967 (47 O. S. Supp. 1969, § 2-102); \*\*\* and declaring an emergency.

**SB 627**—By Grantham of the Senate and McCune of the House—An Act relating to court reporters; amending Chapter 262, Sections 3, 7 and 4 O. S. L. 1968 (20 O. S. Supp. 1969, §§ 106.3, 106.7



and 106.4), \*\*\* establishing effective date thereof; and declaring an emergency.

**SB 635**—By Baggett of the Senate and Atkins and Clemons of the House—An Act relating to interstate agreements; accepting and agreeing to the terms of the interstate agreement on qualification of educational personnel; \*\*\* providing an effective date; and declaring an emergency.

**SB 641**—By Luton of the Senate and Odom (V. H) and York of the House—An Act relating to legislative districts; defining area to be included in representative districts number twelve, eighty-two and eighty-four; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

**SB 648**—By Baggett of the Senate and Ferrell of the House—An Act relating to contracts; defining the term "interest"; directing codification; amending 15 O. S. 1961, § 266; deleting provisions fixing maximum rate of interest; repealing 15 O. S. 1961, § 271; and declaring an emergency.

**SJR 29**—By Howard of the Senate and McCune of the House—A Joint Resolution relating to a claim against the Oklahoma Tax Commission and ordering said claim allowed and paid.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed **SJR 46**-coauthored by Finch, Al-lard, Tabor and Cox, as amended.

**HAs to SJR 46** read as follows, and con-sideration deferred:

Amendment No. 1. Amend Page 1, Lines 21-22, by striking the words "Creek Coun-ty Expressway" and substituting therefor the words "John Young Expressway".

Amendment No. 2. Amend Page 1, Lines 25-26, by striking the words "Creek Coun-ty Expressway" and substituting therefor the words "John Young Expressway".

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and trans-mitting for signature Enrolled **HBs 1214, 1361, 1684, 1726, 1756, 1801, 1810 and HJR 1032**.

The above numbered Enrolled Bills and/ or Resolution were, after fourth reading properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning En-grossed **SCR 83** and **SCR 88**-coauthored by Skeith.

The above numbered Resolutions were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 236**.

The above numbered Enrolled Bill was referred to the Governor.

#### MESSAGE FROM THE HOUSE

Transmitting herewith Motions by Rep-resentative Goodfellow and Senator Bald-win for adoption and concurrence by your Honorable Body, in the issuance of Con-current Citations by the Oklahoma State Legislature as listed below:

No. 12—Miss Florence Johnson.

No. 13—Hatchetville Oilers

No. 14—Grover E. Skaggs, Jr.

Upon motion of Senator Baldwin, the Senate concurred in the issuance of said Citations.

Concurrent Citations Nos. 12, 13 and 14 were properly signed and ordered returned to the Honorable House.

#### CITATIONS

Upon motion of Senator Baldwin, pur-suant to Rule 8-b, a Citation of Congratu-lations was ordered issued to Mack C. Rivers for faithfully serving the Oklahoma State Senate since 1935.

Senator Grantham presiding.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Miller, the Conference Committee Report on **HJR 1053** was declared adopted.

**HJR 1053**, as amended in Conference, was read at length.

On the question of passage of Resolution, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Grantham, Graves, Ham, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Massey, Medearis, Miller, Nichols, Payne, Phillips, Romang, Short, Stansberry, Taliaferro, Terrill, Williams, Young.—35.

Excused: Baggett, Breckinridge, Ferrell, Garrett, Garrison, Hamilton, Howard, Martin, Murphy, Porter, Smalley, Smith, Stipe.—13.

The Resolution, as amended in Conference, was declared passed.

**HJR 1053**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Senators Baggett, Smalley, Garrett, Garrison and Horn asked to be shown present, which was the order.

Senator Smalley moved that the Senate reject the **CCR** on **HB 1542** and request a further conference thereon, which motion was declared adopted, President Pro Tempore Smith reappointing the original Senate Conferees—Smalley, Birdsong and Martin.

#### PENDING CONSIDERATION OF HAS

Senator Young moved that the Senate reject the **HAS** to **SB 117** and request the Honorable House to grant a conference thereon, which motion was declared adopted.

#### CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Con-

ferees under **SB 117**: Young, Boecher and Birdsong.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator McSpadden, the Conference Committee Report on **HB 1653** was declared adopted.

**HB 1653**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Stansberry, Taliaferro, Williams, Young.—33.

Nay: Bradley, Keels, Medearis, Murphy, Smalley.—5.

Excused: Berrong, Ferrell, Field, Howard, Lane, Payne, Porter, Smith, Stipe, Terrill.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Breckinridge, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Luton, McCune, McGraw, McSpadden, Martin, Massey, Miller, Nichols, Phillips, Romang, Short, Stansberry, Taliaferro, Williams, Young.—33.

Nay: Bradley, Keels, Medearis, Murphy, Smalley.—5.

Excused: Berrong, Ferrell, Field, Howard, Lane, Payne, Porter, Smith, Stipe, Terrill.—10.

The emergency was declared passed.

**HB 1653**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **HB 1568** was declared adopted.

**HB 1568**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breckin-ridge, Crow, Dacus, Field, Garrett, Garri-son, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin Massey, Medearis, Miller, Murphy, Nich-ols, Payne, Phillips, Romang, Short, Small-ey, Smith, Stansberry, Taliaferro, Young.—41.

Excused: Ferrell, Howard, McSpadden, Porter, Stipe, Terrill, Williams.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Birdsong, Boecher, Bradley, Breckin-ridge, Crow, Dacus, Field, Garrett, Garri-son, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin Massey, Medearis, Miller, Murphy, Nich-ols, Payne, Phillips, Romang, Short, Small-ey, Smith, Stansberry, Taliaferro, Young.—41.

Excused: Ferrell, Howard, McSpadden, Porter, Stipe, Terrill, Williams.—7.

The emergency was declared passed.

**HB 1568**, together with Conference Com-mittee Report thereon, was ordered re-turned to Honorable House.

Upon motion of Senator McSpadden, the 2d Conference Committee Report on **HB 1575** was declared adopted.

**HB 1575**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call re-sulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-grave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Short, Smith, Stansberry, Taliaferro, Williams, Young.—36.

Nay: Keels, Murphy.—2.

Excused: Birdsong, Ferrell, Howard, Payne, Phillips, Porter, Romang, Smalley, Stipe, Terrill.—10.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emer-gency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-rong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Har-grave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Nichols, Short, Smith, Stansberry, Taliaferro, Williams, Young.—36.

Nay: Keels, Murphy.—2.

Excused: Birdsong, Ferrell, Howard, Payne, Phillips, Porter, Romang, Smalley, Stipe, Terrill.—10.

The emergency was declared passed.

**HB 1575**, together with Conference Com-mittee Report thereon, was ordered return-ed to Honorable House.

Senator McSpadden moved that the Con-ference Committee Report on **HB 1579** be adopted.

Senator Williams, as a substitute for the McSpadden motion, moved that the Senate reject the Conference Committee Report on **HB 1579**, request further con-ference; and, that the Senate Conferees be instructed to strike Section 4 of said report, which motion was tabled upon mo-tion of Senator McSpadden upon a roll call as follows:

Aye: Atkinson, Baggett, Baldwin, Bird-song, Crow, Dacus, Field, Garrett, Gran-



tham, Graves, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McSpadden, Massey, Murphy, Nichols, Short, Smalley, Taliaferro.—23.

Nay: Berrong, Bradley, Breckinridge, Inhofe, McCune, McGraw, Payne, Romang, Williams.—9.

Excused: Boecher, Ferrell, Garrison, Ham, Howard, Keels, Martin, Medearis, Miller, Phillips, Porter, Smith, Stansberry, Stipe, Terrill, Young.—16.

Senator Payne presiding.

The vote occurring upon the McSpadden motion, it was declared adopted.

**HB 1579**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Payne, Short, Smalley, Smith, Taliaferro, Terrill, Young.—32.

Nay: Romang, Williams.—2.

Excused: Birdsong, Ferrell, Garrison, Ham, Howard, Keels, Martin, Medearis, Miller, Nichols, Phillips, Porter, Stansberry, Stipe.—14.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Field, Garrett, Grantham, Graves, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Massey, Murphy, Payne, Short, Smalley, Smith, Taliaferro, Terrill, Young.—32.

Nay: Romang, Williams.—2.

Excused: Birdsong, Ferrell, Garrison, Ham, Howard, Keels, Martin, Medearis,

Miller, Nichols, Phillips, Porter, Stansberry, Stipe.—14.

The emergency was declared passed.

**HB 1579**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## PENDING CONSIDERATION OF HAS

Upon motion of Senator McSpadden, the Senate concurred in **HA** to Engrossed **SB 613**.

**SB 613**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Nay: Baldwin.—1.

Excused: Breckinridge, Ferrell, Ham, Holden, Howard, Inhofe, Keels, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Williams.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Field, Garrett, Garrison, Grantham, Graves, Hamilton, Hargrave, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—33.

Nay: Baldwin.—1.

Excused: Breckinridge, Ferrell, Ham, Holden, Howard, Inhofe, Keels, Medearis, Miller, Phillips, Porter, Stansberry, Stipe, Williams.—14.

The emergency was declared passed.

House Amendment was properly signed and above numbered bill, as amended, was referred for enrollment.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Young, the Conference Committee Report on **HB 1510** was declared adopted.

**HB 1510**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—36.

Excused: Baggett, Crow, Ferrell, Horn, Howard, Inhofe, Keels, Lane, Massey, Porter, Stansberry, Stipe.—12.

The Bill, as amended in Conference, was declared passed.

**HB 1510**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

#### PENDING CONSIDERATION OF HAs

Upon motion of President Pro Tempore Smith, the Senate concurred in **HAs** to Engrossed **SB 530**.

**SB 530**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne,

Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Crow, Ferrell, Howard, Inhofe, Keels, Massey, Porter, Stansberry, Stipe.—9.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams, Young.—39.

Excused: Crow, Ferrell, Howard, Inhofe, Keels, Massey, Porter, Stansberry, Stipe.—9.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Upon motion of President Pro Tempore Smith, the Senate concurred in **HA** to Engrossed **SB 531**.

**SB 531**, as amended by the Honorable House, was read at length.

On the question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—35.

Excused: Berrong, Crow, Ferrell, Howard, Inhofe, Keels, McSpadden, Massey, Miller, Porter, Stansberry, Stipe, Young.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Lane, Luton, McCune, McGraw, Martin, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Williams.—35.

Excused: Berrong, Crow, Ferrell, Howard, Inhofe, Keels, McSpadden, Massey, Miller, Porter, Stansberry, Stipe, Young.—13.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

Senator Howard asked to be shown present, which was the order.

Upon motion of Senator Ham, the Senate concurred in **HAs** to Engrossed **SB 169**.

**SB 169**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Murphy, Payne, Phillips, Smalley, Taliaferro, Terrill, Young.—29.

Nay: Baldwin, Holden, McCune, Romang, Short.—5.

Excused: Breckinridge, Crow, Ferrell, Inhofe, McGraw, Massey, Medearis, Miller, Nichols, Porter, Smith, Stansberry, Stipe, Williams.—14.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Dacus, Field, Gar-

rett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Short, Smalley, Taliaferro, Terrill, Young.—33.

Nay: Romang.—1.

Excused: Atkinson, Breckinridge, Crow, Ferrell, Inhofe, Lane, Massey, Medearis, Nichols, Porter, Smith, Stansberry, Stipe, Williams.—14.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

## CONFERENCE COMMITTEE REPORT

The Conference Committee Report on **SB 562** was submitted.

Senator Terrill asked to be made a coauthor of **SB 562**, as amended in Conference, which was the order.

The **CCR** on **SB 562** was read as follows and adopted upon motion of Senator Baggett:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 562**, entitled:

(Oklahoma State Regents for Higher Education Legislative Intent)

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the following recommendations:

1. That the House recede from Engrossed House Amendments No. 1.

2. That the following Conference Committee Substitute for Engrossed Senate Bill No. 562 be adopted:

**CCS** for **SB 562**—By Murphy and Baggett of the Senate and Hesser, et al of the House—An Act relating to the Capitol Improvement and Zoning District and the Medical Center Improvement and Zoning



District; merging those two districts into one Capitol-Medical Center Improvement District and enlarging the boundaries thereof; reconstituting and enlarging the membership of its Commission and providing for the future reduction thereof; amending the powers of the Commission to authorize employment of a Director and necessary staff and making cooperative agreements; amending 73 O.S. 1961, § 82.1, 73 O.S. 1961, § 83, as amended by Section 1, Chapter 209, O.S.L. 1967 (73 O.S. Supp. 1969, § 83), 73 O.S. 1961, § 83.1, as amended by Section 1, Chapter 61, O.S.L. 1968 (73 O.S. Supp. 1969, § 83.1), 73 O.S. 1961, §§ 83.2, 83.3, 83.4 83.8, 83.9, 83.10, and 83.11; repealing 70 O.S. 1961, §§ 1307.1 through 1307.14, both inclusive, and 73 O.S. 1961, § 84 through 89, both inclusive; and declaring an emergency.

Be It Enacted by the People of the State of Oklahoma:

SECTION 1. 73 O.S. 1961, § 82.1, is amended to read as follows:

§ 82.1. It is the purpose of SECTIONS 82.1 THROUGH 83.11 OF this [Act] TITLE to provide a comprehensive plan for the orderly development of the district surrounding the State Capitol [Building Grounds] AND THE MEDICAL CENTER OF THE UNIVERSITY OF OKLAHOMA under direct supervision of the state itself, rather than by its governmental subdivisions; to promote the general welfare of the state in respect of the State Capitol [Building Grounds], OTHER STATE PROPERTIES AND THE MEDICAL CENTER OF THE UNIVERSITY OF OKLAHOMA, and the surrounding area; and to promote the general welfare of the several property owners of the area herein-after described.

SECTION 2. 73 O.S. 1961, § 83, as amended by Section 1, Chapter 209, O.S.L. 1967 (73 O.S. Supp. 1969, § 83), is amended to read as follows:

§ 83. There hereby is created an improvement and comprehensive community zoning district to be known as the ["Capitol"] CAPITOL-MEDICAL CENTER Im-

provement and Zoning District," to embrace all that portion of the State of Oklahoma situated within the following described boundaries as shown by the plats and records on file in the office of the County Clerk of Oklahoma County, Oklahoma: Beginning at the point where the center of Northeast Twenty-third Street intersects the East line of the present right-of-way of the A.T.&S.F. R. Company, THENCE Southward along said right-of-way to the point where the North line of property abutting on Northeast Sixteenth Street intersects said right-of-way, THENCE Eastward along the said North line of property abutting on Northeast Sixteenth Street to the point where said line intersects the West line of North Stiles Avenue, THENCE Southward along said West line of North Stiles Avenue to the North line of Northeast Eleventh Street, THENCE Eastward along said North line of Northeast Eleventh Street to the West line of North Lindsay Avenue, THENCE [Northward] SOUTHWARD along said West line of North Lindsay Avenue to the North line of Northeast [Sixteenth] TENTH Street, THENCE Eastward along said North line of Northeast [Sixteenth] TENTH Street to the WEST LINE OF NORTH LOTTIE AVENUE, THENCE NORTHWARD ALONG THE WEST LINE OF NORTH LOTTIE AVENUE TO THE CENTER OF NORTH EAST FIFTEENTH STREET, THENCE WESTWARD ALONG SAID CENTER OF NORTHEAST FIFTEENTH STREET TO THE West line of North Kelley Avenue, THENCE Northward along the West line of North Kelley Avenue to the center of Northeast Thirtieth Street, THENCE Westward along said center of Northeast Thirtieth Street to the West line of North Walnut Avenue, THENCE Southward along said West line of North Walnut Avenue to the center of Northeast Twenty-third Street, THENCE Westward along the center of Northeast Twenty-third Street, to the point of beginning; whether or not said land, or any part thereof, shall be within the incorporated limits of any city of the first class.

SECTION 3. 73 O.S. 1961, § 83.1, as amended by Section 1, Chapter 61, O.S.L. 1968 (73 O.S. Supp. 1969, § 83.1), is amended to read as follows:

83.1. There is hereby created a **[Capitol]** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission to exercise the functions and perform the duties hereinafter prescribed. The said Commission shall be composed of **[three]** EIGHT members: (1) The Chairman of the State Board of Affairs shall be ex officio chairman of the said **[Capitol]** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission; (2) the Director of the State Highway Commission OR HIS DESIGNATE shall be a member thereof; (3) and the third member **[shall be]** the Secretary-Member of the Oklahoma Tax Commission~~[,]~~ who shall be the **[Executive]** RECORDING Secretary of said Commission **[and shall assume his duties immediately upon approval of this act.]**; (4) THE DEAN OF THE MEDICAL SCHOOL OF THE UNIVERSITY OF OKLAHOMA OR HIS DESIGNATE; (5) THE CHAIRMAN OF THE PLANNING COMMISSION OF OKLAHOMA CITY OR HIS DESIGNATE; AND THE REMAINING THREE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE STATE SENATE, FOR THREE-YEAR STAGGERED TERMS WITH ONE TERM EXPIRING ON THE 31ST DAY OF JANUARY EACH YEAR; PROVIDED THAT THE SECRETARY-MEMBER OF THE OKLAHOMA TAX COMMISSION SHALL CEASE TO BE A MEMBER OF SUCH COMMISSION FROM AND AFTER THE SECOND MONDAY IN JANUARY, 1971, AND THEREAFTER THE COMMISSION SHALL BE COMPOSED OF THE REMAINING SEVEN MEMBERS WHO SHALL ELECT A SECRETARY. THE PROVISIONS OF SECTION 2, CHAPTER 61, O.S.L. 1968, WITH RESPECT TO THE SALARY OF THE SECRETARY-MEMBER OF THE OKLAHOMA TAX COMMISSION FOR THE ADDITIONAL DUTIES OF SERVING AS THE SECRETARY

OF THIS COMMISSION SHALL CONTINUE IN FULL FORCE AND EFFECT UNTIL THE SECOND MONDAY IN JANUARY, 1971. THE COMMISSION IS AUTHORIZED TO APPOINT AND HIRE A DIRECTOR WHO SHALL SERVE AS THE CHIEF ADMINISTRATIVE OFFICER OF THE COMMISSION AND OTHER NECESSARY PERSONNEL. The Attorney General of the State of Oklahoma shall be the legal advisor to said Commission in the same capacity as he is to other boards and commissions.

SECTION 4. 73 O.S. 1961, § 83.2, is amended to read as follows:

§ 83.2. The **[Capitol]** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission, after adoption of a master comprehensive plan as hereinafter provided, shall have exclusive authority over the zoning and regulation of the utilization of all property in the above described District **[except State Building Grounds]** and no planning or zoning commission of any subdivision of the state thereafter shall have any authority or jurisdiction within said area. The Commission also shall have authority to approve or disapprove the location and design of any improvements hereafter to be placed upon any land within said District, **[except improvements to be placed upon state-owned land therein];** and no improvement hereafter shall be placed upon any land within said District, unless the location and design thereof shall be approved by said Commission. THE WORD "IMPROVEMENTS" AS USED IN SECTIONS 82.1 THROUGH 83.11 OF THIS TITLE SHALL INCLUDE BUT NOT BE LIMITED TO (1) BUILDINGS, INCLUDING ADDITIONS TO AND ALTERATIONS THEREOF, (2) HIGHWAYS AND THOROUGHFARES, AND ACCESS FACILITIES THERETO, (3) PARKING LOTS AND FACILITIES, (4) AND ALL OTHER CONSTRUCTION OR ERECTIONS WHATSOEVER, EXCEPT THAT THE WORD "IMPROVEMENTS" SHALL NOT INCLUDE EXISTING MUNICIPAL STREETS, ALLEYS OR UTILITY SERV-

ICES, NOR THE MAINTENANCE OR IMPROVEMENT THEREOF, EXCEPT INsofar AS THE SAME SERVE STATE BUILDINGS OR ARE LOCATED UPON STATE LAND.

SECTION 5. 73 O.S. 1961, § 83.3, is amended to read as follows:

§ 83.3. (A) The **Capitol** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission shall make, **and** adopt, MAINTAIN AND REVISE FROM TIME TO TIME an official master comprehensive plan for the said District for the purpose of bringing about the coordinated physical development in accordance with the present and future needs of the District. Said master plan shall be developed so as to conserve the natural resources of the District, to insure efficient expenditure of public funds, and to promote the safety, convenience, prosperity and general welfare of the inhabitants and property owners therein. Such master comprehensive plan shall include, among other things, regulations relative to the location, character and extent of highways, railroads, transportation routes, utility services, buildings, parks and parkways within said District. The Commission may adopt the said master comprehensive plan in whole or in part and subsequently amend or extend the adopted plan or portion thereof. After adoption of said master comprehensive plan, or of any extension or amendment thereof, an attested copy thereof shall be filed for record with the County Clerk of Oklahoma County. Said Commission shall coordinate such master comprehensive plan, to the greatest extent it deems practical, with the master plan of the City of Oklahoma City and that of the Oklahoma County Planning Commission. (B) THE COMMISSION IS HEREBY AUTHORIZED AND DIRECTED TO ENTER INTO AGREEMENTS WITH THE CITY OF OKLAHOMA CITY PROVIDING FOR MUTUAL COOPERATION AND JOINT REGULATION WITHIN THE DISTRICT WITH RESPECT TO (1) PLANNING AND ZONING, (2) PER-

MISSION TO BUILD OR TO USE LAND, (3) ENFORCEMENT OF BUILDING, HEALTH AND SAFETY CODES AND INSPECTION TO INSURE COMPLIANCE THEREWITH, AND (4) OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION; PROVIDED, HOWEVER, THAT SUCH AGREEMENTS MAY NOT CEDE THE COMMISSION'S FINAL AUTHORITY AND RESPONSIBILITY OVER THE MATTERS ENTRUSTED TO IT BY LAW.

SECTION 6. 73 O.S. 1961, § 83.4, is amended to read as follows:

§ 83.4. The **Capitol** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission shall have the power and authority to prescribe such rules and regulations concerning procedure before it and concerning the exercise of its duties and functions as it shall deem proper thereto.

SECTION 7. 73 O.S. 1961, § 83.8, is amended to read as follows:

§ 83.8. After the adoption of said master comprehensive plan and of any zoning regulations promulgated by said Commission, no improvement of any nature shall be commenced within said District, nor shall the use of any land be changed therein, without a permit issued by the **Executive Secretary** DIRECTOR of said Commission.

SECTION 8. 73 O.S. 1961, § 83.9, is amended to read as follows:

§ 83.9. Any person aggrieved by any rule, regulation, decision or order of the **Capitol** CAPITOL-MEDICAL CENTER Improvement and Zoning Commission, or of the **Executive Secretary** DIRECTOR thereof, may appeal to the District Court of Oklahoma County by filing a petition in said Court and serving a copy thereof on the **Executive Secretary** DIRECTOR of the Commission. No bond shall be required for such appeal but costs may be required in the District Court as in other cases. Filing of such appeal shall in no respect suspend the operation of any such rule, regulation, decision or order; nor shall the District Court order any such



suspension until full hearing. The District Court may require the certification to it, by the Commission, of all papers, records and documents constituting the record of the Commission in respect of such matter. No rule, regulation, decision or order of the Commission, or of the **[Executive Secretary]** DIRECTOR thereof, shall be suspended or set aside by the Court unless the same, after hearing, shall be determined to be without authority of law. An appeal to the Supreme Court from the decision of the District Court shall be allowed as in other cases.

SECTION 9. 73 O.S. 1961, § 83.10, is amended to read as follows:

§ 83.10. All expenses of the **[Capitol]** CAPITOL - MEDICAL CENTER Improvement and Zoning Commission shall be paid from appropriations made to the State Board of Public Affairs.

SECTION 10. 73 O.S. 1961, § 83.11, is amended to read as follows:

§ 83.11. The **[Capitol]** CAPITOL-MEDICAL CENTER Zoning and Improvement Commission shall constitute a body corporate for purposes of instituting and defending litigation to enforce its rules, regulations, decisions and orders; and it may, in its name, institute or defend actions by and on its own behalf, or in behalf of the owner or owners of any property within said District, to enjoin any breach or violation thereof. No bond shall be required of said Commission in any such action for the issuance of any temporary or permanent order, or an appeal. THE COMMISSION SHALL HAVE THE POWER TO HIRE A DIRECTOR AND PROFESSIONAL STAFF, ENTER INTO CONTRACTS OF ANY LAWFUL NATURE, AND SHALL FURTHER HAVE THE POWER TO DO ANY AND ALL ACTS NECESSARY TO THE EFFECTUATION OF THE PURPOSES OF THIS ACT.

SECTION 11. 70 O.S. 1961, §§ 1307.1, 1307.2, 1307.3, 1307.4, 1307.5, 1307.6, 1307.7, 1307.8, 1307.9, 1307.10, 1307.11, 1307.12, 1307.13 and 1307.14 are hereby repealed.

SECTION 12. 73 O.S. 1961, §§ 84, 85, 86, 87, 88 and 89 are hereby repealed.

SECTION 13. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Chairman, Massey, Vice Chairman, Atkinson, Baldwin, Berrong, Boecher, Garrison, Grantham, Hamilton, Hargrave, Martin, Murphy, Nichols, Smalley, Young.

HOUSE CONFEREES: Willis, Chairman, Miskelly, Vice Chairman, Allard, Fine, Greenhaw, Sanguin, Skeith, Sparkman, Townsend.

SB 562, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—32.

Nay: McCune, McGraw, Nichols, Williams.—4.

Excused: Berrong, Boecher, Ferrell, Field, Hargrave, Holden, Inhofe, Massey, Medearis, Porter, Stansberry, Stipe.—12.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Bradley, Breckinridge, Crow, Dacus, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Horn, Howard, Keels, Lane, Luton, McSpadden, Martin, Miller, Murphy, Payne, Phillips, Romang, Short, Smalley, Smith, Taliaferro, Terrill, Young.—32.

Nay: McCune, McGraw, Nichols, Williams.—4.

Excused: Berrong, Boecher, Ferrell, Field, Hargrave, Holden, Inhofe, Massey, Medearis, Porter, Stansberry, Stipe.—12.

The emergency was declared passed.

**SB 562**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SCR 93** and **HB 1671** correctly engrossed.

**SBs 214, 320, 390, 447, 449, 451, 478, 504, 533, 557, 587, 603, 626, 650** and **SR 76** each correctly enrolled.

Engrossed **SCR 93** was properly signed and ordered transmitted to the Honorable House for consideration.

Engrossed **SAs** to and Engrossed **HB 1671**, as amended, were properly signed and ordered returned to the Honorable House.

Enrolled **SBs 214, 320, 390, 447, 449, 451, 478, 504, 533, 557, 587, 603, 626** and **650** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SR 76** was properly signed and ordered transmitted to the Secretary of State.

## MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1561** and **1590**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

## MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1068**.

The above numbered Enrolled Resolution

was properly signed and ordered returned to the Honorable House.

## MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed **HB 1542**, and reappointing original conferees.

## CONFERENCE COMMITTEE REPORT

The following Conference Committee Report on **SB 479** was submitted:

Mr. President

and

Mr. Speaker:

We, your General Conference Committee on Appropriations, to whom was referred Engrossed **SB 479**, entitled:

An Act relating to the Commissioners of the Land Office; authorizing a certain conveyance by the commission; and declaring an emergency,

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return same with the recommendation that the following Conference Committee Substitute be approved:

**CCS for SB 479**—By Keels, Birdsong, Garrett and Baggett of the Senate and Bengtson, et al, of the House—An Act relating to the Commissioners of the Land Office; authorizing a certain conveyance by the Commission; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** The Commissioners of the Land Office are hereby authorized to appraise and enter into contract for the sale and conveyance of, and to sell at private sale to the Oklahoma Regents for Higher Education for the use and benefit of the South Oklahoma City Junior College District, for such consideration as

the Commission may deem proper, the fee simple title or any lesser estate, right, interest or easement in and to or upon, but reserving to the grantor all mineral interests in and under, the following described property under the control and management of the Commission, to wit:

The Northeast quarter (NE $\frac{1}{4}$ ), Section Thirty-six (36), Township Eleven (11) North, Range Four (4) West, in Oklahoma County, Oklahoma.

The Commission is further authorized and empowered to execute any and all contracts, deeds, and instruments of conveyance, of every kind or character, which may be proper, necessary or convenient in the exercise of the powers conferred by this section. Any such instrument shall be executed by the Chairman or Presiding Officer of the Commission and attested by the Secretary.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SENATE CONFEREES: McSpadden, Atkinson, Baldwin, Berrong, Garrison, Grantham, Hamilton, Murphy, Young.

HOUSE CONFEREES: Willis, Miskelly, Allard, Fine, Sanguin, Skeith, Sparkman, Townsend.

Senator Atkinson asked to be made a coauthor of **SB 479**, as amended in Conference which was the order.

Senator Keels moved that the Conference Committee Report on **SB 479** be adopted.

Senator Crow, as a substitute for the Keels motion, moved that the Senate reject the Conference Committee Report on **SB 479** and recommit this Report to the Conference Committee for further consideration, which motion was tabled upon motion of Senator Keels, upon a roll call as follows:

Aye: Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Miller, Nichols, Payne, Phillips, Romang, Short, Smalley, Terrill, Williams.—33.

Nay: Crow, McCune, Murphy.—3.

Excused: Atkinson, Berrong, Ferrell, Hargrave, Massey, Medearis, Porter, Smith, Stansberry, Stipe, Taliaferro, Young.—12.

The vote occurring upon the Keels motion, it was declared adopted.

**SB 479**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Terrill.—36.

Nay: Crow, McCune, Williams.—3.

Excused: Berrong, Ferrell, Hargrave, Medearis, Porter, Stansberry, Stipe, Taliaferro, Young.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baldwin, McSpadden.—2.

Nay: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Dacus, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Holden, Horn, Howard, Keels, Luton, McCune, McGraw, Massey, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Williams.—32.

Excused: Breckinridge, Crow, Ferrell, Hargrave, Inhofe, Lane, Martin, Me-



dearis, Phillips, Porter, Stansberry, Stipe, Taliaferro, Young.—14.

The emergency was declared failed of passage.

**SB 479**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

#### MESSAGE FROM THE HOUSE

Advising rejection of **SAs** to Engrossed **HB 1528**, requesting Conference and naming Conferees as follows: Hutchens, York and Hatchett.

Senator Terrill moved that the Senate stand recessed until 1:15 p.m., which motion was declared adopted.

At 1:15 p.m., the Senate reassembled with Senator Terrill presiding.

#### MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed **SB 117**, and naming House Conferees as follows: Allard, Finch and Derbyberry.

#### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **SBs 655** and **656**.

The above numbered Bills as amended in Conference were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCRs 77** and **92**.

The above numbered Resolutions were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 214, 320, 390, 447, 449, 451, 478, 504, 533, 557, 587, 603, 626** and **650**.

The above numbered Enrolled Bills were referred to the Governor.

#### MESSAGE FROM THE HOUSE

Returning following Bill together with 2nd Conference Committee Report thereon, advising adoption of 2nd Conference Committee Report and passage of Measure as amended: Engrossed **SB 424**.

The above numbered Bill as amended in Conference was referred for enrollment.

Senator Ferrell asked to be shown present, which was the order.

Senator Crow presiding.

#### RESOLUTIONS

Senator Terrill introduced the following Resolution, which was read at length, adopted upon his motion, and ordered referred for enrollment:

**SR 77**—By Terrill—A Resolution relating to interim study by the State Legislative Council; requesting the Executive Committee to direct the appropriate standing committee to make a comprehensive study; relating the necessity or desirability of legislation providing for additional assistance to cities, towns, counties, regional planning commissions, governmental conferences or councils in receiving state or federal funds for the improvement of highways, public facilities, recreation, open spaces, natural resources and patterns of urban and rural development; and requiring that a final report of findings and recommendations be submitted to the Executive Committee and to the First Session of the 33rd Legislature.

WHEREAS, there is a need for greater cooperation and assistance between the State of Oklahoma and the political subdivisions thereof in obtaining federal aid for projects within the State of Oklahoma; and

WHEREAS, the Legislature has enacted Senate Bill 111, pertaining to a Department of Community Affairs and Planning, and if approved by the Governor will become effective February 1, 1971; and

WHEREAS, prior planning should be

developed before this agency comes into existence; and

WHEREAS, additional legislation may be needed to implement existing programs; and

WHEREAS, a study should be made as to desirability and necessity of additional legislation enabling and authorizing greater assistance for cooperation between the State and political subdivisions thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. The Executive Committee of the State Legislative Council is hereby requested to direct the appropriate standing committee to conduct a comprehensive study of the matters set forth above to determine the desirability or necessity of legislation pertaining to assistance for subdivisions of government in obtaining State or Federal aid.

SECTION 2. The committee of reference is hereby requested to schedule public hearings, conduct independent study and take such other steps as may be necessary to assure the preparation of an in-depth and objective report on this subject.

SECTION 3. At the conclusion of its study the committee is requested to prepare its report in the form of findings and recommendations to the 1st Session of the 33rd Legislature and to draft legislation for the prefiling of bills to implement recommendations adopted.

SR 78 by McCune was introduced.

Senator Grantham asked unanimous consent, which was granted, that all other Members of the Senate be added as co-authors of the Resolution.

SR 78, as coauthored, was read at length as follows, adopted upon motion of Senator McCune, and ordered referred for enrollment:

SR 78—By McCune, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher,

Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young—A Resolution applauding St. Anthony's Mobil Coronary Care and commending Connie Zurline, Iva Qualls, Bob Qualls and John Autry; and directing distribution.

WHEREAS, a mobil coronary unit created in October of 1969 by Sister Theresa with donations and a federal grant and headed by Dr. Gerald L. Honick, became the fourth such unit in the world, and is at this time an extremely important, well-recognized facility of the greater Oklahoma City, Oklahoma area; and

WHEREAS, said unit is known as "St. Anthony's Mobil Coronary Care" and consists of 17 nurses and 7 Oklahoma City firemen, who after having made application for the extra job, have had special training in coronary care, and are "off duty" at the moment as firemen, the team functioning at a crisis call being usually two nurses and one fireman; and

WHEREAS, since October 1969 the unit has been called into operation 227 times, about half of which have been truly coronary cases. About one-half of the coronary victims have survived; and

WHEREAS, the functioning of the said unit and the services of persons such as those who constituted the unit's team at call thereof to the State Capitol April 13, 1970, to wit: John Autry, Bob Qualls, Iva Qualls and Connie Zurline, the person in charge, are lauded and commended.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-SECOND OKLAHOMA LEGISLATURE:

SECTION 1. St. Anthony's Mobil Coro-

nary Care is applauded by the Senate for performance of its worthy functions.

SECTION 2. Connie Zurline, the person in charge of St. Anthony's Mobil Coronary Care unit upon an April 13, 1970, service mission to the State Capitol, and unit team, Iva Qualls, Bob Qualls and John Autry, are commended for participating in the said mission and upon membership in said mobil coronary unit.

SECTION 3. Duly authenticated copies of this Resolution shall be distributed to St. Anthony's Mobil Care unit and each of the persons whose names are hereinabove mentioned.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1067**—By Atkins—A Concurrent Resolution authorizing the creation of a special committee composed of three members of the House of Representatives and three members of the Senate to work with the Commission on Oklahoma criminal and traffic law enforcement, such members to be members of the Judiciary Committee from their respective bodies.

Upon request of Senator Baggett, **HCR 1067** was taken up for immediate consideration.

Senator Baggett asked to be shown as the Senate Author of **HCR 1067**, which was the order.

**HCR 1067**, as coauthored, was read at length, adopted upon motion of Senator Baggett, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed:

**HCR 1072**—By Hatchett and Derryberry of the House and Baggett of the Senate—A Concurrent Resolution relating to the State Legislative Council; directing

the executive committee to refer to the interim standing committee on constitutional revisions and regulatory services for study during the 1970 interim the subject of amending, altering and revising the Oklahoma Constitution; prescribing duties of such standing committee; and requiring reports and recommendations.

Upon request of Senator Baggett, **HCR 1072** was taken up for immediate consideration.

Senators Berrong and Ham asked to be made coauthors of **HCR 1072**, which was the order.

**HCR 1072**, as coauthored, was read at length, adopted upon motion of Senator Baggett, properly signed and ordered returned to the Honorable House.

Upon request of Senator Baggett, **HCR 1077** was taken up for immediate consideration.

**HCR 1077**—By Sullivan of the House and Hamilton of the Senate—A Concurrent Resolution relating to state parks; directing the State Highway Commission and the Industrial Development and Park Commission to cooperate in developing a park and recreation area to be known as "Talimena State Park"; providing for State Highway Commission to make certain land in Le Flore County available for park and recreation purposes; and directing distribution.

**HCR 1077** was read at length, adopted upon motion of Senator Hamilton, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Pursuant to Enrolled **HCR 1075**, the Speaker has appointed the following named House Members: Payne, Chairman; Sullivan, Sandlin, Bradley, Harrison.

#### COMMITTEE APPOINTMENT

Pursuant to **HCR 1075**, President Pro Tempore Smith announced the appointment of the Senate Committee member-



ship as follows: Boecher, Field, Smalley, Atkinson and Lane.

### PENDING SENATE ACTION

**HCR 1057** by Converse, et al, of the House and Crow and Miller of the Senate was called up for further consideration.

**HCR 1057** was read at length as follows, adopted upon motion of Senator Crow, properly signed and ordered returned to the Honorable House.

**HCR 1057**—By Converse, Hesser, Williamson and Murphy of the House and Crow and Miller of the Senate—A Concurrent Resolution memorializing the Congress of the United States to provide that federal statutory and other regulations over small meat slaughterers shall not be such as would preclude their continuing in the operation of their businesses; and directing distribution.

WHEREAS, recent federal legislation has threatened the continued existence of many small meat slaughtering businesses across the State of Oklahoma; and

WHEREAS, such legislation by exempting from antemortem and postmortem examinations for each animal only those custom slaughtering businesses which do not sell or buy carcasses or meat food products places an undue burden on such businesses; and

WHEREAS, many custom slaughtering businesses must, in order to stay in business, operate the logical auxiliary business, that of a meat market; and

WHEREAS, such legislation could be interpreted to require such additional facilities or modification of existing facilities of the small slaughtering businesses as would not be economically feasible for such businesses; and

WHEREAS, the small slaughtering businesses of this state perform a vital and important service to many of the citizens of this state; and

WHEREAS, such businesses have many differences from the larger companies

such as not requiring minimum orders and serving rural Oklahoma with limited capital which justify legislation concerning such businesses to take their particular circumstances into account so that they may continue to serve the people of this state

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. That the Congress of the United States be and hereby respectfully is urged to maintain federal statutes and regulations over small meat slaughtering businesses which consider the problems and unique circumstances of such businesses and is urged to avoid those which, without permitting alternative measures capable of adequately protecting the consumer, would be so harsh as to preclude continued operation of such businesses.

SECTION 2. That duly authenticated copies hereof be forwarded to the Speaker of the House of Representatives and President of the Senate of the Congress of the United States and to each member of the Oklahoma delegation in Congress.

### PENDING CONSIDERATION OF HAS

Upon motion of Senator Terrill, the Senate concurred in **HA** to Engrossed **SCR 84**.

**SCR 84**, as amended by the Honorable House, was read at length as follows, adopted upon motion of Senator Boecher, and ordered referred for enrollment:

**SCR 84**—By Terrill of the Senate and Wolf (Leland) of the House—A Concurrent Resolution fixing the day and hour of the Sine Die adjournment of the Second Session of the Thirty-second Oklahoma Legislature.

WHEREAS, matters of vital importance have been considered during the 2nd Ses-

sion of the 32nd Oklahoma Legislature; and

WHEREAS, the time for adjournment sine die of the 2nd Session of the 32nd Oklahoma Legislature is now a subject for proper consideration; and

WHEREAS, Article V, Section 30 of the Constitution of the State of Oklahoma provides that "Neither House, during the session, of the Legislature shall without consent of the other, adjourn for more than three days"; and

WHEREAS, no date and hour for the sine die adjournment of the 2nd Session of the 32nd Oklahoma Legislature has been fixed in pursuance of said Constitutional provision.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. That the hour of 3 p.m., Wednesday, April 15, 1970, be and the same is hereby fixed as the hour and day of the final adjournment sine die of the Second Session of the Thirty-second Oklahoma Legislature.

**RE: HB 1766**

Senator Howard, joined by Senators McGraw, Hargrave, Breckinridge and Bradley moved that the Senate Conferees on **HB 1766** be instructed to report the measure back with a provision providing that in counties under 400,000 there must be a vote of the electorate every two (2) years on the question of authorizing Public Housing for the following two (2) years.

Senator Payne raised a point of order, which was sustained, against consideration of the Howard motion stating that until such time as a Conference Committee Report on **HB 1766** has been submitted, and rejected, the Senate has no authority to instruct the Conferees.

**MESSAGE FROM THE HOUSE**

Transmitting following Bill and/or Resolution, together with 2nd Conference Committee Report thereon, advising adoption of 2nd Conference Committee Report and passage of Measure as amended: Engrossed **HB 1542**.

**CONFERENCE COMMITTEE REPORT**

The following 2d CCR on **HB 1542** was read and adopted upon motion of Senator Smalley:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1542**, and Engrossed Senate Amendments thereto, by Mountford, entitled:

An Act relating to certain public employees; amending Section 2, Chapter 50, O. S. L. 1963, as last amended by Section 1, Chapter 349, O. S. L. 1969, (74 O. S. Supp. 1969, § 902); redefining the terms "compensation," "eligible employer," "employee," and "final average compensation"; providing for severability; and declaring an emergency,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following second conference committee substitute be adopted and that the Senate recede from Amendment Numbers 1 and 2:

2nd **CCS** for **HB 1542**—By Mountford—An Act relating to certain public employees; amending Section 2, Chapter 50, O. S. L. 1963, as last amended by Section 1, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 902); redefining the terms "compensation," "eligible employer," "employee," and "final average compensation"; amending Section 10, Chapter 50, O. S. L. 1963, as last amended by Section 5, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 910), to require certain resolutions by participating county hospitals; amending Section 11, Chapter 50, O. S. L. 1963, as last amend-

ed by Section 5, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 911); deleting subsection (4) thereof providing for disability benefits; amending Section 12, Chapter 50, O. S. L. 1963 (74 O. S. Supp. 1969, § 912); permitting certain consolidation of certain retirement systems of employees of cities or towns and deleting subsection (2) providing for approval of consolidation; amending Section 13, Chapter 50, O. S. L. 1963, as last amended by Section 6, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 913); providing adjustments of certain prior and participating service credits; amending Section 15, Chapter 50, O. S. L. 1963, as last amended by Section 3, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 915); increasing amount of retirement benefit, providing disability benefits and qualifications therefor; amending Section 19, Chapter 50, O. S. L. 1963, as last amended by Section 7, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 919); increasing deduction and providing for participation by 20, Chapter 50, O. S. L. 1963, as amended certain elected officials; amending Section by Section 8, Chapter 432, O. S. L. 1965 (74 O. S. Supp. 1969, § 920); providing for certain employer contribution rates and determination thereof for the state or its departments or agencies; excluding certain justices and judges from the effect of this act; providing for severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 2, Chapter 50, O. S. L. 1963, as last amended by Section 1, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 902), is amended to read as follows:

§ 902. The following words and phrases shall have the following meanings respectively ascribed to each of them, unless a different meaning is plainly required by the context:

(1) "System," the Oklahoma Public Employees Retirement System as established by this act and as it may hereafter be amended;

(2) "Accumulated Contributions," the sum of all contributions by a member to the system which shall be credited to the member's account;

(3) "Act," Sections 901 to 931, inclusive, of this title;

(4) "Actuarial Equivalent," a deferred income benefit of equal value to the accumulated deposits or benefits when computed upon the basis of the actuarial tables in use by the system;

(5) "Actuarial Tables," the actuarial tables approved and in use by the board at any given time;

(6) "Actuary," the actuary or firm of actuaries employed by the board at any given time;

(7) "Agent," the individual designated by each participating employer through whom system transactions and communication shall be directed;

(8) "Beneficiary," any person named by a member to receive any benefits as provided for by this act. If there is no beneficiary living at time of member employee's death, his estate shall be the beneficiary;

(9) "Board of Trustees," the managing body of the system which shall be known as the Oklahoma Public Employees Retirement System Board of Trustees;

(10) "Compensation," all salary and wages, exclusive of payment for overtime, payable to a member of the system for personal services performed for a participating employer, including maintenance, or any allowance in lieu thereof provided a member as a part of compensation but shall not include compensation or reimbursement for traveling, or moving expenses, or any compensation in excess of **【Seven Thousand Eight Hundred Dollars (\$7,800.00) TWELVE THOUSAND DOLLARS (\$12,000.00)** per annum;

(11) "Credited Service," the sum of participating service and prior service;

(12) "Dependent," a parent, child, or



spouse of a member who is dependent upon the member for at least one-half ( $\frac{1}{2}$ ) of his support.

(13) "Effective Date," the date upon which the system becomes effective by operation of law;

(14) "Eligible Employer," the State of Oklahoma and any county, COUNTY HOSPITAL, city or town whose employees are covered by Social Security and are not covered by or eligible for another retirement plan authorized under the laws of the State of Oklahoma which is in operation on the initial entry date. PROVIDED AFFILIATION BY A COUNTY HOSPITAL SHALL BE IN THE FORM OF A RESOLUTION ADOPTED BY THE BOARD OF CONTROL. Provided, FURTHER, however, that prior to adoption of the resolution providing for participation in the Oklahoma Public Employees Retirement System by any city or town, the city commission, council or town board of trustees shall hold a public hearing on the question of the city or town's participation in said system. At such hearing a representative of the Oklahoma Public Employees Retirement System shall be present to explain the benefits and liabilities of entering the Oklahoma Public Employees Retirement System and all interested parties may be heard;

(a) If a class or several classes of employees of any above-defined employers are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of the State of Oklahoma, which is in operation on the effective date, such employer shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this section.

(b) A class or several classes of employees who are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under

the laws of the State of Oklahoma, which is in operation on the effective date, and when the qualifications for employment in such class or classes are set by state law; and when such class or classes of employees are employed by county or municipal government pursuant to such qualifications; and when the services provided by such employees are of such nature that they qualify for matching by or contributions from state or federal funds administered by an agency of state government which qualifies as a participating employer, then the agency of state government administering the state or federal funds shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this subsection; provided, that the required contributions to the retirement plan may be withheld from the contributions of state or federal funds administered by the state agency and transmitted to the system on the same basis as the employee and employer contributions are transmitted for the direct employees of the state agency. The retirement or eligibility for retirement under the provisions of law providing pensions for service as a volunteer fireman shall not render any person ineligible to participation in the benefits provided for in this act.

(15) "Employee," any officer or employee of a participating employer, whose employment is not seasonal or temporary and whose employment requires at least one thousand (1,000) hours of work per year and whose salary or wages is at least Ninety Dollars (\$90.00) per month or a salary established by statute to be more than Ninety Dollars (\$90.00) per month, but not including:

(a) any employee who is covered by or eligible for or who will become eligible for another retirement plan authorized under any other law of this state in operation on the entry date, except that this definition shall not exclude any person as defined herein who is covered

only by Social Security; or who prior to being employed in employment subject to this act was covered by the Teachers' Retirement System and still retains eligibility under said system or Social Security or both; PROVIDED THAT ANY EMPLOYEE OF THE COUNTY SUPERINTENDENT NOT A MEMBER OF THE TEACHERS RETIREMENT SYSTEM SHALL HAVE THE OPTION OF BEING A MEMBER OF THIS SYSTEM;

(b) any employee who is a contributing member of the United States Civil Service Retirement System;

(c) any officer or employee of the [Grand River Dam Authority, the Wildlife Conservation Department or the] Oklahoma Employment Security Commission or any other class of officers or employees specifically exempted by the laws of the State of Oklahoma, unless there be a consolidation as provided by Section 912 of this title.

(16) "Entry Date," the date as of which an eligible employer joins the system. The first entry date pursuant to this act shall be January 1, 1964;

(17) "Executive Director," the managing officer of the system employed by the board under this act;

(18) "Final Average Compensation," the average annual salary up to, but not exceeding [Seven Thousand Eight Hundred Dollars (\$7,800.00)] TWELVE THOUSAND DOLLARS (\$12,000.00) received during any five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment, or, if participating service is less than five (5) years, the average annual compensation up to but not exceeding [Seven Thousand Eight Hundred Dollars (\$7,800.00)] TWELVE THOUSAND DOLLARS (\$12,000.00) paid to the member during the full period of participating service;

(19) "Fiscal Year," of the Oklahoma Public Employees Retirement System, the

period commencing July 1 of any year and ending June 30, of the next year;

(20) "Oklahoma Public Employees Retirement Fund," the fund created by this act for payment of expenses and benefits under the system and referred to herein as the "fund";

(21) "Leave of Absence," a period of absence from employment without pay, authorized and approved by the employer and acknowledged to the board, and which after the effective date does not exceed one (1) year;

(22) "Member," an eligible employee who is in the system and is making the required employee contributions, or any former employee who shall have made the required contributions to the system and shall have not received a refund;

(23) "Military Service," service in the Armed Forces of the United States in time of war or national emergency, which service is immediately preceded by a period of employment with a participating employer and is followed by return to employment as an employee with the same or another participating employer within ninety (90) days immediately following discharge from such military service;

(24) "Normal Retirement Date," the date on which a member may retire with full retirement benefits, pursuant to this act, namely, the first day of the month coinciding with or following his sixty-fifth birthday;

(25) "Participating Employer," an eligible employer who has agreed to make contributions to the system on behalf of its employees;

(26) "Participating Service," the period of employment after the entry date for which credit is granted a member;

(27) "Prior Service," the period of employment of a member by an eligible employer prior to his entry date for which credit is granted a member under this act;

(28) "Retirant," a member who has retired under the system;

(29) "Retirement Benefit," a monthly income with benefits accruing from the first day of the month coinciding with or following retirement and ending on the first day of the month in which death occurs or the actuarial equivalent thereon paid in such manner as specified by the member pursuant to this act or as otherwise allowed to be paid at the discretion of the board;

(30) "Social Security," means the old age survivors and disability section of the Federal Social Security Act; and

(31) "Total Disability," a physical or mental disability accepted for disability benefits by the Federal Social Security System.

SECTION 2. Section 10, Chapter 50, O. S. L. 1963, as last amended by Section 5, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 910), is amended to read as follows:

§ 910. (1) An eligible employer may join the system in January of any year commencing January 1, 1964. Application for affiliation shall be in the form of a resolution approved by the governing or legislative body of the eligible employer or by any other body or officer authorized by the law or recognized by the board to approve such resolution or action; provided, that no county, COUNTY HOSPITAL, city or town shall become a participating employer except by the adoption of a resolution therefor which shall be published once each week for two (2) consecutive weeks in the official county newspaper or, if there is none, in a newspaper of general circulation therein, and no such resolution shall take effect until sixty (60) days after its final publication, and if, within sixty (60) days of its final publication, a petition signed by a number of electors equal to not less than five percent (5%) of the number of electors who voted at the last preceding general election in such county, city or town

shall be filed in the office of the clerk of such county, demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. Upon the filing of a certified copy of such resolution with the board, such election shall be irrevocable and the employer shall become a participating employer on January 1 of the year immediately following the filing of such election with the board. Any county which has elected heretofore to join the Oklahoma Public Employees Retirement System may elect to withdraw therefrom by filing a resolution to such effect with the board within thirty (30) days after the effective date of this enactment; provided, however, that such withdrawal shall be conditioned upon:

(A) the county commissioners of such withdrawing county assuming responsibility on behalf of said county for payment of the amount of actuarial obligations incurred by the Retirement System during the participating period and providing the necessary information to the Secretary of the Retirement System to determine the actuarial obligations of such county;

(B) arrangements for payment of all obligations of such county to the system up to the date of filing being made within sixty (60) days after notice from the system of the amount due; and

(C) the rights of any employee or annuitant which have vested prior to the date of filing such notice of withdrawal from the system shall be guaranteed by said county and the Retirement System.

(2) Arrangements for payment of obligations of such county to the system may be made in a single sum, or amortized in annual installments, to discharge the county's obligation to vested rights of retired employees for any period of time agreed to by such county and the system, or a combination of a down payment with deferred balance in amortized,



annual installments. The actuarial value of benefits to be received must be fully funded within five (5) years from date of this act, with interest not to exceed six percent (6%) per annum.

(3) The State of Oklahoma, in its capacity as an eligible employer shall become a participating employer on the first entry date and thereafter on the entry date immediately following the creation of any state agency not now in existence.

SECTION 3. Section 11, Chapter 50, O. S. L. 1963, as last amended by Section 5, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 911), is amended to read as follows:

§ 911. (1) Any employee of a participating employer on the entry date of such employer shall be a member of the system on the entry date.

(2) Any employee other than an elected official who is employed by a participating employer after the entry date of such employer and who had not attained age fifty-nine (59) at date of employment shall be a member of the system on the first day of the month immediately following employment. Any employee employed after the entry date of his employer who had attained age fifty-nine (59) at date of employment shall not be a member of the system.

(3) Any employee who is in military service or on leave of absence on the entry date of his employer shall become a member of the system upon his return to active employment.

[(4) Any employee with at least twenty (20) years' prior service who was employed by a participating employer, and who became totally disabled after January 1, 1963, and before January 1, 1964, and so became totally disabled while in the employment of said participating employer, shall be eligible for equivalent retirement benefits calculated for prior service benefits. Said employee would be considered as totally disabled if said employee qualified for the payment of Social Security Disability Benefits.]

SECTION 4. Section 12, Chapter 50, O. S. L. 1963 (74 O. S. Supp. 1969, § 912), is amended to read as follows:

§ 912. (1) The State of Oklahoma [or], any county, CITY OR TOWN, or ANY instrumentality thereof whose employees or a class of whose employees are members of any other retirement or pension plan authorized by a statute of the State of Oklahoma may, by resolution adopted by the official board, body, or officer or officers authorized to apply for application, request the board to submit a proposal for consolidation of such other system with the Oklahoma Public Employees Retirement System, including an estimate of the contribution rate necessary to comply with the actuarial standard of this system. Such proposal shall provide that: (a) the operation of such other pension system shall be discontinued; (b) the existing retirants or annuitants of such other system shall continue to be paid by the Oklahoma Public Employees Retirement System on the basis of the benefits schedule applicable in such other system at the date of proposed consolidation; (c) all cash and securities to the credit of such other system shall be transferred to the Oklahoma Public Employees Retirement System; (d) funds of such other system which represent accumulated contributions, if any, of members shall be credited to the employees accumulated contribution reserve of each employee. The balance of the funds so transferred to the Oklahoma Public Employees Retirement System shall be offset against the liability on account of existing retirants, annuitants, and active members; (e) the resulting liability so determined shall be the basis for a rate of contribution of such employer; (f) such consolidation shall take effect only on the anniversary of the entry date.

[(2) Before any employer shall adopt a resolution of affiliation which shall propose to accept a proposal of the board as provided in this section at least sixty percent of the members (not) retirants or

*annuitants) shall approve such consolidation. The board shall prescribe the manner in which such consent shall be exercised.】*

SECTION 5. Section 13, Chapter 50, O. S. L. 1963, as last amended by Section 6, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 913), is amended to read as follows:

§ 913. (1) Prior service shall be credited as follows:

(a) A member shall receive full credit for continuous employment prior to the entry date with his employer on the entry date. Provided, that if the employee was employed by such employer or any other employer who is a participating employer as of such entry date on or before the fifteenth day of March of the year immediately preceding such entry date of such employer, continuously to such entry date, then all previous employment with any participating employer whether or not continuous shall be credited, otherwise no credit shall be granted for employment prior to a break in continuous employment. Provided, that at such time that an employer becomes a participating employer on or after January 1, 1965, and before January 1, 1972, each member and each retirant, upon making proper written application therefor, shall receive prior service credit for service with such employer in the same manner as if such participating employer had been a participating employer on the date first eligible to become a participating employer; and increased benefits attributable to such increased prior service credit shall commence with the next monthly benefit payment due following receipt and approval of such application by the board of trustees. And provided further, that any person who was employed as a participating employee on January 1, 1964, by a participating employer and who had previously been employed, and on the payroll of other state agencies now subject to the Oklahoma Public Employees Retirement System for

a period of fifteen (15) consecutive years or more immediately prior to January 1, 1964, and who has accumulated five (5) years of accredited participating service, shall receive credit for prior service and be eligible for participation regardless of age. PROVIDED, FURTHER, THAT PRIOR TO JANUARY 1, 1970, ANY MEMBER EMPLOYEE WHO WAS EMPLOYED BY HIS EMPLOYER OR HIS EMPLOYER'S SUCCESSOR ON THE 15TH DAY OF MARCH, 1963, PRIOR TO THE ENTRY DATE OF THE EMPLOYER AND WHO VOLUNTARILY TERMINATED HIS EMPLOYMENT BETWEEN MARCH 15, 1963, AND THE ENTRY DATE OF HIS EMPLOYER, BUT WHO AFTER THE EMPLOYER'S ENTRY DATE WAS REEMPLOYED BY HIS PREVIOUS EMPLOYER, SHALL RECEIVE CREDIT FOR ALL PREVIOUS EMPLOYMENT BY HIS EMPLOYER, WHETHER CONTINUOUS OR NOT.

(b) Leaves of absence and military service leaves shall not be counted as breaks in continuous employment; however, military service which is immediately preceded and followed by employment with a participating employer shall be credited, but leaves of absence shall not be credited. The burden of proof regarding prior service shall be with the member and shall be documented in such manner as the board may direct.

(c) An elective state, county, city or town official who is ineligible for membership as a result of any applicable state law or constitutional provision making him ineligible solely because of his being such an official at the time of his eligibility for membership at the time his employer becomes a participating employer shall nevertheless not forfeit the prior service credit to which he would be entitled except for such ineligibility, provided that he either (i) becomes an employee of a participating employer within one hundred twenty (120) days of the expiration of his term of office current at the time of his eligibility except

for his being an elective state or county official, or (ii) within a period of four (4) years after the expiration of his term of office current at the time of his eligibility except for his being an elective state or county official, is elected as a state or county official and thereupon becomes a member of the system, or (iii) has completed ten (10) years of credited service as of the date of his eligibility for membership except for his being an elective state or county official.

(d) In addition to other benefits received by reason of employment by another participating employer all elected state officials serving after January 1, 1964, as a state elected official and having completed six (6) years or more of credited service as an elected state official and having paid to the Oklahoma Public Employees Retirement System sufficient contributions which shall be determined by the board of trustees shall receive a minimum of Seventy-five Dollars (\$75.00) monthly benefits and shall receive an additional Twelve Dollars and fifty cents (\$12.50) per month for each additional year of service, OR ANY SUCH ELECTED STATE OFFICIAL SERVING AFTER JULY 1, 1970, AND HAVING COMPLETED SIX (6) YEARS OR MORE OF CREDITED SERVICE AS AN ELECTED STATE OFFICIAL MAY ELECT TO CONTRIBUTE SIX (6%) PERCENT OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) AND SHALL RECEIVE A MINIMUM OF ONE HUNDRED TWENTY DOLLARS (\$120.00) MONTHLY BENEFITS AND SHALL RECEIVE AN ADDITIONAL TWENTY DOLLARS (\$20.00) PER MONTH FOR EACH ADDITIONAL YEAR OF SERVICE. Provided, however, members under this subsection shall be entitled to the retirement options as set forth in Section 918 of this act and may make an election with respect to vested benefits at any time before retirement date.

(e) Beginning July 1, 1965, all employees

of the Department of Public Welfare shall participate in the Oklahoma Public Employees Retirement System to the same extent as other employees of participating employers in such system. Provided that any employee performing teaching services in the Oklahoma School for the Deaf or the Oklahoma School for the Blind may elect to participate in the Teachers' Retirement System of Oklahoma in lieu of the Oklahoma Public Employees Retirement System; and any other employee at each such institution or any other institution under the jurisdiction of the Oklahoma Department of Public Welfare, participating in the Teachers' Retirement System of Oklahoma, may elect to continue to participate in such system in lieu of the Oklahoma Public Employees Retirement System. All employees who shall have participated in the Teachers' Retirement System of Oklahoma and not continuing therein shall have the right to withdraw their membership from the Teachers' Retirement System of Oklahoma on the same terms as other members withdrawing from such system before retirement. Provided, all persons employed at the Oklahoma School for the Blind and Oklahoma School for the Deaf on June 30, 1965, who became subject to the Oklahoma Public Employees Retirement System, on July 1, 1965, shall receive credit for prior service and be eligible for participation, regardless of age.

(2) Participating service shall be credited as follows:

(a) A member shall receive credit for participating service with a participating employer in accordance with the rules and regulations established by the board; provided, however, that no more than one calendar quarter of participating service shall be credited for any employment within one calendar quarter.

[(b) A member born before 1905 and having ten (10) or more years of prior service on the first entry date may convert up to one half ( $\frac{1}{2}$ ), but not to ex-



ceed ten (10) years, of any such prior service to participating service and be entitled to the benefits for participating service by applying to the board and paying into the system on or before January 1, 1965, a sum of money determined by the board to be actuarially equivalent to the contributions necessary to pay participating service benefits based on the age and earnings of any such member.】

【(c)】 (B) Leaves of absence and military service shall not count as a break in continuous employment provided the member leaves his accumulated contribution on deposit with the fund; however, the period of military service shall be credited but leaves of absence shall not be credited.

【(d)】 (C) A period of retirement under the system or a period of total disability, immediately followed by employment with a participating employer, shall not count as a break in continuous employment; provided, that such periods while not employed shall not be credited.

【(e)】 (D) Termination of employment with a participating employer followed by employment with the same or another participating employer within one hundred twenty (120) days shall not constitute a break in continuous employment; provided, that such period while not employed shall not be credited as participating service.

(3) In determining the number of years of credited prior service or participating service, a fractional year of six (6) months or more shall be considered as one (1) year and a fractional year of less than six (6) months shall be disregarded.

SECTION 6. Section 15, Chapter 50, O. S. L. 1963, as last amended by Section 3, Chapter 400, O. S. L. 1968 (74 O. S. Supp. 1969, § 915), is amended to read as follows:

§ 915. A. (1) Any member who shall retire on or after his normal retirement

date shall be entitled to receive an annual retirement benefit equal to the sum obtained by adding an amount for participating service and an amount for prior service determined as herein provided. The amount for prior service shall be equal to the sum of Sixty Dollars (\$60.00) per annum multiplied by the number of years of prior service entitled to credit as provided in Section 【13】 913 of this 【Act】 TITLE. The amount for participating service shall be equal to 【one and one-fourth percent  $1\frac{1}{4}\%$ 】 ONE AND ONE-HALF PERCENT ( $1\frac{1}{2}\%$ ) of the member's final average salary multiplied by the number of years of participating service entitled to credit as provided in Section 【13】 913 of this 【Act】 TITLE, EXCEPT THAT IT SHALL NOT BE LESS THAN THE MINIMUM AMOUNT FOR PRIOR SERVICE.

(2) Any member who shall retire before the normal retirement date shall receive an annual retirement benefit equal to the actuarial equivalent of but not exceeding the benefit payable had the member retired on the normal retirement date but based upon the member's final average salary and years of participating and prior service to date of actual retirement.

(3) Upon death of a retirant, there shall be paid to his beneficiary an amount equal to the excess, if any, of his accumulated contributions over the sum of all retirement benefit payments made.

(4) Such annual retirement benefits shall be paid in equal monthly installments, except that the board may provide for the payment of retirement benefits which total less than Two Hundred Forty Dollars (\$240.00) a year on other than a monthly basis.

(5) In the event that an application in such form as may be prescribed by the board for any amount due under the provisions of this act is not filed with the office of the retirement system by the person entitled to same within one (1)

year of the date such amount became due and payable, an amount equal to same shall be transferred to the retirement benefit accumulation reserve and such amount shall no longer be due and payable; however, if any such person shall present evidence satisfactory to the board that his failure to file such application within said time period was due to lack of knowledge or incapacity on his part, the amount equal to the amount originally due shall be transferred from the retirement benefit accumulation reserve to the reserve or reserves from which such transfer was initially made and the amount originally due shall be paid to such person.

B. A MEMBER SHALL BE CONSIDERED DISABLED IF SUCH MEMBER QUALIFIES FOR THE PAYMENT OF SOCIAL SECURITY DISABILITY BENEFITS, AND SHALL BE ELIGIBLE FOR BENEFITS HEREUNDER UPON PROOF OF SUCH DISABILITY AND AFTER COMPLETION OF AT LEAST TEN (10) YEARS OF PARTICIPATING SERVICE OR COMBINED PRIOR AND PARTICIPATING SERVICE. BENEFITS SHALL BE BASED UPON LENGTH OF SERVICE AND COMPENSATION AS OF THE DATE OF DISABILITY, WITHOUT ACTUARIAL REDUCTION BECAUSE OF COMMENCEMENT PRIOR TO AGE SIXTY-FIVE (65), BUT ANY SUCH BENEFIT SHALL BE REDUCED BY AN AMOUNT EQUAL TO ANY AMOUNT RECEIVED BY THE MEMBER BY REASON OF WORKMEN'S COMPENSATION DISABILITY BENEFITS. NO OPTIONAL FORMS OF BENEFIT PAYMENTS SHALL BE ALLOWED. BENEFIT PAYMENTS SHALL CEASE UPON THE MEMBER'S RECOVERY FROM DISABILITY PRIOR TO AGE SIXTY-FIVE (65). FUTURE BENEFITS, IF ANY, SHALL BE PAID BASED UPON LENGTH OF SERVICE AND COMPENSATION AS OF THE DATE OF DISABILITY. IN THE EVENT THAT DISABILITY CEASES AND THE MEMBER RETURNS TO EMPLOYMENT WITHIN

THE SYSTEM CREDITED SERVICE TO THE DATE OF DISABILITY SHALL BE RESTORED, AND FUTURE BENEFITS SHALL BE DETERMINED ACCORDINGLY.

SECTION 7. Section 19, Chapter 50, O. S. L. 1963, as last amended by Section 7, Chapter 349, O. S. L. 1969 (74 O. S. Supp. 1969, § 919), is amended to read as follows:

§ 919. (1) Each participating employer, beginning with the first monthly payroll for service performed after the entry date, shall deduct from the compensation of each member [three percent (3%) of the first Three Hundred Seventy-five Dollars (\$375.00) of his compensation each month and four percent (4%) of his monthly compensation in excess of Three hundred Seventy five Dollars (\$375.00) but not exceeding Six Hundred Fifty Dollars (\$650.00)] FOUR PERCENT (4%) OF THE FIRST ONE THOUSAND DOLLARS (\$1,000.00) OF HIS COMPENSATION EACH MONTH; provided, that additional sums may be deducted upon the authorization for payroll deduction by individual members for such other benefits as the board is authorized herein to administer. Such deductions shall be remitted quarterly, or as the board may otherwise provide, to the executive director for deposit in the Oklahoma Public Employees Retirement Fund. Such deductions shall be credited to the members' individual accounts.

(2) EACH ELECTED STATE OFFICIAL SERVING AFTER JANUARY 1, 1964, AS AN ELECTED STATE OFFICIAL AND HAVING COMPLETED SIX (6) YEARS OR MORE OF CREDITED SERVICE AS AN ELECTED STATE OFFICIAL, WHO ELECTS TO BECOME A MEMBER OF THE OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM, SHALL BE DETERMINED TO HAVE CONTRIBUTED SUFFICIENT CONTRIBUTIONS TO SAID RETIREMENT SYSTEM TO RECEIVE THE RE-

TIREMENT BENEFITS PROVIDED IN SECTION 913(1)(D) OF THIS TITLE BY CONTRIBUTING FOUR AND ONE-HALF PERCENT (4½%) OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) PAID TO SAID ELECTED STATE OFFICIAL BEGINNING JULY 1, 1970, OR ANY ELECTED STATE OFFICIAL SERVING AFTER JULY 1, 1970, MAY ELECT TO CONTRIBUTE SIX PERCENT (6%) OF HIS ANNUAL COMPENSATION UP TO BUT NOT EXCEEDING TWELVE THOUSAND DOLLARS (\$12,000.00) PAID TO SAID ELECTED STATE OFFICIAL BEGINNING JULY 1, 1970, AND THEREAFTER AS LONG AS THE ELECTED STATE OFFICIAL is a member of the retirement system.

(3) Any elected state official who was not a participating member after February 1, 1965, shall pay Five Hundred Three Dollars and eighty-four cents (\$503.84) per year for each year of prior service not later than July 1, 1970, to be eligible to receive the retirement benefits provided in Section 913(1)(d) of this title.

SECTION 8. Section 20, Chapter 50, O. S. L. 1963, as amended by Section 8, Chapter 432, O. S. L. 1965 (74 O. S. Supp. 1969, § 920), is amended to read as follows:

§ 920. (1) Upon the basis of each annual actuarial valuation and appraisal as provided for in this act, the board shall certify, on or before July 15 of each year, to the Division of Budget in the case of the state and to the agent for each participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the past service cost over a

period of not to exceed forty (40) years from the entry date and the cost of administration of the system, as determined by the board, upon recommendation of the actuary.

(2) The Division of the Budget and the Governor shall include in the budget and in the budget request for appropriations the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which said contribution is made is paid from or from any other funds available to it for such purpose.

(5) The rate of contribution certified to a participating employer as provided in this section shall apply during the first fiscal year of the participating employer which begins in the calendar year immediately following such certification; provided, that the rate of contribution during the period from January 1, 1964, to the fiscal year beginning in 1965 shall be equal to three percent (3%) of the amount of compensation on which the members contributed during the period.

(6) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in [Section 12 of this act] SECTION 912 OF THIS TITLE, at rates different from the rate fixed for employers joining within one year of the first entry date. PROVIDED HOWEVER, THE EMPLOYER CONTRIBUTIONS FOR THE STATE OF OKLAHOMA OR ANY DEPARTMENT OR AGENCY THEREOF FOR THE FISCAL YEAR



BEGINNING JULY 1, 1970 SHALL BE SIX PERCENT (6%) OF THE ANNUAL COMPENSATION AS PROVIDED IN THIS ACT AND THEREAFTER AS MAY BE DETERMINED BY THE BOARD OF TRUSTEES OF THE OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM.

(7) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

SECTION 9. The provisions of this act shall not operate either to enlarge or to diminish any rights any Justice or Judge may now have under the provisions of the Public Retirement System.

SECTION 10. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Smalley, Birdsong, Martin.

FOR THE HOUSE: Mountford, Musgrave, Goodfellow.

HB 1542, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Luton, McGraw, Massey, Medearis, Murphy, Payne, Phillips, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Berrong, McCune, McSpadden, Nichols, Romang, Young.—7.

Excused: Baggett, Holden, Inhofe, Lane, Martin, Miller, Porter, Stipe.—8.

The Bill, as amended in conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Horn, Howard, Keels, Luton, McGraw, Massey, Medearis, Murphy, Payne, Phillips, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams.—33.

Nay: Baldwin, Berrong, McCune, McSpadden, Nichols, Romang, Young.—7.

Excused: Baggett, Holden, Inhofe, Lane, Martin, Miller, Porter, Stipe.—8.

The emergency was declared passed.

HB 1542, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1145, requesting Conference and naming Conferees as follows: Derryberry, Finch and Greenhaw.

Upon motion of Senator Luton, the request of the Honorable House for conference on HB 1145 was ordered granted.

## CC APPOINTMENT

As provided under Rule 3-d, President Pro Tempore Smith announced the appointment of the following Senate Conferees under HB 1145: Luton, Birdsong and Young.

## CONFERENCE COMMITTEE REPORT

The following CCR on SB 117 was read and adopted upon motion of Senator Young:

Mr. President  
and  
Mr. Speaker:

The Conference Committee, to which was referred **SB 117** By Young, Atkinson, Birdsong, Crow, Field, Ham, Holden, Horn, Keels, Martin, Massey, Miller, Nichols, Phillips, Breckinridge, Howard, Inhofe and Smalley, entitled:

An Act relating to crimes and punishments; prohibiting the transportation in a moving motor vehicle of nonintoxicating beverages except in the original unopened container; making violation of act a misdemeanor; and prescribing penalties,

together with House Amendments thereto—to which the Senate disagrees—having met and carefully considered disagreements between the Senate and the Honorable House, have agreed to recommend and do recommend to the respective Houses, as follows:

That the following conference committee substitute, as Co-Authored by Allard, Sanguin, Derryberry, Greenhaw, Sullivan, Green, York, Holaday, Jones, Bengtson, Payne, Boren, Murphy, Miskelly, Bernard, Hutchens and Gooden of the House, be adopted:

**CCS for SB 117**—By Young, Atkinson, Birdsong, Crow, Field, Ham, Holden, Horn, Keels, Martin, Massey, Miller, Nichols, Phillips, Breckinridge, Howard, Inhofe and Smalley of the Senate and Allard, et, al, of the House—An Act relating to crimes and punishments; prohibiting the transportation in a moving motor vehicle of nonintoxicating beverages except in the original unopened container; making violation of act a misdemeanor; and prescribing penalties.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** It shall be unlawful for any person to knowingly transport in any moving vehicle upon a public highway, street or alley any nonintoxicating beverage containing more than one-half of one per-

cent ( $\frac{1}{2}$  of 1%) alcohol by volume and not more than three and two-tenths percent (3.2%) alcohol by weight except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than Fifty Dollars (\$50.00).

FOR THE SENATE: Young, Boecher, Birdsong.

FOR THE HOUSE: Allard, Finch, Derryberry.

**SB 117**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Howard, Lane, McCune, McSpadden, Medearis, Murphy, Nichols, Payne, Phillips, Romang, Short, Smalley, Smith, Stansberry, Taliaferro, Terrill, Williams, Young.—34.

Nay: Garrett, McGraw.—2.

Excused: Baggett, Field, Garrison, Horn, Inhofe, Keels, Luton, Martin, Massey, Miller, Porter, Stipe.—12.

The Bill, as amended in Conference, was declared passed.

**SB 117**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

There being matters on the President's desk for the consideration of the Senate in Executive Session, it was upon motion of Senator Terrill that the Senate closed

its doors and went into Executive Session.

\*

The Senate reassembled, in open session, with President Pro Tempore Smith presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Berrong, advised and consented to the confirmation of the executive nomination of JIMMIE E. LEGATE, Sayre, to serve as member of the Board of Trustees of the Teacher Retirement System for an initial one (1) year term ending July 1, 1970, and effective upon Senate confirmation. Mr. Legate serves an initial term under new law as an active stockbroker.

The Senate, in executive session and upon motion of Senator Young, advised and consented to the confirmation of the executive nomination of MAURICE LEE of Boley, to serve as member of the Human Rights Commission for a three (3) year unexpired term ending July 15, 1971, and effective upon Senate confirmation. Mr. Lee fills the unexpired term of Tollie Harris.

The Senate, in executive session and upon motion of Senator Breckinridge, advised and consented to the confirmation of the executive nomination of KENNETH ANQUOE, Tulsa, to serve as a member of the Indian Affairs Commission for a two (2) year period ending August 15, 1971, and effective upon Senate confirmation. Mr. Anquoe succeeds himself.

The Senate, in executive session and upon motion of Senator Ham, advised and consented to the confirmation of the executive nomination of DR. W. C. McCURDY, JR., Purcell, to serve on the Board of Trustees of the Oklahoma Rural Medical Scholarship Fund to serve a one (1) year term ending April 1, 1971, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Baldwin, advised and consented to the confirmation of the executive nomination of Dr. RALPH L.

BULLER, Hydro, to serve as member of the Board of Trustees of the Oklahoma Rural Medical Scholarship Fund for a four (4) year term ending April 1, 1974, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator McSpadden, advised and consented to the confirmation of the executive nomination of Dr. N. A. COTNER, Grove, to serve on the Board of Trustees of the Oklahoma Rural Medical Scholarship Fund, to serve a three (3) year term ending April 1, 1973, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Inhofe, advised and consented to the confirmation of the executive nomination of Dr. CLYDE BARTON, Tulsa, to serve on the Board of Trustees, Oklahoma Rural Medical Scholarship Fund, for a term of two (2) years ending January 1, 1972, and effective upon Senate confirmation.

The Senate, in executive session and upon motion of Senator Baggett, advised and consented to the confirmation of the executive nomination of HUGH BINGHAM, Superintendent of Schools, Edmond, to serve as member of the Board of Trustees of the Teachers Retirement System, for a five (5) year unexpired term ending July 1, 1972, and effective upon Senate confirmation. Mr. Bingham fills the unexpired term of Mr. Reed.

The Senate, in executive session and upon motion of Senator Porter, submitted to the Senate by personal letter, advised and consented to the confirmation of the executive nomination of DONALD GLENN BROWN, Oklahoma City, to membership on the Human Rights Commission, to serve an unexpired three (3) year term ending July 15, 1971, and effective upon Senate confirmation. Mr. Brown fills the unexpired term of Dr. Atkins.

#### MESSAGE FROM THE HOUSE

Advising rejection of Conference Committee Report, requesting further conference, naming same conferees on **SB 537**.



Upon motion of Senator Terrill, the request of the Honorable House for a further conference on **SB 537** was ordered granted and President Pro Tempore Smith reappointed original Senate Conferees—Holden, Terrill and Baggett.

#### MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed **SCR 86**, and **SCR 93**-coauthored by Sparkman and Hutchens.

The above numbered Resolutions were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1579**.

The above numbered Enrolled Bill was after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1671** and **HB 1702**, each as amended.

#### REPORT OF ENGROSSED AND ENROLLED BILLS

**SCRs 84** and **89** and **SRs 74** and **75** each correctly enrolled.

Enrolled **SCR 84** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SRs 74** and **75** were properly signed and ordered transmitted to the Secretary of State.

Senator Boecher presiding.

Enrolled **SCR 89** was properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

#### PENDING CONSIDERATION OF CCRs

Upon motion of Senator Keels, the Conference Committee Report on **HB 1206** was declared adopted.

**HB 1206**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Ferrell, Field, Grantham, Holden, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Excused: Baggett, Crow, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Inhofe, Massey, Phillips, Porter, Stansberry, Stipe, Taliaferro.—16.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Dacus, Ferrell, Field, Grantham, Holden, Howard, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—32.

Excused: Baggett, Crow, Garrett, Garrison, Graves, Ham, Hamilton, Hargrave, Horn, Inhofe, Massey, Phillips, Porter, Stansberry, Stipe, Taliaferro.—16.

The emergency was declared passed.

**HB 1206**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and adoption of Engrossed **HCR 1039**, as amended.

#### MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1752**: (The emergency failed)

Mr. Speaker  
and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1752**, and Engrossed Senate Amendments thereto, by Smith (Norman) of the House and Grantham of the Senate entitled:

An Act relating to prepaid funeral services and funeral merchandise; requiring permits of sellers; \*\*\* providing this act shall not affect insurance code; providing severability; and declaring an emergency, beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the conference committee substitute be adopted:

**CCS for HB 1752**—By Smith (Norman) of the House and Grantham of the Senate—An Act relating to prepaid funeral services and merchandise; requiring permits of sellers; providing exemptions; placing certain powers and duties upon the Insurance Commissioner; providing for permit applications and fees; providing for deposit in trust funds of certain funds received from sales and withdrawal therefrom; granting such funds certain exemptions and requiring fidelity bond; requiring merchandise price display; requiring reports and records; requiring examination fees; making violations misdemeanors and prescribing penalties; prohibiting certain acts concerning insurance policies; providing for fund in State Treasury; making this act inapplicable to certain advertising; providing this act shall not affect insurance code; providing severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

**SECTION 1.** Any individual, firm, partnership, corporation, or association (hereinafter called "organization") which shall accept money or anything of value for prearranged, or prepaid funeral services, or funeral merchandise (including caskets, grave vaults, and all other articles of merchandise incidental to funeral services) or

for any contract providing future funeral services or funeral merchandise at a fixed price or at a cost plus a percentage, or at retail price less a percentage discount, or providing for any special consideration of any kind to be granted or made available to the purchaser or holder of such contract, in this state, under any sales contract, bond, certificate or other form of written document providing for prepaid, discontinued or otherwise specially priced funeral or burial benefits or services or funeral merchandise to be delivered at an undetermined future date dependent upon the death of a contracting party or other person designated by a contracting party (hereinafter called "prepaid funeral benefits") shall first obtain a permit from the Insurance Commissioner of the State of Oklahoma authorizing the transaction of this type of business before entering into any such contract. From and after thirty (30) days from the effective date of this act, it shall be unlawful to sell prepaid funeral benefits unless the seller holds a valid, current permit at the time such contract is made. The seller shall not be entitled to enforce a contract made in violation of the act, but the purchaser or his heirs, or legal representative, shall be entitled to recover triple the amounts paid to the seller with interest thereon at the rate of six percent (6%) per annum under any contract made in violation hereof.

**SECTION 2.** Nothing in this act shall apply to religious or benevolent organizations, operating in this state as a burial association; or to the sale of grave spaces, mausoleum spaces, markers and monuments only.

**SECTION 3.** This act shall be administered by the Insurance Commissioner of the State of Oklahoma. The Insurance Commissioner is authorized to prescribe reasonable rules and regulations concerning keeping and inspection of records, the filing of contracts and reports, and all other matters incidental to the orderly administration of this law; and the Insurance Commissioner of the State of Oklahoma

shall first approve all forms for sale contracts for prepaid funeral benefits. All such contracts must be in writing and no contract form shall be used without first being approved by the Insurance Commissioner. On any prepaid funeral when the person dies and his funeral is performed, and the money is drawn down, any person receiving such monies so drawn down shall send to the State Insurance Commissioner their itemized statement of charges.

SECTION 4. Each person desiring to accept money or anything of value for prepaid funeral benefits or an agreement to provide funeral benefits in the future at a fixed or predetermined cost, shall file an application for a permit with the Insurance Commissioner, and shall at the time of filing such application pay one initial filing fee of Twenty-five Dollars (\$25.00). The Insurance Commissioner shall issue a permit upon the receipt of the application and payment of the filing fee, and upon making a finding that the applicant has complied with the rules and regulations as may be established under this act by the Insurance Commissioner. Provided that all such applications shall be signed by the organization requesting the permit, and shall contain a statement that the applicant will comply with all the requirements as established by this act. All permits shall expire on the 31st day of December of the year said permit is first issued, unless renewed; permits may be renewed for a period not to exceed the succeeding December 31 upon the payment of a renewal fee of Ten Dollars (\$10.00).

The Insurance Commissioner may cancel a permit or refuse to issue a permit or refuse to issue a renewal of such permit for failure to comply with any provision of this act, or any valid rule or regulation, which the Insurance Commissioner has prescribed, after reasonable notice to the permittee and after hearing if the permittee requests a hearing.

No organization shall be entitled to a new permit for a period of one (1) year after cancellation, or refusal by the Insur-

ance Commissioner to renew his permit but shall thereafter be entitled to a new permit upon satisfactory proof of compliance with this law, after the expiration of said one (1) year.

Any person or organization aggrieved by the actions of the Insurance Commissioner may appeal therefrom as provided by the Administrative Procedures Act.

SECTION 5. After the effective date of this act, ninety percent (90%) of all funds collected under contracts for prepaid funeral benefits, shall be placed in a state or national bank, or building and loan association in this state, and so deposited not less than ten (10) days after the collection of such funds, to be held in a trust fund in this state for the use, benefit and protection of purchasers of such contracts. Any withdrawals from such trust funds shall be accompanied by a certified copy of the death certificate, together with all proper affidavits as may be required by the Insurance Commissioner, before such funds shall be released in fulfillment of the contract; provided, under such regulations as the Insurance Commissioner may establish, the person purchasing the contract may withdraw all funds he has paid under the contract plus any interest accrued thereon. In no event shall more funds be withdrawn from the trust account than are originally placed into the fund under any one contract, other than through the payment of accrued interest thereon. All funds deposited in trust pursuant to the items of this act shall be exempt from attachment, garnishment, execution, and the claims of creditors, receivers, or trustees in bankruptcy until such time as the funds have been withdrawn from the trust account and paid to the seller or refunded to the purchaser; provided that each organization subject to this act must furnish a fidelity bond, to be approved by the Insurance Commissioner of the State of Oklahoma, in an amount of at least fifteen percent (15%) of all funds collected for prepaid funeral benefits.

SECTION 6. Each organization subject



to the act shall designate an agent or agents, either by names of the individuals or by titles of their offices or positions, who shall be responsible for deposits of funds collected under contract for prepaid funeral benefits. The organization shall notify the Insurance Commissioner of such designation within ten (10) days after it becomes subject to this act, and shall also notify the Insurance Commissioner of any changes in such designation within ten (10) days after such change occurs. If any person acting on behalf of the seller collects any money under such a contract and fails to deliver it within ten (10) days after collection to a designated agent, or if any designated agent fails to deposit the money within ten (10) days after he receives it, he shall be guilty of a misdemeanor and shall be punished as prescribed in Section 10 of this act.

SECTION 7. Any organization or person when offering caskets as other articles of merchandise incidental to burial or funeral services shall prominently display thereon the retail price thereof and such price shall not be removed therefrom or changed until said merchandise is sold.

SECTION 8. Each organization shall file an annual report with the Insurance Commissioner on or before October 1 of each year in such form as the Insurance Commissioner may require, showing the names and addresses of all persons with whom contracts for prepaid funeral benefits have been made prior to September 1 of that year which had not been fully discharged on September 1 and, also showing the date of the contract, the name of the bank or building and loan association holding the trust fund and the amount of the trust fund under each contract on the preceding September 1. Any organization which has discontinued the sale of prepaid funeral benefits, but which still has outstanding contracts, shall not be required to obtain a renewal of its permit, but it shall continue to make annual reports to the Insurance Commissioner until all such contracts have been fully discharged, in which case a fil-

ing fee of Ten Dollars (\$10.00) shall accompany each report. If any officer or any organization fails or refuses to file an annual report, or to cause it to be filed within thirty (30) days after he has been notified by the Insurance Commissioner that the report is due and has not been received, he shall be guilty of a misdemeanor and shall be punished as prescribed in Section 10 of this act.

SECTION 9. Each organization which has outstanding contracts for prepaid funeral benefits shall maintain within this state such records as the Insurance Commissioner may require to enable him to determine whether the organization is complying with the provisions of this act. Such records shall be subject to examination by this State Insurance Commissioner, or his agent, or such person as he may designate, as often as he deems advisable, and not less frequently than every three (3) years, provided, however, the Commissioner shall determine the date of original examination without regard to the date of the original permit. Each permittee examined shall pay a fee for each examination not to exceed Twenty-five Dollars (\$25.00) per day or a fraction thereof that any examiner is absent from other duties that he would otherwise have performed, except for the examination herein required, for the purpose of making such examination, and in addition thereto, shall pay the actual meals, hotel and traveling expenses of each authorized examiner from Oklahoma City and return.

SECTION 10. Any officer, director, agent, or employee of any organization subject to the terms of this act who makes, or attempts to make, any contract in violation of this act, or who refuses to allow an inspection of the organization's records, or who violates any other provision of this act, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not less than one (1) month and not more than six (6) months, or by both such fine and imprisonment. Each violation of any

provision of this act shall be deemed a separate offense and prosecuted individually.

SECTION 11. Any person who deals with the disposal or burial of deceased persons who wilfully misquotes requirements of state law regarding such shall be guilty of a misdemeanor.

SECTION 12. Except under such rules and regulations as shall be established by the State Insurance Commissioner it shall be unlawful for any officer, director, agent or employee of any organization subject to the terms of this act, or any licensed funeral director, personally or through the act of a representative or employee, to:

(1) take possession from any person of a policy of life or accident insurance, or any evidence of insurability under any such policy, while, directly or indirectly, furnishing funeral services;

(2) receive an assignment of over One Thousand Dollars (\$1,000.00) of the benefits from any life or accident insurance policy for the direct or indirect payment of funeral costs; or

(3) forward any life or accident insurance policy to an insurer in order to make a claim on said policy, or forward any claim on any such policy to the insurer involved, when such is directly or indirectly connected with services furnished in a funeral service.

A violation of this section shall constitute a misdemeanor under the laws of the State of Oklahoma and shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not less than one (1) month and not more than six (6) months, or by both such fine and imprisonment.

SECTION 13. All filing fees and examination costs collected under this act shall be credited to a separate fund in the State Treasury to be known as the Insurance Commissioner's Pre-Need Fund. The Insurance Commissioner is authorized to employ such personnel as may be necessary to carry out the provisions of this act and to

fix their compensation within the amounts made available by appropriation and by the fund established by this section.

SECTION 14. Nothing in this act or any other law of the State of Oklahoma shall be construed to prevent or prohibit advertising of the price or any other information relating to the sale of any funeral service, funeral benefit, funeral merchandise, or any other property which may be used in the burial or disposal of the human dead, provided such advertising shall not be false, fraudulent or misleading.

SECTION 15. Nothing in this act shall alter or affect any provision of the Insurance Code of the State of Oklahoma.

SECTION 16. The provisions of this act are severable and if any part or provisions hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 17. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE HOUSE: Smith (N.), Vann. Cate.

FOR THE SENATE: Grantham, Smalley, Ham, Stipe.

Senator Grantham moved that the conference Committee Report on HB 1752 be adopted.

Senator Payne moved that the Previous Question be now put, which motion was declared adopted.

The vote occurring upon the Grantham motion, it was declared adopted, upon a roll call as follows:

Aye: Atkinson, Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McGraw, McSpadden, Martin, Murphy, Payne, Phillips, Smalley, Williams.—27.

Nay: Baldwin, Garrett, Garrison, Hargrave, Horn, Howard, Inhofe, McCune, Massey, Medearis, Romang, Short, Smith, Taliaferro, Terrill, Young.—16.

Excused: Miller, Nichols, Porter, Stansberry, Stipe.—5.

**HB 1752**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Williams.—28.

Nay: Atkinson, Baldwin, Garrett, Garrison, Hargrave, Horn, Howard, Inhofe, McCune, Massey, Medearis, Romang, Short, Smith, Taliaferro, Terrill, Young.—17.

Excused: Porter, Stansberry, Stipe.—3.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Baggett, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Grantham, Graves, Ham, Hamilton, Holden, Keels, Lane, Luton, McGraw, McSpadden, Martin, Miller, Murphy, Nichols, Payne, Phillips, Smalley, Williams.—28.

Nay: Atkinson, Baldwin, Garrett, Garrison, Hargrave, Horn, Howard, Inhofe, McCune, Massey, Medearis, Romang, Short, Smith, Taliaferro, Terrill, Young.—17.

Excused: Porter, Stansberry, Stipe.—3.

The emergency was declared failed of passage.

**HB 1752**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

#### MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1512**, as amended.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1512, 1568, 1575, and HJR 1053**.

The above numbered Enrolled Bills and/or Resolution were, after fourth reading properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1039**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 84 and 89**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

#### MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Reports thereon, advising adoption of Conference Committee Reports and passage of Measures as amended: Engrossed **SB 117**-coauthored by Boettcher, Camp, Hatchett and Trent, **SB 461** and **SB 562**.

The above numbered Bills as amended in Conference were referred for enrollment.

#### MESSAGE FROM THE HOUSE

Returning following Bill, together with 2nd Conference Committee Report thereon, advising adoption of 2nd Conference Committee Report and passage of Measure as amended: Engrossed **SB 537**.



## SECOND CONFERENCE COMMITTEE REPORT

The following 2nd CCR on SB 537 was read and adopted upon motion of Senator Baggett:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed SB 537 and the Engrossed House Amendments thereto, by Holden of the Senate and Cate of the House, entitled:

An Act relating to civil procedure; amending 12 O. S. 1961, § 936, as amended by Section 1, Chapter 135, O. S. L. 1967 (12 O. S. Supp. 1969, § 936); providing for attorney fees to be taxed as costs in certain cases; providing that this act will not apply to transactions subject to the uniform consumer credit code; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from Engrossed House Amendments Nos. 1 and 2.

2. That the following 2nd CCS for Engrossed Senate Bill No. 537 be recommended for enactment:

CCS for SB 537—By Holden—An Act relating to civil procedure and the uniform consumer credit code; amending 12 O. S. 1961, § 936, as amended; § § 2-202, 2-301, 2-306, 2-413, 3-202, 3-301, 3-306, 3-404, 5-203 and 6-104 of Chapter 352, 1969 O.S.L. (14A O. S. Supp. 1969, § § 2-202, 2-301, 2-306, 2-413, 3-202, 3-301, 3-306, 3-404, 5-203 and 6-104); providing for the taxing of attorney's fees as costs in certain cases; providing for consumer credit contracts to include provisions for reasonable attorney's fees with exceptions; amending consumer credit code as to certain definitions, inclusions and exclusions, treatment of closing costs, applicability, dis-

closure exceptions, inclusions of arrangers for credit, and empowering administrator and commission to adopt rules conforming to federal consumer credit protection act where inconsistent with code; and providing severability.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. 12 O. S. 1961, § 936, as amended by Section 1, Chapter 135, O.S.L. 1967 (12 O. S. Supp. 1969, § 936), is amended to read as follows:

§ 936. In any civil action to recover on AN open [accounts] ACCOUNT A [state-ments] STATEMENT of [accounts] ACCOUNT [accounts] ACCOUNT stated, NOTE, [bills] BILL NEGOTIABLE INSTRUMENT, [and written contracts] OR CONTRACT relating to the purchase or sale of goods, wares, or merchandise, OR FOR LABOR OR SERVICES, unless otherwise provided by LAW OR the contract which is the subject [of] TO the action, the prevailing party shall be allowed a reasonable attorney fee to be set by the court, to be taxed and collected as costs.

SECTION 2. Section 2-202, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 2-202) is hereby amended to read as follows:

§ 2-202. ADDITIONAL CHARGES. (1) In addition to the credit service charge permitted by this Part, a seller may contract for and receive the following additional charges in connection with a consumer credit sale:

(a) official fees and taxes;

(b) charges for insurance as described in subsection (2); and

(c) charges for other benefits, including insurance, conferred on the buyer, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the credit service charge by rule adopted by the Administrator.

(2) An additional charge may be made for insurance written in connection with the sale, other than insurance protecting the seller against the buyer's default or other credit loss.

(a) with respect to insurance against loss of or damage to property, or against liability, if the seller furnishes a clear and specific statement in writing to the buyer, setting forth the cost of the insurance if obtained from or through the seller, and stating that the buyer may choose the person through whom the insurance is to be obtained; and

(b) with respect to consumer credit insurance providing life, accident or health coverage, if the insurance coverage is not a factor in the approval by the seller of the extension of credit and this fact is clearly disclosed in writing to the buyer, and if, in order to obtain the insurance in connection with the extension of credit, the buyer gives specific affirmative written indication of his desire to do so after written disclosure to him of the cost thereof.

(3) For the purposes of the Part on Disclosure and Advertising (Part 3), *[if the credit service charge with respect to a sale of an interest in land does not exceed ten percent (10%) per year (Paragraph (b) of subsection (2) of Section 2-104),]* reasonable closing costs *[even though not within subsection (1) may be treated as]* ARE additional charges.

SECTION 3. Section 2-301, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 2-301) is hereby amended to read as follows:

§ 2-301 APPLICABILITY: INFORMATION REQUIRED. (1) For purposes of this Part, consumer credit sale includes the sale of an interest in land without regard to the rate of the credit service charge if the sale is otherwise a consumer credit sale (Section 2-104).

(2) The seller shall disclose to the buyer to whom credit is extended with respect to a consumer credit sale the in-

formation required by either *[(a)]* this Part, or *[(b) except with respect to a consumer credit sale of an interest in land or secured by an interest in land,]* the Federal Consumer Credit Protection Act.

(3) For the purpose *[of paragraph (b)]* of subsection (2), information which would otherwise be required pursuant to the Federal Consumer Credit Protection Act is sufficient even though the transaction is one of a class of credit transactions exempted from that Act pursuant to regulation of the Board of Governors of the Federal Reserve System.

(4) The lessor shall disclose to the lessee to whom credit is extended with respect to a consumer lease the information required by this Part.

SECTION 4. Section 2-306, Chapter 352, O. S. L. 1969 (14A O. S. Supp. 1969, § 2-306) is hereby amended to read as follows:

§ 2-306. CONSUMER CREDIT SALES NOT PURSUANT TO REVOLVING CHARGE ACCOUNT.

(1) This section applies to a consumer credit sale not made pursuant to a revolving charge account (Section 2-310).

(2) The seller shall give to the buyer the following information:

(a) brief description or identification of the goods, services, or interest in land;

(b) cash price of the goods, services, or interest in land and any applicable sales, use, excise, transfer, or documentary stamp taxes not included in the cash price; if property and related services are sold as part of one transaction, the price of the property and services may be separately stated or combined;

(c) amount of the down payment and a statement of the portion paid in money and the portion paid by an allowance for property traded in; if there is a security interest in the property traded in which the seller agrees to discharge, the seller shall also state the amount which

the seller agrees to pay to discharge the security interest and this amount may be deducted from the allowance for property traded in;

(d) difference between the amount of cash price (paragraph (b) ) and the amount of down payment (paragraph (c) );

(e) amount paid or payable for registration, certificate of title or license fees, if not included in the cash price, and a description or identification of the fees;

(f) amount of official fees and taxes if not included in the cash price and a description or identification of them;

(g) brief description of insurance to be provided or paid for by the seller including the type and amount of the coverages, and if a separate charge is made, the amount of the charge;

(h) amount of other additional charges (Section 2-202), and a brief description or identification of them;

(i) amount financed (sum of amounts stated in paragraphs (d), (e), (f), (g), and (h) );

(j) except in the case of a sale of a dwelling *[when the credit service charge does not exceed ten percent (10%) per year (Section 2-104),]* the amount of the credit service charge and the amount of the unpaid balance (amount financed plus credit service charge);

(k) rate of the credit service charge as applied to the amount financed in accordance with the provisions on calculation of rate (Section 2-304), except in the case of a credit service charge which does not exceed Five Dollars (\$5.00) when the amount financed does not exceed Seventy-five Dollars (\$75.00) or Seven Dollars and fifty cents (\$7.50) when the amount financed exceeds Seventy-five Dollars (\$75.00);

(l) number of payments, amount of each payment, due date of first payment, and the due date of subsequent payments or interval between payments;

(m) default, delinquency, or similar

charges payable in the event of late payments; and

(n) description of any security interest held or to be retained or acquired by the seller in connection with the extension of credit, and a clear identification of the property to which the security interest relates.

SECTION 5. Section 2-413, Chapter 352, O. S. L. 1969 (14A O. S. SUPP. 1969, § 2-413), is amended to read as follows:

§ 2-413. With respect to a consumer CREDIT sale or WITH RESPECT TO A consumer lease the agreement may **[not]** provide for the payment by the buyer or lessee of REASONABLE attorneys fees NOT IN EXCESS OF FIFTEEN PERCENT (15%) OF THE UNPAID DEBT AFTER DEFAULT AND REFERRAL TO AN ATTORNEY NOT A SALARIED EMPLOYEE OF THE SELLER, OR OF THE LESSOR OR HIS ASSIGNEE; PROVIDED, HOWEVER, THAT NO ATTORNEYS FEE SHALL BE ALLOWED IF THE AMOUNT FINANCED IS ONE THOUSAND DOLLARS (\$1,000.00) OR LESS AND THE CREDIT SERVICE CHARGE EXCEEDS TEN PERCENT (10%) PER YEAR CALCULATED ACCORDING TO THE ACTUARIAL METHOD. A provision in violation of this section is unenforceable.

SECTION 6. Section 3-202, Chapter 4352, O. S. L. 1969 (14A O. S. SUPP. 1969, § 3-202 is hereby amended to read as follows:

§ 3-202. ADDITIONAL CHARGES. (1) In addition to the loan finance charge permitted by this Part, a lender may contract for and receive the following additional charges in connection with a consumer loan:

(a) official fees and taxes;

(b) charges for insurance as described in subsection (2);

(c) annual charges, payable in advance, for the privilege of using a lender credit card or similar arrangement which entitles the user to purchase goods or serv-



ices from at least one hundred persons not related to the issuer of the lender credit card or similar arrangement, under an arrangement pursuant to which the debts resulting from the purchases are payable to the issuer; and

(d) charges for other benefits, including insurance, conferred on the debtor, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the loan finance charge by rule adopted by the Administrator.

(2) An additional charge may be made for insurance written in connection with the loan, other than insurance protecting the lender against the debtor's default or other credit loss

(a) with respect to insurance against loss of or damage to property, or against liability, if the lender furnishes a clear and specific statement in writing to the debtor, setting forth the cost of the insurance if obtained from or through the lender, and stating that the debtor may choose the person through whom the insurance is to be obtained; and

(b) with respect to consumer credit insurance providing life, accident, or health coverage, if the insurance coverage is not a factor in the approval by the lender of the extension of credit, and this fact is clearly disclosed in writing to the debtor, and if in order to obtain the insurance in connection with the extension of credit, the debtor gives specific affirmative written indication of his desire to do so after written disclosure to him of the cost thereof.

(3) For the purpose of the Part on Disclosure and Advertising (Part 3), *[if the loan finance charge with respect to a loan primarily secured by an interest in land does not exceed ten percent (10%) per year (Section 3-105),]* reasonable closing costs *[even though not within subsection (1) may be treated as]* ARE additional charges.

SECTION 7. Section 3-301, Chapter 352, O. S. L. 1969 (1A O. S. 1969, § 3-301) is hereby amended to read as follows:

§ 3-301. APPLICABILITY; INFORMATION REQUIRED. (1) For purposes of this Part, consumer loan includes a loan secured primarily by an interest in land without regard to the rate of the loan finance charge if the loan is otherwise a consumer loan (Section 3-104).

(2) The lender shall disclose to the debtor to whom credit is extended with respect to a consumer loan the information required by either *[(a)]* this Part; or *[(b) except with respect to a consumer loan secured primarily by an interest in land,]* the Federal Consumer Credit Protection Act.

(3) For the purposes of *[paragraph (b) of]* subsection (2), information which would otherwise be required pursuant to the Federal Consumer Credit Protection Act is sufficient even though the transaction is one of a class of credit transactions exempted from that Act pursuant to regulation of the Board of Governors of the Federal Reserve System.

SECTION 8. Section 3-306, Chapter 352, O. S. L. 1969 (14A O. S. Supp 1969, § 3-306) is hereby amended to read as follows:

§ 3-306. CONSUMER LOANS NOT PURSUANT TO REVOLVING LOAN ACCOUNT. (1) This section applies to a consumer loan not made pursuant to a revolving loan account (Section 3-309).

(2) The lender shall give to the debtor the following information:

(a) net amount paid to, receivable by, or paid or payable for the account of the debtor or in the case of a loan resulting from a refinancing, the amount prescribed by the provisions on loan finance charge on refinancing (subsection (1) of Section 3-205); if any amount is paid or payable to a third person, a brief itemization, which may be contained in a separate writing or writings, shall also be given;

(b) amount paid or payable for registration, certificate of title or license fees, if not included in (a) and a description or identification of the fees;

(c) amount of official fees and taxes and a description or identification of them;

(d) brief description of insurance to be provided or paid for by the lender including the type and the amount of the coverages and if a separate charge is made, the amount of the charge;

(e) amount of other additional charges (Section 3-202), and a brief description or identification of them;

(f) amount of principal (sum of amounts stated in paragraphs (a), (b), (c), (d) and (e));

(g) except in the case of a loan secured by a first lien on a dwelling, made to finance the purchase of that dwelling. **[and in which the loan finance charge does not exceed ten percent (10%) per year (Section 3-104),]** the amount of the loan finance charge and the amount of the unpaid balance (principal plus loan finance charge);

(h) rate of the loan finance charge as applied to the principal in accordance with the provisions on calculation of rate (Section 3-304), except in the case of a loan finance charge which does not exceed Five Dollars (\$5.00) when the principal does not exceed Seventy-five Dollars (\$75.00) or Seven Dollars and fifty cents (\$7.50) when the principal exceeds Seventy-five Dollars (\$75.00);

(i) number of payments, amount of each payment, due date of first payment, and the due date of subsequent payments or interval between payments;

(j) default, delinquency, or similar charges payable in the event of late payments; and

(k) description of any security interest held or to be retained or acquired by the lender in connection with the extension of credit, and a clear identification of

the property to which the security interest relates.

(3) If a lender makes a binding commitment to make a consumer loan by allowing the debtor to draw on the lender and at the time the commitment is made the amount of the loan has not been determined, the lender shall then give to the debtor a statement of the terms under which the loan will be made, including the rate of the loan finance charge calculated in accordance with the provisions on calculation of rate (Section 3-304). If the rate of the loan finance charge varies according to the amount of the loan, the lender shall state the minimum and maximum annual percentage rates which would be applicable to the amounts which could be drawn pursuant to the commitment. If additional charges (Section 3-202) may be made, the lender shall also state the conditions under which the charges may be made, the amount or method of computing the charges, and a brief description or identification of the charges. Within a reasonable time after the loan is made, and in any event on or before the due date of the first installment, the lender shall give the information required by this section.

SECTION 9. Section 3-404, Chapter 352, O. S. L. 1969 (14A O. S. Supp 1969, § 3-404) is hereby amended to read as follows:

§ 3-404. ATTORNEY'S FEES. EXCEPT AS PROVIDED BY THE PROVISIONS ON LIMITATIONS ON ATTORNEY'S FEES AS TO CERTAIN SUPERVISED LOANS (SECTION 3-514, **[With]** WITH respect to a consumer **[credit sale or consumer lease]** LOAN the agreement may provide for the payment by the **[buyer or lessee]** DEBTOR of reasonable attorney's fees not in excess of fifteen percent (15%) of the unpaid debt after default and referral to an attorney not a salaried employee of the **[seller, or of the lessor or his assignee]** LENDER. A provision in violation of this section is unenforceable.

SECTION 10. Section 5-203, Chapter 352, O. S. L. 1969 (14A O. S. Supp 1969, § 5-203) is hereby amended to read as follows:

§ 5-203. CIVIL LIABILITY FOR VIOLATION OF DISCLOSURE PROVISIONS.

(1) Except as otherwise provided in this section, a creditor who, in violation of the provisions on disclosure (Part 3), other than the provisions on advertising (Sections 2-313 and 3-312), of the Article on Credit Sales (Article 2) and the Article on Loans (Article 3), fails to disclose information to a person entitled to the information under this Act is liable to that person in an amount equal to the sum of

(a) twice the amount of the credit service or loan finance charge in connection with the transaction, but the liability pursuant to this paragraph shall be not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00); and

(b) in the case of a successful action to enforce the liability under paragraph (a), the costs of the action together with reasonable attorney's fee as determined by the court.

(2) A creditor has no liability under this section if within fifteen (15) days after discovering an error, and prior to the institution of an action under this section or the receipt of written notice of the error, the creditor notifies the person concerned of the error and makes whatever adjustments in the appropriate account are necessary to insure that the person will not be required to pay a credit service charge or loan finance charge in excess of the amount or percentage rate actually disclosed.

(3) A creditor may not be held liable in any action brought under this section for a violation of this Act if the creditor shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid the error.

(4) Any action which may be brought under this section against the original creditor in any credit transaction involving a security interest in land may be maintained against any subsequent assignee of the original creditor where the assignee, its subsidiaries, or affiliates were in a continuing business relationship with the original creditor either at the time the credit was extended or at the time of the assignment, unless the assignment was involuntary, or the assignee shows by a preponderance of evidence that it did not have reasonable grounds to believe that the original creditor was engaged in violations of this Act and that it maintained procedures reasonably adapted to appraise it of the existence of the violations.

(5) No action pursuant to this section may be brought more than one (1) year after the date of the occurrence of the violation.

(6) IN THIS SECTION, CREDITOR INCLUDES A PERSON WHO IN THE ORDINARY COURSE OF BUSINESS REGULARLY EXTENDS OR ARRANGES FOR THE EXTENSION OF CREDIT, OR OFFERS TO ARRANGE FOR THE EXTENSION OF CREDIT.

SECTION 11. Section 6-104, Chapter 352, O. S. L. 1969 (14A O. S. Supp 1969, § 6-104) is hereby amended to read as follows.

§ 6-104. POWERS OF ADMINISTRATOR; HARMONY WITH FEDERAL REGULATIONS; RELIANCE ON RULES; DUTY TO REPORT. (1) In addition to other powers granted by this Act, the Administrator may within the limitations provided by law.

(a) receive and act on complaints, take action designed to obtain voluntary compliance with this Act, or commence proceedings on his own initiative;

(b) counsel persons and groups on their rights and duties under this Act;

(c) establish programs for the educa-



tion of consumers with respect to credit practices and problems;

(d) make studies appropriate to effectuate the purposes and policies of this Act and make the results available to the public; and

(e) with commission approval adopt, amend, and repeal substantive rules when specifically authorized by this Act, and adopt, amend, and repeal procedural rules to carry out the provisions of this Act, all as provided by the general act of this State governing Administrative Procedures (Title 75, Oklahoma Statutes, Chapters 7 and 8).

(2) The Administrator shall adopt rules not inconsistent with the Federal Consumer Credit Protection Act to assure a meaningful disclosure of credit terms so that a prospective debtor will be able to compare more readily the various credit terms available to him and to avoid the uninformed use of credit. These rules may *[require disclosure by persons who arrange for the extension of credit,]* SUPERSEDE ANY PROVISIONS OF THIS ACT WHICH ARE INCONSISTENT WITH THE FEDERAL CONSUMER CREDIT PROTECTION ACT IF THE ADMINISTRATOR AND COMMISSION FIND SUCH AN INCONSISTENCY TO EXIST AND DECLARE THEIR PURPOSE TO SUPERSEDE THIS ACT TO RESOLVE SUCH INCONSISTENCY, AND may contain classifications, differentiations or other provisions, and may provide for adjustments and exceptions for any class of transactions subject to this Act which in the judgment of the Administrator are necessary or proper to effectuate the purposes or to prevent circumvention or evasion of, or to facilitate compliance with, the provisions of this Act relating to disclosure of credit terms.

(3) To keep the Administrator's rules in harmony with the Federal Consumer Credit Protection Act and the regulations prescribed from time to time pursuant to that Act by the Board of Governors of

the Federal Reserve System and with the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code, the Administrator, so far as is consistent with the purposes, policies and provisions of this Act, shall

(a) before adopting, amending, and repealing rules, advise and consult with administrators in other jurisdictions which enact the Uniform Consumer Credit Code; and

(b) in adopting, amending, and repealing rules, take into consideration

(i) the regulations so prescribed by the Board of Governors of the Federal Reserve System; and

(ii) the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code.

(4) Except for refund of an excess charge, no liability is imposed under this Act for an act done or omitted in conformity with a rule of the Administrator notwithstanding that after the act or omission the rule may be amended or repealed or be determined by judicial or other authority to be invalid for any reason.

(5) The Administrator shall report annually on or before January 1 to the Governor and Legislature on the operation of his office, on the use of consumer credit in the State, and on the problems of persons of small means obtaining credit from persons regularly engaged in extending sales or loan credit. For the purpose of making the report, the Administrator is authorized to conduct research and make appropriate studies. The report shall include a description of the examination and investigation procedures and policies of his office, a statement of policies followed in deciding whether to investigate or examine the offices of credit suppliers subject to this Act, a statement of the number and percentages of offices which are periodically investigated or examined, a statement of the types of consumer credit problems of both cred-

itors and debtors which have come to his attention through his examinations and investigations and the disposition of them under existing law, a statement of the extent to which the rules of the Administrator pursuant to this Act are not in harmony with the regulations prescribed by the Board of Governors of the Federal Reserve System pursuant to the Federal Consumer Credit Protection Act or the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code and the reasons for such variations, and a general statement of the activities of his office and of others to promote the purposes of this Act. The report shall not identify the creditors against whom action is taken by the Administrator.

SECTION 12. The provisions of his act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

FOR THE SENATE: Holden, Terrill, Baggett.

FOR THE HOUSE: Cate, Smith.

**SB 537**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berong, Birdsong, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Holden, Horn, Howard, Inhofe, Keels, Lane, McCune, McGraw, McSpadden, Martin, Massey, Miller, Murphy, Nichols, Romang, Short, Smalley, Smith, Taliaferro, Terrill.—35.

Nay: Boecher, Bradley, Hamilton, Hargrave, Luton, Medearis, Payne, Phillips, Williams, Young.—10.

Excused: Porter, Stansberry, Stipe.—3.

The Bill, as amended in Conference, was declared passed.

**SB 537**, together with Conference Com-

mittee Report thereon, was ordered transmitted to Honorable House.

## CONFERENCE COMMITTEE REPORT

The following **CCR** on **SB 202** was read and adopted upon motion of Senator Luton:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **SB 202**, by Luton, Inhofe, Murphy, Birdsong, Horn and Stansberry, entitled:

An Act relating to the practice of veterinary medicine and the regulation thereof; defining terms; providing for a Board of Veterinary Medical Examiners; prescribing qualifications and compensation of members, organization, duties and powers of Board; providing for the licensing of veterinary practitioners; fixing fees; prescribing offenses against the Board's supervisory and regulatory powers; \*\*\*; providing transitory provisions; making the provisions of this act severable; repealing 59 O. S. 1961, §§ 676-697, inclusive, and all conflicting laws; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following Committee Substitute therefor do pass.

**CCS** for **SB 202**—By Luton, Inhofe, Murphy, Birdsong, Horn and Stansberry—An Act relating to the practice of veterinary medicine and the regulation thereof; providing for the prescribing of offenses against the Board's supervisory and regulatory powers; providing disciplinary procedures and punishments, including suspension and revocation of licenses; prescribing veterinarian procedures where animals are not reclaimed by owners; directing codification of Sections 1 and 2 of this act; making the provisions of this act severable; repealing §689 of Title 59 of the Oklahoma Statutes; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. The Board of Examiners in Veterinary Medicine, pursuant to procedures prescribed in the Oklahoma Administrative Procedures Act and the rules and regulations promulgated by the Board, shall have the power to deny, suspend or revoke the license of any licensee who is found guilty by the Board of any of the following:

1. Employment of fraud, misrepresentation, or deceit in procuring or in attempting to procure a license, presenting to the Board dishonest or fraudulent evidence of qualifications or fraud or deception in the process of examination for the purpose of securing a license;

2. Addiction to the habitual use of intoxicating liquors, narcotics, barbiturates or stimulants;

3. The use of advertising or solicitation which is false, misleading, deceptive, or is otherwise deemed unprofessional under regulations adopted by the Board;

4. Conviction of a felony;

5. Conviction of a violation of a federal or state law regarding narcotics, barbiturates or stimulants;

6. Gross professional incompetence, gross negligence, or malpractice in the practice of veterinary medicine;

7. Having been adjudged mentally incompetent by a court of competent jurisdiction, but said license shall be reinstated upon restoration to competency if the applicant is otherwise qualified;

8. Maintaining a professional business association with or employing any person practicing veterinary medicine unlawfully;

9. Fraud or dishonesty in supplying, treating or reporting upon any test for disease in animals;

10. Fraudulently issuing or using any health certificates, inspection certificates, vaccination certificates, test charts or other blank forms used in the practice of veterinary medicine for the dissemination

of animal disease, transportation of diseased animals or the sale of inedible products of animal origin for human consumption;

11. Failure to report, as required by law, or making false report, of any contagious or infectious disease;

12. Revocation of license to practice veterinary medicine by another state, territory, or district of the United States on grounds other than nonpayment of a license fee;

13. Willfully making misrepresentations in the inspection of food for human consumption; and

14. Violation of any provisions of this act.

SECTION 2. A. Any animal placed in the custody of a licensed doctor of veterinary medicine for treatment, boarding or other care, which shall be abandoned by its owner or his agent for a period of more than twenty-one (21) days after written notice by certified mail is given to the owner or his agent at his last-known address, may be turned over to the custody of the nearest humane society or dog pound in the area for disposal as such custodian may deem proper. If no such custodial institution is available in the county, the animal may be disposed of in a humane manner or sold.

B. The giving of notice to the owner, or the agent of the owner, of such animal by the licensed veterinarian, as provided in subsection A of this section, shall relieve the veterinarian and any custodian to whom such animal may be given of any liability for having disposed of the animal. It is further provided that such procedure by the licensed veterinarian shall not constitute grounds for disciplinary procedure under this act.

C. For the purpose of this section, the term "abandonment" shall mean to forsake entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its



owner, or his agent; such abandonment shall constitute the relinquishment of all rights and claim by the owner to such animal.

SECTION 3. Sections 1 and 2 of this act are directed to be incorporated in Title 59 of the Oklahoma Statutes, in succession, following §688 thereof.

SECTION 4. The provisions of this act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

SECTION 5. §689 of Title 59 of the Oklahoma Statutes is hereby repealed.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Luton, Hamilton, Young.

FOR THE HOUSE: Stratton, Harrison, Bernard.

**SB 202**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smith, Taliaferro, Terrill, Williams, Young.—40.

Nay: Breckinridge.—1.

Excused: Baggett, Miller, Porter, Romang, Smalley, Stansberry, Stipe.—7.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Murphy, Nichols, Payne, Phillips, Short, Smith, Taliaferro, Terrill, Williams, Young.—40.

Nay: Breckinridge.—1.

Excused: Baggett, Miller, Porter, Romang, Smalley, Stansberry, Stipe.—7.

The emergency was declared passed.

**SB 202**, together with Conference Committee Report thereon, was ordered transmitted to Honorable House.

Senator Payne presiding

## MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed **HB 1676**

## CONFERENCE COMMITTEE REPORT

The following **CCR** on **HB 1676** was read and adopted upon motion of Senator Young:

Mr. Speaker

and

Mr. President:

We, your Conference Committee to whom was referred Engrossed **HB 1676**, and Engrossed Senate Amendments thereto, by Hancock of the House entitled: An Act relating to acquisition of land by condemnation; amending 66 O. S. 1961, 55; providing manner, notice, method and time for filing exception and demand for jury trial; amending Section 1203, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, 1203); providing manner, notice, method and time for filing exceptions to report and demand for jury in cases wherein State Highway Department seeks to acquire land by condemnation;

providing effective date; and declaring an emergency.

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that the following conference committee substitute as co-authored by Jones, Sandlin, Spearman and Wolfe (Stephen) of the House and Young of the Senate be adopted:

**CCS for HB 1676**—By Hancock, et al, of the House and Young of the Senate—An Act relating to acquisition of land by condemnation; amending 66 O. S. 1961, § 55; providing manner, notice, method and time for filing exception and demand for jury trial; amending Section 1203, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1203); providing manner, notice, method and time for filing exceptions to report and demand for jury in cases wherein state highway department seeks to acquire land by condemnation; providing effective date; and declaring an emergency.

Be it enacted by the people of The State of Oklahoma:

SECTION 1. 66 O. S. 1961, § 55, is amended to read as follows:

§ 55. (A) The report of the commissioners may be reviewed by the district court, on written exceptions filed by either party, in the clerk's office within thirty (30) days after the filing of such report; and the court shall make such order therein as right and justice may require, either by confirmation, rejection or by ordering a new appraisalment on good cause shown; or either party may within sixty (60) days after the filing of such report file with the clerk a written demand for a trial by jury, in which case the amount of damages shall be assessed by a jury, and the trial shall be conducted and judgment entered in the same manner as civil actions in the district court. If the party demanding such trial does not recover a verdict more favorable to him than the assessment of the

commissioners, all costs in the district court may be taxed against him.

(B) WITHIN TEN (10) DAYS AFTER THE REPORT OF COMMISSIONERS IS FILED, THE COURT CLERK SHALL FORWARD TO THE ATTORNEY OF RECORD FOR THE CONDEMNOR, THE ATTORNEY OF RECORD FOR EACH CONDEMNEE, AND TO ALL UNREPRESENTED CONDEMNES, A COPY OF THE COMMISSIONERS' REPORT AND A NOTICE STATING THE TIME LIMITS FOR FILING AN EXCEPTION OR DEMAND FOR JURY TRIAL AS SPECIFIED IN PARAGRAPH (A) OF THIS SECTION. THIS NOTICE SHALL BE ON A FORM PREPARED BY THE COURT ADMINISTRATOR, WHICH SHALL BE APPROVED BY THE SUPREME COURT, AND SHALL BE DISTRIBUTED TO ALL CLERKS OF THE DISTRICT COURT BY SAID COURT ADMINISTRATOR. IF A PARTY HAS BEEN SERVED BY PUBLICATION, THE CLERK SHALL FORWARD A COPY OF THE REPORT OF COMMISSIONERS AND NOTICE OF TIME LIMITS FOR FILING AN EXCEPTION OR DEMAND FOR JURY TRIAL TO THE LAST KNOWN MAILING ADDRESS, IF ANY, AND SHALL CAUSE A COPY OF THE NOTICE OF TIME LIMITS TO BE PUBLISHED IN ONE (1) ISSUE OF A NEWSPAPER QUALIFIED TO PUBLISH LEGAL NOTICES, AS DEFINED IN 25 O. S. SUPP. 1969, § 106. AFTER ISSUING THE NOTICES PROVIDED HEREIN, THE COURT CLERK SHALL ENDORSE ON THE NOTICE FORM FILED A COPY OF THE REPORT TOGETHER WITH THE NOTICE WAS MAILED TO EACH PARTY OR HIS ATTORNEY OF IN THE CASE, THE DATE AND THAT RECORD, OR THE DATE THE NOTICE WAS PUBLISHED IN COMPLIANCE WITH THE PROVISIONS HEREOF.

(C) THE TIME LIMITS FOR FILING AN EXCEPTION AND DEMAND FOR JURY TRIAL, AS PRESCRIBED IN

PARAGRAPH (A) OF THIS SECTION, SHALL BE CALCULATED FROM THE DATE THE REPORT OF THE COMMISSIONERS IS FILED IN THE CASE. ON FAILURE OF THE COURT CLERK TO GIVE NOTICE WITHIN THE TIME PRESCRIBED IN PARAGRAPH (B) OF THIS SECTION, THE COURT, ON APPLICATION OF ANY PARTY, MAY EXTEND THE TIME FOR FILING AN EXCEPTION TO THE REPORT OR A DEMAND FOR TRIAL BY JURY FOR A PERIOD NOT TO EXCEED TWENTY (20) DAYS FROM THE DATE THE APPLICATION IS HEARD.

SECTION 2. Section 1203, Chapter 415, O. S. L. 1968 (69 O. S. Supp. 1969, § 1203), is amended to read as follows:

§ 1203. (a) The Department shall have authority to acquire in fee simple in the name of the State of Oklahoma, by purchase, donation, or condemnation, lands or such interests therein as in its discretion may be necessary for the purpose of establishing, constructing and maintaining state highways or relocations thereof, and facilities necessary or incident thereto, including borrow areas, channel changes, and deposits of rock, gravel, sand and other road building material for use in highway construction and maintenance. Such acquisition may be for immediate or future use. The Department may acquire reasonable amounts of land adjacent to its normal right-of-way for the purpose of screening unsightly areas adjacent to highways, landscaping safety rest areas and scenic overlook areas.

(b) In determining the amount of land required, or width of right-of-way necessary for such state highways, the Department shall take into consideration the present and probable future needs in connection with maintaining and reconstructing the highways and the prevention of traffic congestion and hazards.

(c) Except in instances where there

are nonresident owners, unknown heirs, imperfect titles, and owners whose whereabouts cannot be ascertained with reasonable diligence, the Department shall give the owner an opportunity to sell the necessary lands or interests therein to the State of Oklahoma before resort to condemnation may be had. The Department may condemn such lands or interests therein in the following manner:

The district judge of the county in which the real property may be situated, upon petition of either party, and after ten (10) days notice to the opposite party, either by personal service or by leaving a copy thereof at his usual place of residence with some member of his family over fifteen (15) years of age, or in the case of nonresidents, unknown heirs, or other persons whose whereabouts cannot be ascertained, by publication in two (2) issues of a weekly newspaper in general circulation in the county (the ten-day period to begin with the first publication), shall direct the Sheriff of the county to summons three (3) disinterested freeholders, to be selected by the judge from the regular jury list of names as commissioners, and who shall not be interested in a like question. The commissioners shall be sworn to perform their duties impartially and justly; and they shall inspect the real property and consider the injury which the owner may sustain by reason of the condemnation, and they shall assess the damages which the owner will sustain by such appropriation of his land irrespective of any benefits from any improvements proposed, provided that speculative or special values arising from the proposed improvements may not be considered; and they shall forthwith make a report in writing to the Clerk of the Court, setting forth the quantity, boundaries and value of the property taken, and amount of injury done to the property, either directly or indirectly, which they assess to the owner, which report must be filed and



recorded by the clerk. A certified copy of the report may be transmitted to the county clerk of the county where the land lies, to be by him filed and recorded (without further acknowledgement or proof) in the same manner and with like force and effect as is provided for the recording of deeds. The procedure for service by publication as authorized herein shall be the same as provided by law for service by publication in civil actions, except summons need not be issued and served, and except as otherwise provided herein.

(d) Immediately upon payment to the clerk of the court for the use of the owner the sum so assessed and reported to him as aforesaid, the Department shall thereby be authorized to enter upon the condemned premises, and remove and dispose of any obstructions thereon, by sale or otherwise. If the land owner shall refuse to deliver up possession to the Department, the court shall issue an order to the sheriff of the county to place the Department in possession thereof.

(e) (1) The report of commissioners may be reviewed by the district court, on written exceptions filed by either party in the clerk's office within thirty (30) days after the filing of such report, and the court, after hearing had, shall make such order therein as right and justice may require, either by confirmation, rejection, or by ordering a new appraisal on good cause shown. Provided, that in the event a new appraisal is ordered, the Department shall have the continuing right of possession obtained under the first appraisal, unless and until its right to condemn has finally been determined otherwise; or either party may within sixty (60) days after the filing of such report file with the clerk a written demand for a trial by jury, in which case the amount of damages shall be assessed by a jury, and the trial shall be conducted and judgment entered in the same manner as civil actions in the district

court. If the party demanding such trial does not recover a verdict more favorable to him than the assessment of the commissioners, all costs in the district court shall be taxed against him. No owner upon whom proper service by publication has been had as provided in this Article shall be let in to defend after expiration of time for appeal or review of the report of commissioners as above provided has elapsed. Provided, that if after the filing of exceptions to the report of commissioners as hereinafter provided, the Department shall fail to establish its right to condemn such premises, or any part thereof, the landowner shall be restored to possession of the premises, or part thereof, and the Department shall pay him for any damages sustained through the occupation by the Department, and if such damages cannot be determined by amicable settlement they shall be determined by jury trial in the same proceedings.

(2) WITHIN TEN (10) DAYS AFTER THE REPORT OF COMMISSIONERS IS FILED, THE COURT CLERK SHALL FORWARD TO THE ATTORNEY OF RECORD FOR THE CONDEMNOR, THE ATTORNEY OF RECORD FOR EACH CONDEMNEE, AND TO ALL UNREPRESENTED CONDEMNES, A COPY OF THE COMMISSIONERS' REPORT AND A NOTICE, STATING THE TIME LIMITS FOR FILING AN EXCEPTION OR DEMAND FOR JURY TRIAL AS SPECIFIED IN PARAGRAPH (A) OF SECTION 1 HEREOF. THIS NOTICE SHALL BE ON A FORM PREPARED BY THE COURT ADMINISTRATOR, WHICH SHALL BE APPROVED BY THE SUPREME COURT, AND SHALL BE DISTRIBUTED TO ALL CLERKS OF THE DISTRICT COURT BY SAID COURT ADMINISTRATOR. IF A PARTY HAS BEEN SERVED BY PUBLICATION, THE CLERK SHALL FORWARD A COPY OF THE REPORT OF COMMISSIONERS AND NOTICE OF TIME

LIMITS FOR FILING AN EXCEPTION OR DEMAND FOR JURY TRIAL TO THE LAST KNOWN MAILING ADDRESS, IF ANY, AND SHALL CAUSE A COPY OF THE NOTICE OF TIME LIMITS TO BE PUBLISHED IN ONE (1) ISSUE OF A NEWSPAPER QUALIFIED TO PUBLISH LEGAL NOTICES, AS DEFINED IN 25 O. S. SUPP. 1969, § 106. AFTER ISSUING THE NOTICES PROVIDED HEREIN THE COURT CLERK SHALL ENDORSE ON THE NOTICE FORM FILED IN THE CASE, THE DATE AND THAT A COPY OF THE REPORT TOGETHER WITH THE NOTICE WAS MAILED TO EACH PARTY OR HIS ATTORNEY OF RECORD, OR THE DATE THE NOTICE WAS PUBLISHED IN COMPLIANCE WITH THE PROVISIONS HEREOF.

(3) THE TIME LIMITS FOR FILING AN EXCEPTION AND DEMAND FOR JURY TRIAL, AS PRESCRIBED IN PARAGRAPH (A) OF SECTION 1 HEREOF, SHALL BE CALCULATED FROM THE DATE THE REPORT OF THE COMMISSIONERS IS FILED IN THE CASE. ON FAILURE OF THE COURT CLERK TO GIVE NOTICE WITHIN THE TIME PRESCRIBED IN PARAGRAPH (B) OF SECTION 1 HEREOF, THE COURT, ON APPLICATION OF ANY PARTY, MAY EXTEND THE TIME FOR FILING AN EXCEPTION TO THE REPORT, OR A DEMAND FOR TRIAL BY JURY FOR A PERIOD NOT TO EXCEED TWENTY (20) DAYS FROM THE DATE THE APPLICATION IS HEARD.

(f) Either party aggrieved may appeal to the Supreme Court from the decision of the district court on exceptions to the report of commissioners, or jury trial; but such review or appeal shall not delay the prosecution of the work on such highway over the premises in question if the award of commissioners, or jury, as the case may be, has been deposited with the clerk for such owner, and in no case shall the Department be

liable for the costs on such review or appeal unless the owner of the real property shall be adjudged entitled, upon either review or appeal, to a greater amount of damages than was awarded by the commissioners. The Department shall in all cases pay the costs and expenses of the first assessment, including the cost of the commissioners' fees and expenses, for their services, as determined and ordered paid by the judge of the district court in which such case is pending. And in case of review or appeal, a certified copy of the final order or judgment shall be transmitted by the clerk of the court, duly certified, to the proper county clerk, to be by him filed and recorded as hereinabove provided for the recording of the report, and with like effect.

(g) When an estate is being probated, or a minor or incompetent person has a legal guardian, the administrator or executor of the estate, or guardian of the minor or incompetent person, shall have the authority to execute all instruments of conveyance provided for in this Article on behalf of the estate, minor or incompetent person without other proceedings than approval by the judge of the county court endorsed on the instrument of conveyance.

SECTION 3. This act shall become effective January 1, 1971.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

FOR THE SENATE: Young, Short, Grantham.

FOR THE HOUSE: Hancock, Bickford.

**HB 1676**, as amended in Conference, was read at length.

On the question of passage of Bill, as amended in Conference, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Ber-

rong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Taliaferro, Terrill, Williams, Young.—39.

Excused: Grantham, Hamilton, McSpadden, Nichols, Porter, Smalley, Smith, Stansberry, Stipe.—9.

The Bill, as amended in Conference, was declared passed.

On the question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Massey, Medearis, Miller, Murphy, Payne, Phillips, Romang, Short, Taliaferro, Terrill, Williams, Young.—39.

Excused: Grantham, Hamilton, McSpadden, Nichols, Porter, Smalley, Smith, Stansberry, Stipe.—9.

The emergency was declared passed.

**HB 1676**, together with Conference Committee Report thereon, was ordered returned to Honorable House.

## REPORT OF ENGROSSED AND ENROLLED BILLS

**SBs 530, 531, 613** and **SCRs 83** and **88** each correctly enrolled.

Enrolled **SBs 530, 531** and **613**, were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCRs 83** and **88** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

## MESSAGE FROM THE HOUSE

Returning following Bill, together with **CCR** thereon; advising adoption of 2d **CCR** and passage of measure as amended: Engrossed **SB 537**.

The above numbered bill, as amended, was referred for enrollment.

## RESOLUTION

**SR 79** by Field, Baldwin and Berrong was introduced.

Senator Williams asked unanimous consent, which was granted, that all other Members of the Senate be added as co-authors of the Resolution.

**SR 79**, as coauthored, was read at length as follows, adopted upon motion of Senator Field, and ordered referred for enrollment:

**SR 79**—By Field, Baldwin, Berrong, Atkinson, Baggett, Birdsong, Boecher, Bradley, Breckinridge, Crow, Ferrell, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, and Young.—A Senate Resolution commending Senator Byron Dacus, "Dean of the Oklahoma State Senate" for his distinguished record of service in this Body; noting his outstanding contributions in the teaching profession and his exemplary family and Christian life; expressing appreciation for his pioneering efforts in the cause of good government and his honest judgment and wise counsel; and directing that a copy of this Resolution be presented to Senator Dacus as a token of our esteem and deep appreciation.

WHEREAS, Senator Byron Dacus has a long and distinguished record of serving the public interest through 26 years' membership in the Oklahoma State Senate, beginning in 1945, and is currently the "Dean of the Senate," having served the longest continuing period of time; and

WHEREAS, Senator Dacus is also recognized for his outstanding contributions in the teaching profession, with service in numerous positions in the public schools of this State and as President of Panhandle A & M College, Goodwell; and



WHEREAS, in addition to his numerous public and professional accomplishments Senator Dacus is a devoted family man of high morals with a deep abiding faith in Christianity; and

WHEREAS, during his Senatorial tenure, the "Dean of the Senate" has served as chairman of numerous committees, particularly in the areas of agriculture and education and has, without exception, diligently discharged the duties of the position; and

WHEREAS, he has pioneered many of the constructive governmental programs in Oklahoma which stand as a perpetual landmark always attesting to his vision, diligent work and conscientious dedication to the public interest of his fellow Oklahomans; and

WHEREAS, the sound, honest judgment and wise counsel of Senator Dacus has been of significant value to his many colleagues, through the years, and his conduct and services in public life an inspiration to all who have been privileged to know him; and

WHEREAS, in addition to his role as Senator, he has often served as invocator for the opening of many sessions of this Senate; and

WHEREAS, during his esteemed career of enlightened service in the Oklahoma State Senate, all of the people of the State have benefited from his many contributions to agriculture, public health, roads and highways, social welfare and many other areas of legislation—a record seldom equalled and never surpassed in the legislative history of this State.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 32ND OKLAHOMA LEGISLATURE:

SECTION 1. Individually and collectively, the members of this Senate hereby commend Senator Byron Dacus, "Dean of the Senate," for his distinguished and fruitful career in the public service, particularly in the office of State Senator, whose duties he has discharged with hon-

esty and with faithful dedication to the cause of good government.

SECTION 2. Be it further resolved that this Senate expresses the hope that the "Dean of the Senate" will continue, even in retirement from the public service, to be available as the wise counselor and guiding light in legislative matters which we have recognized and appreciated for many years.

SECTION 3. Be it further resolved that a duly authenticated copy of this Resolution be presented to Senator Dacus as a token of our esteem and deep appreciation.

Following the adoption of **SR 79** and after words of love and respect were spoken by many members of the Senate towards Senator Dacus, a beautiful Radio Clock was presented to him by Senator Berrong, on behalf of the Senate.

#### MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed **SB 532**-coauthored by Abbott, Clemons and Ferguson.

The above numbered Bill was referred for enrollment.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1510** and **1671**.

The above numbered Enrolled Bills, were after fourth reading, properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1067**.

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

#### MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 530, 531** and **613**.

The above numbered Enrolled Bills were referred to the Governor.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCRs 83 and 88**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

Senator Terrill moved that the President Pro Tempore appoint a Committee of three (3) to notify the Governor of the State of Oklahoma the Senate has about completed its work and ready to adjourn Sine Die, and to invite and escort him to the Senate Chamber for the purpose of addressing the Senate, which motion was declared adopted, President Pro Tempore Smith appointing as such Committee: Senators Garrison, Birdsong and Murphy.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HB 1702**.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCRs 1057 and 1072**.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning Engrossed **SB 525**-coauthored by Skeith, as amended.

**HAs to SB 525** read as follows, and concurred in upon motion of Senator Atkinson:

Amendment No. 1. Amend Page 1, Line 29, by striking all the language after the words "or in" and substituting the following: "Muskogee, Pittsburg, Caddo, McCurtain, Atoka, Comanche and".

Amendment No. 2. Amend Page 1, Line language: "the approval, revocation, 31, after the word "to" add the following and".

**SB 525**, as amended by the Honorable House, was read at length.

On question of passage of bill, as amended, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—33.

Nay: Hamilton, Payne.—2.

Excused: Baldwin, Birdsong, Garrison, Hargrave, Howard, McSpadden, Massey, Murphy, Nichols, Porter, Stansberry, Stipe, Taliaferro.—13.

The bill, as amended, was declared passed.

On question of passage of emergency, the roll call resulted as follows:

Aye: Atkinson, Baggett, Berrong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Grantham, Graves, Ham, Holden, Horn, Inhofe, Keels, Lane, Luton, McCune, McGraw, Martin, Medearis, Miller, Phillips, Romang, Short, Smalley, Smith, Terrill, Williams, Young.—33.

Nay: Hamilton, Payne.—2.

Excused: Baldwin, Birdsong, Garrison, Hargrave, Howard, McSpadden, Massey, Murphy, Nichols, Porter, Stansberry, Stipe, Taliaferro.—13.

The emergency was declared passed.

House Amendments were properly signed and above numbered bill, as amended, was referred for enrollment.

**REPORT OF ENGROSSED AND ENROLLED BILLS**

**SB 169**, and **SCRs 77, 86, 92 and 93** each correctly enrolled.

Enrolled **SB 169** was, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SCRs 77, 86, 92 and 93** were properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Smith presiding.

The Sergeant-at-Arms was recognized and advised the presence of the Governor, the Honorable Dewey F. Bartlett, accompanied by the Committee appointed to escort him to the Senate Chamber.

Governor Bartlett was escorted to the President's desk where he briefly addressed the Senate and extended his appreciation for the splendid cooperation he had received in the passage of the majority of the measures in which he was interested. The Governor extended a very special greeting to Senator Dacus and expressed his gratitude for the many favors and assistance extended to him by Senator Dacus during the time he served in the State Senate.

Senator Terrill moved that the President Pro Tempore appoint a Committee of three (3) to notify the Honorable House that the Senate has finished its work and is about ready to adjourn Sine Die, which motion was declared adopted, President Pro Tempore Smith appointing as such Committee: Senators McSpadden, Howard and Ferrell.

#### **COMMITTEE DISCHARGED**

The Committee appointed to notify the Governor Re Sine Die adjournment and to invite and escort him to the Senate Chamber, having performed its duty, was ordered discharged.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1206 and 1653**.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

A Committee from the Honorable House, composed of Representatives Townsend, Bean and Williamson was received and re-

ported the Honorable House had completed its work and was about ready to adjourn Sine Die.

#### **COMMITTEE REPORT**

Senator McSpadden, on behalf of the Committee appointed to notify the Honorable House that the Senate has finished its work and is ready to adjourn Sine Die, reported the duty performed, following which the Committee was ordered discharged.

Senator Payne presiding.

Senator Terrill moved, when the Clerk's desk is cleared and pursuant to **SCR 84**, the Senate of the Second Regular Session of the Thirty-second Legislature adjourn sine die, which motion was declared adopted.

Senator Baggett presiding.

#### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 169**.

The above numbered Enrolled Bill was referred to the Governor.

#### **MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCRs 77, 86, 92 and 93**.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

#### **REPORT OF ENGROSSED AND ENROLLED BILLS**

**SBs 117, 424, 461, 525, 532, 537, 562, 655, 656, and SRs 77, 78 and 79** each correctly enrolled.

Enrolled **SBs 117, 424, 461, 525, 532, 537, 562, 655 and 656** were each, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Enrolled **SRs 77 and 78** were properly signed and ordered transmitted to the Secretary of State.

Senator McSpadden presiding.

Enrolled **SR 79** was properly signed and ordered transmitted to the Secretary of State.



Senator Baggett presiding.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1542, 1676 and 1752.**

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1077.**

The above numbered Enrolled Resolution was properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 117, 424, 461, 525, 532, 537, 562, 655 and 656.**

The above numbered Enrolled Bills were referred to the Governor.

There being no further business to come before the Senate and as provided under the Terrill motion and **SCR 84**, Senator Dacus, following a tradition during his many years of service, moved the Senate of the Second Regular Session of the Thirty-Second Legislature adjourn Sine Die, which motion was declared adopted by the Presiding Officer, Senator Baggett.

## FROM THE HOUSE

Fourth reading, and receiving  
Enrolled 235

referred to the Governor, and

There being no  
business to come  
before

the Tertill motion and

during this

many general resolutions were

presented and the House

continued its session

until adjourned by the

Speaker at 10 o'clock

and the House

will

be

in

the

and

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

the

Recess pressing

MESSAGE FROM

Advising fourth reading of and

for signature, Enrolled

235

The above numbered

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting

to the Honorable House

Enrolled 235

## SENATE COMMITTEES

and  
Sub-Committees  
(Final)

2nd Session of the  
32nd Legislature  
(Rule 21f—1st Session)

(\*denotes activated Sub-Committees)

With names of Chairmen, designated by Committee on Rules

## AGRICULTURE—8

Field, Chairman

Dacus, Vice-Chairman

Atkinson	Hamilton
Boecher	Lane
Crow	Williams

Sub-Committees:

*A. Agronomy and Forestry	Hamilton
------------------------------	----------

B. Animal  
Husbandry

*C. Wildlife	Atkinson
--------------	----------

## APPROPRIATIONS AND BUDGET—18

McSpadden, Chairman

Massey, Vice-Chairman

Atkinson	Medearis
Baldwin	Miller
Berrong	Murphy
Dacus	Phillips
Hamilton	Short
Horn	Stipe
Inhofe	Taliaferro
Lane	

Sub-Committees:

A. Departments  
B. Institutions

## BUSINESS RELATIONS—9

Luton, Chairman

Payne, Vice-Chairman

Berrong	Romang
Birdsong	Stipe
Inhofe	Young
Phillips	

Sub-Committees:

A. Insurance

*B. Labor Relations	Payne
---------------------	-------

CONSERVATION AND ECONOMIC  
DEVELOPMENT—9

Boecher, Chairman

Holden, Vice-Chairman

Field	Massey
Horn	Stansberry
Lane	Williams
Luton	

Sub-Committees:

*A. Oil and Gas	Horn
*B. Parks and Recreation	Massey

*C. Soil and Water Resources	Holden
---------------------------------	--------



CONSTITUTIONAL REVISIONS AND  
REGULATORY SERVICES—7

Baggett, Chairman  
 Nichols, Vice-Chairman  
     Breckinridge      Smalley  
     Howard              Stansberry  
     Keels

## Sub-Committees:

- A. Professional and Occupational Regulations
- B. Constitutional Amendments
- C. Initiative and Referendum

## EDUCATION—17

Miller, Chairman  
 Hamilton, Vice-Chairman  
     Baggett              Massey  
     Breckinridge      Murphy  
     Crow                  Porter  
     Howard               Short  
     Keels                  Smalley  
     Luton                  Stansberry  
     McGraw               Terrill  
     Martin

## Sub-Committees:

- \*A. Higher Education      Baggett
- \*B. Public Schools          Howard

## FINANCE AND COMMERCE—9

Berrong, Chairman  
 Stipe, Vice-Chairman  
     Baggett              Inhofe  
     Bradley               Medearis  
     Breckinridge      Terrill  
     Graves

## Sub-Committees:

- A. Consumer Affairs
- \*B. Financial Institutions      Graves
- \*C. Public Service Corporations      Bradley

## GOVERNMENTAL AFFAIRS—9

Keels, Chairman  
 Horn, Vice-Chairman  
     Boecher              McSpadden  
     Crow                  Taliaferro  
     Garrison              Williams  
     Grantham

## Sub-Committees:

- A. County and State Government
- B. Congressional and Legislative Redistricting
- C. Elections and Privileges

## JUDICIARY—11

Grantham, Chairman  
 Garrett, Vice-Chairman  
     Garrison              Romang  
     Ham                   Short  
     Hargrave              Smalley  
     Nichols               Young  
     Porter

## Sub-Committees:

- A. Civil
- B. Criminal

## MUNICIPAL GOVERNMENT—8

Howard, Chairman  
 Ham, Vice-Chairman  
     Birdsong              McCune  
     Garrison               McGraw  
     Holden                  Smalley

## Sub-Committees:

- \*A. Urban Affairs          Smalley
- B. City-County Affairs

## PUBLIC AFFAIRS—7

Hargrave, Chairman  
 Porter, Vice-Chairman  
     Garrett                      Martin  
     McCune                     Stipe  
     McSpadden

## Sub-Committees:

- \*A. Mental and Eleemo-  
     synary Institutions Garrett
- B. Veterans' Affairs
- \*C. Penal Affairs              Stipe

## PUBLIC HEALTH—10

Martin, Chairman  
 Graves, Vice-Chairman  
     Hargrave                    Payne  
     McCune                     Phillips  
     Miller                      Porter  
     Nichols                     Stansberry

## Sub-Committees:

- \*A. Social Welfare            Porter
- B. Vocational Reha-  
     bilitation

## REVENUE AND TAXATION—7

Taliaferro, Chairman  
 Bradley, Vice-Chairman  
     Baldwin                    McGraw  
     Ferrell                     Terrill  
     Garrett

## Sub-Committees:

- A. Industrial Development
- B. Revenue and Taxation

## ROADS AND HIGHWAYS—13

Murphy, Chairman  
 Atkinson, Vice-Chairman  
     Birdsong                    Ham  
     Bradley                     Holden  
     Dacus                      Medearis  
     Ferrell                     Romang  
     Field                        Young  
     Grantham

## Sub-Committees:

- \*A. Public Safety              Birdsong
- B. Transportation
- C. Turnpikes

## RULES—15

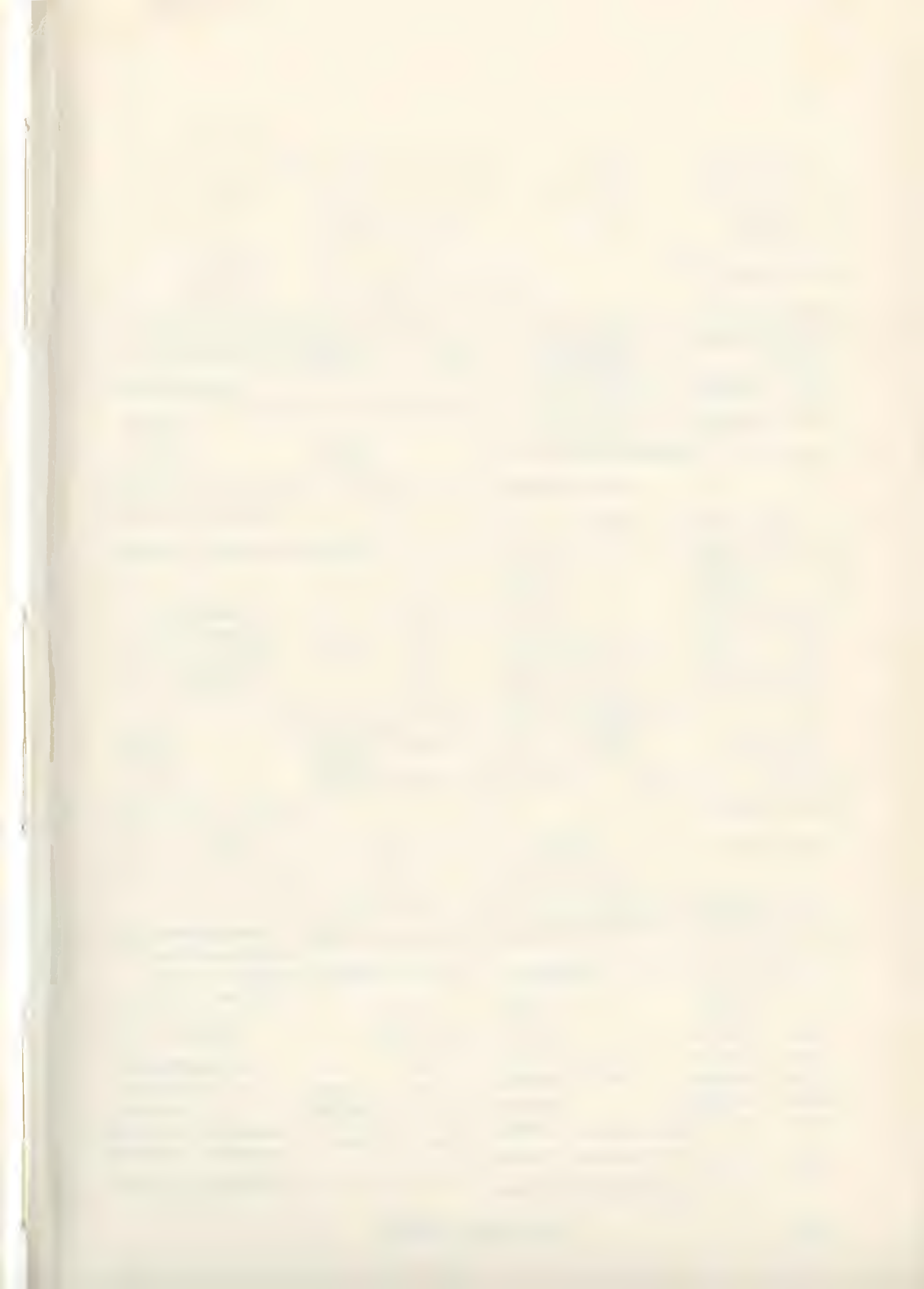
Baldwin, Chairman  
 Young, Vice-Chairman  
     Baggett                     McSpadden  
     Birdsong                    Miller  
     Boecher                    Murphy  
     Bradley                     Nichols  
     Dacus                       Smalley  
     Garrison                    Terrill  
     Luton

## Sub-Committees:

- \*A. Administration and  
     Employment              Young
- \*B. Engrossed and  
     Enrolled Bills            Romang
- \*C. Legislative  
     Procedure                Nichols

# INDEX







## **DENOTATIONS**

CR—Committee Report  
CCR—Conference Committee Report  
GCCA—General Conference Committee on Appropriations  
HA—House Amendment  
HB—House Bill  
HC—House Conferee  
HCR—House Concurrent Resolution  
HJR—House Joint Resolution  
LP—Lobby Permit  
ML—Motion Lodged  
SA—Senate Amendment  
SB—Senate Bill  
SC—Senate Conferee  
SCR—Senate Concurrent Resolution  
SJR—Senate Joint Resolution  
SO—Special Order  
SR—Senate Resolution  
Wd—Withdrawn





# **BILLS REFERRED TO AND CONSIDERED BY SENATE CONFEREES APPOINTED UNDER GCCA**

SB 211 p 636	SB 424 p 387; 991	SB 440 p 387
SB 412 p 285	SB 425 p 298	SB 441 p 387
SB 413 p 285	SB 426 p 531	SB 442 p 299; 901
SB 414 p 285	SB 427 p 531	SB 446 p 387
SB 415 p 387; 717	SB 428 p 387	SB 447 p 531
SB 416 p 285	SB 429 p 299	SB 449 p 285
SB 417 p 531	SB 430 p 299	SB 451 p 536
SB 419 p 299	SB 432 p 387	SB 479 p 536
SB 420 p 299	SB 435 p 299	SB 509 p 611
SB 421 p 531	SB 436 p 299	SB 562 p 585
SB 423 p 285	SB 437 p 315	SB 565 p 531
HB 1208 p 721	HB 1561 p 531	HB 1578 p 531; 786
HB 1521 p 285	HB 1562 p 531	HB 1579 p 749
HB 1547 p 748	HB 1563 p 531	HB 1580 p 531
HB 1551 p 389	HB 1567 p 531	HB 1581 p 531
HB 1553 p 476	HB 1568 p 531; 781	HB 1584 p 389
HB 1554 p 476	HB 1570 p 476	HB 1753 p 689
HB 1556 p 476	HB 1574 p 531	HB 1780 p 748
HB 1557 p 476	HB 1575 p 531; 825	HB 1782 p 531
HB 1558 p 531	HB 1576 p 476	HB 1803 p 811
HB 1559 p 531	HB 1577 p 476	





## PART I

### SENATE BILLS

Titles in full shown on page numbers opposite  
"1st Reading".

**SB 10**—By Williams—An Act \* \* \* providing for annual and special meetings of school district electors; \* \* \* emergency.

HA read, consideration deferred ..... 547  
HA concurred in, passed as amended ..... 607  
Referred for enrollment ..... 608  
Enrolled—4th Reading ..... 617  
To Governor; action by.....624; 651

**SB 29**—By Field of the Senate and Harrison of the House—An Act \* \* \* providing maximum speed limits; \* \* \* emergency.

HAs read, consideration deferred ... 510  
HAs rejected, Conference requested. 585  
SCs appointed ..... 585  
Conference granted, HCs named .... 593

**SB 108**—By Hamilton—An Act \* \* \* creating the Oklahoma State Ethics Commission and the Joint Legislative Ethics Committee \* \* \*

CR ..... 246  
Considered, advanced, 3d Reading,  
    referred ..... 263  
Engrossed—To House ..... 276  
Referred for enrollment ..... 695  
Enrolled—4th Reading ..... 699  
To Governor; action by .....709; 818

**SB 111**—By Ham and Smith—An Act relating to \* \* \* Department of Community Affairs \* \* \* emergency.

CR ..... 364  
Considered, advanced, 3d Reading,  
    referred ..... 502  
Engrossed—To House ..... 515  
HAs read, consideration deferred ... 682

HAs concurred in, passed as

    amended ..... 969  
Referred for enrollment ..... 970  
Enrolled—4th Reading ..... 993  
To Governor ..... 1044  
Approved by Governor .....April 21, 1970

**SB 117**—By Young, Atkinson, Nichols, Miller, Ham, Field, Holden, Keels, Massey, Martin, Crow, Birdsong, Horn and Phillips—An Act \* \* \* prohibiting the transportation \* \* \* nonintoxicating beverages \* \* \* emergency.

HAs read, consideration deferred ... 993  
HAs rejected, Conference requested.. 1060  
SCs appointed ..... 1060  
Conference granted, HC named .... 1071  
CCR read, adopted, passed—To

    House ..... 1086  
Referred for enrollment ..... 1094  
Enrolled—4th Reading ..... 1112  
To Governor ..... 1113  
Approved by Governor .....April 28, 1970

**SB 133**—By Martin—An Act \* \* \* providing authority for changing of city limits \* \* \* emergency.

HAs read, consideration deferred .. 616  
HAs rejected, Conference requested.. 748  
SCs appointed ..... 748  
Conference granted, HCs named .... 756  
CCR read, consideration deferred .. 764  
CCR adopted, failed ..... 815  
ML; failed .....816; 895

**SB 138**—By Payne—An Act relating to \* \* \* Industrial Court \* \* \* emergency.

Referred for enrollment ..... 204  
Enrolled—4th Reading ..... 217  
To Governor; action by .....226; 257

**SB 151**—By Stipe—An Act \* \* \* creating

the Oklahoma Employment Relations Board \* \* \* emergency.

CR ..... 192  
 Considered, advanced, 3d Reading,  
   failed ..... 251; 332  
 ML; adopted, failed ..... 335; 386

**SB 169**—By Ham, Boecher and Berrong  
 —An Act relating to professions and occupations \* \* \* emergency.

HAs read, consideration deferred ... 986  
 HAs concurred in, passed as  
   amended ..... 1064  
 Referred for enrollment ..... 1064  
 Enrolled—4th Reading ..... 1111  
 To Governor ..... 1112  
 Approved by Governor ..... April 27, 1970

**SB 188**—By Young—An Act providing  
 \* \* \* damages for the death of an unmarried,  
 unemancipated minor child \* \* \* emergency.

CR ..... 100  
 Considered, advanced, 3d Reading,  
   referred ..... 138  
 Engrossed—To House ..... 154

**SB 190**—By Porter—An Act relating to  
 \* \* \* salary of special judges \* \* \* emergency.

CR ..... 382  
 Considered, advanced ..... 402  
 Vote reconsidered by which  
   advanced ..... 411  
 Considered, advanced, 3d Reading  
   referred ..... 470  
 Engrossed—To House ..... 488

**SB 202**—By Luton and Inhofe—An Act  
 relating to the practice of veterinary  
 medicine \* \* \* emergency.

CR ..... 364  
 Considered, advanced, 3d Reading,  
   referred ..... 424  
 Engrossed—To House ..... 467  
 HAs read, consideration deferred .... 911  
 HAs rejected, Conference requested... 970  
 SCs appointed ..... 970  
 Conference granted, HCs named .... 977  
 CCR read, adopted, passed—To  
   House ..... 1102

**SB 203**—By Field—An Act relating to  
 workmen's compensation insurance \* \* \*

CR ..... 272  
 Considered, advanced, 3d Reading,  
   referred ..... 296  
 Recalled from Engrossing  
   Department ..... 306  
 Vote reconsidered by which passed  
   and advanced to engrossment .... 306  
 Considered, advanced, 3d Reading,  
   referred ..... 307  
 Engrossed—To House ..... 332

**SB 211**—By Ferrell—An Act relating to  
 the Cherokee Strip Society and making an  
 appropriation \* \* \* emergency.

HA read, consideration deferred .... 537  
 HA rejected, Conference requested... 631  
 SCs appointed ..... 631  
 Conference granted, HCs named .... 636  
 CCR read, consideration deferred .. 917  
 CCR adopted, passed—To House .... 944  
 Referred for enrollment ..... 978  
 Enrolled—4th Reading ..... 993  
 To Governor ..... 1044  
 Approved by Governor ..... April 21, 1970

**SB 214**—By Smith of the Senate and  
 Wolfe, et al, of the House—An Act relating  
 to \* \* \* wreckers and towing services  
 \* \* \*

HA read, consideration deferred .... 652  
 HA rejected, Conference requested... 752  
 SCs appointed ..... 752  
 Conference granted, HCs named .... 764  
 CCR read, adopted, passed—To  
   House ..... 996  
 Referred for enrollment ..... 1045  
 Enrolled—4th Reading ..... 1069  
 To Governor ..... 1071  
 Approved by Governor ..... April 28, 1970

**SB 231**—By Howard—An Act relating to  
 counties and county officers \* \* \* emergency.

CR ..... 52  
 Considered, advanced, 3d Reading,  
   referred ..... 61  
 WD from Engrossing Department .. 85  
 ML; adopted, re-referred ..... 85; 97

**SB 232**—By Baggett—An Act relating to

the Uniform Commercial Code \* \* \* emergency.

HAs read, consideration deferred ... 795  
HAs concurred in, passed as amended ..... 834  
Referred for enrollment ..... 834  
Enrolled—4th Reading ..... 900  
To Governor; action by .....917; 1057

**SB 236**—By Breckinridge, Smith, McGraw, Howard, Hargrave and Inhofe—An Act relating to \* \* \* Information and Management Services Division \* \* \* emergency.

HA read, consideration deferred .... 841  
HA concurred in, passed as amended 968  
Referred for enrollment ..... 968  
Enrolled—4th Reading ..... 1044  
To Governor ..... 1059  
Approved by Governor .....April 21, 1970

**SB 238**—By Murphy—An Act relating to crimes and punishment \* \* \* emergency.

CR ..... 175  
Considered, advanced, 3d Reading, referred ..... 198  
Engrossed—To House ..... 209  
Referred for enrollment ..... 557  
Enrolled—4th Reading ..... 576  
To Governor; action by .....587; 650

**SB 252**—By Garrison and McGraw of the Senate and Connor, et al of the House—An Act relating to roads and highways \* \* \* emergency.

CR ..... 70  
WD, re-referred ..... 102  
CR ..... 113  
Considered, advanced, 3d Reading, referred ..... 132  
Engrossed—To House ..... 147

**SB 262**—By Hargrave—An Act \* \* \* providing that the judge \* \* \* may suspend execution \* \* \* emergency.

HA read, consideration deferred .... 526  
HA concurred in, passed as amended 970  
Referred for enrollment ..... 970  
Enrolled—4th Reading ..... 993  
To Governor ..... 1044  
Approved by Governor .... April 27, 1970

**SB 265**—By Crow—An Act relating to \* \* \* Boards of County Commissioners \* \* \* emergency.

CR ..... 58  
Considered, advanced, 3d Reading, referred ..... 85  
Engrossed—To House ..... 105

**SB 271**—By Smith and Howard—An Act relating to licensing and registration of motor vehicles \* \* \* emergency.

CR ..... 246  
Considered ..... 262  
Considered, advanced, 3d Reading, referred ..... 283  
Engrossed—To House ..... 316  
HA read, consideration deferred .... 593  
HAs concurred in, passed as amended ..... 835  
Referred for enrollment ..... 836  
Enrolled—4th Reading ..... 900  
To Governor; action by .....902; 1057

**SB 276**—By Romang—An Act relating to \* \* \* chemical tests for operators of motor vehicles \* \* \* emergency.

CR ..... 95  
Considered, advanced, 3d Reading, referred ..... 102  
Engrossed—To House ..... 116

**SB 280**—By Luton—An Act relating to employment security \* \* \* emergency.

CR ..... 70  
WD, re-referred ..... 124

**SB 281**—By Luton—An Act relating to employment security \* \* \* emergency.

CR ..... 70  
Considered, advanced, 3d Reading, referred ..... 122  
Engrossed—To House ..... 143  
HAs read, consideration deferred .. 683  
HAs rejected, Conference requested . 719  
SCs appointed ..... 719  
Conference granted, HCs named .... 739  
CCR read, consideration deferred .. 750  
CCR adopted, passed—To House .... 780  
Referred for enrollment ..... 851  
Enrolled—4th Reading ..... 900  
To Governor; action by .....902; 1057



**SB 291**—By Howard—An Act relating to \* \* \* primary elections for candidates for President of the United States \* \* \* emergency.

CR .....	52
Considered, advanced, 3d Reading, failed .....	75
ML; adopted, passed, referred ..	75; 81
Engrossed—To House .....	105

**SB 294**—By Field—An Act relating to water rights \* \* \* emergency.

CR .....	117
Considered; WD re-referred .....	250; 292
CR .....	501
Considered, advanced, 3d Reading, referred .....	532
Engrossed—To House .....	550

**SB 302**—By Horn—An Act relating to \* \* \* the County Treasurer of each county \* \* \* emergency.

CR .....	36
Considered, advanced, 3d Reading, referred .....	40
Engrossed—To House .....	43

**SB 305**—By Stipe—An Act relating to \* \* \* uninsured motorist clause \* \* \* emergency.

CR .....	229
Considered, advanced, 3d Reading, referred .....	279
Engrossed—To House .....	289

**SB 311**—By Nichols and McSpadden of the Senate and Sparkman of the House—An Act relating to the State Department of Public Welfare \* \* \* emergency.

CR .....	484
HAs rejected, Conference requested ..	631
SCs appointed .....	631
Conference granted, HCs named .....	635
CCR read, consideration deferred ..	765
CCR adopted, passed—To House .....	849
Referred for enrollment .....	916
Enrolled—4th Reading .....	943
To Governor .....	959
Approved by Governor .....	April 27, 1970

**SB 316**—By Romang—An Act providing that in all actions brought to recover

damages \* \* \* shall be diminished by the jury in proportion to the contributory negligence shown \* \* \* emergency.

CR .....	100
Considered, advanced, 3d Reading, failed .....	139
ML; failed .....	139; 182

**SB 320**—By Howard—An Act relating to counties and county officers; providing for county planning and zoning; \* \* \* authorizing appropriations \* \* \* emergency.

CR .....	303
Considered, advanced, 3d Reading, failed .....	489
ML; adopted, passed, referred ..	490; 530
Engrossed—To House .....	552
HAs read, consideration deferred .....	883
HAs concurred in, passed as amended .....	943
ML .....	943
Referred for enrollment .....	988
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 28, 1970

**SB 321**—By Stipe—An Act \* \* \* providing for the creating of a State Mining Commission \* \* \* emergency.

CR .....	131
Considered, advanced, 3d Reading, referred .....	151
Engrossed—To House .....	165

**SB 335**—By Holden—An Act relating to \* \* \* maximum distance, witnesses shall be required to travel \* \* \* emergency.

Referred for enrollment .....	977
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 21, 1970

**SB 341**—By Holden and Smith—An Act relating to credit unions \* \* \* emergency.

HAs read, consideration deferred .....	174
HAs rejected, Conference requested ..	198
SCs appointed .....	199
Conference granted, HCs named .....	205
CCR read, consideration deferred ..	255
CCR adopted, passed, withheld under Rule 19f .....	298

To House .....	300	Enrolled—4th Reading .....	576
Referred for enrollment .....	377	To Governor; action by .....	587; 650
Enrolled—4th Reading .....	382	<b>SB 376—By Keels and Birdsong—An Act</b> *** providing for periodic educational meetings of county commissioners *** emergency.	
To Governor; action by .....	390; 419	CR .....	95
<b>SB 362—By Stipe and Holden—An Act</b> relating to salaries of state officers *** emergency.		Considered, advanced, 3d Reading, referred .....	105
CR .....	131	Engrossed—To House .....	124
Considered, advanced, 3d Reading, referred .....	151	HAs read, consideration deferred ....	510
Engrossed—To House .....	164	HAs concurred in, passed as amended .....	838
HA read, consideration deferred ....	360	Referred for enrollment .....	838
HA concurred in, passed as amended	544	Enrolled—4th Reading .....	900
Referred for enrollment .....	544	To Governor; action by .....	902; 1058
Enrolled—4th Reading .....	562	<b>SB 379—By Smalley and Baggett of the</b> Senate and Cate of the House—An Act *** providing procedure for State Bank Commissioner to liquidate state banks in his possession *** emergency.	
To Governor; action by .....	575; 650	Referred for enrollment .....	116
<b>SB 367—By Young—An Act relating to</b> schools *** emergency.		Enrolled—4th Reading .....	132
CR .....	47	To Governor; action by .....	143; 157
Considered, advanced, 3d Reading, referred .....	54	<b>SB 383—By Young—An Act *** mak-</b> ing it a felony *** to advocate or teach disregard for or violation of laws of this state *** emergency.	
Engrossed—To House .....	58	CR .....	174
HA read, consideration deferred ....	575	Considered, advanced, WD, re- referred .....	197
HA concurred in, passed as amended	720	CR .....	484
Referred for enrollment .....	720	Considered, advanced, 3d Reading, referred .....	503
Enrolled—4th Reading .....	742	Engrossed—To House .....	515
To Governor; action by .....	750; 818	<b>SB 384—By Short—9n Act relating to</b> civil procedure *** prescribing requis- ites of summons ***	
<b>SB 372—By Grantham of the Senate and</b> McCune of the House—An Act relating to *** any person admitted to bail who incurs a forfeiture of the bail *** emer- gency.		CR .....	501
CR .....	70	Considered, advanced, 3d Reading, passed .....	516
Considered, advanced, 3d Reading, referred .....	81	ML .....	516
Engrossed—To House .....	95	Engrossed—To House .....	576
Referred for enrollment .....	510	<b>SB 385—By Terrill—An Act *** creat-</b> ing the Oklahoma Wing, Civil Air Patrol *** emergency.	
Enrolled—4th Reading .....	528	CR .....	131
To Governor; action by .....	536; 569		
<b>SB 375—By Smith—An Act relating to</b> dependent and delinquent children *** emergency.			
CR .....	174		
Considered, advanced, 3d Reading, referred .....	207		
Engrossed—To House .....	217		
Referred for enrollment .....	557		

Considered, advanced, 3d Reading, referred .....	187
Engrossed—To House .....	198

**SB 386**—By Terrill—An Act relating to uniform accident and health insurance \* \* \* emergency.

1st Reading (Pre-filed) .....	13
2d Reading .....	34

**SB 387**—By Terrill—An Act relating to uniform accident and health insurance \* \* \* emergency.

1st Reading (Pre-filed) .....	13
2d Reading .....	34
CR .....	117
WD re-referred .....	117

**SB 388**—By Garrett—An Act relating to court fees \* \* \*

1st Reading (Pre-filed) .....	13
2d Reading .....	34
WD, re-referred .....	49
CR .....	67

Considered, advanced, 3d Reading, referred .....	74
Engrossed—To House .....	79
HAs read, consideration deferred ...	510
HAs concurred in, passed as amended .....	720

Referred for enrollment .....	720
Enrolled—4th Reading .....	742
To Governor; action by .....	750; 827

**SB 389**—By Romang—An Act relating to public finance; \* \* \*.

1st Reading (Pre-filed) .....	13
2d Reading .....	34
CR .....	131
Considered, advanced, 3d Reading, referred .....	150
Engrossed—To House .....	165

**SB 390**—By McCune—An Act relating to cities and towns; \* \* \* emergency.

1st Reading (Pre-filed) .....	13
2d Reading .....	34
CR .....	364

Considered, advanced, 3d Reading, referred .....	469
Engrossed—To House .....	488
HA read, consideration deferred ...	842

HA rejected, Concurrence requested ..	964
SCs appointed .....	964
Conference granted, HCs named ....	977
CCR read, consideration deferred ..	984
CCR adopted, passed—To House ....	988
Referred for enrollment .....	1044
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor ....April 28, 1970	

**SB 391**—By McCune—An Act relating to children \* \* \* emergency.

1st Reading (Pre-filed) .....	13
2d Reading .....	34
CR .....	364
Considered, advanced, 3d Reading, referred .....	412
Engrossed—To House .....	424

**SB 392**—By Terrill—An Act relating to the Teachers' Retirement System of Oklahoma; \* \* \* emergency.

1st Reading (Pre-filed) .....	13
2d Reading .....	34
CR .....	290
Considered, advanced, 3d Reading, referred .....	318
Engrossed—To House .....	332

**SB 393**—By Birdsong—An Act relating to public officers; \* \* \* emergency.

1st Reading (Pre-filed) .....	14
2d Reading .....	34
CR .....	70

Considered, advanced, 3rd Reading, referred .....	80
Engrossed—To House .....	95
HAs read, consideration deferred ...	616
HAs rejected, Conference requested ..	680
SCs appointed .....	680
Conference granted, HCs named ....	688
CCR read, consideration deferred ..	811
CCR adopted, passed—To House ....	847
Referred for enrollment .....	916
Enrolled—4th Reading .....	944
To Governor .....	959
Approved by Governor ....April 28, 1970	

**SB 394**—By Birdsong—An Act relating to fire and allied lines insurance; \* \* \* emergency.

1st Reading (Pre-filed) .....	14
-------------------------------	----



2d Reading .....	34	Referred for enrollment .....	722
SB 395—By Young—An Act relating to civil procedure * * *		Enrolled—4th Reading .....	742
1st Reading (Pre-filed) .....	14	To Governor; action by .....	750; 827
2d Reading .....	34	SB 401—By Smalley—An Act relating to public schools of Oklahoma; * * * emergency.	
CR .....	67	1st Reading (Pre-filed) .....	14
Considered, advanced, 3rd Reading, referred .....	75	2d Reading .....	34
Engrossed—To House .....	79	CR .....	47
SB 396—By Birdsong—An Act relating to insurance; * * * emergency.		Considered, advanced, 3rd Reading, referred .....	54
1st Reading (Pre-filed) .....	14	Engrossed—To House .....	58
2d Reading .....	34	HA read, consideration deferred ....	527
SB 397—By Smalley and Young—An Act relating to motor vehicles; * * * emergency.		HA concurred in, passed as amended	746
1st Reading (Pre-filed) .....	14	Referred for enrollment .....	746
2d Reading .....	34	Enrolled—4th Reading .....	759
SB 398—By Young—An Act relating to evidence; * * * emergency.		To Governor; action by .....	778; 940
1st Reading (Pre-filed) .....	14	SB 402—By Romang—An Act relating to damages; * * * emergency.	
2d Reading .....	34	1st Reading (Pre-filed) .....	14
SB 399—By McCune—An Act relating to marriage * * * emergency.		2d Reading .....	34
1st Reading (Pre-filed) .....	14	SB 403—By Smith, Baggett, Miller, Terrill and Smalley—An Act relating to special education of handicapped exceptional children; * * *.	
2d Reading .....	34	1st Reading (Pre-filed) .....	15
CR .....	70	2d Reading .....	34
Considered, advanced, 3d Reading, failed .....	85	CR .....	47
ML; adopted, passed, referred.....	85; 121	Considered, advanced, 3rd Reading, referred .....	55
Engrossed—To House .....	132	Engrossed—To House .....	68
HA read, consideration deferred ....	616	HA read, consideration deferred ....	327
HA concurred in, passed as amended	721	HA rejected, Conference requested ..	398
Referred for enrollment .....	721	SCs appointed .....	393
Enrolled—4th Reading .....	742	Conference granted, HCs named ....	403
To Governor; action by .....	750; 819	CCR read, consideration deferred ....	829
SB 400—By Grantham of the Senate and McCune of the House—An Act * * * providing certain rights of appeal * * *.		CCR adopted, passed—To House ....	895
1st Reading (Pre-filed) .....	14	Referred for enrollment .....	978
2d Reading .....	34	Enrolled—4th Reading .....	993
CR .....	70	To Governor .....	1044
Considered, advanced, 3rd Reading, referred .....	81	Approved by Governor .....	April 28, 1970
Engrossed—To House .....	95	SB 404—By Baggett—An Act relating to education; * * *.	
HA read, consideration deferred ....	537	1st Reading (Pre-filed) .....	15
HA concurred in, passed as amended	722	2d Reading .....	35
		SB 405—By Crow—An Act relating to schools; * * * children vaccinated by	

State Department of Health; \* \* \* emergency.

1st Reading (Pre-filed) ..... 15  
2d Reading ..... 35

**SB 406**—By McCune—An Act relating to civil procedure; \* \* \*.

1st Reading (Pre-filed) ..... 15  
2d Reading ..... 35

**SB 407**—By Martin—On Act relating to drugs and pharmacy; \* \* \* emergency.

1st Reading (Pre-filed) ..... 15  
2d Reading ..... 35

CR ..... 52

Considered, advanced, 3d Reading, referred ..... 61

Engrossed—To House ..... 68

Referred for enrollment ..... 500

Enrolled—4th Reading ..... 515

To Governor; action by ..... 524; 525

**SB 408**—By Young—An Act relating to state officers; \* \* \*.

1st Reading (Pre-filed) ..... 15

2d Reading ..... 35

CR ..... 70

WD, re-referred ..... 84

CR ..... 131

WD, re-referred ..... 131

CR ..... 162

Considered, advanced, 3d Reading, referred ..... 234

Engrossed—To House ..... 246

**SB 409**—By Smalley—An Act relating to workmen's compensation; \* \* \* emergency.

1st Reading (Pre-Filed) ..... 15

2d Reading ..... 35

CR ..... 70

Considered, advanced, 3d Reading, referred ..... 83

Engrossed—To House ..... 95

**SB 410**—By Taliaferro and Terrill of the Senate and Ferrell, et al, of the House—An Act relating to area school district; \* \* \* emergency.

1st Reading ..... 17

2d Reading—To Calendar ..... 35

Considered, advanced, 3d Reading, referred ..... 39

Engrossed—To House ..... 43

Referred for enrollment ..... 51

Enrolled—4th Reading ..... 55

To Governor; action by ..... 56; 57

**SB 411**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the Governor and making appropriations thereto; \* \* \* emergency.

1st Reading ..... 17

2d Reading ..... 35

CR ..... 58

Considered, advanced ..... 68

Reported Engrossed ..... 70

3d Reading, passed-Withheld under

Rule 19f ..... 70

Signed—To House ..... 76

Referred for enrollment ..... 258

Enrolled—4th Reading ..... 276

To Governor; action by ..... 283; 340

**SB 412**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the State Emergency Fund and making an appropriation thereto; \* \* \* emergency.

1st Reading ..... 17

2d Reading ..... 35

CR ..... 58

Considered, advanced, 3rd Reading, referred ..... 73

Engrossed—To House ..... 79

HA read, consideration deferred ..... 259

HA rejected, Conference requested .. 285

SCs appointed ..... 285

Conference granted, HCs named .... 298

CCR read, consideration deferred .. 576

CCR adopted, passed—To House .... 664

Referred for enrollment ..... 681

Enrolled—4th Reading ..... 699

To Governor; action by ..... 709; 819

**SB 413**—By McSpadden and Massey of the Senate and Willis and Miskelly of the House—An Act relating to the Office of the State Auditor and making appropriations thereto; \* \* \* emergency.

1st Reading ..... 17

2d Reading ..... 35

CR ..... 70

WD, re-referred .....	70
CR .....	79
Considered, advanced, 3d Reading, referred .....	96
Engrossed—To House .....	105
HAs read, consideration deferred ..	259
HAs rejected, Conference requested..	285
SCs appointed .....	285
Conference granted, HCs named ....	298
CCR read, consideration deferred ..	659
CCR adopted, passed—To House ....	703
Referred for enrollment .....	739
House requests return of Bill, together with CCR, for further consideration; returned .....	780
House reconsiders vote by which Bill passed, as amended; by which CCR adopted; refused to adopt CCR and requests further Conference .....	791
Further Conference granted .....	791
2d CCR read, consideration deferred	918
2d CCR adopted, passed—To House ..	944
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor ....April 21, 1970	

**SB 414**—By McSpadden and Massey of the Senate and Willis, et al of the House —An Act relating to the Board of Equalization and making appropriations thereto; \* \* \* emergency.

1st Reading .....	17
2d Reading .....	35
CR .....	58
Considered, advanced, 3rd Reading, referred .....	72
Engrossed—To House .....	79
HAs read, consideration deferred ..	259
HAs rejected, Conference requested ..	285
SCs appointed .....	285
Conference granted, HCs named ....	298
CCR read, consideration deferred ..	576
CCR rejected, further Conference requested .....	665
Further Conference granted .....	679
2d CCR read, consideration deferred	707
2d CCR adopted, passed—To House..	749
Referred for enrollment .....	911

Enrolled—4th Reading .....	944
To Governor .....	959
Approved by Governor .... April 21, 1970	

**SB 415**—By McSpadden and Massey of the Senate and Willis, et al of the House —An Act relating to the State Board of Public Affairs and making appropriations thereto; \* \* \* emergency.

1st Reading .....	17
2d Reading .....	35
CR .....	70
Considered, advanced, 3rd Reading, referred .....	82
Engrossed—To House .....	95
HAs read, consideration deferred ...	363
HAs rejected, Conference requested	387
SCs appointed .....	387
Conference granted, HCs named ....	392
CCR read, consideration deferred ..	660
CCR rejected, further Conference requested .....	717
Further Conference granted .....	750
2d CCR read, consideration deferred	919
2d CCR adopted, passed—To House ..	945
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor ....April 21, 1970	

**SB 416**—By McSpadden and Massey of the Senate and Willis, et al, of the House —An Act relating to the Office of the State Treasurer and making appropriations thereto; \* \* \* emergency.

1st Reading .....	17
2d Reading .....	35
CR .....	70
Considered, advanced, 3d Reading, referred .....	82
Engrossed—To House .....	95
HAs read, consideration deferred ..	259
HAs rejected, Conference requested..	285
SCs appointed .....	285
Conference granted, HCs named ....	298
CCR read, consideration deferred ..	661
CCR adopted, passed—To House ....	704
Referred for enrollment .....	739
House requests return of Bill, together with CCR, for further consideration; returned .....	780



House reconsiders vote by which Bill passed, as amended; by which CCR adopted; refused to adopt CCR and requests further Conference .....	791
Further Conference granted .....	791
2d CCR read, consideration deferred .....	920
2d CCR adopted, passed—To House .....	945
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor ....April 21, 1970	

**SB 417**—By McSpadden and Massey of the Senate and Willis, et al of the House—An Act relating to the Office of the Attorney General and making appropriations thereto; \* \* \* emergency.

1st Reading .....	17
2d Reading .....	35
CR .....	117
Considered, advanced, 3d Reading, referred .....	134
Engrossed—To House .....	164
HA read, consideration deferred ....	394
HA rejected, Conference requested ..	531
SCs appointed .....	531
Conference granted, HCs named ....	538
CCR read, consideration deferred ..	662
CCR adopted, passed—To House ....	705
Referred for enrollment .....	739
Enrolled—4th Reading .....	759
To Governor; action by .....	778; 893

**SB 418**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Court of Tax Review and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	58
Considered, advanced, 3d Reading, referred .....	71
Engrossed—To House .....	79
Referred for enrollment .....	241
Enrolled—4th Reading .....	260
To Governor; action by .....	266; 300

**SB 419**—By McSpadden and Massey of the Senate and Willis, et al of the House

—An Act relating to the Office of the Attorney General and Offices of District Attorneys and making appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	95
Considered, advanced, 3d Reading, referred .....	102
Engrossed—To House .....	124
HA read, consideration deferred ....	270
HA rejected, Conference requested ..	299
SCs appointed .....	299
Conference granted, HCs named ....	301
CCR read, consideration deferred ..	756
CCR adopted, passed—To House ....	820
Referred for enrollment .....	911
Enrolled—4th Reading .....	944
To Governor .....	959
Approved by Governor ....April 22, 1970	

**SB 420**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the State Industrial Court and making appropriations thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	95
Considered, advanced, 3d Reading, referred .....	103
Engrossed—To House .....	116
HAs read, consideration deferred ....	270
HAs rejected, Conference requested ..	299
SCs appointed .....	299
Conference granted, HCs named ....	301
CCR read, consideration deferred ....	577
CCR adopted, passed—To House ....	665
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 819

**SB 421**—By McSpadden, Massey and Smalley of the Senate and Willis, et al of the House—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35

CR .....	272
Considered, advanced, 3d Reading, referred .....	292
Engrossed—To House .....	332
HA read, consideration deferred .....	407
HA rejected, Conference requested .....	531
SCs appointed .....	531
Conference granted, HCs named .....	538
CCR read, consideration deferred .....	920
CCR adopted, passed—To House .....	946
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 27, 1970

**SB 422**—By McSpadden and Massey of the Senate and Willis, et al of the House—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35

**SB 423**—By McSpadden and Massey of the Senate and Willis, et al of the House—An Act relating to the Oklahoma Arts and Humanities Council and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	70
Considered, advanced, 3d Reading, referred .....	83
Engrossed—To House .....	95
HA read, consideration deferred .....	259
HA rejected, Conference requested .....	285
SCs appointed .....	285
Conference granted, HCs named .....	298
CCR read, consideration deferred .....	577
CCR adopted, passed—To House .....	665
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 819

**SB 424**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; \* \* \* emergency.

1st Reading .....	18
-------------------	----

2d Reading .....	35
CR .....	117
Considered, advanced, 3d Reading, referred .....	134
Engrossed—To House .....	147
HA read, consideration deferred .....	327
HAs rejected, Conference requested .....	387
SCs appointed .....	387
Conference granted, HCs named .....	392
CCR read, consideration deferred .....	951
CCR rejected, further Conference requested, SCs instructed .....	991
Further Conference granted .....	1028
2d CCR read, adopted, passed—To House .....	1041
Referred for enrollment .....	1071
Enrolled—4th Reading .....	1112
To Governor .....	1113
Approved by Governor .....	April 28, 1970

**SB 425**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Oklahoma Department of Libraries and making appropriations thereto; \* \* \* emergency.

1st Reading .....	18
2nd Reading .....	35
CR .....	117
Considered, advanced, 3rd Reading, referred .....	135
Engrossed—To House .....	147
HAs read, consideration deferred .....	270
HAs rejected, Conference requested .....	298
SCs appointed .....	298
Conference granted, HCs named .....	301
CCR read, consideration deferred .....	662
CCR adopted, passed—To House .....	705
Referred for enrollment .....	739
Enrolled—4th Reading .....	759
To Governor; action by .....	778; 940

**SB 426**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act making appropriations to the State Board for Vocational and Technical Education; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	272
Considered, advanced, 3rd Reading, referred .....	292

Engrossed—To House .....	316
HAs read, consideration deferred ....	407
HAs rejected, Conference requested..	531
SCs appointed .....	531
Conference granted, HCs named .....	538
CCR read, consideration deferred ....	578
CCR adopted, passed—To House .....	665
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 819

**SB 427**—By McSpadden, Massey and Smalley of the Senate and Willis, et al of the House—An Act relating to the Oklahoma Teachers' Retirement System; making an appropriation thereto; \* \* \* emergency.

1st Reading .....	18
2d Reading .....	35
CR .....	205
Considered, advanced, 3rd Reading, referred .....	222
Engrossed—To House .....	229
HAs read, consideration deferred ....	394
HAs rejected, Conference requested..	531
SCs appointed .....	531
Conference granted, HCs named .....	538
CCR read, consideration deferred ....	924
CCR adopted, passed—To House ....	947
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 21, 1970

**SB 428**—By McSpadden, Massey and Smalley of the Senate and Willis, et al, of the House—An Act relating to the Department of Mental Health \* \* \* and making appropriations thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	205
Considered, advanced, 3rd Reading, referred .....	222
Engrossed—To House .....	229
HAs read, consideration deferred ....	363
HAs rejected, Conference requested..	387
SCs appointed .....	387
Conference granted, HCs named .....	392
CCR read, consideration deferred ....	578
CCR adopted, passed—To House ....	666
Referred for enrollment .....	681

Enrolled—4th Reading .....	707
To Governor; action by .....	722; 819

**SB 429**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Department of Charities and Corrections and making appropriations thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	117
Considered, advanced, 3rd Reading, referred .....	135
Engrossed—To House .....	165
HAs read, consideration deferred ....	270
HAs rejected, Conference requested..	299
SCs appointed .....	299
Conference granted, HCs named .....	301
CCR read, consideration deferred ....	757
CCR adopted, passed—To House ....	820
Referred for enrollment .....	911
Enrolled—4th Reading .....	944
To Governor .....	959
Approved by Governor .....	April 21, 1970

**SB 430**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Governor-Division of Economic Opportunity and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	95
Considered, advanced, 3rd Reading, referred .....	103
Engrossed—To House .....	124
HAs read, consideration deferred ....	270
HAs rejected, Conference requested..	299
SCs appointed .....	299
Conference granted, HCs named .....	301
CCR read, consideration deferred ....	579
CCR adopted, passed—To House ....	666
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 755

**SB 431**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Governor's Committee on Employment of the Handicapped



and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	58
Considered, advanced, 3rd Reading, referred .....	72
Engrossed—To House .....	79
HA read, consideration deferred .....	259
HA concurred in, passed as amended .....	285
Referred for enrollment .....	285
Enrolled—4th Reading .....	289
To Governor; action by .....	300; 357

**SB 432**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Oklahoma Department of Veterans Affairs \* \* \* and making appropriations thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	162
Considered, advanced, 3rd Reading, referred .....	180
Engrossed—To House .....	198
HAs read, consideration deferred .....	327
HAs rejected, Conference requested .....	387
SCs appointed .....	387
Conference granted, HCs named .....	392
CCR read, consideration deferred .....	662
CCR adopted, passed—To House .....	706
Referred for enrollment .....	739
House requests return of Bill, together with CCR, for further consideration; returned .....	780
House reconsiders vote by which Bill passed, as amended; by which CCR adopted; refused to adopt CCR and requests further Conference .....	791
Further Conference granted .....	791
2d CCR read, consideration deferred .....	924
2d CCR adopted, passed—To House .....	947
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 21, 1970

**SB 433**—By McSpadden, Massey and Smalley of the Senate and Willis, et al, of the House—An Act relating to the State

Employees Group Health Plan and making an appropriation \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	147
Considered, advanced, 3d Reading, referred .....	162
Engrossed—To House .....	184
Referred for enrollment .....	380
Enrolled—4th Reading .....	398
To Governor; action by .....	403; 419

**SB 434**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Western Plains Indians Arts and Crafts Commission and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	19
2d Reading .....	35
CR .....	58
Considered, advanced, 3rd Reading, referred .....	71
Engrossed—To House .....	79
Referred for enrollment .....	241
Enrolled—4th Reading .....	260
To Governor; action by .....	266; 300

**SB 435**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of Civil Defense and making appropriations thereto \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	117
Considered, advanced, 3rd Reading, referred .....	136
Engrossed—To House .....	147
HAs read, consideration deferred .....	270
HAs rejected, Conference requested .....	299
SCs appointed .....	299
Conference granted, HCs named .....	301
CCR read, consideration deferred .....	579
CCR adopted, passed—To House .....	667
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 755

**SB 436**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the State Bureau of

Investigation and making an appropriation hereto; \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	147
Considered, advanced, 3d Reading, referred .....	163
Engrossed—To House .....	184
HA read, consideration deferred ....	270
HA rejected, Conference requested..	299
SCs appointed .....	299
Conference granted, HCs named ....	301
CCR read, consideration deferred ..	579
CCR adopted, passed—To House ....	667
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 755

**SB 437**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	117
Considered, advanced, 3d Reading, referred .....	136
Engrossed—To House .....	147
HAs read, consideration deferred ....	289
HAs rejected, Conference requested ..	315
SCs appointed .....	315
Conference granted, HCs named ....	329
CCR read, consideration deferred ..	663
CCR adopted, passed—To House ....	706
Referred for enrollment .....	739
Enrolled—4th Reading .....	759
To Governor; action by .....	778; 893

**SB 438**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	147

Considered, advanced, 3d Reading, referred .....	165
Engrossed—To House .....	184
Referred for enrollment .....	328
Enrolled—4th Reading .....	349
To Governor; action by .....	355; 359

**SB 439**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Pardon and Parole Board and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	117
Considered, advanced, 3d Reading, referred .....	137
Engrossed—To House .....	147
HA read, consideration deferred ....	270
HA concurred in, passed as amended ..	299
Referred for enrollment .....	299
Enrolled—4th Reading .....	332
To Governor; action by .....	335; 359

**SB 440**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the State Highway Department; making appropriations thereto; \* \* \* emergency.

1st Reading .....	20
2d Reading .....	35
CR .....	205
Considered, advanced, 3rd Reading, referred .....	223
Engrossed—To House .....	246
HAs read, consideration deferred ....	342
HAs rejected, Conference requested..	387
SCs appointed .....	387
Conference granted, HCs named ....	392
CCR read, consideration deferred ....	579
CCR adopted, passed—To House ....	668
Referred for enrollment .....	681
Enrolled—4th Reading .....	707
To Governor; action by .....	722; 819

**SB 441**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of the Chief Mine Inspector and making appropriations thereto; \* \* \* emergency.

1st Reading .....	20
-------------------	----

2d Reading .....	35
CR .....	205
Considered, advanced, 3rd Reading, referred .....	223
Engrossed—To House .....	229
HAs read, consideration deferred ....	343
HAs rejected, Conference requested..	387
SCs appointed .....	387
Conference granted, HCs named ....	392
CCR read, consideration deferred ....	583
CCR adopted, passed—To House ....	668
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor; action by .....	709; 819
<b>SB 442—By McSpadden and Massey of the Senate and Willis, et al, of the House— An Act relating to the Office of the De- partment of Labor and making appropria- tions thereto; * * * emergency.</b>	
1st Reading .....	20
2d Reading .....	35
CR .....	95
Considered, advanced, 3rd Reading, referred .....	104
Engrossed—To House .....	124
HAs read, consideration deferred ....	270
HAs rejected, Conference requested..	299
SCs appointed .....	299
Conference granted, HCs named ....	301
CCR read, consideration deferred ....	583
CCR adopted, passed—To House ....	669
Referred for enrollment .....	681
Enrolled—4th Reading .....	699
To Governor .....	709
Recalled from Governor (SCR 83); Returned .....	762; 795
House requested to reconsider vote by which Bill passed, as amended in Conference; by which CCR adopted; refuse to adopt CCR and request further Conference .....	894
House reconsiders vote by which Bill passed, as amended; by which CCR adopted; refuses to adopt CCR and requests further Conference .....	901
Senate rescinds 4th Reading and grants further Conference .....	901
2d CCR read, consideration deferred.	925

2d CCR adopted, passed—To House ..	947
Referred for enrollment .....	978
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 21, 1970

**SB 443—By McSpadden and Massey of  
the Senate and Willis, et al, of the House  
—An Act relating to the State Mining  
Board and making appropriations there-  
to; \* \* \* emergency.**

1st Reading .....	20
2d Reading .....	35
CR .....	205
Considered, advanced, 3d Reading, referred .....	224
Engrossed—To House .....	229
Referred for enrollment .....	328
Enrolled—4th Reading .....	349
To Governor; action by .....	355; 359

**SB 444—By McSpadden and Massey of  
the Senate and Willis, et al, of the House  
—An Act relating to the Office of the Se-  
curities Commission and making appro-  
priations thereto; \* \* \* emergency.**

1st Reading .....	21
2d Reading .....	35
CR .....	147
Considered, advanced, 3d Reading, referred .....	164
Engrossed—To House .....	184
Referred for enrollment .....	241
Enrolled—4th Reading .....	260
To Governor; action by .....	266; 300

**SB 445—By McSpadden and Massey of  
the Senate and Willis, et al, of the House  
—An Act relating to the Commission on  
Consumer Affairs and making an appro-  
priation thereto; \* \* \* emergency.**

1st Reading .....	21
2d Reading .....	35
CR .....	147
Considered, advanced, 3rd Reading, referred .....	164
Engrossed—To House .....	184
Referred for enrollment .....	241
Enrolled—4th Reading .....	260
To Governor; action by .....	266; 300

**SB 446—By McSpadden and Massey of**



the Senate and Willis, et al, of the House—An Act relating to the State Department of Agriculture and making appropriations thereto; \* \* \* emergency.

1st Reading .....	21
2d Reading .....	35
CR .....	162

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	180
HAs read, consideration deferred ..	192
HAs rejected, Conference requested ..	328
SCs appointed .....	387
Conference granted, HCs named .....	387
CCR read, consideration deferred ..	392
CCR adopted, passed—To House ....	765
Referred for enrollment .....	821
Enrolled—4th Reading .....	911
To Governor .....	944
Approved by Governor ....April 22, 1970	959

**SB 447**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Oklahoma Industrial Development and Park Commission and making appropriations thereto; \* \* \* emergency.

1st Reading .....	21
2d Reading .....	35
CR .....	217

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	233
HAs read, consideration deferred ....	246
HAs rejected, Conference requested ..	403
SCs appointed .....	531
Conference granted, HCs named ....	531
CCR read, consideration deferred ....	538
CCR adopted, passed—To House ....	953
Referred for enrollment .....	991
Enrolled—4th Reading .....	1044
To Governor .....	1069
Approved by Governor ....April 28, 1970	1071

**SB 448**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Petroleum Experiment Station and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	21
2d Reading .....	35

CR .....	58
----------	----

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	73
Referred for enrollment .....	79
Enrolled—4th Reading .....	241
To Governor; action by .....	260
	266; 300

**SB 449**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the State Soil Conservation Board; \* \* \* emergency.

1st Reading .....	21
2d Reading .....	35
CR .....	147

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	163
HA read, consideration deferred ....	184
HA rejected, Conference requested ..	260
SCs appointed .....	285
Conference granted, HCs named ....	285
CCR read, consideration deferred ....	298
CCR adopted, passed—To House ....	956
Referred for enrollment .....	990
Enrolled—4th Reading .....	1044
To Governor .....	1069
Approved by Governor ....April 22, 1970	1071

**SB 450**—By Hamilton—An Act relating to the Oklahoma Industrial Finance Authority Act; \* \* \* emergency.

1st Reading .....	34
2d Reading .....	39
CR .....	117

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	235
HAs read, consideration deferred ....	251
HAs concurred in, passed as amended	510
Referred for enrollment .....	786
Enrolled—4th Reading .....	786
To Governor; action by .....	803
	809; 940

**SB 451**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the Oklahoma Industrial Development and Parks Department; making an appropriation; \* \* \* emergency.

1st Reading .....	34
2d Reading .....	39
CR .....	162

Considered, advanced, 3d Reading, referred .....	178
Engrossed—To House .....	198
HA read, consideration deferred .....	343
HA rejected, Conference requested .....	536
SCs appointed .....	536
Conference granted, HCs named .....	538
CCR read, consideration deferred .....	957
CCR adopted, passed—To House .....	990
Referred for enrollment .....	1044
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 28, 1970

**SB 452**—By Grantham, Smith, Miller and Baggett of the Senate and Hesser, et al, of the House—An Act \* \* \* providing for system of televised instruction and methods of financing; \* \* \* emergency.

1st Reading .....	34
2d Reading .....	39
CR .....	47
Re-referred .....	47
CR .....	58

Considered, advanced, 3d Reading, referred .....	74
Engrossed—To House .....	79
Referred for enrollment .....	144
Enrolled—4th Reading .....	147
To Governor; action by .....	158; 189

**SB 453**—By McGraw of the Senate and Odom (Martin) of the House—An Act \* \* \* providing purchase of school bus bodies by school districts; \* \* \* emergency.

1st Reading .....	38
2d Reading .....	46

**SB 454**—By Howard—An Act relating to evidence; \* \* \* emergency.

1st Reading .....	39
2d Reading .....	46
CR .....	70

Considered, advanced, 3d Reading, referred .....	85
Engrossed—To House .....	95

**SB 455**—By Luton and Garrison of the Senate and Odom (V.H.), et al, of the House—An Act relating to state institutions; \* \* \* emergency.

1st Reading .....	39
-------------------	----

2d Reading .....	46
CR .....	95
Considered, advanced, 3d Reading, referred .....	101
Engrossed—To House .....	116
HAs concurred in, passed as amended .....	308
Referred for enrollment .....	311
Enrolled—4th Reading .....	316
To Governor; action by .....	320; 327

**SB 456**—By Smalley—An Act \* \* \* providing for the election by the Board of Education of each school district \* \* \* emergency.

1st Reading .....	44
2d Reading .....	49
CR .....	70
Considered, advanced, 3d Reading, referred .....	84
Engrossed—To House .....	95
Referred for enrollment .....	510
Enrolled—4th Reading .....	528
To Governor; action by .....	536; 569

**SB 457**—By Berrong—An Act relating to savings and loan associations; \* \* \*

1st Reading .....	44
2d Reading .....	49
CR .....	117

Considered, advanced, 3d Reading, referred .....	225
Engrossed—To House .....	251

**SB 458**—By Young—An Act relating to \* \* \* the Supreme Court of Oklahoma; \* \* \* emergency.

1st Reading .....	44
2d Reading .....	49
CR .....	117

Considered, advanced, 3d Reading, referred .....	198
Engrossed—To House .....	209
Referred for enrollment .....	342
Enrolled—4th Reading .....	366
To Governor; action by .....	375; 407

**SB 459**—By Young—An Act relating to labor; \* \* \* emergency.

1st Reading .....	44
2d Reading .....	49

**SB 460**—By Young—An Act \* \* \* creat-

ing the State Board for Property and Casualty Rates; \* \* \* emergency.

1st Reading ..... 44  
2d Reading ..... 49  
CR ..... 117

Considered, advanced, 3d Reading,  
referred ..... 282  
Engrossed—To House ..... 316

**SB 461**—By Young—An Act relating to the judiciary; \* \* \* emergency.

1st Reading ..... 45  
2d Reading ..... 49  
CR ..... 70

Considered, advanced, 3d Reading,  
referred ..... 87

Engrossed—To House ..... 105

HA read, consideration deferred ..... 537

HA rejected, Conference requested ..... 679

SCs appointed ..... 679

Conference granted, HCs named ..... 688; 986

CCR read, consideration deferred ..... 775

CCR rejected, further Conference  
requested ..... 988

Further Conference granted ..... 993

2d CCR read, adopted, passed—

To House ..... 994

Referred for enrollment ..... 1094

Enrolled—4th Reading ..... 1112

To Governor ..... 1113

Approved by Governor ..... April 27, 1970

**SB 462**—By Young—An Act relating to court bailiffs; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

CR ..... 117

Considered, advanced, 3d Reading,  
referred ..... 153; 233

Engrossed—To House ..... 246

**SB 463**—By Hamilton—An Act relating to insurance; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

CR ..... 117

WD, re-referred ..... 141

CR ..... 303

**SB 464**—By Hamilton—An Act relating to insurance; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

CR ..... 117

Considered, advanced, 3d Reading,  
referred ..... 137

Engrossed—To House ..... 165

**SB 465**—By Birdsong—An Act relating to insurance; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

CR ..... 117

Considered, advanced, 3d Reading,  
referred ..... 138

Engrossed—To House ..... 165

**SB 466**—By Birdsong—An Act relating to insurance; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

CR ..... 117

WD, re-referred ..... 139

**SB 467**—By Murphy—An Act relating to motor vehicle licensing and registrations;  
\* \* \*

1st Reading ..... 45

2d Reading ..... 49

CR ..... 147

WD, re-referred ..... 356

CR ..... 435

Considered, advanced, 3d Reading,  
referred ..... 473

WD from Engrossing Department;  
vote reconsidered by which passed ..... 475

Considered, 3d Reading, referred ..... 476

Engrossed—To House ..... 490

**SB 468**—By Stansberry—An Act relating to tax-supported hospitals; \* \* \* emergency.

1st Reading ..... 45

2d Reading ..... 49

**SB 469**—By Ham—An Act relating to \* \* \* tests for determining alcoholic content of person operating motor vehicle;  
\* \* \*

1st Reading ..... 48

2d Reading ..... 53

**SB 470**—By Ham—An Act relating to oil and gas; \* \* \* emergency.

1st Reading ..... 48

2d Reading ..... 53



**SB 471**—By Hamilton—An Act relating to insurance; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53
CR .....	131

Considered, advanced, 3d Reading, referred .....	152
Engrossed—To House .....	165

**SB 472**—By Hamilton—An Act relating to insurance rates and rating; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53
CR .....	229

Considered, advanced, 3d Reading, referred .....	282
Engrossed—To House .....	289

**SB 473**—By Murphy of the Senate and Skeith of the House—An Act \* \* \* providing for the retention of evidence of securities with the State Highway Commission \* \* \*

1st Reading .....	48
2d Reading .....	53
CR .....	147

Considered, advanced, 3d Reading, referred .....	188
Engrossed—To House .....	209

Referred for enrollment .....	500
Enrolled—4th Reading .....	515
To Governor; action by .....	524; 525

**SB 474**—By Murphy of the Senate and Skeith of the House—An Act \* \* \* providing for contracts for construction on state highways; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53

**SB 475**—By Murphy of the Senate and Skeith of the House—An Act relating to state officers and employees; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53
CR .....	147

Considered, advanced, 3d Reading, referred .....	182
Engrossed—To House .....	198
Referred for enrollment .....	500

Enrolled—4th Reading .....	515
To Governor; action by .....	524; 525

**SB 476**—By Murphy—An Act relating to state officers and employees; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53

**SB 477**—By Murphy of the Senate and Skeith of the House—An Act relating to roads and bridges; \* \* \* emergency.

1st Reading .....	48
2d Reading .....	53
CR .....	147

Considered, advanced, 3d Reading, referred .....	183
Engrossed—To House .....	209

Referred for enrollment .....	500
Enrolled—4th Reading .....	515
To Governor; action by .....	524; 525

**SB 478**—By Luton of the Senate and Tarwater, et al, of the House—An Act relating to insurance; \* \* \* emergency.

1st Reading .....	52
2d Reading .....	59
CR .....	117

Considered, advanced, 3d Reading, referred .....	141
Engrossed—To House .....	165

HAs read, consideration deferred .....	796
HAs rejected, Conference requested .....	838
SCs appointed .....	838

Conference granted, HCs named .....	851
CCR read, consideration deferred .....	959
CCR rejected, further Conference requested .....	988

Vote reconsidered by which CCR rejected and further Conference requested .....	995
--	-----

CCR adopted, passed—To House .....	995
Referred for enrollment .....	1044

Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 27, 1970

**SB 479**—By Hamilton of the Senate and Sullivan of the House—An Act \* \* \* providing for an appropriation for a research program \* \* \* by the Oklahoma State University of Agriculture; \* \* \* emergency.

1st Reading .....	52	To Governor; action by .....	524; 537
2d Reading .....	59	<b>SB 484</b> —By Phillips—An Act * * * providing for partition of real property; * * * emergency.	
CR .....	162	1st Reading .....	58
Considered, advanced, 3d Reading, referred .....	179	2d Reading .....	68
Engrossed—To House .....	192	<b>SB 485</b> —By Stipe—An Act relating to workmen's compensation; * * *	
HAs read, consideration deferred ....	510	1st Reading .....	58
HAs rejected, Conference requested ..	536	2d Reading .....	68
SCs appointed .....	536	CR .....	383
Conference granted, HCs named ....	538	Considered, advanced, referred .....	554
CCR read, adopted, passed—To House	1069	<b>SB 486</b> —By Ham—An Act relating to courts; * * * emergency.	
<b>SB 480</b> —By Nichols, Garrison, McSpadden, Bagett, Field, Grantham, Breckinridge, Massey, Bradley and Boecher of the Senate and Bickford, et al, of the House—An Act relating to revenue and taxation; * * * emergency.		1st Reading .....	58
1st Reading .....	52	2d Reading .....	68
2d Reading .....	59	CR .....	100
CR .....	246	Considered, advanced, 3d Reading, referred .....	120
Considered, advanced, 3d Reading, passed .....	349	Engrossed—To House .....	139
ML; time extended .....350; 401		Referred for enrollment .....	812
Engrossed—to House .....	424	Enrolled—4th Reading .....	829
Referred for enrollment .....	510	To Governor; action by .....	841; 985
Enrolled—4th Reading .....	528	<b>SB 487</b> —By Smalley of the Senate and Cate of the House—An Act to confer upon minors over the age of sixteen years the power to execute enforceable written obligations * * * emergency.	
To Governor; action by .....536; 569		1st Reading .....	59
<b>SB 481</b> —By Crow—An Act * * * providing specific upward adjustments in salaries of teachers * * *.		2d Reading .....	68
1st Reading .....	52	CR .....	131
2d Reading .....	59	Considered, advanced, 3d Reading, referred .....	184
<b>SB 482</b> —By Lane—An Act relating to economic, agricultural and recreational development; * * *		Engrossed—To House .....	209
1st Reading .....	52	HAs read, consideration deferred ....	548
2d Reading .....	59	HAs concurred in, passed as amended ..	845
<b>SB 483</b> —By Garrison of the Senate and Nance of the House—An Act * * * providing for fees for certified copies of records; * * * emergency.		Referred for enrollment .....	845
1st Reading .....	58	Enrolled—4th Reading .....	900
2d Reading .....	68	To Governor; action by .....	902; 1058
CR .....	79	<b>SB 488</b> —By Hamilton of the Senate and Sullivan of the House—An Act relating to the Department of Corrections and making an appropriation thereto; * * * emergency.	
Considered, advanced, 3d Reading, referred .....	96	1st Reading .....	67
Engrossed—To House .....	105	2d Reading .....	70
Referred for enrollment .....	500	CR .....	162
Enrolled—4th Reading .....	515		

Considered, advanced, 3d Reading, referred .....	179
Engrossed—To House .....	198

**SB 489**—By Graves of the Senate and Wayland, et al, of the House—An Act relating to cities and towns; amending 11 O. S. 1961, § 171, to authorize governing body of a city or town to acquire by negotiation real estate \* \* \* emergency.

1st Reading .....	67
2d Reading .....	70
CR .....	175

Considered, advanced, 3d Reading,  
referred .....

Engrossed—To House .....	194
HAs read, consideration deferred ....	209
HAs concurred in, passed as amended	595
Referred for enrollment .....	631
Enrolled—4th Reading .....	632
To Governor; action by .....	664
	676; 756

**SB 490**—By Short—An Act relating to crimes and punishment; \* \* \* emergency.

1st Reading .....	67
2d Reading .....	70
CR .....	409

Considered, advanced, 3d Reading,  
referred .....

Engrossed—To House .....	515
Referred for enrollment .....	528
Enrolled—4th Reading .....	750
To Governor; action by .....	759
	778; 940

**SB 491**—By Baggett—An Act \* \* \* providing for review of assessments resulting from comprehensive program of revaluation \* \* \* emergency.

1st Reading .....	67
2d Reading .....	70
CR .....	205
Considered, referred .....	236

**SB 492**—By Baggett—An Act \* \* \* enlarging County Boards of Equalization and County Excise Boards \* \* \* emergency.

1st Reading .....	68
2d Reading .....	70
CR .....	205

Considered, advanced, 3d Reading,  
referred .....

ML; adopted, passed, referred .....	239
Engrossed—To House .....	240; 249
	260

**SB 493**—By Baggett—An Act relating to consumer credit; \* \* \* emergency.

1st Reading .....	68
2d Reading .....	70

**SB 494**—By Hamilton—An Act \* \* \* providing for costs in criminal actions; \* \* \* emergency.

1st Reading .....	70
2d Reading .....	80
CR .....	175

Considered, advanced, 3d Reading,  
referred .....

Engrossed—To House .....	195
	209

**SB 495**—By Smith of the Senate and Privett of the House—An Act relating to the State Capitol Building; \* \* \* emergency.

1st Reading .....	79
2d Reading .....	96
CR .....	131

Considered, advanced, 3d Reading,  
referred .....

Engrossed—To House .....	186
Referred for enrollment .....	209
Enrolled—4th Reading .....	510
To Governor .....	528
Vetoed by Governor .....	536
	569

**SB 496**—By Nichols—An Act relating to marriage; \* \* \* emergency.

1st Reading .....	79
2d Reading .....	96

**SB 497**—By Nichols—An Act relating to public welfare; \* \* \* emergency.

1st Reading .....	79
2d Reading .....	96

**SB 498**—By Garrett—An Act relating to alimony, \* \* \* emergency.

1st Reading .....	79
2d Reading .....	96
CR .....	162

Considered, advanced, 3rd Reading,  
referred .....

Engrossed—To House .....	176
Referred for enrollment .....	192
Enrolled—4th Reading .....	500
To Governor; action by .....	515
	524; 525

**SB 499**—By Smith, Hamilton, Birdsong, Smalley, Luton, Phillips, Crow, Lane,



Young, Howard, Hargrave, Medearis, Miller, Garrett, Taliaferro and Keels of the Senate and Miskelly, et al, of the House—An Act \* \* \* to provide for the elimination of certain credits for dividends \* \* \* emergency.

1st Reading .....	79
2d Reading .....	96

**SB 500**—By Smith, Howard, Miller, Atkinson, Taliaferro, Medearis, Garrett, Keels, Martin, Hargrave, Hamilton, Birdsong, Smalley, Luton, Crow, Phillips, Lane and Young of the Senate and Miskelly, et al, of the House—An Act \* \* \* to provide an annual tax upon certain income \* \* \*

1st Reading .....	79
2d Reading .....	96

**SB 501**—By Nichols—An Act relating to divorce; \* \* \*

1st Reading .....	95
2d Reading .....	101

**SB 502**—By Baggett—An Act relating to professional corporations; \* \* \* emergency.

1st Reading .....	95
2d Reading .....	101
CR .....	131

Considered, advanced, 3d Reading, referred .....	152
Engrossed—To House .....	165
HAs read, consideration deferred ....	549
HAs concurred in, passed as amended	607
Referred for enrollment .....	607
Enrolled—4th Reading .....	617
To Governor; action by .....	624; 651

**SB 503**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the State Board for Vocational and Technical Education and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	100
2d Reading .....	118
CR .....	162

Considered, advanced, 3d Reading, referred .....	196
Engrossed—To House .....	209

**SB 504**—By Murphy, Smalley, Terrill,

Smith, Ham, McGraw and Graves—An Act relating to bonds \* \* \* emergency.

1st Reading .....	100
2d Reading .....	118
CR .....	131

Considered, advanced, 3d Reading, referred .....	166
Engrossed—To House .....	184
HA read, consideration deferred .....	557
HA rejected, Conference requested ..	585
SCs appointed .....	585
Conference granted, HCs named ....	593
CCR read, consideration deferred ....	925
CCR adopted, passed—To House ....	964
Referred for enrollment .....	1044
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 22, 1970

**SB 505**—By Horn—An Act \* \* \* defining special mobilized machinery \* \* \* emergency.

1st Reading .....	100
2d Reading .....	118
CR .....	147

Considered, advanced, 3d Reading, referred .....	178
Engrossed—To House .....	198
Referred for enrollment .....	500
Enrolled—4th Reading .....	515
To Governor; action by .....	524; 526

**SB 506**—By McGraw—An Act \* \* \* creating the Oklahoma Board of Hearing Aid Dealers and Fitters; \* \* \* emergency.

1st Reading .....	100
2d Reading .....	119
CR .....	290

Considered, advanced, 3d Reading, referred .....	348
Engrossed—To House .....	366

**SB 507**—By Martin—An Act relating to narcotic drugs; \* \* \* emergency.

1st Reading .....	117
2d Reading .....	132
CR .....	192

Considered, advanced, 3d Reading, referred .....	209
Engrossed—To House .....	217
Referred for enrollment .....	555
Enrolled—4th Reading .....	562

To Governor; action by .....575; 650

**SB 508**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Office of Community Affairs and planning and making an appropriation thereto; \* \* \* emergency.

1st Reading ..... 117

2d Reading ..... 132

CR ..... 162

Considered, advanced, 3d Reading,  
referred ..... 181

Engrossed—To House ..... 192

**SB 509**—By McSpadden and Massey of the Senate and Willis, et al, of the House—An Act relating to the Oklahoma State Board of Public Affairs and making an appropriation thereto; \* \* \* emergency.

1st Reading ..... 117

2d Reading ..... 132

CR ..... 395

Considered, advanced, 3d Reading,  
referred ..... 445

Engrossed—To House ..... 451

HA read, consideration deferred .... 575

HA rejected, Conference requested .... 611

SCs appointed ..... 611

Conference granted, HCs named .... 617

CCR read, consideration deferred .... 926

CCR adopted, passed—To House .... 948

Referred for enrollment ..... 978

Enrolled—4th Reading ..... 993

To Governor ..... 1044

Approved by Governor .....April 22, 1970

**SB 510**—By Hamilton of the Senate and Sullivan of the House—An Act relating to the State Board for Vocational and Technical Training and making an appropriation thereto; \* \* \* emergency.

1st Reading ..... 118

2d Reading ..... 132

CR ..... 290

Considered, advanced, 3d Reading,  
referred ..... 314

Engrossed—To House ..... 332

**SB 511**—By McGraw—An Act relating to public finance; \* \* \* emergency.

1st Reading ..... 118

2d Reading ..... 132

**SB 512**—By Grantham of the Senate and Conaghan, et al, of the House—An Act relating to civil procedure; \* \* \* emergency.

1st Reading ..... 118

2d Reading ..... 132

CR ..... 217

Considered, advanced, 3d Reading,  
referred ..... 265

Engrossed—To House ..... 276

Referred for enrollment ..... 555

Enrolled—4th Reading ..... 562

To Governor; action by .....575; 650

**SB 513**—By Luton—An Act relating to estates; \* \* \* emergency.

1st Reading ..... 131

2d Reading ..... 149

CR ..... 217

Considered, advanced, 3d Reading,  
referred ..... 232

Engrossed—To House ..... 246

HA read, consideration deferred ..... 595

HA concurred in, passed as amended 743

Referred for enrollment ..... 743

Enrolled—4th Reading ..... 759

To Governor; action by .....778; 940

**SB 514**—By Berrong of the Senate and Tarwater of the House—An Act relating to insurance; \* \* \* emergency.

1st Reading ..... 131

2d Reading ..... 149

CR ..... 229

Considered, advanced, 3d Reading,  
referred ..... 251

Engrossed—To House ..... 265

**SB 515**—By Williams—An Act relating to school lands; \* \* \*

1st Reading ..... 131

2d Reading ..... 149

CR ..... 382

Considered, advanced, 3d Reading,  
referred ..... 452

Engrossed—To House ..... 467

**SB 516**—By Baldwin—An Act relating to public finance; \* \* \* emergency.

1st Reading ..... 131

2d Reading ..... 149

CR .....	382
Considered, advanced, 3d Reading, failed .....	529
ML; time extended; tabled ..530; 564; 589	

**SB 517**—By Williams—An Act relating to  
\* \* \* value of lands \* \* \* held by the Com-  
missioners of the Land Office; \* \* \*

1st Reading .....	148
2d Reading .....	161
CR .....	217
Considered, advanced, 3d Reading, failed .....	237
ML; adopted, passed, referred ..237; 249	
Engrossed—To House .....	265
Referred for enrollment .....	526
Enrolled—4th Reading .....	539
To Governor .....	544
Governor requested to return Bill	

(SCR 76); returned .....	590; 591
House rescinds 4th Reading; recon- siders vote by which Bill passed, requests return of Bill for further consideration; returned .....	593
HAs read, consideration deferred ..	844
HAs concurred in, passed as amended	942
Referred for enrollment .....	942
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 22, 1970

**SB 518**—By Baldwin—An Act relating to  
the practice of medicine; \* \* \* emergen-  
cy.

1st Reading .....	148
2d Reading .....	161
CR .....	382
Considered, advanced, 3d Reading, referred .....	411
Engrossed—To House .....	424
Referred for enrollment .....	557
Enrolled—4th Reading .....	576
To Governor; action by .....	587; 651

**SB 519**—By Field of the Senate and Har-  
rison of the House—An Act relating to  
motor vehicle license and registration  
fees; \* \* \* emergency.

1st Reading .....	148
2d Reading .....	161
CR .....	290
WD, re-referred .....	290

CR .....	382
Considered, advanced, 3d Reading, referred .....	413
Engrossed—To House .....	424

**SB 520**—By Nichols—An Act relating to  
salaries of the members of the State Board  
of Public Affairs; \* \* \* emergency.

1st Reading .....	148
2d Reading .....	161
CR, re-referred .....	435
CR .....	528
Considered, advanced, 3d Reading, referred .....	553
Engrossed—To House .....	562
HA read, consideration deferred .....	632
HA concurred in, passed as amended	718
Referred for enrollment .....	718
Enrolled—4th Reading .....	742
To Governor; action by .....	750; 819

**SB 521**—By Boecher of the Senate and  
Rogers of the House—An Act relating to  
public finance; \* \* \* emergency.

1st Reading .....	148
2d Reading .....	161
CR .....	229
Considered, advanced, 3d Reading, referred .....	261
Engrossed—To House .....	276
HAs read, consideration deferred ..	708
HAs concurred in, passed as amended	833
Referred for enrollment .....	834
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1058

**SB 522**—By McGraw and Breckinridge  
—An Act \* \* \* providing for the special  
licensing and taxation of travel trailers  
\* \* \* emergency.

1st Reading .....	148
2d Reading .....	162

**SB 523**—By Ferrell—An Act relating to  
publication of legal notices in newspapers;  
\* \* \* emergency.

1st Reading .....	148
2d Reading .....	162

**SB 524**—By Ferrell—An Act \* \* \* pre-  
scribing procedure for giving notice by  
publication; \* \* \* emergency.

1st Reading .....	148
-------------------	-----



2d Reading .....	162	Enrolled—4th Reading .....	699
SB 525—By Stipe—An Act relating to game and fish; * * * emergency.		To Governor; action by .....	709; 819
1st Reading .....	148	SB 529—By Boecher—An Act relating to * * * shipments of livestock within the state; * * * emergency.	
2d Reading .....	162	1st Reading .....	158
CR .....	343	2d Reading .....	175
Considered, advanced, 3d Reading, referred .....	367	CR .....	343
Engrossed—To House .....	382	Considered, advanced, 3d Reading, passed .....	440
HAs read, concurred in, passed as amended .....	1111	ML .....	440
Referred for enrollment .....	1111	Engrossed—To House .....	504
Enrolled—4th Reading .....	1112	SB 530—By Smith—An Act relating to registering and licensing motor vehicles; * * * emergency.	
To Governor .....	1113	1st Reading .....	158
Approved by Governor .....	April 22, 1970	2d Reading .....	175
SB 526—By Taliaferro and Berrong of the Senate and Sparkman of the House—An Act relating to professions and occupations; * * * emergency.		CR .....	382
1st Reading .....	148	Considered, advanced, 3d Reading, referred .....	426
2d Reading .....	162	Engrossed—To House .....	435
CR .....	382	HAs read, consideration deferred .....	986
Considered, advanced, 3d Reading, failed .....	413	HAs concurred in, passed as amended .....	1063
ML; adopted, passed, referred .....	416; 445	Referred for enrollment .....	1063
Engrossed—To House .....	467	Enrolled—4th Reading .....	1109
SB 527—By Field of the Senate and Harrison of the House—An Act relating to livestock; * * *		To Governor .....	1110
1st Reading .....	158	Approved by Governor .....	April 22, 1970
2d Reading .....	175	SB 531—By Smith—An Act relating to taxation; * * *	
CR .....	217	1st Reading .....	159
Considered, advanced, 3d Reading, referred .....	252	2d Reading .....	175
Engrossed—To House .....	265	CR .....	382
Referred for enrollment .....	510	Considered, advanced, 3d Reading, referred .....	427
Enrolled—4th Reading .....	528	Engrossed—To House .....	443
To Governor; action by .....	536; 569	HA read, consideration deferred .....	986
SB 528—By Boecher—An Act relating to radio common carriers; * * * emergency.		HA concurred in, passed as amended .....	1063
1st Reading .....	158	Referred for enrollment .....	1064
2d Reading .....	175	Enrolled—4th Reading .....	1109
CR .....	364	To Governor .....	1110
Considered, advanced, 3d Reading, passed .....	384	Approved by Governor .....	April 23, 1970
ML .....	385	SB 532—By Smith—An Act * * * providing any child between five and twenty-one years of age shall be entitled to attend school * * * in the district in which he resides; * * * emergency.	
Engrossed—To House .....	435	1st Reading .....	159
Referred for enrollment .....	695	2d Reading .....	175

CR .....	364	Sparkman of the House—An Act relating to crimes and punishments; * * * emergency.	
Considered, advanced, 3d Reading, referred .....	427	1st Reading .....	159
Engrossed—To House .....	451	2d Reading .....	176
Referred for enrollment .....	1110	CR .....	364
Enrolled—4th Reading .....	1112	Considered, advanced, 3d Reading, referred .....	441
To Governor .....	1113	Engrossed—To House .....	451
Approved by Governor .....	April 27, 1970	HAs read, consideration deferred .....	616
<b>SB 533</b> —By Miller—An Act relating to elections; * * * emergency.		HAs concurred in, passed as amended .....	719
1st Reading .....	159	Referred for enrollment .....	719
2d Reading .....	175	Enrolled—4th Reading .....	742
CR .....	246	To Governor; action by .....	750; 819
Considered .....	275	<b>SB 537</b> —By Holden—An Act * * * providing for attorney fees to be taxed as costs in certain cases; * * * emergency.	
Considered, advanced, 3d Reading, referred .....	336	1st Reading .....	159
Engrossed—To House .....	349	2d Reading .....	176
Referred for enrollment .....	1056	CR .....	229
Enrolled—4th Reading .....	1069	Considered, advanced, 3d Reading, referred .....	275
To Governor .....	1071	Engrossed—To House .....	289
Approved by Governor .....	April 27, 1970	HAs read, consideration deferred .....	558
<b>SB 534</b> —By Young and Grantham of the Senate and McCune of the House—An Act relating to elections; * * * emergency.		HAs rejected, Conference requested .....	585
1st Reading .....	159	SCs appointed .....	585
2d Reading .....	176	Conference granted, HCs named .....	593
CR .....	229	CCR read, adopted, passed—	
Considered, advanced, 3d Reading, referred .....	264	To House .....	1033
Engrossed—To House .....	276	CCR rejected by House, further Conference requested .....	1088
Referred for enrollment .....	632	Further Conference granted .....	1089
Enrolled—4th Reading .....	664	2d CCR read, adopted, passed—	
To Governor; action by .....	676; 756	To House .....	1095
<b>SB 535</b> —By Terrill of the Senate and Beauchamp of the House—An Act * * * establishing eligibility for disability compensation retirement of justices or judges * * * emergency.		Referred for enrollment .....	1109
1st Reading .....	159	Enrolled—4th Reading .....	1112
2d Reading .....	176	To Governor .....	1113
CR .....	272	Approved by Governor .....	April 23, 1970
Considered, advanced, 3d Reading, failed .....	293	<b>SB 538</b> —By Garrison—An Act * * * creating the Office of Community Affairs and Planning; * * * emergency.	
ML; adopted, passed, referred .....	293; 354	1st Reading .....	159
Engrossed—To House .....	366	2d Reading .....	176
Referred for enrollment .....	611	WD, re-referred .....	207
Enrolled—4th Reading .....	617	<b>SB 539</b> —By Garrison—An Act establishing a uniform crime reporting system; * * *	
To Governor; action by .....	624; 708	1st Reading .....	160
<b>SB 536</b> —By Nichols of the Senate and		2d Reading .....	176

CR .....	229	CR .....	364
Considered, advanced, 3d Reading, referred .....	315	Considered, advanced, 3d Reading, referred .....	386
Engrossed—To House .....	332	Engrossed—To House .....	395
HA read, consideration deferred ....	575	<b>SB 544</b> —By Garrett—An Act relating to municipal courts; * * * emergency.	
HA concurred in, passed as amended.	781	1st Reading .....	160
Referred for enrollment .....	782	2d Reading .....	176
Enrolled—4th Reading .....	800	CR .....	229
To Governor; action by .....	805; 894	Considered, advanced, 3d Reading, failed .....	254
<b>SB 540</b> —By Birdsong—An Act * * * fix- ing maximum number and emolument of temporary employees of the State Senate; * * * emergency.		ML; adopted, passed, referred ..255;	280
1st Reading .....	160	Engrossed—To House .....	316
2d Reading .....	176	HA read, consideration deferred ....	654
CR .....	484	HA rejected, Conference requested ..	752
Considered, advanced, 3d Reading, referred .....	504	SCs appointed .....	753
Engrossed—To House .....	515	Conference granted, HCs named ....	764
Referred for enrollment .....	557	CCR read, consideration deferred ...	817
Enrolled—4th Reading .....	576	CCR adopted, passed—To House ....	890
To Governor; action by .....	587; 651	Referred for enrollment .....	916
<b>SB 541</b> —By Garrison of the Senate and Connor of the House—An Act * * * estab- lishing the Oklahoma Criminal and Traffic Law Enforcement System; * * * emergen- cy.		Enrolled—4th Reading .....	946
1st Reading .....	160	To Governor .....	959
2d Reading .....	176	Approved by Governor .....	April 27, 1970
CR .....	229	<b>SB 545</b> —By Hamilton, Ham, Berrong, Luton, Romang, Phillips, Young, Stipe, Short, Nichols, Garrett, Birdsong, Howard, Grantham, Smith, Garrison, Baggett, Por- ter and Murphy of the Senate—An Act re- lating to the judiciary; * * * emergency.	
Considered, advanced, 3d Reading, referred .....	316	1st Reading .....	161
Engrossed—To House .....	332	2d Reading .....	176
HA read, consideration deferred ....	575	<b>SB 546</b> —By Ham and Young—An Act re- lating to elections; * * * emergency.	
HA concurred in, passed as amended	782	1st Reading .....	161
Referred for enrollment .....	782	2d Reading .....	176
Enrolled—4th Reading .....	800	CR .....	382
To Governor; action by .....	805; 894	Considered, advanced, 3d Reading, referred .....	534
<b>SB 542</b> —By Stipe—An Act relating to the Court Fund of the county; * * * emergen- cy.		Engrossed—To House .....	544
1st Reading .....	160	<b>SB 547</b> —By Grantham of the Senate and McCune of the House—An Act * * * provid- ing for salaries of district judges, * * *.	
2d Reading .....	176	1st Reading .....	161
<b>SB 543</b> —By Smalley—An Act relating to the sentencing of persons convicted of crimes; * * * emergency.		2d Reading .....	176
1st Reading .....	160	CR .....	290
2d Reading .....	176	WD, re-referred .....	290
		<b>SB 548</b> —By Horn—An Act relating to credit ratings; * * * emergency.	



1st Reading .....	161
2d Reading .....	176
CR .....	382
Considered, re-referred .....	488

**SB 549**—By Grantham of the Senate and Conaghan, et al, of the House—An Act relating to \* \* \* enlarging jurisdiction of special judges to include default matters; \* \* \* emergency.

1st Reading .....	161
2d Reading .....	176
CR .....	229
Considered, advanced, 3d Reading, referred .....	254
Engrossed—To House .....	265
Referred for enrollment .....	538
Enrolled—4th Reading .....	551
To Governor; action by .....	554; 570

**SB 550**—By Romang of the Senate and Rogers of the House—An Act relating to crimes and punishment; \* \* \* emergency.

1st Reading .....	175
2d Reading .....	193
CR .....	229
Considered, advanced, 3d Reading, referred .....	252
Engrossed—To House .....	265
HA read, consideration deferred .....	527
HA concurred in, passed as amended .....	552
Referred for enrollment .....	552
Enrolled—4th Reading .....	562
To Governor; action by .....	575; 651

**SB 551**—By Young—An Act relating to \* \* \* workmen's compensation claims \* \* \* emergency.

1st Reading .....	175
2d Reading .....	193
CR .....	229
Considered, advanced, 3d Reading, referred .....	253
Engrossed—To House .....	265
HA read, consideration deferred .....	595
HA concurred in, passed as amended .....	721
Referred for enrollment .....	721
Enrolled—4th Reading .....	742
To Governor; action by .....	750; 819

**SB 552**—By Atkinson—An Act relating to Junior Colleges; \* \* \* emergency.

1st Reading .....	175
2d Reading .....	193
CR .....	422
Considered, advanced, 3d Reading, referred .....	441
Engrossed—To House .....	451

**SB 553**—By Holden—An Act relating to oil and gas; \* \* \*.

1st Reading .....	175
2d Reading .....	193
CR .....	290
Considered, advanced, 3d Reading, referred .....	396
Engrossed—To House .....	413
HAs read, consideration deferred .....	740
HAs concurred in, passed as amended .....	833
Referred for enrollment .....	833
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1058

**SB 554**—By Birdsong of the Senate and Mountford of the House—An Act relating to \* \* \* proof of financial responsibility \* \* \*.

1st Reading .....	192
2d Reading .....	207
CR .....	272
Considered, advanced, 3d Reading, referred .....	291
Engrossed—To House .....	332

**SB 555**—By McCune—An Act relating to voting machines; \* \* \* emergency.

1st Reading .....	192
2d Reading .....	207

**SB 556**—By Luton and Garrison—An Act relating to motorboats and vessels; \* \* \* emergency.

1st Reading .....	192
2d Reading .....	207
CR .....	364
Considered, advanced, 3d Reading, passed (emergency failed) .....	473
MsL; tabled, referred .....	474; 503
Engrossed—To House .....	528
HAs read, consideration deferred .....	683
HAs concurred in, passed as amended .....	719
Referred for enrollment .....	719
Recalled from Engrossing Department .....	742

Emergency attached, re-referred for enrollment .....	744
Enrolled—4th Reading .....	746
To Governor; action by .....	750; 827

**SB 557**—By Grantham of the Senate and McCune and Boettcher of the House—An Act relating to Court Reporters; \* \* \* emergency.

1st Reading .....	193
2d Reading .....	207
CR .....	290
Considered, advanced, 3d Reading, referred .....	320
Engrossed—To House .....	332
HAs read, consideration deferred ....	596
HAs rejected, Conference requested ..	719
SCs appointed .....	719
Conference granted, HCs named ....	739
CCR read, consideration deferred ....	850
CCR adopted, passed—To House ....	965
Referred for enrollment .....	1045
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 22, 1970

**SB 558**—By Stipe and Young—An Act \* \* \* providing for tolling statute of limitations \* \* \* emergency.

1st Reading .....	206
2d Reading .....	219
CR .....	272
Considered, advanced, 3d Reading, referred .....	293
Engrossed—To House .....	316
Referred for enrollment .....	510
Enrolled—4th Reading .....	528
To Governor .....	536
Motion, (Joint Rule 20) adopted— To House .....	540
Motion adopted by House— To Governor .....	542
Enrolled Bill returned by Governor, referred to Engrossing Department for corrections .....	558
Enrolled <b>SB 558</b> properly corrected ..	554
To Governor; action by .....	554; 569

**SB 559**—By Garrison, Grantham, Smalley and Smith of the Senate and Mountford and McCune of the House—An Act

relating to marketable titles; \* \* \* emergency.

1st Reading .....	206
2d Reading .....	219
CR .....	290
Considered, advanced, 3d Reading, referred .....	308
Engrossed—To House .....	332
HA read, consideration deferred ....	538
HA concurred in, passed as amended .....	552
Referred for enrollment .....	552
Enrolled—4th Reading .....	576
To Governor; action by .....	587; 651

**SB 560**—By Murphy—An Act \* \* \* state officers; creating the Commission on Fire Protection Personnel Standards and Education; \* \* \* emergency.

1st Reading .....	206
2d Reading .....	219
CR .....	246
Considered, advanced, 3d Reading, referred .....	355
Engrossed—To House .....	377
HAs read, consideration deferred ....	538
HAs concurred in, passed as amended ..	718
Referred for enrollment .....	718
Recalled from Engrossing Department; vote reconsidered by which passed, by which HAs concurred in; HAs rejected, Conference request- ed, SCs appointed .....	722
Conference granted, HCs named ....	739
CCR read, consideration deferred ....	775
CCR rejected, further Conference requested .....	803
Further Conference granted .....	805
2d CCR read, consideration deferred ..	812
2d CCR adopted, passed—To House ..	846
Referred for enrollment .....	984
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 22, 1970

**SB 561**—By Stansberry and Smith—An Act \* \* \* granting minors the capacity to consent to examination and treatment \* \* \* emergency.

1st Reading .....	207
2d Reading .....	219
CR .....	246

Considered, advanced, 3d Reading, referred .....	263
Engrossed—To House .....	276

**SB 562**—By Murphy—An Act relating to the Oklahoma State Regents for Higher Education; making an appropriation thereto; \* \* \*.

1st Reading .....	207
2d Reading .....	219
CR .....	290

Considered, advanced, 3d Reading, referred .....	355
---	-----

Engrossed—To House .....	366
--------------------------	-----

HA read, consideration deferred .....	527
---------------------------------------	-----

HA rejected, Conference requested .....	585
---	-----

SCs appointed .....	585
---------------------	-----

Conference granted, HCs named .....	593
-------------------------------------	-----

CCR read, adopted, passed—To House .....	1064
--	------

Referred for enrollment .....	1094
-------------------------------	------

Enrolled—4th Reading .....	1112
----------------------------	------

To Governor .....	1113
-------------------	------

Approved by Governor .....	April 28, 1970
----------------------------	----------------

**SB 563**—By Young—An Act \* \* \* creating a Court of Appeals; \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	364
----------	-----

Considered, advanced, 3d Reading, referred .....	440
---	-----

Engrossed—To House .....	467
--------------------------	-----

HAs read, consideration deferred .....	796
--	-----

HAs concurred in, passed as amended .....	836
---	-----

Referred for enrollment .....	836
-------------------------------	-----

Enrolled—4th Reading .....	900
----------------------------	-----

To Governor; action by .....	902; 1058
------------------------------	-----------

**SB 564**—By Terrill—An Act relating to children; \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

**SB 565**—By McSpadden, Massey and Birdsong of the Senate and Sanguin of the House—An Act \* \* \* the Size and Weights Division of the Department of Public Safety; \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	260
----------	-----

Considered, advanced, 3d Reading, referred .....	276
---	-----

Engrossed—To House .....	289
--------------------------	-----

HA read, consideration deferred .....	395
---------------------------------------	-----

HA rejected, Conference requested ..	531
--------------------------------------	-----

SCs appointed .....	531
---------------------	-----

Conference granted, HCs named .....	538
-------------------------------------	-----

CCR read, consideration deferred .....	757
--	-----

CCR adopted, passed—To House .....	821
------------------------------------	-----

Referred for enrollment .....	911
-------------------------------	-----

Enrolled—4th Reading .....	944
----------------------------	-----

To Governor .....	959
-------------------	-----

Approved by Governor .....	April 27, 1970
----------------------------	----------------

**SB 566**—By Baggett and Smalley—An Act relating to holidays; \* \* \*.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	303
----------	-----

Considered, advanced, 3d Reading, referred .....	330
---	-----

Engrossed—To House .....	349
--------------------------	-----

**SB 567**—By Nichols—An Act relating to the State Highway Department; making an appropriation thereto \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	290
----------	-----

Considered, advanced, 3d Reading, referred .....	311
---	-----

Engrossed—To House .....	332
--------------------------	-----

**SB 568**—By Murphy—An Act \* \* \* relating to pesticide applicators laws; \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	409
----------	-----

Considered, advanced, 3d Reading, failed .....	491
---	-----

ML; adopted, passed .....	492; 514
---------------------------	----------

ML .....	515
----------	-----

Engrossed—To House .....	576
--------------------------	-----

Referred for enrollment .....	632
-------------------------------	-----

Enrolled—4th Reading .....	674
----------------------------	-----

To Governor; action by .....	680; 754
------------------------------	----------

**SB 569**—By Grantham of the Senate and Camp, et al, of the House—An Act relating to probate procedure; \* \* \* emergency.

1st Reading .....	218
-------------------	-----

2d Reading .....	231
------------------	-----

CR .....	343
----------	-----



Considered, advanced, 3d Reading, referred .....	401
Engrossed—To House .....	413
Referred for enrollment .....	791
Enrolled—4th Reading .....	808
To Governor; action by .....	809; 940

**SB 570**—By Terrill—An Act \* \* \* providing for application of a teacher-pupil ratio in computing state incentive aid \* \* \* emergency.

1st Reading .....	218
2d Reading .....	232
CR .....	435
Considered, advanced, 3d Reading, referred .....	542
Engrossed—To House .....	552

**SB 571**—By Terrill of the Senate and Lindstrom of the House—An Act \* \* \* providing a special registration fee for non-resident servicemen \* \* \* emergency.

1st Reading .....	219
2d Reading .....	232
CR .....	451

Considered, advanced, 3d Reading, referred .....	469
Engrossed—To House .....	488
Referred for enrollment .....	812
Enrolled—4th Reading .....	829
To Governor; action by .....	841; 985

**SB 572**—By Young—An Act \* \* \* providing for service of process on unauthorized insurers; \* \* \* emergency.

1st Reading .....	219
2d Reading .....	232

**SB 573**—By Murphy—An Act relating to state officers and employees; \* \* \* emergency.

1st Reading .....	219
2d Reading .....	232
CR, re-referred .....	435
CR .....	528
Considered, referred .....	554
CR .....	528

**SB 574**—By Stipe—An Act relating to workmen's compensation; \* \* \* emergency.

1st Reading .....	219
2d Reading .....	232

CR .....	343
Considered, advanced, 3rd Reading, referred .....	555
Engrossed—To House .....	576

**SB 575**—By Baggett—An Act relating to militia; \* \* \* emergency.

1st Reading .....	219
2d Reading .....	232
CR .....	329
Considered, advanced .....	377
Engrossed; stricken .....	382; 815

**SB 576**—By Bradley—An Act relating to courts; \* \* \* emergency.

1st Reading .....	229
2d Reading .....	247

**SB 577**—By Nichols, Miller and Martin of the Senate and Sparkman of the House—An Act relating to health facilities; \* \* \* emergency.

1st Reading .....	229
2nd Reading .....	247

**SB 578**—By Grantham of the Senate and Boettcher of the House—An Act \* \* \* pertaining to notice of tax sale; \* \* \* emergency.

1st Reading .....	230
2d Reading .....	247
CR .....	395
Considered, advanced, 3d Reading ...	437
Engrossed—To House .....	451

**SB 579**—By Birdsong—An Act relating to \* \* \* motor carrier, \* \* \* file evidence of insurance; \* \* \* emergency.

1st Reading .....	230
2d Reading .....	247
CR .....	272
Considered, advanced, 3rd Reading, referred .....	294
Engrossed—To House .....	316
Referred for enrollment .....	526
Enrolled—4th Reading .....	538
To Governor; action by .....	544; 570

**SB 580**—By McSpadden—An Act relating to city-county planning and zoning; \* \* \* emergency.

1st Reading .....	230
-------------------	-----

2d Reading .....	247
<b>SB 581</b> —By Ham of the Senate and Bemberger of the House—An Act relating to banks and trust companies; * * * emergency.	
1st Reading .....	230
2d Reading .....	247
CR .....	290
Considered, advanced, 3d Reading, referred .....	330
Engrossed—To House .....	349
HA read, consideration deferred .....	558
HA concurred in, passed as amended .....	969
Referred for enrollment .....	969
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor.....	April 27, 1970
<b>SB 582</b> —By Stipe—An Act relating to insurance; * * * emergency.	
1st Reading .....	230
2d Reading .....	247
CR .....	343
Considered, advanced, 3rd Reading, referred .....	522
Engrossed—To House .....	528
<b>SB 583</b> —By Inhofe—An Act relating to the Santa Claus Commission; * * *.	
1st Reading .....	230
2d Reading .....	247
CR .....	382
Considered, advanced, 3rd Reading, referred .....	453
Engrossed—To House .....	467
<b>SB 584</b> —By Baggett—An Act relating to * * * the Office of County Superintendent of Schools * * * emergency.	
1st Reading .....	230
2d Reading .....	247
CR .....	435
Considered, advanced, 3rd Reading, referred .....	474
Engrossed—To House .....	488
<b>SB 585</b> —By Young—An Act * * * requiring public liability insurance as a condition to obtaining motor vehicle registration and tags; * * *.	
1st Reading .....	231

2d Reading .....	247
CR .....	501
Considered .....	536
Considered, advanced, 3rd Reading, failed .....	551
ML; adopted .....	552; 590
Vote reconsidered by which advanced .....	590
Stricken .....	815
<b>SB 586</b> —By Grantham of the Senate and Conaghan et al of the House—An Act relating to cemeteries; * * * emergency.	
1st Reading .....	231
2d Reading .....	247
CR .....	290
Considered, advanced, 3rd Reading, referred .....	319
Engrossed—To House .....	332
Referred for enrollment .....	791
Enrolled—4th Reading .....	808
To Governor; action by .....	809; 940
<b>SB 587</b> —By Terrill and Breckinridge—An Act * * * defining offenses * * * connected with credit cards; * * * emergency.	
1st Reading .....	231
2d Reading .....	247
CR .....	382
Considered, advanced, 3rd Reading, referred .....	455
Engrossed—To House .....	474
HAs read, consideration deferred .....	658
HAs rejected, Conference requested .....	686
SCs appointed .....	686
Conference granted, HCs named .....	709
CCR read, consideration deferred .....	775
CCR adopted, passed—To House .....	894
Referred for enrollment .....	1045
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor.....	April 22, 1970
<b>SB 588</b> —By Grantham of the Senate and Sanguin, et al of the House—An Act relating to motor vehicles; * * * for Department of Public Safety * * * emergency.	
1st Reading .....	231
2d Reading .....	247
CR .....	260
Considered .....	385

Considered, advanced, 3rd Reading, referred .....	438
Engrossed—To House .....	451
Referred for enrollment .....	591
Enrolled—4th Reading .....	602
To Governor; action by .....	608; 651

**SB 589**—By Baggett—An Act \* \* \* providing basis for computing average daily attendance for kindergarten children; \* \* \*

1st Reading .....	231
2d Reading .....	247
CR .....	290
Considered, advanced, 3rd Reading, referred .....	316
Engrossed—To House .....	332
Referred for enrollment .....	493
Enrolled—4th Reading .....	504
To Governor; action by .....	507; 526

**SB 590**—By Garrett of the Senate and McCune of the House—An Act relating to authority to pass ordinances; \* \* \* emergency.

1st Reading .....	231
2d Reading .....	247
CR .....	382
Considered, advanced, 3rd Reading, referred .....	516
Engrossed—To House .....	528
HAs read, consideration deferred ...	796
HAs rejected, Conference requested .	895
SCs appointed .....	895
Conference granted, HCs named ..	916; 927
CCR read, consideration deferred ...	937
CCR adopted, passed—To House ...	942
Referred for enrollment .....	984
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor .....	April 27, 1970

**SB 591**—By Garrett—An Act relating to municipal criminal courts of record; \* \* \* emergency.

1st Reading .....	231
2d Reading .....	247
CR .....	343
Considered, advanced .....	426
Reported engrossed; stricken ..	457; 744

**SB 592**—By Berrong and Young—An Act

relating to vehicles acquired by public agencies \* \* \* emergency.

1st Reading .....	231
2d Reading .....	247
CR .....	303

Considered, advanced, 3rd Reading,  
referred .....

Ordered withdrawn from Engross- ing Department .....	331
Vote reconsidered by which Bill passed; by which advanced .....	353
Considered, advanced, 3d Reading, referred .....	354
Engrossed—To House .....	366
Referred for enrollment .....	812
Enrolled—4th Reading .....	829
To Governor; action by .....	841; 986

**SB 593**—By Birdsong—An Act \* \* \* providing that appointment of State Insurance Fund Commissioner be approved by the State Senate; \* \* \* emergency.

1st Reading .....	246
2d Reading .....	260

**SB 594**—By Grantham of the Senate and Boettcher of the House—An Act \* \* \* pertaining to notice of hearing petition for probate of will; \* \* \* emergency.

1st Reading .....	246
2d Reading .....	260
CR .....	364
Considered, advanced, 3rd Reading, referred .....	399
Engrossed—To House .....	413
HAs read, consideration deferred ...	709
HAs concurred in, passed as amended	835
Referred for enrollment .....	835
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1058

**SB 595**—By Grantham of the Senate and Boettcher et al, of the House—An Act \* \* \* providing eligibility for retirement for certain judges; \* \* \* emergency.

1st Reading .....	246
2d Reading .....	260
CR .....	395
Considered, advanced, 3d Reading, referred .....	438
Engrossed—To House .....	451



HAs read, consideration deferred	596
HAs concurred in, passed as amended	837
Referred for enrollment	837
Enrolled—4th Reading	900
To Governor; action by	917; 1058

**SB 596**—By Hamilton and Grantham—An Act relating to the Oklahoma Industrial Development and Park Commission; making a reappropriation thereto \* \* \* emergency.

1st Reading	246
2d Reading	260
CR	290
Considered, advanced, 3rd Reading, referred	315
Engrossed—To House	332
Referred for enrollment	500
Enrolled—4th Reading	515
To Governor; action by	524; 526

**SB 597**—By Young—An Act \* \* \* providing for contents of insurance policies in general; \* \* \* emergency.

1st Reading	247
2d Reading	261
CR	343
Considered, advanced, 3rd Reading, referred	472
Engrossed—To House	488

**SB 598**—By Young—An Act relating to \* \* \* motor vehicle liability policies \* \* \* emergency.

1st Reading	247
2d Reading	261
CR	343
Considered, advanced, 3rd Reading, referred	458
Engrossed—To House	472

**SB 599**—By Hamilton—An Act relating to state officers and employees and to Oklahoma Indian Affairs; \* \* \* emergency.

1st Reading	247
2d Reading	261
CR	382
Considered, advanced, 3rd Reading, referred	438
Engrossed—To House	451
HA read, consideration deferred	740

HA rejected, Conference requested	786
SCs appointed	786
Conference granted, HCs named	798
CCR read, consideration deferred	831
CCR adopted, passed—To House	896
Referred for enrollment	978
Enrolled—4th Reading	993
To Governor	1044
Vetoed by Governor	April 29, 1970

**SB 600**—By Garrison of the Senate and Connor of the House—An Act relating to schools; \* \* \* emergency.

1st Reading	247
2d Reading	261
CR	290
Considered, advanced, 3d Reading, referred	307
Engrossed—To House	332
HAs read, consideration deferred	503
HAs concurred in, passed as amended	512
Referred for enrollment	512
Enrolled—4th Reading	528
To Governor; action by	536; 569

**SB 601**—By Romang of the Senate and Rogers of the House—An Act \* \* \* making an appropriation to the Oklahoma Public Welfare Commission \* \* \* emergency.

1st Reading	260
2d Reading	274
CR	395
Considered, advanced, 3rd Reading, referred	486
Engrossed—To House	504
HAs read, consideration deferred	558
HAs rejected, Conference requested	720
SCs appointed	720
Conference granted, HCs named	739

**SB 602**—By Williams—An Act relating to the Board of Mental Health; \* \* \* emergency.

1st Reading	272
2d Reading	291
CR	382
Considered, advanced, 3rd Reading, referred	399
Engrossed—To House	413
Referred for enrollment	555

Enrolled—4th Reading .....	562
To Governor; action by .....	575; 651

**SB 603**—By McSpadden—An Act relating to water and water rights; \* \* \* emergency.

1st Reading .....	272
2d Reading .....	291
CR .....	422
WD, re-referred .....	436
CR .....	448
Considered, advanced, 3d Reading, referred .....	485
Engrossed—To House .....	504
Referred for enrollment .....	1056
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor.....	April 28, 1970

**SB 604**—By Howard—An Act relating to criminal procedure; \* \* \*.

1st Reading .....	272
2d Reading .....	291
CR .....	364
Considered, advanced, 3d Reading, referred .....	398
Engrossed—To House .....	413
HAs read, consideration deferred .....	797
HAs concurred in, passed as amended .....	837
Referred for enrollment .....	838
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1058

**SB 605**—By Baggett—An Act relating to taxation; \* \* \* emergency.

1st Reading .....	272
2d Reading .....	291

**SB 606**—By Baggett—An Act relating to \* \* \* State Aid \* \* \* to any school district not maintaining twelve years of instruction; \* \* \*.

1st Reading .....	272
2d Reading .....	291
CR .....	422
Considered, advanced, 3d Reading, failed .....	475
ML; time extended .....	475; 524

**SB 607**—By McGraw—An Act relating to motor vehicles—Commissioner of public safety; \* \* \* emergency.

1st Reading .....	272
2d Reading .....	291
CR .....	435

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	488
HA read, consideration deferred .....	559
HA concurred in, passed as amended .....	836
Referred for enrollment .....	837
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1058

**SB 608**—By Baggett—An Act relating to fees of Secretary of State; \* \* \* emergency.

1st Reading .....	272
2d Reading .....	291
CR .....	382
Considered, advanced, 3d Reading, referred .....	442
Engrossed—To House .....	472

**SB 609**—By Birdsong—An Act relating to \* \* \* speed limits of trucks and other vehicles; \* \* \* emergency.

1st Reading .....	272
2d Reading .....	291
CR .....	329
Considered, advanced, 3d Reading, referred .....	347
Engrossed—To House .....	366
Referred for enrollment .....	538
Enrolled—4th Reading .....	551
To Governor; action by .....	555; 570

**SB 610**—By Young—An Act relating to workmen's compensation; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291
CR .....	364
Considered, advanced, 3d Reading, referred .....	404
Engrossed—To House .....	413

**SB 611**—By Murphy—An Act relating to the Oklahoma State Regents for Higher Education; making an appropriation thereto.

1st Reading .....	273
2d Reading .....	291
CR .....	435

Considered, advanced, 3rd Reading, referred .....	520
Engrossed—To House .....	528

**SB 612**—By McGraw—An Act \* \* \* creating Oklahoma Medical Laboratory Personnel Licensing Board; \* \* \*.

1st Reading .....	273
2d Reading .....	291
CR .....	435
Considered, advanced .....	488
WD, re-referred .....	489
CR .....	528
Considered, advanced, 3rd Reading, referred .....	550
Engrossed—To House .....	562

**SB 613**—By McSpadden—An Act \* \* \* providing for transfer of moneys from the court fund of the county to the law library fund; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291
CR .....	382
Considered, advanced, 3rd Reading, referred .....	424
Engrossed—To House .....	435
HA read, consideration deferred .....	986
HA concurred in, passed as amended .....	1062
Referred for enrollment .....	1062
Enrolled—4th Reading .....	1109
To Governor .....	1110
Vetoed by Governor.....April 27, 1970	

**SB 614**—By Smith—An Act \* \* \* creating the "Oklahoma Facilities Development Authority"; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291
CR .....	382
Considered, advanced, 3d Reading, referred .....	532
Engrossed—To House .....	551

**SB 615**—By Phillips—An Act making an appropriation to the Ottawa Reclamation District; \* \* \* making the appropriation nonfiscal; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291
CR .....	395

Considered, advanced, 3rd Reading, referred .....	517
Engrossed—To House .....	528

**SB 616**—By Young—An Act relating to purchases by county commissioners; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291
CR .....	364

**SB 617**—By Birdsong—An Act \* \* \* prohibiting the cancellation of automobile liability insurance for discriminatory reasons; \* \* \* emergency.

1st Reading .....	273
2d Reading .....	291

**SB 618**—By Bradley of the Senate and Odom (Martin) of the House—An Act \* \* \* providing for certification of barber assistant by the Board of Barber Examiners \* \* \* emergency.

1st Reading .....	290
2d Reading .....	306
CR .....	382
Considered, advanced, 3d Reading, referred .....	436
Engrossed—To House .....	451
HAs read, consideration deferred .....	844
HAs concurred in, passed as amended .....	943
Referred for enrollment .....	944
Enrolled—4th Reading .....	993
To Governor .....	1044
Approved by Governor.....April 22, 1970	

**SB 619**—By Hamilton—An Act \* \* \* defining value of gross estate; \* \* \* emergency.

1st Reading .....	290
2d Reading .....	306
CR .....	395
Considered, advanced, 3rd Reading, failed .....	439
ML .....	439

**SB 620**—By Hamilton—An Act \* \* \* defining value of gross estate; \* \* \* emergency.

1st Reading .....	290
2d Reading .....	306
CR .....	409



WD, re-referred .....	507
<b>SB 621—By Young—An Act * * * increasing limits of proof for financial responsibility.</b>	
1st Reading .....	290
2d Reading .....	306
CR .....	409
<b>SB 622—By Young—An Act * * * providing for designation of county primary road system; * * * emergency.</b>	
1st Reading .....	290
2d Reading .....	306
CR .....	329
Considered, advanced, 3rd Reading, referred .....	356; 439
Engrossed—To House .....	451
Referred for enrollment .....	591
Enrolled—4th Reading .....	602
To Governor; action by .....	608; 651
<b>SB 623—By Smalley and Hamilton of the Senate and Cate of the House—An Act providing for the creation of an archeological survey for the State of Oklahoma; * * * emergency.</b>	
1st Reading .....	290
2d Reading .....	306
CR .....	435
Considered, advanced, 3d Reading, referred .....	484
Engrossed—To House .....	504
Referred for enrollment .....	750
Enrolled—4th Reading .....	759
To Governor; action by .....	778; 940
<b>SB 624—By Howard of the Senate and Poulos of the House—An Act * * * prohibiting changes in school attendance boundaries by a Board of Education * * * emergency.</b>	
1st Reading .....	291
2d Reading .....	306
<b>SB 625—By Baggett—An Act * * * providing incentive aid flat grant to school districts; * * * emergency.</b>	
1st Reading .....	291
2d Reading .....	306
<b>SB 626—By Smalley—An Act * * * pro-</b>	

viding officers of cities and school boards shall be residents of the ward for which they are appointed or elected; \* \* \* emergency.

1st Reading .....	291
2d Reading .....	306
CR .....	364
Considered, advanced, 3d Reading, referred .....	385
Engrossed—To House .....	395
HA read, consideration deferred .....	549
HA rejected, Conference requested .....	845
SCs appointed .....	845
Conference granted, HCs named .....	888
CCR read, adopted, passed—To House .....	966
Referred for enrollment .....	1045
Enrolled—4th Reading .....	1069
To Governor .....	1071
Approved by Governor .....	April 22, 1970

**SB 627—By Grantham of the Senate and McCune of the House—An Act relating to court reporters; \* \* \* emergency.**

1st Reading .....	305
2d Reading .....	329
CR .....	383
Considered, advanced, 3d Reading, referred .....	444
Engrossed—To House .....	451
HA read, consideration deferred .....	596
HA concurred in, passed as amended .....	890
Referred for enrollment .....	891
Enrolled—4th Reading .....	900
To Governor; action by .....	917; 1058

**SB 628—By Hamilton—An Act relating to revenue and taxation; \* \* \* emergency.**

1st Reading .....	305
2d Reading .....	330
CR .....	409
WD, re-referred .....	507

**SB 629—By Hamilton—An Act relating to poultry products; \* \* \* emergency.**

1st Reading .....	306
2d Reading .....	330
CR .....	343
Considered, advanced, 3d Reading, referred .....	376
Engrossed—To House .....	395

**SB 630**—By Stipe—An Act \* \* \* providing for regulation of hours of employment for employees; \* \* \* emergency.

1st Reading .....	329
2d Reading .....	347
CR .....	451
Considered, advanced, 3rd Reading, referred .....	505
Engrossed—To House .....	528

**SB 631**—By Williams—An Act relating to the Commissioners of the Land Office; \* \* \*.

1st Reading .....	343
2d Reading .....	365
CR .....	409
Considered, advanced, 3rd Reading, referred .....	452
Engrossed—To House .....	474

**SB 632**—By McSpadden—An Act relating to the profession of dentistry; \* \* \*.

1st Reading .....	344
2d Reading .....	365
CR .....	383
Considered, advanced, 3rd Reading, referred .....	423
Engrossed—To House .....	457
HA read, consideration deferred .....	632
HA concurred in, passed as amended .....	742
Referred for enrollment .....	742
Enrolled—4th Reading .....	779
To Governor; action by .....	786; 940

**SB 633**—By Keels—An Act relating to county jails; \* \* \* emergency.

1st Reading .....	345
2nd Reading .....	365

**SB 634**—By Hamilton—An Act relating to motor carriers; \* \* \* emergency.

1st Reading .....	345
2d Reading .....	365
CR .....	409
WD, re-referred .....	536

**SB 635**—By Baggett—An Act relating to interstate agreements; \* \* \*.

1st Reading .....	345
2d Reading .....	365
CR .....	484

Considered, advanced, 3rd Reading, referred .....	502
Engrossed—To House .....	516
HA read, consideration deferred .....	820
HA concurred in, passed as amended .....	834
Referred for enrollment .....	834
Enrolled—4th Reading .....	900
To Governor; action by .....	917; 1059

**SB 636**—By Young—An Act \* \* \* providing powers of Oklahoma Wildlife Conservation Commission regarding open season on game \* \* \* an emergency.

1st Reading .....	345
2d Reading .....	365

**SB 637**—By Terrill—An Act relating to probate procedure; \* \* \* emergency.

1st Reading .....	345
2d Reading .....	365
CR .....	422
Considered, advanced, 3rd Reading, referred .....	443
Engrossed—To House .....	451
Referred for enrollment .....	611
Enrolled—4th Reading .....	617
To Governor; action by .....	624; 652

**SB 638**—By Baggett—An Act \* \* \* providing classifications of programs for state aid to school districts; \* \* \* emergency.

1st Reading .....	346
2d Reading .....	365

**SB 639**—By Baggett—An Act relating to schools and school transfer fees; \* \* \*.

1st Reading .....	346
2d Reading .....	365

**SB 640**—By Baggett—An Act \* \* \* designating the County Registrar as responsible officer for executing registration laws; \* \* \* emergency.

1st Reading .....	346
2d Reading .....	365
CR .....	382
Considered, advanced, 3rd Reading, referred .....	535
ML; tabled .....	536; 541
Engrossed—To House .....	551

HAs read, consideration deferred .....	887
HAs concurred in, passed as amended .....	936
Referred for enrollment .....	936
Enrolled—4th Reading .....	944
To Governor .....	959
Vetoed by Governor.....April 29, 1970	

**SB 641**—By Luton—An Act relating to \* \* \* Representative District Number Twelve; \* \* \* emergency.

1st Reading .....	346
2d Reading .....	365
CR .....	382
Considered, advanced, 3rd Reading, referred .....	397
Engrossed—To House .....	413
HAs read, consideration deferred .....	740
HAs concurred in, passed as amended .....	838
Referred for enrollment .....	839
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1059

**SB 642**—By McGraw—An Act relating to \* \* \* accident with property damage in excess of Two Hundred Dollars \* \* \* emergency.

1st reading .....	346
2d Reading .....	365
CR .....	409
Considered, advanced, 3d Reading, referred .....	528
Engrossed—To House .....	539

**SB 643**—By Grantham of the Senate and Conaghan of the House—An Act relating to motor vehicles; \* \* \* emergency.

1st Reading .....	346
2d Reading .....	365

**SB 644**—By Ferrell—An Act relating to militia; \* \* \* emergency.

1st Reading .....	346
2d Reading .....	365
CR .....	435
Considered, advanced, 3d Reading, referred .....	490
Engrossed—To House .....	516
Referred for enrollment .....	611
Enrolled—4th Reading .....	617
To Governor; action by .....	625; 652

**SB 645**—By Phillips—An Act relating to

the Oklahoma Turnpike Authority employees; \* \* \* emergency.

1st Reading .....	365
2d Reading .....	384
CR .....	451
Considered, advanced, 3d Reading, failed .....	541
ML; failed .....	541; 552

**SB 646**—By Phillips—An Act to establish a framework of employer-employee relations \* \* \*.

1st Reading .....	365
2d Reading .....	384
CR .....	451
WD, re-referred .....	553

**SB 647**—By Baggett of the Senate and Spearman of the House—An Act relating to corporations and public service companies; \* \* \* emergency.

1st Reading .....	383
2d Reading .....	396
WD, re-referred .....	409
CR .....	451
Considered, advanced, 3d Reading, referred .....	521
Engrossed—To House .....	528

**SB 648**—By Baggett—An Act relating to contracts; \* \* \* emergency.

1st Reading .....	384
2d Reading .....	396
CR .....	422
Considered, advanced .....	490
Reported Engrossed .....	504
3d Reading, passed .....	533
Withheld under Rule 19-f .....	334
Signed—To House .....	536
HAs read, consideration deferred .....	797
HAs concurred in, passed as amended .....	834
Referred for enrollment .....	835
Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1059

**SB 649**—By Garrett, Birdsong, Atkinson, Porter and Keels—An Act relating to \* \* \* county employees' eligibility for retirement benefits \* \* \* emergency.

1st Reading .....	384
2d Reading .....	396



CR .....	422	1st Reading .....	410
Considered, advanced, 3d Reading, referred .....	471	2d Reading .....	422
Engrossed—To House .....	490	CR, re-referred .....	435
Referred for enrollment .....	791	WD, re-referred .....	435
Enrolled—4th Reading .....	808	CR .....	528
To Governor; action by .....	809; 941	Considered, advanced, 3d Reading, referred .....	540
<b>SB 650—By Inhofe—An Act relating to * * * the submarine USS Piranha as a memorial; * * * emergency.</b>		Engrossed—To House .....	552
1st Reading .....	395	HAs read, consideration deferred ....	632
2d Reading .....	411	HAs rejected, Conference requested	689
CR .....	422	SCs appointed .....	689
Considered, advanced, 3d Reading, referred .....	453	Conference granted, HCs named ....	709
Engrossed—To House .....	472	CCR read, adopted, passed—To House	1000
Referred for enrollment .....	1056	Referred for enrollment .....	1071
Enrolled—4th Reading .....	1069	Enrolled—4th Reading .....	1112
To Governor .....	1071	To Governor .....	1113
Approved by Governor .....April 23, 1970		Approved by Governor .....April 27, 1970	
<b>SB 651—By Baggett—An Act relating to * * * a pupil transfer from one school district to another * * *.</b>		<b>SB 656—By Baggett and Smalley of the Senate and Willis, et al, of the House—An Act appropriating * * * to the Oklahoma State Regents for Higher Education for expenditure at the constituent institutions of the Oklahoma State System of Higher Education, * * * emergency.</b>	
1st Reading .....	395	1st Reading .....	410
2d Reading .....	411	2d Reading .....	422
CR .....	422	CR, re-referred .....	435
<b>SB 652—By Inhofe—An Act * * * pro- viding procedure for recounts in elections * * * emergency.</b>		CR .....	528
1st Reading .....	396	Considered, advanced, 3d Reading, referred .....	540
2d Reading .....	411	Engrossed—To House .....	562
<b>SB 653—By Murphy—An Act * * * creat- ing the Oklahoma State Residential Hous- ing Authority; * * * emergency.</b>		HAs read, consideration deferred ....	632
1st Reading .....	409	HAs rejected, Conference requested ..	689
2d Reading .....	422	SCs appointed .....	689
<b>SB 654—By Murphy—An Act relating to oil and gas; * * * emergency.</b>		Conference granted, HCs named ....	709
1st Reading .....	410	CCR read, adopted, passed—To House	1003
2d Reading .....	423	Referred for enrollment .....	1071
<b>SB 655—By Baggett and Smalley of the Senate and Willis, et al, of the House—An Act authorizing and directing the State of Oklahoma Building Bonds Commission to sell and issue Series B of the State Okla- homa Building Bonds of 1968 * * * emer- gency.</b>		Enrolled—4th Reading .....	1112
		To Governor .....	1113
		Approved by Governor .....April 28, 1970	
		<b>SB 657—By Stipe—An Act * * * providing for the regulation of reclamation of lands disturbed by open cut mining; * * * emer- gency.</b>	
		1st Reading .....	436
		2d Reading .....	452

**SB 658**—By Breckinridge—An Act relating to corporations; \* \* \* emergency.

1st Reading ..... 468

2d Reading—To Calendar ..... 484

Considered, advanced, 3d Reading,  
referred ..... 505

Engrossed—To House ..... 515

Referred for enrollment ..... 791

Enrolled—4th Reading ..... 808

To Governor; action by ..... 809; 941

**SB 659**—By Stipe—An Act authorizing

and directing the State Board of Public Affairs to sell the surface to a certain tract of land located in \* \* \* Latimer County, \* \* \*.

1st Reading ..... 602

2d Reading—To Calendar ..... 618

Considered, advanced ..... 618

Reported Engrossed ..... 633

3d Reading, signed—To House ..... 637

Referred for enrollment ..... 695

Enrolled—4th Reading ..... 699

To Governor; action by ..... 707; 820





## PART II

## SENATE JOINT RESOLUTIONS

Titles in full shown on page numbers opposite  
"1st Reading".

**SJR 6**—By Howard—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment of the Constitution of the State of Oklahoma, repealing Article XVII \* \* \* Special Election.

CR ..... 329

**SJR 13**—By Howard—A Resolution authorizing Harley E. Lawrence to bring suit against the State of Oklahoma \* \* \*

CR ..... 70

Considered, advanced, 3rd Reading,  
referred ..... 86

Engrossed—To House ..... 95

**SJR 18**—By Baggett and Smith—A Joint Resolution proposing an amendment \* \* \* authorizing the Legislature to dedicate revenues derived from any tax to retirement and disability benefits for teachers \* \* \* Special Election.

CR ..... 383

WD, re-referred ..... 552

**SJR 22**—By Ferrell of the Senate and Cox of the House—A Joint Resolution directing the Board of Education to reinstate and accredit high schools which lost accreditation \* \* \*

HA read, consideration deferred ..... 549

HA concurred in, passed as amended ..... 743

Referred for enrollment ..... 743

Enrolled—4th Reading ..... 759

To Governor ..... 778

Vetoed ..... 940

**SJR 27**—By Baggett—A Joint Resolution authorizing and directing the State Board of Public Affairs to make specific ground available, \* \* \*.

1st Reading (Pre-Filed) ..... 15

2d Reading ..... 35

CR ..... 70

Considered, advanced, 3rd Reading,  
referred ..... 86

Engrossed—To House ..... 95

Referred for enrollment ..... 404

Enrolled—4th Reading ..... 413

To Governor; action by ..... 421; 465

**SJR 28**—By Garrison—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* authorizing the issuance and sale of additional state industrial finance bonds; \* \* \* special election.

1st Reading (Pre-Filed) ..... 15

2d Reading ..... 35

CR ..... 52

Considered, advanced, 3d Reading,  
referred ..... 62

Engrossed—To House ..... 68

HAs read, consideration deferred ..... 204

HAs concurred in, passed as amended ..... 219

Referred for enrollment ..... 219

Enrolled—4th Reading ..... 229

To Secretary of State ..... 235

**SJR 29**—By Howard—A Joint Resolution relating to a claim against the Oklahoma Tax Commission \* \* \*

1st Reading (Pre-Filed) ..... 16

2d Reading ..... 35

CR ..... 364

Considered, advanced, 3d Reading,  
referred ..... 398

Engrossed—To House ..... 413

HA read, consideration deferred ..... 549

HA concurred in, passed as amended ..... 833

Referred for enrollment ..... 833

Enrolled—4th Reading .....	900
To Governor; action by .....	902; 1059

**SJR 30**—By Hargrave—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* of the Constitution of the State of Oklahoma; \* \* \* special election.

1st Reading (Pre-Filed) .....	16
2d Reading .....	35
CR .....	409

**SJR 31**—By Crow of the Senate and Witt of the House—A Joint Resolution extending the limit of the time within which the Oklahoma State Board of Public Accountancy should consider registrations \* \* \* emergency.

1st Reading .....	21
2d Reading .....	35
CR .....	52
Considered, advanced, 3d Reading, referred .....	64
Engrossed—To House .....	68
Referred for enrollment .....	201
Enrolled—4th Reading .....	209
To Governor; action by .....	217; 257

**SJR 32**—By Young—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Constitution of Oklahoma \* \* \* special election.

1st Reading .....	48
2d Reading .....	53
CR .....	70
Considered, advanced, 3d Reading, referred .....	87
Engrossed—To House .....	105

**SJR 33**—By Lane of the Senate and Robinson, et al, of the House—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* an amendment of the Constitution of Oklahoma \* \* \* special election.

1st Reading .....	53
2d Reading .....	59
CR .....	79
Considered, advanced, 3d Reading, referred .....	105
Engrossed—To House .....	116

**SJR 34**—By Young—A Joint Resolution providing that any proposed money settlement by the Attorney General on behalf of the State of Oklahoma be approved first by a Joint Resolution of the Legislature; \* \* \* emergency.

1st Reading .....	59
2d Reading .....	68
CR .....	131
Considered, advanced, 3d Reading, referred .....	212
Engrossed—To House .....	217

**SJR 35**—By Hamilton—A Joint Resolution \* \* \* as to the feasibility of establishing regional health centers \* \* \*.

1st Reading .....	80
2d Reading .....	96
CR .....	246
Considered, advanced, 3d Reading, referred .....	263
Engrossed—To House .....	276
Referred for enrollment .....	538
Enrolled—4th Reading .....	551
To Governor; action by .....	555; 570

**SJR 36**—By Smith—A Joint Resolution relating to \* \* \* exemption of certain taxes on motor fuel sold and used for aircraft; \* \* \*.

1st Reading .....	80
2d Reading .....	96
CR .....	382
Considered, advanced, 3d Reading, referred .....	470
Engrossed—To House .....	488

**SJR 37**—By Berrong—A Joint Resolution authorizing Vera M. Hoffman to bring suit \* \* \* emergency.

1st Reading .....	96
2d Reading .....	101
CR .....	162
Considered, advanced, 3d Reading, referred .....	183
Engrossed—To House .....	198
Referred for enrollment .....	258
Enrolled—4th Reading .....	276
To Governor; action by .....	283; 340

**SJR 38**—By Smalley, Terrill, Smith, Howard, Miller and Garrett of the Senate

and Spearman of the House—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* the question of calling a Constitutional Convention \* \* \* special election.

1st Reading .....	101
2d Reading .....	118
CR; stricken .....	131; 178

**SJR 39**—By Murphy and Nichols of the Senate and Skeith of the House—A Joint Resolution directing the Secretary of State to refer to the people, \* \* \* a proposed amendment to \* \* \* Oklahoma Constitution; \* \* \* special election.

1st Reading .....	118
2d Reading .....	132
CR; considered .....	329; 521

**SJR 40**—By Hamilton—A Joint Resolution renaming the Hodgens Job Corp Camp \* \* \* emergency.

1st Reading .....	131
2d Reading .....	149
CR .....	192
Considered, advanced, 3rd Reading, referred .....	208
Engrossed—To House .....	217
Referred for enrollment .....	404
Enrolled—4th Reading .....	413
To Governor; action by .....	417; 465

**SJR 41**—By Grantham of the Senate and McCune of the House—A Joint Resolution relating to \* \* \* the Constitution of the State of Oklahoma, as amended by State Question No. 457, \* \* \* emergency.

1st Reading .....	161
2d Reading .....	176
CR .....	229
Considered, advanced, 3rd Reading, referred .....	266
Engrossed—To House .....	276
Referred for enrollment .....	493
Enrolled—4th Reading .....	504
To Governor; action by .....	507; 526

**SJR 42**—By Hamilton—A Resolution relating to \* \* \* the treatment of alcoholics and drug addicts; \* \* \* emergency.

1st Reading .....	175
-------------------	-----

2d Reading .....	193
CR .....	246
Considered, advanced, 3d Reading, referred .....	265
Engrossed—To House .....	276
Referred for enrollment .....	404
Enrolled—4th Reading .....	413
To Governor; action by .....	417; 465

**SJR 43**—By Breckinridge—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Oklahoma Constitution, \* \* \* special election.

1st Reading .....	193
2d Reading .....	207
CR .....	435

**SJR 44**—By Garrison of the Senate and Connor of the House—A Joint Resolution directing the Secretary of State of the State of Oklahoma to refer to the people \* \* \* a proposed amendment to \* \* \* the Constitution of the State of Oklahoma \* \* \* special election.

1st Reading .....	207
2d Reading .....	219
CR .....	246
Considered, advanced, 3rd Reading, passed .....	278
ML; adopted, passed, referred .....	278; 318
Engrossed—To House .....	332

**SJR 45**—By Hamilton—A Joint Resolution relating to professions and occupations; \* \* \* emergency.

1st Reading .....	207
2d Reading .....	219
CR .....	246
Considered, advanced, 3rd Reading, referred .....	281
Engrossed—To House .....	289
Referred for enrollment .....	538
Enrolled—4th Reading .....	551
To Governor; action by .....	555; 570

**SJR 46**—By Young—A Joint Resolution relating to \* \* \* the "Creek County Expressway"; \* \* \*.

1st Reading .....	247
2d Reading .....	261



CR .....	329
Considered, advanced, 3rd Reading, referred .....	356
Engrossed—To House .....	366
Referred for enrollment .....	538
House requests return of Engrossed SJR 46 for corrections .....	551
Resolution withdrawn from Engross- ing Department and transmitted to House .....	551
HAs read, consideration deferred ....	1059

**SJR 47—By Hamilton—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Oklahoma Constitution \* \* \* special election.

1st Reading .....	273
2d Reading .....	291
CR .....	451
WD, referred .....	553

**SJR 48—By Baggett—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Oklahoma Constitution; \* \* \* special election.

1st Reading .....	346
2d Reading .....	366
CR .....	451
Considered, stricken and referred ....	544

**SJR 49—By Hamilton—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Oklahoma Constitution \* \* \* special election.

1st Reading .....	347
2d Reading .....	366
CR .....	451
WD, referred .....	553

**SJR 50—By Baggett, Breckinridge and Short of the Senate and Spearman of the House—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Okla-

homa Constitution; \* \* \* providing for an Oklahoma Public Service Commission; \* \* \* special election.

1st Reading .....	384
2d Reading .....	396
CR .....	409
Considered, advanced, 3rd Reading, referred .....	518
Engrossed—To House .....	528

**SJR 51—By Baggett—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment to \* \* \* the Constitution of the State of Oklahoma; \* \* \* special election.

1st Reading .....	396
2d Reading .....	411
CR .....	422
Considered, advanced, 3rd Reading, failed .....	555
ML .....	556

**SJR 52—By Baggett—A Joint Resolution** directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* the Constitution of the State of Oklahoma; \* \* \* special election.

1st Reading .....	410
2d Reading .....	422
CR .....	451

**SJR 53—By Smalley of the Senate and Skeith of the House—A Joint Resolution** relating to the State Legislative Council; \* \* \* emergency.

1st Reading .....	501
2d Reading .....	512
CR .....	524
Considered, advanced, 3rd Reading, referred .....	534
Engrossed—To House .....	539
HA read, consideration deferred ....	709
HA concurred in, passed as amended	744
Referred for enrollment .....	744
Enrolled—4th Reading .....	759
To Governor; action by .....	778; 894

### PART III

## SENATE CONCURRENT RESOLUTIONS

**SCR 40**—By Miller—A Concurrent Resolution \* \* \* expressing the intent of the Legislature regarding vocational schools.

Introduced (Pre-Filed) .....	16
Adopted, referred .....	36
Engrossed—To House .....	38
Referred for enrollment .....	57
Enrolled—To House .....	68
House advises rescinding signature of Enrolled Resolution and reconsiders vote by which Resolution adopted .....	69

**SCR 41**—By Field, Crow and Atkinson of the Senate and Briscoe, et al, of the House—A Concurrent Resolution \* \* \* car-load freight rates applicable to small grains \* \* \*

Introduced (Pre-Filed) .....	16
Adopted, referred .....	36
Engrossed—To House .....	38
Referred for enrollment .....	49
Enrolled—To House .....	58
To Secretary of State .....	70

**SCR 42**—By Howard—A Concurrent Resolution \* \* \* directing the Executive Committee of the State Legislative Council to appoint a special committee \* \* \*

Introduced (Pre-Filed) .....	16
Adopted, referred .....	36
Engrossed—To House .....	38

**SCR 43**—By Inhofe of the Senate and Thompson of the House—A Concurrent Resolution \* \* \* Mental Health on Narcotic Addiction and Drug Abuse \* \* \*.

Introduced (Pre-Filed) .....	16
Considered, referred .....	35; 39

**SCR 44**—By Terrill—A Concurrent Resolution \* \* \* special citizen-legislator com-

mittee to make a study \* \* \* of Langston University \* \* \*

Introduced (Pre-Filed) .....	16
Considered, referred .....	46

**SCR 45**—By Terrill and Taliaferro of the Senate and Ferrell of the House—A Concurrent Resolution dedicating to public usage a parcel of land belonging to State of Oklahoma.

Introduced .....	33
Adopted, referred .....	34
Engrossed—To House .....	41
Referred for enrollment .....	49
Enrolled—To House .....	51
To Secretary of State .....	56

**SCR 46**—By Luton, Birdsong, Hamilton, Inhofe and Young of the Senate and Tarwater, et al, of the House—A Concurrent Resolution relating to the \* \* \* study procedures involving property and casualty insurance rates \* \* \*.

Introduced .....	41
Adopted, referred .....	41
Engrossed—To House .....	43

**SCR 47**—By Smith of the Senate and Privett of the House—A Concurrent Resolution authorizing \* \* \* an in-depth study of the tax structure of State \* \* \*.

Introduced .....	59
Adopted, referred .....	75
Engrossed—To House .....	79
HAs concurred in, adopted as amended, referred for enrollment .....	108
Enrolled—To House .....	117
To Secretary of State .....	125
Committee appointed—Senate .....	124
Committee appointed—House .....	128

**SCR 48**—By Smalley, Terrill, Smith and

Bradley of the Senate and Wolf (Leland), et al, of the House—A Resolution expressing the profound regret and sorrow \* \* \* upon the passing of the Honorable J. Don Garrison, of Norman; \* \* \*

Introduced .....	90
Adopted, referred .....	109
Engrossed—To House .....	132
Referred for enrollment .....	147
Enrolled—To House .....	209
To Secretary of State .....	217

**SCR 49**—By Berrong of the Senate and Stratton of the House—A Concurrent Resolution commending the 1969 Clinton High School "Red Tornadoes" Football Team \* \* \*

Introduced .....	97
Adopted, referred .....	109
Engrossed—To House .....	124
Referred for enrollment .....	128
Enrolled—To House .....	164
To Secretary of State .....	165

**SCR 50**—By Hamilton, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams, Young—A Concurrent Resolution paying tribute to the late Everett McKinley Dirksen; \* \* \*

Introduced .....	111
Adopted, referred .....	111
Engrossed—To House .....	132
Referred for enrollment .....	147
Enrolled—To House .....	209
To Secretary of State .....	217

**SCR 51**—By Young, Garrison, Boecher, Lane and Miller—A Concurrent Resolution opposing the prejudging of trials of American Servicemen for alleged actions in Vietnam; \* \* \*

Introduced .....	113
Adopted, referred .....	120
Engrossed—To House .....	132

Referred for enrollment .....	147
Enrolled—To House .....	164
To Secretary of State .....	165

**SCR 52**—By Field of the Senate and McKee, et al, of the House—A Concurrent Resolution relating to the Selective Service System; \* \* \*

Introduced .....	118
Adopted, referred .....	118
Engrossed—To House .....	139
Referred for enrollment .....	279
Enrolled—To House .....	289
To Secretary of State .....	300

**SCR 53**—By McGraw and Breckinridge—A Concurrent Resolution expressing profound regret for the recent death of First Lieutenant Joseph Mark Lauinger of Tulsa, Oklahoma; \* \* \*

Introduced .....	124
Adopted, referred .....	124
Engrossed—To House .....	132
Referred for enrollment .....	147
Enrolled—To House .....	164
To Secretary of State .....	165

**SCR 54**—By Boecher, Field, Payne, Lane and Williams of the Senate and Gooden, et al, of the House—A Resolution \* \* \* directing the Executive Committee to create a ten-member special committee on pollution control; \* \* \*

Introduced .....	124
Adopted, referred .....	125
Engrossed—To House .....	143
Referred for enrollment .....	147
Enrolled—To House .....	164
To Secretary of State .....	165

**SCR 55**—By Berrong of the Senate and Stratton of the House—A Concurrent Resolution commending the 1969 Thomas High School Football Team \* \* \*

Introduced .....	153
Adopted, referred .....	153
Engrossed—To House .....	164
Referred for enrollment .....	168
Enrolled—To House .....	209
To Secretary of State .....	217

**SCR 56**—By Grantham of the Senate and Smith, et al, of the House—A Concurrent



Resolution expressing Legislative intent regarding the appropriation made in Senate Bill No. 452 \* \* \*

Introduced .....	206
Adopted, referred .....	206
Engrossed—To House .....	217
Referred for enrollment .....	279
Enrolled—To House .....	289
To Secretary of State .....	300

**SCR 57**—By Horn of the Senate and Hargrave of the House—A Concurrent Resolution expressing appreciation and commendation to the Oklahoma Department of the American Legion for erecting the "Eternal Flame" \* \* \*

Introduced .....	221
Adopted, referred .....	222
Engrossed—To House .....	229
Referred for enrollment .....	279
Enrolled—To House .....	289
To Secretary of State .....	300

**SCR 58**—By Garrison of the Senate and Spearman of the House—A Concurrent Resolution commending the Peace Officers of Oklahoma and the Nation; \* \* \*

Introduced .....	226
Adopted, referred .....	232
Engrossed—To House .....	246
Referred for enrollment .....	279
Enrolled—To House .....	289
To Secretary of State .....	300

**SCR 59**—By Grantham of the Senate and Boettcher, et al, of the House—A Concurrent Resolution relating to \* \* \* a comprehensive study as to the necessity or desirability of legislation requiring crude oil and gas purchasers to make periodic reports \* \* \*

Introduced .....	260
Adopted, referred .....	260
Engrossed—To House .....	276
Referred for enrollment .....	302
Enrolled—To House .....	332
To Secretary of State .....	335

**SCR 60**—By Baggett, Garrison, Boecher, Luton, Lane, Payne, Bradley, Graves, Medearis, Keels, Howard, Birdsong, Murphy, Atkinson, Martin, Miller, Stipe, Young.—

A Concurrent Resolution \* \* \* public monies to publish and mail Christmas cards and holiday greetings; \* \* \*

Introduced .....	284
Adopted, referred .....	284
Engrossed—To House .....	289
Referred for enrollment .....	591
Enrolled—To House .....	602
To Secretary of State .....	608

**SCR 61**—By Graves of the Senate and Wayland of the House—A Concurrent Resolution expressing the respect and admiration of the Oklahoma Legislature for Mr. C. C. Davidson \* \* \*

Introduced .....	303
Adopted, referred .....	304
Engrossed—To House .....	320
Referred for enrollment .....	329
Enrolled—To House .....	332
To Secretary of State .....	335

**SCR 62**—By Miller of the Senate and Abbott of the House—A Concurrent Resolution expressing appreciation to Dr. Stanley P. Wagner, \* \* \*

Introduced .....	383
Adopted, referred .....	396
Engrossed—To House .....	413
Referred for enrollment .....	451
Enrolled—To House .....	474
To Secretary of State .....	477

**SCR 63**—By Berrong and Smith of the Senate—A Concurrent Resolution requesting \* \* \* certain uniform accounting and reporting procedures for the State System of Higher Education.

Introduced .....	383
Adopted, referred .....	383
Engrossed—To House .....	395
Referred for enrollment .....	403
Enrolled—To House .....	413
To Secretary of State .....	417

**SCR 64**—By Medearis of the Senate and Willis of the House—A Concurrent Resolution relating to \* \* \* organization and chartering of permanent stock or capital stock savings and loan associations in Oklahoma \* \* \*

Introduced .....	390
Adopted, referred .....	390

Engrossed—To House .....	398
Referred for enrollment .....	404
Enrolled—To House .....	413
To Secretary of State .....	417

**SCR 65**—By Williams of the Senate and Kamas, et al, of the House—A Resolution requesting the State Highway Commission to name the bridge on Oklahoma State Highway No. 50 the "Omer Schnoebelen Bridge"; \* \* \*

Introduced .....	409
Adopted, referred .....	409
Engrossed—To House .....	413
Referred for enrollment .....	413
Enrolled—To House .....	416
To Secretary of State .....	417

**SCR 66**—By Martin of the Senate and Bickford of the House—A Concurrent Resolution commending the Oklahoma Writers Federation \* \* \*

Introduced .....	447
Adopted, referred .....	447
Engrossed—To House .....	451
Referred for enrollment .....	480
Enrolled—To House .....	515
To Secretary of State .....	524

**SCR 67**—By Murphy of the Senate and Hesser of the House—A Resolution commending Mr. Henry Payne (Hank) Iba \* \* \*

Introduced .....	452
Adopted, referred .....	452
Engrossed—To House .....	453
Referred for enrollment .....	458
Enrolled—To House .....	459
To Secretary of State .....	462

**SCR 68**—By Smalley of the Senate and Cate of the House—A Resolution proclaiming the month of March, 1970, Social Workers Month \* \* \*

Introduced .....	467
Adopted, referred .....	467
Engrossed—To House .....	488
Referred for enrollment .....	509
Enrolled—To House .....	528
To Secretary of State .....	536

**SCR 69**—By Murphy of the Senate and Hesser of the House—A Concurrent Resolution commending and congratulating the

Stillwater C. E. Donart High School Wrestling Team \* \* \*

Introduced .....	468
Adopted, referred .....	468
Engrossed—To House .....	488
Referred for enrollment .....	509
Enrolled—To House .....	528
To Secretary of State .....	536

**SCR 70**—By Terrill of the Senate and Derryberry of the House—A Concurrent Resolution authorizing \* \* \* five members of the Senate and five members of the House of Representatives to join the West Coast Industrial Tour; \* \* \*

Introduced .....	477
Adopted, referred .....	492
Engrossed—To House .....	504
Referred for enrollment .....	509
Enrolled—To House .....	528
To Secretary of State .....	533

**SCR 71**—By Baldwin of the Senate and Goodfellow of the House—A Concurrent Resolution taking official notice of National Peanut Week \* \* \*

Introduced .....	484
Adopted, referred .....	484
Engrossed—To House .....	504
Referred for enrollment .....	509
Enrolled—To House .....	528
To Secretary of State .....	536

**SCR 72**—By Grantham, Holden, Stansberry, Smith, Graves, Stipe, Terrill and Luton of the Senate and Boettcher, et al, of the House—A Concurrent Resolution relating to the 1970 Oklahoma State "Ability Counts" Contest \* \* \*

Introduced .....	507
Adopted, referred .....	540
Engrossed—To House .....	542
Referred for enrollment .....	543
Enrolled—To House .....	544
To Secretary of State .....	545

**SCR 73**—By Miller of the Senate and Abbott, et al of the House—A Resolution commemorating Eugene Bernard (E. B.) Savage, \* \* \*

Introduced .....	524
Adopted, referred .....	539

Engrossed—To House .....	552
Referred for enrollment .....	591
Enrolled—To House .....	602
To Secretary of State .....	608

**SCR 74—By Short—A Concurrent Resolution** authorizing the \* \* \* Executive Committee of the State Legislative Council to expend funds not exceeding \$25,000.00 for production of a film on the Oklahoma Legislature.

Introduced .....	539
Adopted, referred .....	539
Engrossed—To House .....	552
Referred for enrollment .....	591
Enrolled—To House .....	602
To Secretary of State .....	608

**SCR 75—By Smalley of the Senate and Cate, et al, of the House—A Concurrent Resolution** expressing the congratulations and commendation of the Legislature to the Norman High School Basketball Team \* \* \*

Introduced .....	539
Adopted, referred .....	539
Engrossed—To House .....	551
Referred for enrollment .....	591
Enrolled—To House .....	602
To Secretary of State .....	608

**SCR 76—By Williams of the Senate and Thornhill of the House—A Concurrent Resolution** recalling from the Office of the Governor Senate Bill No. 517 \* \* \*

Introduced .....	559
Adopted, referred .....	559
Engrossed—To House .....	562
Referred for enrollment .....	575
Enrolled—To House .....	587
To Secretary of State .....	590

**SCR 77—By Massey—A Concurrent Resolution** requesting \* \* \* study of the feasibility of the development of a State University System \* \* \*

Introduced .....	566
Adopted, referred .....	738
Engrossed—To House .....	746
Referred for enrollment .....	1071
Enrolled—To House .....	1111
To Secretary of State .....	1112

**SCR 78—By Phillips—A Concurrent Resolution** \* \* \* the presentation of grievances by employees of the Oklahoma Turnpike Authority.

Introduced; deferred .....	584
Adopted, referred .....	977
Engrossed—To House .....	993

**SCR 79—By Crow of the Senate and Paterson of the House—A Concurrent Resolution** extending congratulations to Mrs. Joe Myers \* \* \* named the Oklahoma Mother of the Year; \* \* \*

Introduced .....	584
Adopted, referred .....	584
Engrossed—To House .....	587
Referred for enrollment .....	617
Enrolled—To House .....	641
To Secretary of State .....	648

**SCR 80—By Berrong of the Senate and Robinson of the House—A Concurrent Resolution** \* \* \* congratulating Sayre High School Girls' Basketball Team, the "Sayre Lady Eagles," \* \* \*

Introduced .....	584
Adopted, referred .....	585
Engrossed—To House .....	590
Referred for enrollment .....	611
Enrolled—To House .....	624
To Secretary of State .....	629

**SCR 81—By Smith—A Concurrent Resolution** \* \* \* P.G.A. Tournament to be held in Tulsa on August 10-16, 1970; \* \* \*

Introduced .....	633
Adopted, referred .....	633
Engrossed—To House .....	664
Referred for enrollment .....	680
Enrolled—To House .....	684
To Secretary of State .....	695

**SCR 82—By Garrison of the Senate and Connor, et al, of the House—A Concurrent Resolution** extending commendation to Armais Arutunoff \* \* \*

Introduced .....	645
Adopted, referred .....	645
Engrossed—To House .....	664
Referred for enrollment .....	680
Enrolled—To House .....	684
To Secretary of State .....	695



**SCR 83**—By Phillips and Smith of the Senate and Finch, et al, of the House—A Concurrent Resolution relating to \* \* \* collective bargaining by public employees; \* \* \*

Introduced .....	687
Adopted, referred .....	738
Engrossed—To House .....	746
Referred for enrollment .....	1059
Enrolled—To House .....	1108
To Secretary of State .....	1110

**SCR 84**—By Terrill of the Senate and Wolf (Leland) of the House—A Concurrent Resolution fixing the day and hour of the Sine Die Adjournment of the Second Session of the Thirty-Second Oklahoma Legislature.

Introduced .....	687
Considered, adopted, referred .....	935
Engrossed—To House .....	943
HA read, consideration deferred .....	1045
HA concurred in, adopted as amended—referred for enrollment ..	1074
Enrolled—To House .....	1089
To Secretary of State .....	1094

**SCR 85** by McSpadden and Massey of the Senate and Willis, et al, of the House—A Concurrent Resolution recalling from the Office of the Governor Senate Bill No. 442.

Introduced .....	762
Adopted, referred .....	763
Engrossed—To House .....	778
Referred for enrollment .....	788
Enrolled—To House .....	791
To Secretary of State .....	793

**SCR 86** by Smith and Miller of the Senate and McCune of the House—A Concurrent Resolution relating to challenge the correctness of the result of an election.

Introduced .....	792
Adopted, referred .....	975
Engrossed—To House .....	993
Referred for enrollment .....	1089
Enrolled—To House .....	1111
To Secretary of State .....	1112

**SCR 87** by Berrong and Terrill of the Senate and Stratton of the House—A Con-

current Resolution commending astronaut Colonel Thomas P. Stafford \* \* \*

Introduced .....	805
Adopted, referred .....	805
Engrossed—To House .....	815
Referred for enrollment .....	902
Enrolled—To House .....	944
To Secretary of State .....	959

**SCR 88** by Stipe and Baggett—A Concurrent Resolution relating to \* \* \* comprehensive study of the eight-hour day, forty-hour week as to employment.

Introduced .....	927
Adopted, referred .....	927
Engrossed—To House .....	943
Referred for enrollment .....	1059
Enrolled —To House .....	1109
To Secretary of State .....	1110

**SCR 89** by Boecher, Horn, Payne, Williams and Hamilton of the Senate and Fine, et al, of the House—A Concurrent Resolution relating to the Oklahoma Wildlife Conservation commission and its purported imposition of taxes and fees.

Introduced .....	927
Adopted, referred .....	928
Engrossed—To House .....	943
Referred for enrollment .....	1045
Enrolled—To House .....	1089
To Secretary of State .....	1094

**SCR 90** by Baggett—A Concurrent Resolution directing a specific area of state owned land be reserved \* \* \* to construct thereon a law enforcement complex \* \* \*

Introduced; considered .....	975; 1000
------------------------------	-----------

**SCR 91** by Baggett—A Concurrent Resolution \* \* \* as to the appropriations to the Oklahoma State Regents for Higher Education contained in Senate Bill No. 421 \* \* \*

Introduced .....	975
Adopted, referred .....	1000
Engrossed—To House .....	1044

**SCR 92** by Lane, Hamilton, Breckinridge, Crow and Phillips of the Senate and Sullivan, et al, of the House—A Concurrent Resolution relating to State Boards, Commissions, Departments, Agencies and other State Governmental Entities \* \* \*

Introduced .....	975
Adopted, referred .....	975
Engrossed—To House .....	993
Referred for enrollment .....	1071
Enrolled—To House .....	1111
To Secretary of State .....	1112

**SCR 93** by Smith—A Concurrent Resolution expressing legislative intent in the en-

actment of enrolled Senate Bill No. 375 * * *	
Introduced .....	1044
Adopted, referred .....	1044
Engrossed—To House .....	1069
Referred for enrollment .....	1089
Enrolled—To House .....	1111
To Secretary of State .....	1112





## PART IV

### SENATE RESOLUTIONS

**SR 43—By Garrison—A Resolution relating to the Criminal Code in the State of Oklahoma \* \* \*.**

Introduced (Pre-Filed) .....	17
Adopted, referred .....	34
Enrolled—To Secretary of State .....	38

**SR 44—By Birdsong—A Resolution providing for payment of necessary expenses of committees, \* \* \* on trips authorized by the Senate.**

Introduced .....	22
Adopted, referred .....	22
Enrolled—To Secretary of State .....	38

**SR 45—By Birdsong—A Resolution providing for employment of temporary personnel for administrative and technical assistance to the State Senate \* \* \*.**

Introduced .....	37
Adopted, referred .....	37
Enrolled—To Secretary of State .....	43

**SR 46—By Inhofe, Berrong, Hargrave, Luton, Bradley and Horn—A Resolution directing a study and evaluation of the existing narcotics and dangerous drug laws \* \* \*.**

Introduced .....	90
Adopted, referred .....	119
Enrolled—To Secretary of State .....	132
Committee appointed .....	124

**SR 47—By Crow—A Resolution authorizing the President Pro Tempore of the Senate \* \* \* to appoint four members of the Senate to attend and participate in a meeting of the National Association of Conservation Districts \* \* \*.**

Introduced .....	125
Adopted, referred .....	125
Enrolled—To Secretary of State .....	132

**SR 48—By Birdsong—A Senate Resolution relating to interim study \* \* \* on the feasibility of requiring two, instead of one, motor vehicle identification and number plates per vehicle; \* \* \*.**

Introduced .....	193
Adopted, referred .....	193
Enrolled—To Secretary of State .....	209

**SR 49—By Grantham—A Senate Resolution \* \* \* regarding the waiving of all ad valorem taxes on real property sold to a governmental unit for the year in which the sale is consummated: \* \* \*.**

Introduced .....	205
Adopted, referred .....	205
Enrolled—To Secretary of State .....	217

**SR 50—By Smith, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Stansberry, Stipe, Taliaferro, Terrill, Williams, and Young—A Senate Resolution expressing profound regret and sorrow upon the passing of Joseph R. "Jake" Reinhardt; \* \* \*.**

Introduced .....	350
Adopted, referred .....	350
Enrolled—To Secretary of State .....	366

**SR 51—By Baggett, Smith, Garrison, Terrill, Smalley, Nichols, Breckinridge, Keels, Howard, Stansberry, Atkinson, Baldwin, Berrong, Birdsong, Boecher, Bradley, Crow, Dacus, Ferrell, Field, Garrett, Gran-**

tham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Inhofe, Lane, Luton, McCune, McGraw, McSpadden, Martin, Mass-ey, Medearis, Miller, Murphy, Payne, Phillips, Porter, Romang, Short, Stipe, Taliaferro, Williams and Young—A Resolution welcoming Lance Christian Lenhart and congratulating Mr. and Mrs. Lowell Lenhart.

Introduced ..... 339  
 Adopted, referred ..... 339  
 Enrolled—To Secretary of State ..... 377

**SR 52**—By Horn—A Resolution authorizing the President Pro Tempore of the Senate \* \* \* to appoint a committee from the members of the Senate to attend the President's Committee on Employment of the Handicapped; \* \* \*.

Introduced ..... 364  
 Adopted, referred ..... 364  
 Enrolled—To Secretary of State ..... 382

**SR 53**—By Smith—A Resolution authorizing and directing the \* \* \* attendance of a representative of the Oklahoma State Senate to the Council of State Governments committee meetings \* \* \*.

Introduced ..... 389  
 Adopted, referred ..... 389  
 Enrolled—To Secretary of State ..... 395  
 Committee appointed ..... 390

**SR 54**—By Birdsong—A Resolution relating to the protection of the property and supplies of the Senate during the interim; \* \* \*.

Introduced ..... 446  
 Adopted, referred ..... 446  
 Enrolled—To Secretary of State ..... 451

**SR 55**—By Birdsong—A Resolution directing the State Board of Affairs to reserve the north circle \* \* \* for members of the Oklahoma State Senate; \* \* \*.

Introduced ..... 446  
 Adopted, referred ..... 446  
 Enrolled—To Secretary of State ..... 451

**SR 56**—By Smith—A Resolution authorizing \* \* \* a committee to proceed to Washington, D. C. \* \* \* the National Rivers and Harbors Congress \* \* \*.

Introduced ..... 447  
 Adopted, referred ..... 447  
 Enrolled—To Secretary of State ..... 451

**SR 57**—By Smith—A Resolution \* \* \* appoint a committee to proceed to Springfield, Illinois \* \* \*.

Introduced ..... 447  
 Adopted, referred ..... 447  
 Enrolled—To Secretary of State ..... 451

**SR 58**—By Nichols—A Resolution directing an interim study \* \* \* to the establishment, construction or expansion of any hospital, nursing home or other health facility.

Introduced ..... 507  
 Adopted, referred ..... 560  
 Enrolled—To Secretary of State ..... 576

**SR 59**—By Berrong, Nichols and Martin—A Resolution relating to \* \* \* the desirability of concentrating and coordinating all mental health services in a Division of Mental Health \* \* \*.

Introduced ..... 583  
 Adopted, referred ..... 583  
 Enrolled—To Secretary of State ..... 587

**SR 60**—By Berrong—A Resolution relating to \* \* \* the problem of litter, especially beer containers, on streets, highways \* \* \*.

Introduced ..... 612  
 Adopted, referred ..... 633  
 Enrolled—To Secretary of State ..... 664

**SR 61**—By Berrong and Inhofe—A Resolution \* \* \* requesting the State Insurance Commissioner to study and review certain matters; \* \* \*.

Introduced ..... 628  
 Adopted, referred ..... 634  
 Enrolled—To Secretary of State ..... 664

**SR 62**—By Payne, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Massey, Medearis, Miller, Mur-

phy, Nichols, Phillips, Porter, Romang, Short, Smalley, Smith, Stansberry, Stipe, Taliaferro, Terrill, Williams and Young—A Resolution commending the Southwestern Bell Telephone Company upon its selection of employees to serve the Oklahoma State Senate \* \* \*.

Introduced ..... 629  
 Adopted, referred ..... 679  
 Enrolled—To Secretary of State ..... 684

**SR 63**—By Baldwin, Smalley, Smith, Birdsong and Terrill—A Resolution authorizing an interim committee on rules and procedures; \* \* \*.

Introduced ..... 644  
 Adopted, referred ..... 644  
 Enrolled—To Secretary of State ..... 664

**SR 64**—By Birdsong, Hamilton, Luton, Stipe, Young, Smalley, Howard, Murphy, Hargrave, McSpadden, Smith, Porter, Garrison, Payne, Garrett, Short, McCune, Keels and Ham—A Resolution requesting \* \* \* in-depth study of the entire operation of the State Insurance Fund \* \* \*.

Introduced ..... 678  
 Adopted, referred ..... 678  
 Enrolled—To Secretary of State ..... 684

**SR 65**—By Breckinridge—A Resolution relating to \* \* \* a detailed study, analysis and evaluation of the merit system salary plan for teacher compensation; \* \* \*.

Introduced ..... 793  
 Adopted, referred ..... 929  
 Enrolled—To Secretary of State ..... 943

**SR 66**—By Luton—A Resolution relating to \* \* \* a study of the needs for expanding Public Defender Statutes \* \* \*.

Introduced ..... 831  
 Adopted, referred ..... 831  
 Enrolled—To Secretary of State ..... 900

**SR 67**—By Field, Crow, Lane, Williams and Boecher—A Resolution commending the performance of the Oklahoma Wheat Commission \* \* \*.

Introduced ..... 831  
 Adopted, referred ..... 831  
 Enrolled—To Secretary of State ..... 900

**SR 68**—By Keels and Inhofe—A Resolution directing \* \* \* 25,000 copies of the magazine "Oklahoma Today" for distribution by Oklahoma Lions Club members \* \* \*.

Introduced ..... 832  
 Adopted, referred ..... 832  
 Enrolled—To Secretary of State ..... 900

**SR 69**—By Inhofe and Keels—A Resolution congratulating Dr. Robert McCullough of Tulsa, Oklahoma upon his election as International President of Lions International \* \* \*.

Introduced ..... 888  
 Adopted, referred ..... 889  
 Enrolled—To Secretary of State ..... 900

**SR 70**—By Murphy—A Resolution expressing appreciation to W. H. Sollers for \* \* \*.

Introduced ..... 889  
 Adopted, referred ..... 889  
 Enrolled—To Secretary of State ..... 900

**SR 71**—By Breckinridge—A Resolution requesting \* \* \* study and analysis of presently constituted professional occupational regulatory boards \* \* \*.

Introduced ..... 928  
 Adopted, referred ..... 928  
 Enrolled—To Secretary of State ..... 943

**SR 72**—By Stipe—A Resolution creating a special committee to make a study as to limitation of opportunity of State businesses, \* \* \*.

Introduced ..... 928  
 Adopted, referred ..... 928  
 Enrolled—To Secretary of State ..... 948

**SR 73**—By Miller—A Resolution relating to \* \* \* services of the Oklahoma Educational Television authority; \* \* \*.

Introduced ..... 976  
 Adopted, referred ..... 976  
 Enrolled—To Secretary of State ..... 993

**SR 74**—By Baldwin—A Resolution commending the Honorable Keith Cartwright \* \* \*.

Introduced ..... 989  
 Adopted, referred ..... 989  
 Enrolled—To Secretary of State ..... 1089



1st Reading .....	216	political subdivisions of the state; * * *	
2nd Reading .....	232	emergency.	
<b>HB 1148</b> —By Derryberry, et al—An Act		CR .....	501
relating to workmen's compensation; * * *		Considered, advanced, 3d Reading,	
emergency.		referred .....	619
1st Reading .....	216	Engrossed—To House .....	645
2nd Reading .....	232	SAs rejected, Conference	
<b>HB 1149</b> —By Derryberry, et al—An Act		requested; HCs named .....	718
relating to workmen's compensation; * * *		Conference granted, SCs	
emergency.		appointed .....	718; 719
1st Reading .....	216	<b>HB 1203</b> —By Atkins, et al of the House	
2nd Reading .....	232	and Phillips and Crow of the Senate—An	
<b>HB 1151</b> —By Derryberry, et al—An Act		Act relating to * * * immunized against	
relating to workmen's compensation; * * *		certain diseases * * * admission in a	
emergency.		school * * * emergency.	
1st Reading .....	216	CR .....	79
2nd Reading .....	232	Considered, advanced, 3rd Reading,	
<b>HB 1152</b> —By Townsend, et al—An Act		failed .....	108
relating to certain free-flowing rivers and		ML; adopted, passed, referred...109;	139
streams; * * * emergency.		Engrossed—To House .....	165
1st Reading .....	228	SAs rejected, Conference	
2nd Reading .....	247	requested; HCs named .....	263
CR .....	422	Conference granted, SCs appointed ..	319
Considered, advanced, 3d Reading,		CCR read, consideration deferred ...	495
referred .....	456	CCR adopted, passed—To House ....	845
Engrossed—to House .....	474	4th Reading—To House .....	898
SAs concurred in, passed as amended	481	Approved by Governor.....April 15, 1970	
4th Reading—To House .....	504	<b>HB 1206</b> —By Harrison of the House and	
Approved by Governor....March 17, 1970		Keels of the Senate—An Act relating to	
<b>HB 1154</b> —By Sparkman, et al, of the		motor vehicles; * * * emergency.	
House and McSpadden of the Senate—An		CR .....	511
Act relating to elections; * * * emergency.		Considered, advanced, 3d Reading,	
CR .....	131	referred .....	782
Considered, advanced, 3rd Reading,		Engrossed—To House .....	808
referred .....	238	SAs rejected, Conference	
Engrossed—To House .....	246	requested; HCs named .....	891
SAs rejected, Conference		Conference granted, SCs appointed..	975
requested; HCs named .....	263	CCR read, consideration deferred....	1045
Conference granted, SCs appointed..	319	CCR adopted, passed—To House ....	1089
CCR read, consideration deferred ...	393	4th Reading—To House .....	1112
CCR adopted, passed, withheld		Approved by Governor.....April 22, 1970	
under Rule 19-f .....	443	<b>HB 1208</b> —By Vann, et al, of the House	
To House .....	448	and Berrong of the Senate—An Act relat-	
4th Reading—To House .....	451	ing to the Oklahoma State Library; * * *	
Approved by Governor....March 10, 1970		appropriation * * * emergency.	
<b>HB 1199</b> —By Briscoe, et al, of the House		CR .....	528
and Phillips of the Senate—An Act relat-		Considered, advanced, 3d Reading,	
ing to counties, cities, towns and other		referred .....	608

Engrossed—To House .....	617
SAs rejected, Conference requested; HCs named .....	631
Conference granted, SCs appointed ..	721
CCR read, consideration deferred ..	902
CCR adopted, passed .....	948
ML .....	949
To House .....	988
4th Reading—To House .....	1041
Approved by Governor.....April 22, 1970	

**HB 1214**—By Hopkins, et al—An Act relating to \* \* \* annual Agricultural Fair and Industrial Exposition; \* \* \* emergency.

1st Reading .....	708
2nd Reading—To Calendar .....	742
Considered, advanced, 3rd Reading, referred .....	798
Engrossed—To House .....	829
SAs rejected, Conference requested; HCs named .....	964
Conference granted, SCs appointed ..	964
CCR read, consideration deferred ....	979
CCR adopted, passed—To House ....	994
4th Reading—To House .....	1059
Approved by Governor.....April 23, 1970	

**HB 1231**—By Tabor of the House and Ham of the Senate—An Act relating to \* \* \* violations of Game and Fish Laws \* \* \* emergency.

CR .....	117
Considered, advanced, 3d Reading, referred .....	400
Engrossed—To House .....	413
SAs concurred in, passed as amended .....	493
4th Reading—To House .....	504
Approved by Governor....March 16, 1970	

**HB 1240**—By Stratton, et al, of the House and Holden of the Senate—An Act \* \* \* defining term "implement of husbandry" \* \* \* emergency.

1st Reading .....	301
2d Reading .....	330
CR .....	451
Considered, advanced, 3d Reading, passed—Signed—To House .....	752

4th Reading—To House .....	778
Approved by Governor.....April 9, 1970	

**HB 1242**—By Sparkman, et al, of the House and Grantham of the Senate—An Act \* \* \* providing for delivery and payment of cost of transportation of children committed to the Department of Public Welfare; \* \* \* emergency.

1st Reading .....	433
2d Reading .....	452
CR .....	602
Considered, advanced, 3d Reading, passed—Signed—To House .....	700
4th Reading—To House .....	716
Approved by Governor.....April 7, 1970	

**HB 1247**—By Clemons, et al—An Act \* \* \* creating the Commission for Training for Municipal Clerks, Treasurers and Finance Officers; \* \* \* emergency.

1st Reading .....	287
2d Reading .....	306
CR .....	422
Considered, advanced, 3d Reading, referred .....	523
Engrossed—To House .....	528
SAs rejected, Conference requested; HCs named .....	545
Conference granted, SCs appointed ..	611
CCR read, consideration deferred ....	903
CCR adopted, passed—To House ....	966
4th Reading—To House .....	993
Approved by Governor.....April 22, 1970	

**HB 1260**—By Cate of the House and Baggett, Nichols and Breckinridge of the Senate—An Act relating to the initiative and referendum \* \* \* emergency.

CR .....	618
Considered, advanced, 3d Reading, passed—Signed—To House .....	799
4th Reading—To House .....	812
Approved by Governor.....April 13, 1970	

**HB 1291**—By Clemons of the House and Luton, Keels, Smith, Miller, Murphy, Smalley, McGraw, Howard and Short of the Senate—An Act relating to \* \* \* negotiating between school employees and employing school district \* \* \*.

CR .....	79
----------	----

Considered, advanced, 3d Reading, referred .....	104
Engrossed—To House .....	124
SAs rejected, Conference requested; HCs named .....	128; 158
Conference granted, SCs appointed ..	153
CCR read, consideration deferred ..	340
CCR adopted, passed, withheld under Rule 19-f .....	366
ML; Failed .....	366; 412
To House .....	412
4th Reading—To House .....	422
Vetoed by Governor.....	March 5, 1970

**HB 1292**—By Bengtson, et al, An Act relating \* \* \* to the questioning of children by law enforcement officers and others.

1st Reading .....	380
2d Reading .....	396
CR .....	550
Considered, advanced, 3d Reading, referred .....	609
Engrossed—To House .....	624
SAs rejected, Conference requested; HCs named .....	652
Conference granted, SCs appointed ..	694
CCR read, consideration deferred ....	767
CCR adopted, passed—To House ....	849
4th Reading—To House .....	898
Approved by Governor.....	April 15, 1970

**HB 1330**—By Odom (Martin) et al of the House and Romang of the Senate—An Act relating to professions and occupations; \* \* \* emergency.

CR .....	131
Considered, advanced 3d Reading, passed .....	149
Withheld under Rule 19-f .....	150
Signed—To House .....	154
4th Reading .....	174
Recalled from Governor's Office (HCR 1049) .....	208
House requests Senate to rescind 4th Reading, reconsider vote by which bill passed and consider bill further .....	241

Senate rescinds 4th Reading, re- considers vote by which bill passed, by which advanced and considers bill further .....	274
Advanced, 3rd Reading, referred ....	274
Engrossed—To House .....	289
SAs concurred in, passed as amended .....	301
4th Reading—To House .....	332
Approved by Governor February 20, 1970	

**HB 1339**—By Monks, et al of the House and Luton, Keels, Murphy, Hamilton, Smalley and Breckinridge of the Senate—An Act \* \* \* designating a public school holiday for the observance of Veterans Day \* \* \*

CR .....	47
Considered, advanced, 3d Reading, referred .....	53
Engrossed —To House .....	58
SAs rejected, Conference requested; HCs named .....	108
Conference granted, SCs appointed ..	108
CCR read, consideration deferred ....	615
CCR adopted, passed—To House ....	847
4th Reading—To House .....	898
Approved by Governor.....	April 15, 1970

**HB 1361**—By Abbott et al of the House and Miller of the Senate—An Act relating to trusts \* \* \* emergency.

CR .....	583
Considered, advanced, 3d Reading, referred .....	749
Engrossed—To House .....	759
SAs concurred in, passed as amended .....	1045
4th Reading—To House .....	1059
Approved by Governor.....	April 22, 1970

**HB 1387**—By Howard, et al, of the House and Atkinson, Crow, Field, Lane and Williams of the Senate—An Act relating to game and fish \* \* \* emergency.

CR .....	217
Considered, advanced, 3d Reading, referred .....	253
Engrossed—To House .....	265
SAs concurred in, passed as amended .....	509



4th Reading—To House ..... 528  
 Approved by Governor....March 20, 1970

**HB 1338**—By Peterson, et al, of the House and Grantham and Miller of the Senate—An Act relating to toll expressways constructed under trusts \* \* \* emergency.

1st Reading ..... 419  
 2d Reading ..... 436  
 CR ..... 451  
 Considered, advanced, 3d Reading,  
   referred ..... 626  
 Engrossed—To House ..... 641  
 SAs concurred in, passed as  
   amended ..... 676  
 4th Reading—To House ..... 683  
 Vetoed by Governor.....April 3, 1970

**HB 1389**—By Lindstrom of the House and Terrill of the Senate—An Act relating to soldiers and sailors; \* \* \* emergency.  
 CR ..... 511  
 Considered, advanced, 3d Reading,  
   passed ..... 559  
 Withheld under Rule 19-f ..... 559  
 Signed—To House ..... 566  
 4th Reading—To House ..... 593  
 Approved by Governor....March 30, 1970

**HB 1403**—By Allard of the House and Hamilton of the Senate—An Act relating to private schools; \* \* \* emergency.  
 CR ..... 303  
 Considered, advanced, 3d Reading,  
   referred ..... 375  
 Engrossed—To House ..... 382  
 SAs concurred in, passed as  
   amended ..... 481  
 4th Reading—To House ..... 504  
 Approved by Governor....March 16, 1970

**HB 1416**—By Bickford, et al, of the House and Martin of the Senate—An Act relating to state employees \* \* \* emergency.  
 Recalled from Governor (HCR  
   1023 1st Session).

House rescinds 4th reading; reconsiders vote by which HB 1416 passed, as amended; by which

SAs concurred in and transmits Bill to Senate for reconsideration.. 153  
 Senate rescinds 4th reading, reconsiders vote by which HB 1416, as amended, was passed, by which advanced and refers Bill to Committee on Governmental Affairs... 154  
 CR ..... 192  
 Considered, advanced, 3d Reading,  
   referred ..... 211  
 Engrossed—To House ..... 217  
 SAs concurred in, passed as  
   amended ..... 258  
 4th Reading—To House ..... 263  
 Approved by Governor February 17, 1970

**HB 1434**—By Thompson of the House and Field of the Senate—An Act relating to insurance \* \* \* corporation licensed \* \* \* to own stock \* \* \* emergency.  
 CR ..... 175  
 Considered, advanced, 3d Reading,  
   failed ..... 212  
 ML; adopted, passed ..... 213; 250  
 ML (2d); Time extended; adopted;  
   vote reconsidered by which advanced ..... 250; 298; 317  
 Considered, advanced, 3d Reading,  
   referred ..... 603  
 Engrossed—To House ..... 617  
 SAs concurred in, passed as amended 676  
 4th Reading—To House ..... 683  
 Approved by Governor.....April 6, 1970

**HB 1435**—By Hill (Ben) of the House and Porter of the Senate—An Act relating to discriminatory practices \* \* \* emergency.  
 CR ..... 501  
 Considered, advanced, 3d Reading,  
   passed—Signed—To House ..... 763  
 4th Reading—To House ..... 800  
 Approved by Governor....April 13, 1970

**HB 1439**—By Abbott—An Act relating to \* \* \* members of Boards of Education of school districts; \* \* \* emergency.  
 CR ..... 36  
 Considered, advanced, 3d Reading,  
   referred ..... 40  
 Engrossed—To House ..... 44

SAs rejected, Conference requested;	
HCs named .....	95
Conference granted, SCs appointed ..	104
CCR read, consideration deferred....	242
CCR adopted, passed, withheld under	
Rule 19-f .....	298
To House .....	300
4th Reading—To House .....	303
Approved by Governor February 24, 1970	

**HB 1445**—By Clemons of the House and Terrill of the Senate—An Act relating to public schools \* \* \* emergency.

CR .....	117
Considered, advanced, 3d Reading,	
referred .....	150
Engrossed—To House .....	165
SAs concurred in, passed as amended	301
4th Reading—To House .....	303
Approved by Governor February 24, 1970	

**HB 1457**—By Hutchens of the House and Smalley, Stipe and Grantham of the Senate—An Act relating to criminal procedure \* \* \* emergency.

CR .....	162
Considered, advanced, 3d Reading,	
referred .....	185
Engrossed—To House .....	198
SAs concurred in, passed as amended	258
4th Reading—To House .....	270
Vetoed by Governor....February 19, 1970	

**HB 1461**—By Camp, et al—An Act relating to trusts for furtherance of public functions; \* \* \* emergency.

1st Reading .....	145
2d Reading .....	162
CR .....	550
Considered, advanced, 3d Reading,	
failed .....	702
ML; adopted, passed, referred....703;	781
Engrossed—To House .....	808
SAs concurred in, passed as amended	936
4th Reading—To House .....	959
Approved by Governor....April 27, 1970	

**HB 1488**—By Privett et al, of the House and Smith of the Senate—An Act relating to business development corporations; \* \* \* emergency.

1st Reading .....	359
2d Reading .....	384
CR .....	422
Considered, advanced, 3rd Reading,	
passed—Signed—To House .....	801
4th Reading—To House .....	812
Approved by Governor....April 13, 1970	

**HB 1492**—By Bamberger, etc—An Act \* \* \* increasing the salaries of special judges and associate district judges \* \* \* emergency.

1st Reading .....	420
2d Reading .....	436
CR .....	501

Considered, advanced, 3d Reading, referred .....

Engrossed—To House .....	627
Engrossed—To House .....	641
SAs rejected, Conference requested;	
HCs named .....	652
Conference granted, SCs appointed ..	712
CCR read, consideration deferred ...	790
CCR adopted, passed—To House ....	846
4th Reading—To House .....	898
Approved by Governor....April 15, 1970	

**HB 1495**—By Bamberger—An Act relating to fees for service of process; \* \* \* emergency.

1st Reading .....	78
2nd Reading .....	96
CR .....	117

Considered, advanced, 3d Reading, passed .....

Withheld under Rule 19-f .....	185
Signed—To House .....	186
4th Reading—To House .....	189
4th Reading—To House .....	192
Approved by Governor February 9, 1970	

**HB 1497**—By York, et al—An Act relating to divorce appeals; \* \* \*

1st Reading .....	93
2nd Reading .....	101
CR .....	117

Considered, advanced, 3d Reading, passed .....

Withheld under Rule 19-f .....	149
Signed—To House .....	154
4th Reading—To House .....	174
Approved by Governor February 5, 1970	

**HB 1499**—By Sanguin, et al, of the House and Lane of the Senate—An Act relating to solid waste disposal; \* \* \* emergency.

1st Reading .....	127
2nd Reading .....	149
CR .....	290
Considered, advanced, 3d Reading, referred .....	400
Engrossed—To House .....	413
SAs concurred in, passed as amended .....	493
4th Reading—To House .....	504
Approved by Governor.....	March 17, 1970

**HB 1500**—By Privett, et al—An Act relating to the State Highway System; \* \* \*

1st Reading .....	94
2d Reading .....	101
CR .....	147
Considered, advanced, 3d Reading, passed .....	187
Withheld under Rule 19-f .....	187
Signed—To House .....	189
4th Reading—To House .....	192
Approved by Governor .....	February 10, 1970

**HB 1507**—By Finch—An Act relating to civil procedure; \* \* \* emergency.

1st Reading .....	145
2nd Reading .....	162
CR .....	272
Considered, advanced, 3d Reading, passed .....	295
Withheld under Rule 19-f .....	295
Signed—To House .....	300
4th Reading—To House .....	303
Approved by Governor .....	February 24, 1970

**HB 1508**—By McCune et al, of the House and Grantham, Romang and Young of the Senate—An Act relating to commencement of civil actions; \* \* \*

1st Reading .....	301
2d Reading .....	330
CR .....	528
Considered, advanced, 3d Reading, passed—Signed—To House .....	791
4th Reading—To House .....	800
Approved by Governor.....	April 13, 1970

**HB 1509**—By McCune et al—An Act re-

lating to fees and costs in criminal cases; \* \* \* emergency.

1st Reading .....	287
2d Reading .....	306
CR .....	511
Considered, advanced, 3d Reading, failed .....	639; 787
ML; failed .....	788; 800

**HB 1510**—By Hancock, et al—An Act relating to the sale of nonintoxicating beverages; \* \* \*

1st Reading .....	191
2d Reading .....	207
CR .....	559
Considered, advanced, 3d Reading, referred .....	788
Engrossed—To House .....	812
SAs rejected, Conference requested; HCs named .....	891
Conference granted, SCs appointed ..	941
CCR read, consideration deferred .....	1047
CCR adopted, passed—To House .....	1063
4th Reading—To House .....	1110
Approved by Governor.....	April 23, 1970

**HB 1512**—By Green—An Act \* \* \* to provide that a judge of any court of record shall not sit in any cause if he is related to any attorney in said cause \* \* \*

1st Reading .....	94
2d Reading .....	101
CR .....	117
Considered, advanced, 3d Reading, passed .....	224
Withheld under Rule 19-f .....	225
Signed—To House .....	226
4th Reading .....	229
House requests Senate to rescind 4th Reading, reconsider vote by which Bill passed and consider Bill further (Recalled HCR 1051)....	269
Senate rescinds 4th Reading, re- considers votes by which Bill passed and by which advanced .....	294
WD—re-referred .....	354
CR .....	528
Considered, advanced, 3d Reading, failed .....	763



ML; time extended; adopted, passed, referred .....	763; 936; 975; 996
Engrossed—To House .....	1045
SAs concurred in, passed as amended .....	1094
4th Reading—To House .....	1094
Approved by Governor.....	April 28, 1970

**HB 1514**—By Raibourn of the House and Martin of the Senate—An Act relating to county hospitals; \* \* \* emergency.

1st Reading .....	115
2nd Reading .....	132
CR .....	422
WD, re-referred .....	462
CR .....	539
Considered, advanced, 3d Reading, referred .....	561
Engrossed—To House .....	587
SAs rejected, Conference requested; HCs named .....	632
Conference granted, SCs appointed ..	680
CCR read, consideration deferred....	851
CCR adopted, passed—To House ....	898
4th Reading—To House .....	959
Approved by Governor.....	April 27, 1970

**HB 1515**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the State Veterans Department, \* \* \* emergency.

1st Reading .....	57
2d Reading .....	68
CR .....	117
Considered, advanced, 3d Reading, passed .....	134
Withheld under Rule 19-f .....	134
Signed—To House .....	144
4th Reading—To House .....	158
Approved by Governor .....	February 3, 1970

**HB 1517**—By Camp, et al, prohibiting the compelling of pupil to attend school at more than one site; \* \* \* emergency.

1st Reading .....	433
2d Reading .....	452
CR .....	618
Considered, advanced, 3d Reading, passed .....	641

ML on emergency adopted; emer- gency failed .....	644; 711
ML on Bill tabled; referred .....	644; 711
Engrossed—To House .....	746
SAs rejected, Conference requested; HCs named .....	752
Conference granted, SCs appointed...	752
CCR read, consideration deferred ....	861
CCR adopted, passed—To House ....	900
4th Reading—To House .....	959
Approved by Governor.....	April 15, 1970

**HB 1518**—By Cox, et al, of the House and Ferrell and Baggett of the Senate—An Act relating to the Office of the Oklahoma Military Department; reappropriating certain funds; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	451
Considered, advanced, 3d Reading, passed—Signed—To House .....	696
4th Reading—To House .....	716
Approved by Governor.....	April 7, 1970

**HB 1519**—By Willis et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Commission on Consumer Affairs and reappropriating \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	162
Considered, advanced, 3rd Reading, passed .....	182
Withheld under Rule 19-f .....	182
Signed—To House .....	189
4th Reading—To House .....	192
Approved by Governor .....	February 5, 1970

**HB 1521**—By Spearman—(An Act relating to the Oklahoma Historical Society; \* \* \* emergency)

1st Reading .....	145
2d Reading .....	162
CR .....	192
Considered, advanced, 3d Reading, passed .....	210
Withheld under Rule 19-f .....	210
Signed—To House .....	213

Recalled from House for correction. returned .....	222; 226	Considered, advanced, 3d Reading, referred .....	225
Votes reconsidered by which passed; by which advanced .....	237	Engrossed—To House .....	229
Considered, advanced, 3d Reading, referred .....	238	SAs rejected, Conference requested; HCs named .....	263
Engrossed—To House .....	246	Conference granted, SCs appointed ..	299
SAs rejected, Conference requested, HCs named .....	285	CCR read, consideration deferred ....	571
Conference granted, SCs appointed...	285	CCR adopted, passed—To House ....	759
CCR read, consideration deferred ...	767	4th Reading—To House .....	800
CCR adopted, passed—To House ....	822	Approved by Governor.....April 13, 1970	
4th Reading—To House .....	851	<b>HB 1526</b> —By Privett, et al—An Act * * *	
Approved by Governor.....April 14, 1970		prescribing minimum salary for all full- time officers and employees of the state; * * *	
<b>HB 1522</b> —By Skeith, et al—An Act re- lating to motor vehicles; * * * emergency.		1st Reading .....	57
1st Reading .....	116	2d Reading .....	68
2d Reading .....	132	CR; stricken .....	451; 786
CR .....	205	<b>HB 1527</b> —By Tarwater, et al—An Act relating to * * * insurance on employees and officers of the State of Oklahoma; * * * emergency.	
Considered, advanced, 3d Reading, referred .....	278	1st Reading .....	145
Engrossed—To House .....	316	2d Reading .....	162
SAs rejected, Conference requested; HCs named .....	340	Wd, re-referred .....	194
Conference granted, SCs appointed ..	388	CR .....	229
CCR read, consideration deferred ...	481	Considered, advanced, 3d Reading, referred .....	454
CCR adopted, passed, withheld under Rule 19-f .....	564	Engrossed—To House .....	472
To House .....	566	SAs concurred in, passed as amended	481
4th Reading .....	593	4th Reading—To House .....	504
Recalled from Governor (HCR 1065)	672	Approved by Governor.....March 17, 1970	
House requests Senate to reconsider action on .....	695	<b>HB 1528</b> —By Hutchens, et al—An Act relating to * * * scenes and dialogue of a motion picture * * * emergency.	
Votes reconsidered by which passed, as amended in Conference; by which CCR adopted; CCR re- jected further Conference requested	802	1st Reading .....	258
Further Conference granted .....	805	2d Reading .....	274
2d CCR read, consideration deferred..	862	CR .....	501
2d CCR adopted, passed—To House..	897	Considered, advanced, 3d Reading, referred .....	807
4th Reading—To House .....	936	ML .....	809
Approved by Governor.....April 15, 1970		Engrossed—To House .....	1044
<b>HB 1525</b> —By York, et al—An Act re- lating to civil procedure and small claims * * * emergency.		SAs rejected, Conference requested; HCs named .....	1071
1st Reading .....	94	<b>HB 1532</b> —By Camp, et al—An Act relat- ing to crimes and punishments; * * * emergency.	
2d Reading .....	101	1st Reading .....	258
CR .....	117	2d Reading .....	274

CR .....	550	SAs rejected, Conference requested;	
Considered, advanced, 3d Reading,		HCs named .....	446
referred .....	813	Conference granted, SCs appointed ..	446
Engrossed—To House .....	829	CCR read, consideration deferred ....	1008
SAs rejected, Conference requested;		CCR rejected, further Conference	
HCs named .....	936	requested .....	1060
Conference granted, SCs appointed..	941	Further Conference granted .....	1069
<b>HB 1537—By Bernard et al—An Act * * *</b>		2d CCR read, adopted, passed—To	
creating an Insurers Insolvency Pool * * *		House .....	1075
1st Reading .....	203	4th Reading—To House .....	1112
2d Reading .....	219	Approved by Governor.....April 28, 1970	
<b>HB 1540—By Bickford et al, of the</b>		<b>HB 1543—By Smith (Norman), et al, of</b>	
House and Martin of the Senate—An Act		the House and Berrong, Inhofe and Gran-	
* * * providing for the appointment of		tham of the Senate—An Act relating to	
juvenile officers in certain counties; * * *		savings and loan associations; * * * emer-	
emergency.		gency.	
1st Reading .....	228	1st Reading .....	449
2d Reading .....	247	2d Reading .....	468
CR .....	559	CR .....	484
Considered, advanced, 3d Reading,		Considered, advanced, 3d Reading,	
referred .....	603	passed .....	559
Engrossed—To House .....	617	ML; tabled .....	530; 590
SAs concurred in, passed as amended	632	Withheld under Rule 19-f .....	590
4th Reading—To House .....	659	Signed—To House .....	591
Vetoed by Governor.....April 3, 1970		4th Reading—To House .....	608
<b>HB 1541—By Bickford, et al, of the</b>		Approved by Governor ....March 30, 1970	
House and Martin and Inhofe of the		<b>HB 1547—By Sandlin, et al, of the House</b>	
Senate—An Act * * * defining house		and Garrett of the Senate—(An Act relat-	
trailers, mobile home and travel trailer;		ing to the Office of the District Attorney	
* * * emergency.		* * * emergency).	
1st Reading .....	204	1st Reading .....	328
2d Reading .....	219	2d Reading .....	347
CR .....	246	CR .....	559
Considered, advanced, 3d Reading,		Considered, advanced, 3d Reading,	
referred .....	266	referred .....	676
Engrossed—To House .....	276	Engrossed—To House .....	684
SAs concurred in, passed as amended	289	SAs rejected, Conference requested;	
4th Reading—To House .....	303	HCs named .....	712
Approved by Governor February 23, 1970		Conference granted, SCs appointed ..	748
<b>HB 1542—By Mountford—(An Act relat-</b>		CCR read, consideration deferred ....	905
ing to certain public employees)		CCR adopted, passed—To House .....	949
1st Reading .....	146	4th Reading—To House .....	993
2d Reading .....	162	Approved by Governor .....April 27, 1970	
CR .....	329	<b>HB 1548—By McCune—An Act relating</b>	
Considered, advanced, 3d Reading,		to municipal criminal courts of record;	
referred .....	366	* * * emergency.	
Engrossed—To House .....	382	1st Reading .....	434
		2d Reading .....	452



CR .....	539
Considered advanced, 3d Reading, referred .....	688
Engrossed—To House .....	699
SAs concurred in, passed as amended .....	746
4th Reading—To House .....	778
Approved by Governor .....	April 10, 1970

**HB 1549**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Legislature and making appropriations thereto; \* \* \* emergency.

1st Reading .....	100
2d Reading .....	118
CR .....	290
Considered advanced, 3d Reading, passed .....	335
Withheld under Rule 19f .....	336
Signed—To House .....	336
4th Reading—To House .....	349
Approved by Governor .....	February 24, 1970

**HB 1550**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Legislative Council; making an appropriation thereto; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	290
Considered advanced, 3d Reading, passed .....	311
Withheld under Rule 19-f .....	312
Signed—To House .....	325
4th Reading .....	335
Approved by Governor .....	February 24, 1970

**HB 1551**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Lieutenant Governor \* \* \* emergency).

1st Reading .....	100
2d Reading .....	118
CR .....	290
Considered advanced, 3d Reading, referred .....	312
Engrossed—To House .....	332
SAs rejected, Conference requested; HCs named .....	357
Conference granted, SCs appointed .....	389

CCR read, consideration deferred .....	599
CCR adopted, passed—To House .....	704
4th Reading—To House .....	746
Approved by Governor .....	April 7, 1970

**HB 1552**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Office of the Secretary of State and making appropriations thereto; \* \* \* emergency.

1st Reading .....	173
2d Reading .....	193
CR .....	290
Considered advanced, 3d Reading, passed .....	312
Withheld under Rule 19-f .....	312
Signed—To House .....	325
4th Reading—To House .....	335
Approved by Governor .....	February 24, 1970

**HB 1553**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the division of the budget \* \* \* emergency.)

1st Reading .....	173
2d Reading .....	193
CR .....	343
Considered advanced, 3d Reading, referred .....	368
Engrossed—To House .....	382
SAs rejected, Conference requested; HCs named .....	403
Conference granted, SCs appointed .....	476
CCR read, consideration deferred .....	599
CCR adopted, passed—To House .....	669
4th Reading—To House .....	683
Approved by Governor .....	April 6, 1970

**HB 1554**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Secretary of the State Election Board and making appropriations thereto; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	364
Considered advanced, 3d Reading, referred .....	387
Engrossed—To House .....	395
SAs rejected, Conference requested; HCs named .....	435
Conference granted, SCs appointed .....	476

CCR read, consideration deferred	600
CCR adopted, passed—To House	669
4th Reading	683
Approved by Governor	April 6, 1970

**HB 1555**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Office of State Examiner and Inspector and making appropriations thereto; \* \* \* emergency.

1st Reading	173
2d Reading	193
CR	343
Considered advanced, 3d Reading, passed	368
Withheld under Rule 19-f	369
Signed—To House	377
4th Reading—To House	381
Approved by Governor	March 3, 1970

**HB 1556**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Tax Commission \* \* \* emergency.)

1st Reading	173
2d Reading	193
CR	329
Considered advanced, 3d Reading, referred	369
Engrossed—To House	382
SAs rejected, Conference requested; HCs named	403
Conference granted, SCs appointed	476
CCR read, consideration deferred	816
CCR adopted, passed—To House	847
4th Reading—To House	898
Approved by Governor	April 14, 1970

**HB 1557**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Court of Criminal Appeals \* \* \* emergency.)

1st Reading	228
2d Reading	247
CR	364
Considered advanced, 3d Reading, referred	388
Engrossed—To House	395
SAs rejected, Conference requested; HCs named	435

Conference granted, SCs appointed	476
CCR read, consideration deferred	769
CCR adopted, passed—To House	848
4th Reading—To House	898
Approved by Governor	April 15, 1970

**HB 1558**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the District Courts \* \* \* emergency.)

1st Reading	228
2d Reading	247
CR	435
Considered advanced, 3d Reading, referred	459
Engrossed—To House	472
SAs rejected, Conference requested; HCs named	493
Conference granted, SCs appointed	531
CCR read, consideration deferred	905
CCR adopted, passed—To House	949
4th Reading—To House	993
Approved by Governor	April 28, 1970

**HB 1559**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the State Supreme Court \* \* \* emergency)

1st Reading	216
2d Reading	232
CR	435
Considered advanced, 3d Reading, referred	459
Engrossed—To House	472
SAs rejected, Conference requested; HCs named	493
Conference granted, SCs appointed	531
CCR read, consideration deferred	769
CCR adopted, passed—To House	822
4th Reading—To House	851
Approved by Governor	April 10, 1970

**HB 1560**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma State Regents for Higher Education and making an appropriation thereto; \* \* \* emergency.

1st Reading	146
2d Reading	162
CR	329

Considered, advanced, 3d Reading,	
passed .....	369
Withheld under Rule 19-f .....	370
Signed—To House .....	377
4th Reading—To House .....	381
Approved by Governor .....	March 3, 1970

**HB 1561**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the State Board of Education \* \* \* emergency.)

1st Reading .....	228
2d Reading .....	247
CR .....	451

Considered, advanced, 3d Reading,	
referred .....	484
Engrossed—To House .....	504
SAs rejected, Conference requested;	
HCs named .....	509
Conference granted, SCs appointed ..	531
CCR read, adopted, passed—To House	1028
4th Reading—To House .....	1069
Approved by Governor .....	April 28, 1970

**HB 1562**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Commission on Education; making an appropriation thereto; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	395

Considered, advanced, 3d Reading,	
referred .....	428
Engrossed—To House .....	435
SAs rejected, Conference requested;	
HCs named .....	466
Conference granted, SCs appointed ..	531
CCR read, consideration deferred ....	600
CCR adopted, passed—To House ....	670
4th Reading—To House .....	683
Approved by Governor .....	April 6, 1970

**HB 1563**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Educational Television Authority; \* \* \* emergency).

1st Reading .....	100
2d Reading .....	118
CR .....	395

Considered, advanced, 3rd Reading,	
referred .....	428
Engrossed—To House .....	435
SAs rejected, Conference requested;	
HCs named .....	466
Conference granted, SCs appointed ..	531
CCR read, consideration deferred ....	770
CCR adopted, passed—To House ....	822
4th Reading—To House .....	851
Approved by Governor .....	April 14, 1970

**HB 1564**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Commissioners of the Land Office and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	329

Considered, advanced, 3rd Reading,	
passed .....	370
Withheld under Rule 19-f .....	370
Signed—To House .....	377
4th Reading—To House .....	381
Approved by Governor .....	March 3, 1970

**HB 1565**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Will Rogers Memorial Commission and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	94
2d Reading .....	101
CR .....	290

Considered, advanced, 3rd Reading,	
passed .....	313
Withheld under Rule 19-f .....	313
Signed—To House .....	325
4th Reading—To House .....	335
Approved by Governor ..	February 24, 1970

**HB 1566**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	95
2d Reading .....	101
CR .....	303
Considered, advanced, 3rd Reading,	
passed .....	335



Withheld under Rule 19-f .....	335
Signed—To House .....	336
4th Reading—To House .....	349
Approved by Governor ..February 24, 1970	

**HB 1567**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the State Department of Health \* \* \* emergency)

1st Reading .....	146
2d Reading .....	162
CR .....	435
Considered, advanced, 3rd Reading, referred .....	460
Engrossed—To House .....	472
SAs rejected, Conference requested; HCs named .....	493
Conference granted, SCs appointed ..	531
CCR read, consideration deferred ...	816
CCR adopted, passed—To House ....	848
4th Reading—To House .....	898
Approved by Governor .....April 15, 1970	

**HB 1568**—By Willis, et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the State Department of Health \* \* \* emergency.

1st Reading .....	146
2d Reading .....	162
CR .....	435
Considered, advanced, 3rd Reading, referred .....	460
Engrossed—To House .....	472
SAs rejected, Conference requested; HCs named .....	493
Conference granted, SCs appointed ..	531
CCR read, consideration deferred ....	600
CCR adopted, passed .....	670
ML; time extended; adopted 671; 742; 781	
Vote reconsidered by which CCR adopted; further conference requested .....	781
Further conference granted .....	791
2d CCR read, consideration deferred ..	1023
2d CCR adopted, passed—To House ...	1061
4th Reading—To House .....	1094
Approved by Governor .....April 22, 1970	

**HB 1569**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Human

Rights Commission and making appropriation thereto; \* \* \* emergency.

1st Reading .....	146
2d Reading .....	162
CR .....	329
Considered, advanced, 3rd Reading, passed .....	370
Withheld under Rule 19-f .....	371
Signed—To House .....	377
4th Reading—To House .....	381
Approved by Governor ....March 3, 1970	

**HB 1570**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to Oklahoma Indian Affairs Commission and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	146
2d Reading .....	162
CR .....	329
Considered, advanced, 3d Reading, referred .....	371
Engrossed—To House .....	382
SAs rejected, Conference requested; HCs named .....	403
Conference granted, SCs appointed ..	476
CCR read, consideration deferred ....	601
CCR adopted, passed—To House ....	672
4th Reading—To House .....	683
Approved by Governor .....April 6, 1970	

**HB 1572**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Department of Public Welfare and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	95
2d Reading .....	101
CR .....	290
Considered, advanced, 3d Reading, passed .....	313
Withheld under Rule 19-f .....	314
Signed—To House .....	325
4th Reading—To House .....	335
Approved by Governor February 24, 1970	

**HB 1573**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Cerebral Palsy Center; making an appropriation thereto; \* \* \* emergency.

1st Reading .....	146
2d Reading .....	162
CR .....	329
Considered, advanced, 3d Reading, passed .....	371
Withheld under Rule 19-f .....	373
Signed—To House .....	377
4th Reading—To House .....	381
Approved by Governor.....	March 3, 1970

**HB 1574**—By Willis et al of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Department of Public Safety \* \* \* emergency)

1st Reading .....	228
2d Reading .....	247
CR .....	435
Considered, advanced, 3d Reading, referred .....	461
Engrossed—To House .....	472
SAs rejected, Conference requested; HCs named .....	493
Conference granted, SCs appointed ..	531
CCR read, consideration deferred ...	770
CCR adopted, passed—To House.....	823
4th Reading—To House .....	851
Approved by Governor.....	April 14, 1970

**HB 1575**—By Willis et al, of the House and McSpadden and Massey of the Senate—(An Act making the Department of Corrections; \* \* \* emergency.)

1st Reading .....	258
2d Reading .....	274
CR .....	435
Considered, advanced, 3d Reading referred .....	461
Engrossed—To House .....	472
SAs rejected, Conference requested, HCs named .....	492
Conference granted, SCs appointed...	531
CCR read, consideration deferred ...	770
House requests return of Bill and CCR; returned .....	803
House reconsiders votes by which Bill, as amended in Conference, passed; by which CCR adopted; rejects CCR; requests further Conference .....	825

Further Conference granted .....	825
2d CCR read, consideration deferred.	1023
2d CCR adopted, passed—To House...	1061
4th Reading—To House .....	1094
Approved by Governor.....	April 28, 1970

**HB 1576**—By Willis et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation thereto; \* \* \* emergency.

1st Reading .....	116
2d Reading .....	132
CR .....	329
Considered, advanced, 3d Reading, referred .....	372
Engrossed—To House .....	382
SAs rejected, Conference requested; HCs named .....	403
Conference granted, SCs appointed..	476
CCR read, consideration deferred ..	601
CCR adopted, passed—To House ....	671
4th Reading—To House .....	683
Approved by Governor.....	April 3, 1970

**HB 1577**—By Willis et al, of the House and McSpadden and Massey of the Senate—(An Act relating to the Oklahoma Aeronautics Commission \* \* \* emergency.)

1st Reading .....	173
2d Reading .....	193
CR .....	364
Considered, advanced, 3d Reading, referred .....	389
Engrossed—To House .....	395
SAs rejected, Conference requested; HCs named .....	435
Conference granted, SCs appointed...	476
CCR read, consideration deferred ...	906
CCR adopted, passed—To House ....	974
4th Reading—To House .....	993
Approved by Governor.....	April 22, 1970

**HB 1578**—By Willis et al of the House and McSpadden and Massey of the Senate—(An Act relating to the Office of the Banking Department \* \* \* emergency)

1st Reading .....	216
2d Reading .....	232

CR .....	395	CCR adopted, passed—To House .....	824
Considered, advanced, 3d Reading, referred .....	429	4th Reading—To House .....	851
Engrossed—To House .....	435	Approved by Governor.....April 14, 1970	
SAs rejected, Conference requested; HCs named .....	466	<b>HB 1581</b> —By Willis, et al, of the House and McSpadden and Massey of the Senate —An Act relating to the Office of the Lique- fied Petroleum Gas Board * * * appro- priations * * * emergency.	
Conference granted, SCs appointed ..	531	1st Reading .....	116
CCR rejected, further Conference requested .....	786	2nd Reading .....	132
Further Conference granted .....	786	CR .....	364
2d CCR read, consideration deferred ..	906	Considered, advanced, 3d Reading, failed .....	388
2d CCR adopted, passed—To House...	950	ML; adopted; passed, referred .....	389; 430; 458
4th Reading—To House .....	993	Engrossed—To House .....	472
Approved by Governor.....April 22, 1970		SAs rejected, Conference requested; HCs named .....	493
<b>HB 1579</b> —By Willis et al, of the House and McSpadden and Massey of the Senate (An Act relating to the Corporation Com- mission * * * emergency)		Conference granted, SCs appointed ..	531
1st Reading .....	228	CCR read, consideration deferred ....	674
2d Reading .....	248	CCR adopted, passed—To House .....	704
CR .....	467	4th Reading—To House .....	746
Considered, advanced, 3d Reading, referred .....	628	Approved by Governor.....April 7, 1970	
Engrossed—To House .....	644	<b>HB 1582</b> —By Willis, et al, of the House and McSpadden and Massey of the Senate —An Act relating to the State Board for Property and Casualty Rates * * * appro- priations * * * emergency.	
SAs rejected, Conference requested; HCs named .....	712	1st Reading .....	146
Conference granted, SCs appointed..	749	2nd Reading .....	162
CCR read, consideration deferred ...	1019	CR .....	329
CCR adopted, passed—To House ....	1061	Considered, advanced, 3d Reading, passed .....	372
4th Reading—To House .....	1089	Withheld under Rule 19-f .....	373
Approved by Governor.....April 23, 1970		Signed—To House .....	377
<b>HB 1580</b> —By Willis et al, of the House and McSpadden and Massey of the Senate —An Act relating to the Office of the In- surance Commissioner * * * appropria- tions * * * emergency.		4th Reading—To House .....	381
1st Reading .....	100	Approved by Governor.....March 3, 1970	
2d Reading .....	118	<b>HB 1583</b> —By Willis, et al, of the House and McSpadden and Massey of the Senate —An Act relating to the Water Resources Board * * * appropriation * * * emergency.	
CR .....	395	1st Reading .....	216
Considered, advanced, 3d Reading, referred .....	430	2nd Reading .....	232
Engrossed—To House .....	435	CR .....	343
SAs rejected, Conference requested; HCs named .....	466	Considered, advanced, 3d Reading, passed .....	373
Conference granted, SCs appointed..	531	Withheld under Rule 19-f .....	373
CCR read, consideration deferred ...	772		



Signed—to House .....	377
4th Reading—To House .....	381
Approved by Governor.....	March 3, 1970

**HB 1584**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the Department of Pollution Control; \* \* \* appropriation \* \* \* emergency.

1st Reading .....	100
2nd Reading .....	118
CR .....	290
Considered, advanced, 3d Reading, referred .....	314
Engrossed—To House .....	332
SAs rejected, Conference requested; HCs named .....	357
Conference granted, SCs appointed ..	389
CCR read, consideration deferred ...	601
CCR adopted, passed—To House ....	671
4th Reading—To House .....	683
Approved by Governor.....	April 6, 1970

**HB 1585**—By Willis, et al, of the House and McSpadden and Massey of the Senate—An Act relating to the State Election Board, reapportioning certain funds \* \* \* emergency.

1st Reading .....	157
2nd Reading .....	176
CR .....	329
Considered, advanced, 3rd Reading, referred .....	373
Engrossed—To House .....	382
SAs concurred in, passed as amended	404
4th Reading—To House .....	409
Approved by Governor.....	March 5, 1970

**HB 1586**—By Odom (Martin), et al of the House and Terrill of the Senate—(School Teachers Retirement).

1st Reading .....	95
2d Reading .....	101
CR .....	229
Considered, advanced, 3d Reading, referred .....	248
Engrossed—To House .....	260
SAs rejected, Conference requested; HCs named .....	284; 327
Conference granted, SCs appointed ...	284
Motions, RE .....	612; 626

CCR read, consideration deferred....	723
CCR adopted, passed—To House.....	750
4th Reading—To House .....	787
Approved by Governor.....	April 10, 1970

**HB 1589**—By Sparkman, et al, of the House and Smith of the Senate—An Act relating to motorboats and vessels-registration; emergency.

1st Reading .....	78
2d Reading .....	96
CR .....	117
Considered, advanced, 3d Reading, referred .....	141
Engrossed—To House .....	147
SAs concurred in, passed as amended	189
4th Reading—To House .....	192
Recalled from Office of Governor (HCR 1050) .....	232
House requests Senate to rescind 4th Reading, reconsider vote by which Bill passed, as amended, and con- sider bill further .....	242
Senate rescinds 4th Reading, re- considers votes by which bill passed and by which advanced to engrossment .....	267
Considered, advanced, 3d Reading, referred .....	296
Engrossed—To House .....	316
SAs concurred in, passed as amended	377
4th Reading—To House .....	381
Approved by Governor.....	March 3, 1970

**HB 1590**—By Allard, et al, of the House and Terrill and Miller of the Senate—An Act relating to the public schools of Oklahoma; \* \* \*.

1st Reading .....	288
2d Reading .....	306
CR .....	602
Considered, advanced, 3d Reading, referred .....	677
Engrossed—To House .....	688
SAs rejected, Conference requested; HCs named .....	738
Conference granted, SCs appointed ..	738
CCR read, adopted, passed—To House	934
4th Reading— To House .....	1069
Vetoed by Governor.....	April 28, 1970

**HB 1591**—By Bradley, et al, of the House and Crow of the Senate—An Act relating to agriculture; \* \* \* emergency.

1st Reading .....	116
2d Reading .....	132
CR .....	467
Considered, advanced, 3d Reading, passed—Signed—To House .....	564; 744
4th Reading—To House .....	778
Approved by Governor.....	April 9, 1970

**HB 1592**—By Musgrave—An Act relating to private employment agencies in Oklahoma; \* \* \* emergency.

1st Reading .....	258
2d Reading .....	274
CR .....	583
Considered, advanced, 3d Reading, failed .....	712
ML; time extended .....	712; 825

**HB 1595**—By Holaday et al of the House and Grantham of the Senate—An Act relating to revenue and taxation; \* \* \* .

1st Reading .....	128
2d Reading .....	149
CR .....	451
Considered, advanced, 3d Reading, passed—Signed—To House .....	802
4th Reading—To House .....	812
Approved by Governor.....	April 13, 1970

**HB 1601**—By Skeith et al, of the House and Murphy of the Senate—An Act relating to the State Highway Department; \* \* \*

1st Reading .....	157
2d Reading .....	176
CR .....	451
Considered, advanced, 3d Reading, referred .....	609
Engrossed—To House .....	617
SAs concurred in, passed as amended .....	632
4th Reading—To House .....	659
Approved by Governor.....	April 3, 1970

**HB 1602**—By Skeith et al, An Act relating to roads and highways; \* \* \* emergency.

1st Reading .....	95
-------------------	----

2d Reading .....	101
CR .....	147
Considered, advanced, 3d Reading, passed .....	187
Withheld under Rule 19-f .....	188
Signed—To House .....	189
4th Reading—To House .....	192
Approved by Governor.....	February 10, 1970

**HB 1603**—By Skeith et al, of the House and Murphy of the Senate—An Act relating to state lands; \* \* \* emergency.

1st Reading .....	95
2d Reading .....	101
CR .....	192
Considered, advanced, 3d Reading, passed .....	211
Withheld under Rule 19-f .....	212
Signed—To House .....	213
4th Reading—To House .....	224
Approved by Governor .....	February 12, 1970

**HB 1608**—By Privett, et al, An Act relating to uniform compensation of employees in the classified service; \* \* \* emergency.

1st Reading .....	228
2d Reading .....	248
CR .....	303
Considered, advanced, 3d Reading, referred .....	374
Engrossed—To House .....	382
SAs rejected, Conference requested; HCs named .....	404
Conference granted, SCs appointed ..	404
CCR read, consideration deferred 469; ..	565
CCR adopted, passed—To House .....	611
4th Reading—To House .....	632
Approved by Governor.....	April 1, 1970

**HB 1609**—By Mountford—An Act providing for partition of real property; \* \* \* emergency.

1st Reading .....	191
2d Reading .....	207
CR .....	246
Considered, advanced, 3d Reading, referred .....	317
Engrossed—To House .....	332

SAs concurred in, passed as amended	340
4th Reading—To House	360
Approved by Governor.....	March 2, 1970

**HB 1610**—By Skeith et al, of the House and Murphy of the Senate—An Act relating to public works; \* \* \* emergency.

1st Reading	204
2nd Reading	219
CR	260
Considered, advanced	284
Considered engrossed, 3d Reading, referred	295
Engrossed—To House	316
SAs rejected, Conference requested; HCs named	357
Conference granted, SCs appointed	416
CCR read, consideration deferred	482
CCR adopted, passed—To House	620
4th Reading—To House	632
Approved by Governor.....	April 1, 1970

**HB 1611**—By Ford et al—An Act relating to securities \* \* \*

1st Reading	95
2d Reading	101
CR	175
Considered, advanced, 3d Reading, passed	194
Withheld under Rule 19-f	195
Signed—To House	201
4th Reading—To House	205
Approved by Governor February 10, 1970	

**HB 1612**—By Miskelly, et al, of the House and Atkinson of the Senate—An Act relating to community junior colleges; \* \* \* emergency.

1st Reading	258
2d Reading	274
CR	501
Considered, advanced, 3d Reading, referred	637
Engrossed—To House	664
SAs rejected, Conference requested; HCs named	712
Conference granted, SCs appointed	749
CCR read, consideration deferred	772
CCR adopted, passed	849
ML; tabled	850; 965

To House	965
4th Reading—To House	993
Approved by Governor.....	April 22, 1970

**HB 1613**—By Poulos, et al—An Act relating to junior colleges; \* \* \*.

1st Reading	380
2d Reading	396

**HB 1615**—By Mountford, et al of the House and Smith, Nichols, Keels, McGraw, Breckinridge, McSpadden, Holden, Massey, Horn, Birdsong, Payne, Young, Hargrave, Bradley and Stipe of the Senate—An Act \* \* \* establishing the "Fire-fighters' and Policemen's Arbitration Law"; \* \* \* emergency.

1st Reading	360
2d Reading	384
CR	539
Considered, advanced, 3d Reading, referred	587
Engrossed—To House	602
SAs concurred in, passed as amended	676
4th Reading—To House	683
Vetoed by Governor.....	April 6, 1970

**HB 1616**—By Mountford, et al of the House and Smith, Nichols, Keels, McGraw, Breckinridge, McSpadden, Holden, Luton, Baggett, Massey, Horn, Payne, Young, Hargrave, Bradley, Garrett, McCune and Stipe of the Senate—An Act relating to firemen; \* \* \* emergency.

1st Reading	173
2d Reading	193
CR	246
Considered, advanced, 3d Reading, referred	263
Withheld under Rule 19-f	264
Signed—To House	267
4th Reading—To House	270
Approved by Governor February 20, 1970	

**HB 1622**—By Thompson et al—An Act relating to probate procedure; \* \* \* emergency.

1st Reading	301
2d Reading	330
CR; stricken	664; 815



**HB 1625**—By Dunn, et al, of the House and Holden of the Senate—An Act \* \* \* providing brake equipment requirements; \* \* \* emergency.

1st Reading .....	301
2d Reading .....	330
CR .....	409
Considered, advanced, 3d Reading— Signed—To House .....	608
4th Reading—To House .....	632
Recalled from Governor (HCR 1069) ..	718

**HB 1626**—By Sullivan—An Act relating to interstate compacts; \* \* \* emergency.

1st Reading .....	204
2d Reading .....	219
CR .....	290
Considered, advanced, 3d Reading, passed .....	376
Withheld under Rule 19-f .....	376
Signed—To House .....	377
4th Reading—To House .....	381
Approved by Governor.....	March 3, 1970

**HB 1627**—By McCune—An Act repealing obsolete and superseded statutes; \* \* \* emergency.

1st Reading .....	192
2d Reading .....	207
CR .....	558
Considered, advanced, 3d Reading, passed—Signed—To House .....	620
4th Reading—To House .....	632
Approved by Governor.....	April 1, 1970

**HB 1630**—By Monks, et al, of the House and Martin of the Senate—An Act relating to War Veterans Commission of Oklahoma; \* \* \* emergency.

1st Reading .....	509
2d Reading .....	528
CR .....	559
Considered, advanced, 3d Reading, referred .....	589
Engrossed—To House .....	602
SAs rejected, Conference requested; HCs named .....	617
Conference granted, SCs appointed...	617
CCR read, consideration deferred ...	674

CCR rejected, further Conference requested, SCs instructed .....	694
Further Conference granted .....	709
2d CCR read, adopted, passed—To House .....	714
4th Reading—To House .....	746
Approved by Governor.....	April 7, 1970

**HB 1632**—By Sullivan et al—An Act relating to mental health; \* \* \*.

1st Reading .....	269
2nd Reading .....	291
CR .....	435
Considered, advanced, 3d Reading, passed .....	562
Withheld under Rule 19-f .....	562
Signed—To House .....	566
4th Reading—To House .....	593
Approved by Governor.....	March 30, 1970

**HB 1636**—By Abbott, et al—An Act \* \* \* providing that any person not a student, officer or employee who shall refuse to leave the school grounds \* \* \* emergency.

1st Reading .....	420
2d Reading .....	436

**HB 1637**—By Bickford of the House and Nichols of the Senate—An Act \* \* \* providing the board of regents of Oklahoma colleges shall be a body corporate; \* \* \*.

1st Reading .....	302
2d Reading .....	330
CR .....	539
Considered, advanced, 3d Reading, failed .....	799
ML .....	800

**HB 1638**—By Derryberry, et al—An Act relating to the merit system; \* \* \*.

1st Reading .....	216
2d Reading .....	232
CR .....	382
Considered, advanced, 3d Reading, failed .....	403
ML; time extended .....	404; 445

**HB 1639**—By Camp, et al—An Act relating to \* \* \* enrollment and attendance of a child in school \* \* \* emergency.

1st Reading .....	328
2d Reading .....	347

**HB 1641**—By Allard, et al—An Act relating to \* \* \* the Small Claims Procedure Act \* \* \*.

1st Reading ..... 391  
2d Reading ..... 411  
CR ..... 550

Considered, advanced, 3d Reading,  
failed ..... 684

ML; adopted, passed—Signed—To  
House ..... 684; 780; 781

4th Reading—To House ..... 800

Approved by Governor.....April 13, 1970

**HB 1642**—By Miskelly, et al of the House and Atkinson of the Senate—An Act \* \* \* prohibiting the display of the names of persons killed in military action on placards, \* \* \* emergency.

1st Reading ..... 228  
2d Reading ..... 248  
CR ..... 382

Considered, advanced, 3d Reading,  
passed ..... 476

Withheld under Rule 19-f ..... 477

Signed—To House ..... 477

4th Reading—To House ..... 480

Approved by Governor...March 16, 1970

**HB 1644**—By Sandlin, et al, of the House and Birdsong of the Senate—An Act \* \* \* providing for extension of time for reissuing motor carrier certificates \* \* \* emergency.

1st Reading ..... 269  
2d Reading ..... 291  
CR ..... 329

Considered, advanced, 3d Reading,  
passed ..... 366

Withheld under Rule 19-f ..... 367

Signed—To House ..... 377

4th Reading—To House ..... 381

Approved by Governor.....March 3, 1970

**HB 1645**—By McCune—An Act \* \* \* authorizing Court of Criminal Appeals to appoint two referees; \* \* \* emergency.

1st Reading ..... 288  
2d Reading ..... 306  
CR ..... 539

Considered, advanced, 3d Reading,  
referred ..... 803  
Engrossed—To House ..... 829  
4th Reading—To House ..... 993  
Approved by Governor.....April 22, 1970

**HB 1646**—By McCune, et al—An Act authorizing appointment of public defenders for Municipal Courts of Record; \* \* \* emergency.

1st Reading ..... 391  
2d Reading ..... 411  
CR ..... 539

Considered, advanced, 3d Reading,  
passed—Signed—To House ..... 695

4th Reading—To House ..... 716

Approved by Governor.....April 7, 1970

**HB 1647**—By Skeith, et al—An Act relating to the merit system of personnel administration; \* \* \* emergency.

1st Reading ..... 420  
2nd Reading ..... 436

**HB 1648**—By Smith (Norman), et al—An Act relating to banks, trust companies and corporate trust business; \* \* \*

1st Reading ..... 434  
2d Reading ..... 452  
CR ..... 633

Considered, advanced, 3d Reading,  
referred ..... 713

Engrossed—To House ..... 750

SAs concurred in, passed as amended 936

4th Reading—To House ..... 977

Approved by Governor.....April 27, 1970

**HB 1650**—By McCune—An Act relating to the Court Fund; \* \* \* emergency.

1st Reading ..... 288  
2d Reading ..... 306  
CR ..... 539

Considered, advanced, 3d Reading,  
passed—Signed—To House ..... 701

4th Reading—To House ..... 716

Approved by Governor.....April 7, 1970

**HB 1652**—By Converse of the House and Crow of the Senate—An Act relating to agriculture; \* \* \* emergency.

1st Reading .....	289
2nd Reading .....	306
CR .....	409
Considered, advanced, 3d Reading, passed .....	431
Withheld under Rule 19-f .....	431
Signed—To House .....	431
4th Reading—To House .....	435
Approved by Governor.....	March 9, 1970

**HB 1653**—By Mountford—An Act relating to the Grand River Dam Authority; \* \* \* emergency.

1st Reading .....	258
2d Reading .....	274
CR .....	618
Considered advanced, 3d Reading, failed .....	696
ML; adopted, passed, referred....	696; 713
Engrossed—To House .....	742
SAs rejected, Conference requested; HCs named .....	793
Conference granted, SCs appointed..	793
CCR read, consideration deferred ..	1049
CCR adopted, passed—To House ....	1060
4th Reading—To House .....	1112
Approved by Governor.....	April 23, 1970

**HB 1655**—By Barker, et al, of the House and Nichols of the Senate—An Act \* \* \* creating the State Board of Cosmetology.

1st Reading .....	392
2d Reading .....	411
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	800
4th Reading—To House .....	812
Approved by Governor.....	April 10, 1970

**HB 1656**—By Bamberger—An Act \* \* \* providing that the record on appeal shall be complete and ready for filing in the supreme court within the time prescribed \* \* \*

1st Reading .....	269
2d Reading .....	291
CR .....	539
Considered, advanced, 3d Reading, passed—Signed—To House .....	638
4th Reading—To House .....	659
Approved by Governor.....	April 3, 1970

**HB 1658**—By Dunn, et al, of the House and Crow and Atkinson of the Senate—An Act relating to animals; \* \* \*

1st Reading .....	269
2d Reading .....	291
CR .....	583
Considered, advanced, 3d Reading, passed .....	622
ML .....	623
Engrossed—To House .....	707
SAs concurred in, passed as amended	746
4th Reading—To House .....	778
Approved by Governor.....	April 9, 1970

**HB 1659**—By Witt of the House and Hamilton of the Senate—An Act \* \* \* establishing the Oklahoma Poultry Products Act; \* \* \* emergency.

1st Reading .....	381
2d Reading .....	396
CR .....	528
Considered, advanced, 3d Reading, referred .....	562
Engrossed—To House .....	587
SAs rejected, Conference requested; HCs named .....	680
Conference granted, SCs appointed ..	680
CCR read, consideration deferred ....	863
CCR adopted, passed—To House.....	896
4th Reading—To House .....	959
Approved by Governor.....	April 22, 1970

**HB 1660**—By Boren, et al—An Act relating to bail bondsmen; \* \* \* emergency.

1st Reading .....	342
2d Reading .....	366
CR .....	583
Considered, advanced, 3d Reading, passed—Signed—To House .....	780
4th Reading—To House .....	800
Approved by Governor.....	April 13, 1970

**HB 1662**—By Raibourn, et al, An Act relating to game and fish licenses; \* \* \* emergency.

1st Reading .....	434
2nd Reading .....	452
CR .....	583
Considered, advanced, 3d Reading, passed—Signed—To House .....	687



4th Reading—To House ..... 708  
 Approved by Governor.....April 7, 1970

**HB 1663**—By Odom (V. H.) of the House and Medearis of the Senate—An Act \* \* \* prescribing limitations on length, width and movement of mobile home combinations; \* \* \* emergency.

1st Reading ..... 204  
 2d Reading ..... 219  
 CR ..... 260  
 Considered, advanced, 3d Reading,  
   passed ..... 279  
 Withheld under Rule 19-f ..... 280  
 Signed—To House ..... 286  
 4th Reading—To House ..... 303  
 Approved by Governor February 24, 1970

**HB 1664**—By Smithey of the House and Howard of the Senate—An Act \* \* \* providing for transportation of school children; \* \* \* emergency.

1st Reading ..... 381  
 2nd Reading ..... 396  
 CR ..... 539  
 Considered, advanced, 3d Reading,  
   referred ..... 587  
 Engrossed—To House ..... 602  
 SAs rejected, Conference requested;  
   HCs named ..... 616  
 Conference granted, SCs appointed... 686  
 CCR read, consideration deferred ... 877  
 CCR adopted, passed—To House .... 897  
 4th Reading—To House ..... 936  
 Approved by Governor.....April 15, 1970

**HB 1665**—By McCune—An Act relating to public funds; \* \* \* emergency.

1st Reading ..... 289  
 2d Reading ..... 306  
 CR ..... 583  
 Considered, advanced, 3d Reading,  
   referred ..... 687  
 Engrossed—To House ..... 699

**HB 1666**—By Hancock—An Act relating to probate procedure; \* \* \* emergency.

1st Reading ..... 270  
 2d Reading ..... 291  
 CR ..... 501

Considered, advanced, 3d Reading,  
   passed—Signed—To House ..... 638  
 4th Reading—To House ..... 659  
 Approved by Governor.....April 3, 1970

**HB 1671**—By Whorton of the House and McSpadden of the Senate—An Act \* \* \* increasing compensation of court bailiffs; \* \* \* emergency.

1st Reading ..... 450  
 2d Reading ..... 468  
 CR ..... 501  
 Considered, advanced, 3d Reading,  
   passed ..... 810  
 ML; time extended; re-  
   ferred ..... 810; 975; 988  
 Engrossed—To House ..... 1069  
 SAs concurred in, passed as amended 1089  
 4th Reading—To House ..... 1110  
 Approved by Governor.....April 22, 1970

**HB 1674**—By Bernard—An Act \* \* \* providing for a County Purchasing Division in each of the several counties in the state; \* \* \* emergency.

1st Reading ..... 392  
 2d Reading ..... 411  
 CR ..... 583  
 Considered, advanced, 3d Reading,  
   referred ..... 604  
 Engrossed—To House ..... 624  
 SAs rejected, Conference requested;  
   HCs named ..... 632  
 Conference granted, SCs appointed .. 686  
 CCR read, consideration deferred ... 878  
 CCR adopted, passed—To House .... 895  
 4th Reading—To House ..... 959  
 Vetoed by Governor.....April 27, 1970

**HB 1675**—By McCune—An Act pertaining to \* \* \* traffic records in the office of the District Attorney; \* \* \*

1st Reading ..... 289  
 2d Reading ..... 306  
 CR ..... 618  
 Considered, advanced, 3d Reading,  
   referred ..... 807  
 Engrossed—To House ..... 829  
 4th Reading—To House ..... 993  
 Approved by Governor.....April 23, 1970

**HB 1676**—By Hancock, et al—An Act relating to condemnation; \* \* \* emergency

1st Reading .....	420
2d Reading .....	436
CR .....	664
Considered, advanced, 3d Reading, referred .....	752
Engrossed—To House .....	759
SAs rejected, Conference requested; HCs named .....	825
Conference granted, SCs appointed ..	825
CCR read, adopted, passed—To House	1104
4th Reading—To House .....	1112
Approved by Governor.....April 27, 1970	

**HB 1677**—By Skeith—An Act relating to \* \* \* the acquisition policy to be followed by the Department of Highways \* \* \* emergency.

1st Reading .....	270
2d Reading .....	291
CR .....	329
Considered, advanced, 3d Reading, passed .....	672
ML; adopted, considered, passed, referred .....	672; 716
Engrossed—To House .....	750
SAs rejected, Conference requested; HCs named .....	793
Conference granted, SCs appointed ..	793
CCR read, consideration deferred ...	881
CCR adopted, passed—To House ....	965
4th Reading—To House .....	993
Approved by Governor.....April 23, 1970	

**HB 1678**—By McCune—An Act providing procedure for destruction of juvenile records; \* \* \*

1st Reading .....	302
2d Reading .....	330
CR .....	618
Considered, advanced, 3d Reading, referred .....	807
Engrossed—To House .....	829
4th Reading—To House .....	993
Approved by Governor.....April 23, 1970	

**HB 1680**—By Hill (Ben)—(An Act relating to elections; \* \* \* emergency.)

1st Reading .....	420
2d Reading .....	436

**HB 1682**—By Barker, et al, of the House and Luton of the Senate—An Act \* \* \* prohibiting an offer to sell goods, wares, or merchandise which includes unsolicited sending \* \* \* emergency.

1st Reading .....	420
2d Reading .....	436
CR .....	528
Considered, advanced, 3rd Reading, referred .....	618
Engrossed—To House .....	641
SAs concurred in, passed as amended	652
4th Reading—To House .....	683
Approved by Governor.....April 6, 1970	

**HB 1684**—By Tarwater, et al, An Act \* \* \* relating to persons and insurers not authorized to do an insurance business in this state; \* \* \*.

1st Reading .....	450
2d Reading .....	468
CR .....	618
Considered, advanced, 3d Reading, referred .....	802
Engrossed—To House .....	829
SAs concurred in, passed as amended	1045
4th Reading—To House .....	1059
Approved by Governor.....April 23, 1970	

**HB 1686**—By Trent—An Act relating to public libraries in certain counties; \* \* \* emergency.

1st Reading .....	479
2d Reading .....	502

**HB 1690**—By Bickford—An Act relating to the Commissioners of the Land Office; \* \* \*

1st Reading .....	435
2d Reading .....	452
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	799
House requested to return Bill; returned .....	800; 805
ML; Returned to House .....	805; 988
4th Reading—To House .....	1045
Approved by Governor.....April 28, 1970	

**HB 1692**—By Wolfe (Stephen) et al—  
An Act relating to jurors; \* \* \* emer-  
gency.

1st Reading .....	289
2d Reading .....	306
CR .....	501
Considered; stricken .....	779; 815

**HB 1696**—By Abbott et al of the House  
and Miller of the Senate—An Act \* \* \*  
prescribing the basic rule for maximum  
and minimum speed; \* \* \* emergency.

1st Reading .....	302
2d Reading .....	330
CR .....	452
Considered, advanced, 3d Reading, referred .....	636
Engrossed—To House .....	664
SAs concurred in, passed as amended	712
4th Reading—To House .....	746
Recalled from Governor (HCR 1696) ..	888
House rescinds 4th Reading; recon- siders votes by which Bill passed, as amended; by which SAs con- curred in, rejects SAs and re- quests Conference naming HCs ...	967
4th Reading rescinded by Senate; Conference granted, SCs appointed ..	967
CCR read, consideration deferred ....	981
CCR adopted, passed—To House ....	987
4th Reading—To House .....	1041
Approved by Governor .....	April 23, 1970

**HB 1701**—By Boren, et al—An Act relat-  
ing to \* \* \* investment of funds by County  
Treasurer \* \* \* emergency.

1st Reading .....	392
2d Reading .....	411
CR .....	602
Considered, advanced, 3d Reading, referred .....	786
Engrossed—To House .....	808
SAs concurred in, passed as amended	936
4th Reading—To House .....	959
Approved by Governor .....	April 23, 1970

**HB 1702**—By Derryberry, et al—An Act  
relating to occupational health and safety;  
\* \* \* emergency.

1st Reading .....	217
-------------------	-----

2d Reading .....	232
CR .....	528
Considered, advanced, 3d Reading, referred .....	999
Engrossed—To House .....	1044
SAs concurred in, passed as amended	1089
4th Reading—To House .....	1111
Approved by Governor .....	April 27, 1970

**HB 1703**—By Sandlin—An Act \* \* \*  
providing procedure in transferring small  
claims; \* \* \* emergency.

1st Reading .....	302
2d Reading .....	330
CR .....	550
Considered, advanced, 3d Reading, referred .....	812
Engrossed—To House .....	829
SAs concurred in, passed as amended	993
4th Reading—To House .....	1041
Approved by Governor .....	April 23, 1970

**HB 1705**—By Cate of the House and  
Smalley of the Senate—An Act \* \* \*  
authorizing issuance of revenue bonds by  
institutions of higher education; \* \* \*  
emergency.

1st Reading .....	258
2d Reading .....	274
CR .....	484
Considered, advanced, 3d Reading, referred .....	689
Engrossed—To House .....	699
SAs rejected, Conference requested; HCs named .....	753
Conference granted, SCs appointed ...	753
CCR read, adopted, passed—To House	970
4th Reading—To House .....	993
Approved by Governor .....	April 16, 1970

**HB 1710**—By McCune, et al—An Act  
\* \* \* requiring domestic insurers to fur-  
nish reports to Insurance Commissioner on  
specified dates; \* \* \*

1st Reading .....	450
2d Reading .....	468
CR .....	583
Considered, advanced, 3d Reading, referred .....	621



WD from Engrossing Department; votes reconsidered by which passed; by which advanced .....	623
Considered, advanced, 3d Reading, Signed—To House .....	624
4th Reading—To House .....	632
Approved by Governor .....	April 1, 1970

**HB 1712**—By McCune, et al—An Act  
\* \* \* providing for filing of Articles of  
Incorporation of domestic insurance com-  
panies \* \* \* emergency.

1st Reading .....	450
2d Reading .....	468
CR .....	583
Considered, advanced, 3d Reading, passed—Signed—To House .....	622
4th Reading—To House .....	632
Approved by Governor .....	April 1, 1970

**HB 1714**—By Townsend—An Act relating  
to the State Legislative Council; reappropri-  
ating certain funds; \* \* \* emergency.

1st Reading .....	258
2d Reading .....	274
CR .....	435
Considered, advanced, 3d Reading, passed—Signed—To House .....	784
4th Reading—To House .....	800
Approved by Governor .....	April 10, 1970

**HB 1717**—By McCune, et al—An Act  
relating to \* \* \* premiums for single pre-  
mium life insurance policies and single-  
premium annuity contracts \* \* \* emer-  
gency.

1st Reading .....	450
2d Reading .....	468
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	701
4th Reading—To House .....	716
Approved by Governor .....	April 7, 1970

**HB 1719**—By Tarwater of the House and  
Berrong of the Senate—An Act \* \* \* im-  
posing a tax on insurance policies issued  
by unauthorized insurers; \* \* \* emergency.

1st Reading .....	450
2d Reading .....	468

CR .....	684
Considered, advanced, 3d Reading, referred .....	753
Engrossed—To House .....	778
SAs rejected, Conference requested; HCs named .....	793
Conference granted, SCs appointed ..	811
CCR read, consideration deferred ...	959
CCR adopted, passed—To House .....	987
4th Reading—To House .....	1041
Approved by Governor .....	April 27, 1970

**HB 1721**—By Smith (E. W.), et al—An  
Act \* \* \* providing for compensation of  
members of boards of education of school  
districts \* \* \* emergency.

1st Reading .....	328
2d Reading .....	347
CR .....	602
Considered, advanced, 3d Reading, referred .....	757
Engrossed—To House .....	808
4th Reading—To House .....	993
Vetoed by Governor .....	April 29, 1970

**HB 1722**—By Murphy—An Act relating  
to state officers and employees; \* \* \*  
emergency.

1st Reading .....	342
2d Reading .....	366
CR .....	435
Considered, advanced, 3d Reading, referred .....	619
Engrossed—To House .....	633
SAs rejected, Conference requested; HCs named .....	652
Conference granted, SCs appointed ..	698
CCR read, consideration deferred ....	882
CCR adopted, passed—To House .....	968
4th Reading—To House .....	993
Vetoed by Governor .....	April 27, 1970

**HB 1723**—By Allard, et al, of the House  
and Holden of the Senate—An Act \* \* \*  
providing for a percentage of gross fire  
premiums to be placed in Fire Marshal  
Fund; \* \* \* emergency.

1st Reading .....	360
2d Reading .....	384
CR .....	451

Considered, advanced, 3d Reading, failed .....	564
ML; adopted, passed .....	564; 585
Withheld under Rule 19-f .....	586
Signed—To House .....	591
4th Reading—To House .....	608
Approved by Governor .....	March 30, 1970

**HB 1726**—By York, et al—An Act relating \* \* \* an outdoor theater \* \* \* emergency.

1st Reading .....	328
2d Reading .....	347
CR .....	583
Considered, advanced, 3d Reading, referred .....	745
Engrossed—To House .....	789
SAs rejected, Conference requested; HCs named .....	811
Conference granted, SCs appointed ..	811
CCR read, consideration deferred ....	917
CCR rejected, further Conference requested .....	966
Further Conference granted .....	984
2d CCR read, adopted, passed—To House .....	1026
4th Reading—To House .....	1059
Approved by Governor .....	April 22, 1970

**HB 1734**—By York, et al—An Act \* \* \* providing maximum compensation of public defenders, assistant public defenders and secretaries \* \* \* emergency.

1st Reading .....	465
2d Reading .....	484
CR .....	501
Considered, advanced, 3d Reading, passed—Signed—To House .....	625
4th Reading—To House .....	632
Approved by Governor .....	April 1, 1970

**HB 1735**—By Bickford, et al, of the House and Grantham, Birdsong, Bradley, Breckinridge, Crow, Field, Graves, Hargrave, Horn, Inhofe, Luton, McSpadden, Martin, Medearis, Miller, Nichols, Smalley, Taliaferro, Terrill, Young and Baldwin of the Senate—An Act \* \* \* providing quali-

fications and terms of office for executive director of Oklahoma Motor Vehicle Commission; \* \* \* emergency.

1st Reading .....	420
2d Reading .....	436
CR .....	618
Considered, advanced, 3d Reading, referred .....	673; 686
Engrossed—To House .....	699
SAs concurred in, passed as amended	797
4th Reading—To House .....	800
Approved by Governor .....	April 13, 1970

**HB 1740**—By Spearman, et al—An Act \* \* \* providing taxes on real property shall be a lien thereon for fifteen years; \* \* \* emergency.

1st Reading .....	302
2d Reading .....	330
CR .....	395
Considered, advanced, 3d Reading, passed .....	457
ML; adopted, passed, referred ..	458; 486
Engrossed—To House .....	504
SAs rejected, Conference requested; HCs named .....	591
Conference granted, SCs appointed ..	611
CCR read, consideration deferred ....	961
CCR adopted, passed—To House .....	992
4th Reading—To House .....	1041
Approved by Governor .....	April 28, 1970

**HB 1741**—By McCune—An Act pertaining to destruction of court records; \* \* \*

1st Reading .....	302
2d Reading .....	330
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	808
4th Reading—To House .....	841
Approved by Governor .....	April 14, 1970

**HB 1742**—By McCune—An Act pertaining to public trust; \* \* \* emergency.

1st Reading .....	381
2d Reading .....	396
CR .....	422
Considered, advanced, 3d Reading, passed .....	462; 487

Withheld under Rule 19-f .....	488
Signed—To House .....	493
4th Reading—To House .....	509
Approved by Governor .....	March 17, 1970

**HB 1743**—By McCune—An Act relating to civil procedure; providing for appeal from certain interlocutory orders; \* \* \* emergency.

1st Reading .....	302
2d Reading .....	330
CR .....	664
Considered, advanced, 3d Reading, referred .....	805
Engrossed—To House .....	829
4th Reading—To House .....	993
Approved by Governor .....	April 27, 1970

**HB 1747**—By Connor of the House and Garrison of the Senate—An Act \* \* \* creating the "state information and management services revolving fund"; \* \* \* emergency.

1st Reading .....	328
2d Reading .....	347
CR .....	558
Considered, advanced, 3d Reading, passed—Signed—To House .....	673
4th Reading—To House .....	683
Approved by Governor .....	April 6, 1970

**HB 1749**—By McCune of the House and Grantham of the Senate—An Act relating to the trial of actions \* \* \*

1st Reading .....	302
2d Reading .....	330
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	806
4th Reading—To House .....	812
Approved by Governor .....	April 13, 1970

**HB 1752**—By Smith (Norman) of the House and Grantham of the Senate—An Act relating to prepaid funeral services or funeral merchandise; \* \* \* emergency.

1st Reading .....	479
2d Reading .....	502
CR .....	633

Considered, advanced, 3d Reading, referred .....	746
Engrossed—To House .....	759
SAs rejected, Conference requested; HCs named .....	810; 841
Conference granted, SCs appointed and instructed .....	810
CCR read, adopted, passed—To House	1089
4th Reading—To House .....	1112
Approved by Governor .....	April 30, 1970

**HB 1753**—By Connor, et al—(An Act relating to motor vehicles; \* \* \* emergency)

1st Reading .....	381
2d Reading .....	396
CR .....	451
Considered, advanced, 3d Reading, referred .....	563
Engrossed—To House .....	587
SAs rejected, Conference requested; HCs named .....	631
Conference granted, SCs appointed	689
CCR read, consideration deferred	773
CCR adopted, passed—To House	824
4th Reading—To House .....	891
Approved by Governor .....	April 14, 1970

**HB 1756**—By Sullivan of the House and Hamilton of the Senate—An Act relating to \* \* \* a mobile radio on a frequency used by police \* \* \* emergency.

1st Reading .....	421
2d Reading .....	436
CR .....	633
Considered, advanced, 3d Reading, referred .....	814
Engrossed—To House .....	829
SAs concurred in, passed as amended	1045
4th Reading—To House .....	1059
Approved by Governor .....	April 28, 1970

**HB 1760**—By Wiedemann—An Act relating to service of civil process on the first day of the week; \* \* \* emergency.

1st Reading .....	329
2d Reading .....	347
CR .....	602
Considered, advanced, 3d Reading, referred .....	641



Engrossed—To House .....	664
SAs concurred in, passed as amended	681
4th Reading—To House .....	708
Approved by Governor .....	April 7, 1970

**HB 1762**—By McCune of the House and Grantham of the Senate—An Act relating to crimes and punishments; \* \* \* emergency.

1st Reading .....	392
2d Reading .....	411
CR .....	633
Considered, advanced, 3d Reading, referred .....	700
Engrossed—To House .....	742
SAs concurred in, passed as amended	778
4th Reading—To House .....	800
Approved by Governor .....	April 13, 1970

**HB 1764**—By Finch—An Act relating to \* \* \* safety glazing materials in hazardous locations in residential, commercial or public buildings; \* \* \* emergency.

1st Reading .....	360
2d Reading .....	384
CR .....	583
Considered, advanced, 3d Reading, referred .....	685
Engrossed—To House .....	699

**HB 1766**—By Smith (E. W.)—An Act relating to public housing; \* \* \* emergency.

1st Reading .....	465
2d Reading .....	484
CR .....	618
Considered, advanced, 3d Reading, referred .....	710
Engrossed—To House .....	742
SAs rejected, Conference requested; HCs named .....	793
Conference granted, SCs appointed ..	900
Attempt to instruct SCs—ruled out of order .....	1075

**HB 1767**—By Ford, et al—An Act relating to cities having a population of more than Two Hundred Thousand, Planning Commissioners shall receive a per diem of Twenty-five Dollars; \* \* \* emergency.

1st Reading .....	342
-------------------	-----

2d Reading .....	366
CR .....	633

Considered, advanced, 3d Reading, referred .....	717
Engrossed—To House .....	746
SAs concurred in, passed as amended	778
4th Reading—To House .....	800
Approved by Governor .....	April 13, 1970

**HB 1768**—By Boren, et al—An Act relating to \* \* \* material witness in criminal investigation \* \* \* emergency.

1st Reading .....	421
2d Reading .....	436
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	783
4th Reading—To House .....	800
Approved by Governor .....	April 13, 1970

**HB 1772**—By Sanguin, et al, of the House and Stipe of the Senate—An Act relating to \* \* \* manufacturing of reflectorized license plates \* \* \* emergency.

1st Reading .....	360
2d Reading .....	384
CR .....	583
Considered, advanced, 3d Reading, passed—Signed—To House .....	801
4th Reading—To House .....	812
Approved by Governor .....	April 13, 1970

**HB 1773**—By Ford, et al—An Act \* \* \* providing per diem for members of Boards of Adjustment \* \* \* emergency.

1st Reading .....	421
2d Reading .....	436

**HB 1774**—By Wolfe (Stephen)—An Act \* \* \* providing for attachment and garnishment; \* \* \*

1st Reading .....	392
2d Reading .....	411
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	814
4th Reading—To House .....	841
Approved by Governor .....	April 14, 1970

**HB 1775**—By Mountford—An Act \* \* \* providing for organization and acquisition

of subsidiaries of insurers; \* \* \* emergency.

1st Reading .....	466
2d Reading .....	484
CR .....	633
Considered, advanced, 3d Reading, referred .....	693
Engrossed—To House .....	707
SAs concurred in, passed as amended .....	746
4th Reading—To House .....	778
Approved by Governor .....	April 9, 1970

**HB 1776**—By Spearman, et al—An Act relating to \* \* \* motor-driven cycles known as minibikes and trail bikes, and certain other motor-driven vehicles, \* \* \* emergency.

1st Reading .....	450
2d Reading .....	468
CR .....	583
Considered, advanced, 3d Reading, referred .....	722; 785
Engrossed—To House .....	808
SAs concurred in, passed as amended .....	891
4th Reading—To House .....	898
Approved by Governor .....	April 15, 1970

**HB 1777**—By Converse, et al, of the House and Miller of the Senate—An Act relating to \* \* \* teaching the deaf \* \* \* emergency.

1st Reading .....	466
2d Reading .....	484
CR .....	602
Considered, advanced, 3d Reading, referred .....	703
Engrossed—To House .....	742
SAs concurred in, passed as amended .....	810
4th Reading—To House .....	812
Approved by Governor .....	April 13, 1970

**HB 1780**—By Atkins, et al—(An Act relating to the Oklahoma Historical Society \* \* \* emergency.

1st Reading .....	408
2d Reading .....	422
CR .....	618
Considered, advanced, 3d Reading, referred .....	676

Engrossed—To House .....	684
SAs rejected, Conference requested; HCs named .....	712
Conference granted, SCs appointed .....	748
CCR read, consideration deferred .....	907
CCR adopted, passed—To House .....	950
4th Reading—To House .....	993
Approved by Governor .....	April 28, 1970

**HB 1782**—By Willis, et al, of the House and McSpadden and Massey of the Senate —(An Act making appropriations \* \* \* emergency).

1st Reading .....	329
2d Reading .....	347
CR .....	395
Considered, advanced, 3d Reading, referred .....	430
Engrossed—To House .....	435
SAs rejected, Conference requested; HCs named .....	466
Conference granted, SCs appointed .....	531
CCR read, consideration deferred .....	774
CCR adopted, passed—To House .....	823
4th Reading—To House .....	851
Approved by Governor .....	April 14, 1970

**HB 1783**—By Holaday—An Act relating to \* \* \* credit on vehicle excise tax on vehicles \* \* \*.

1st Reading .....	421
2d Reading .....	436
CR .....	452
Considered, advanced, 3d Reading, referred .....	813
Recalled from Engrossing Department .....	832
ML .....	832
Engrossed—To House .....	1044

**HB 1784**—By Sparkman of the House and Nichols, Miller and Martin of the Senate —An Act relating to health facilities; \* \* \* emergency.

1st Reading .....	381
2d Reading .....	396
CR .....	512
Considered, advanced, 3d Reading, passed .....	560
ML; tabled, referred .....	560; 610
Engrossed—To House .....	624

Motion tabled—To recall Bill from House .....	627
SAs concurred in, passed as amended .....	676
4th Reading—To House .....	683
Approved by Governor .....	April 3, 1970

**HB 1787**—By McCune of the House and Grantham of the Senate—An Act \* \* \* fixing salaries of certain legal personnel of the Supreme Court; \* \* \* emergency.

1st Reading .....	631
2d Reading .....	664
WD, to Calendar .....	779
Considered, advanced, 3d Reading, passed—Signed—To House .....	806
4th Reading—To House .....	812
Approved by Governor .....	April 13, 1970

**HB 1789**—By Raibourn, et al—An Act \* \* \* authorizing the Oklahoma Department of Wildlife Conservation to regulate the possession and transportation of all wildlife and aquatic plants including tropical and other exotic fish; \* \* \*

1st Reading .....	479
2d Reading .....	502
CR .....	583
Considered, advanced, 3d Reading, referred .....	758
Engrossed—To House .....	812

**HB 1790**—By Converse, et al, of the House and Miller of the Senate—An Act \* \* \* providing a deaf-mute shall be entitled to an interpreter following arrest \* \* \* emergency.

1st Reading .....	466
2d Reading .....	484
CR .....	602
Considered, advanced, 3d Reading, referred .....	709
Engrossed—To House .....	742
SAs concurred in, passed as amended .....	810
4th Reading—To House .....	812
Approved by Governor .....	April 10, 1970

**HB 1797**—By Connor, et al, of the House and Garrison of the Senate—An Act establishing the Oklahoma Rural Medical Edu-

cation Loan and Scholarship Fund; \* \* \* emergency.

1st Reading .....	392
2d Reading .....	411
CR .....	484
Considered, advanced, 3d Reading, referred .....	513
Engrossed—To House .....	528
SAs rejected, Conference requested; HCs named .....	562
Conference granted, SCs appointed .....	562
CCR read, consideration deferred .....	571
CCR adopted, passed—To House .....	606
4th Reading—To House .....	617
Approved by Governor .....	March 26, 1970

**HB 1798**—By Connor, et al, of the House and Garrison of the Senate—(An Act relating to the Board of Trustees of the Oklahoma Medical Education Loan \* \* \* emergency).

1st Reading .....	392
2d Reading .....	411
CR .....	484
Considered, advanced, 3d Reading, referred .....	514
Engrossed—To House .....	528
SAs concurred in, passed as amended .....	611
4th Reading—To House .....	617
Approved by Governor .....	March 26, 1970

**HB 1800**—By McCune of the House and Grantham of the Senate—An Act relating to the Court of Bank Review; \* \* \* emergency.

1st Reading .....	480
2d Reading .....	502

**HB 1801**—By Green, et al, of the House and Grantham of the Senate—An Act relating to \* \* \* approval of the official bond of the court clerk by the presiding judge of the district; \* \* \*

1st Reading .....	480
2d Reading .....	502
CR .....	664
Considered, advanced, 3d Reading, referred .....	806
Engrossed—To House .....	829
SAs concurred in, passed as amended .....	1045



4th Reading—To House .....	1059
Vetoed by Governor .....	April 27, 1970

**HB 1803**—By Derryberry, et al—An Act relating to the legislative council; making a reappropriation \* \* \* emergency.

1st Reading .....	408
2d Reading .....	422
CR .....	452
Considered, advanced, 3d Reading, referred .....	627
Engrossed—To House .....	641
SAs rejected, Conference requested; HCs named .....	652; 695
Conference granted, SCs appointed .....	811
CCR read, consideration deferred .....	909
CCR adopted, passed—To House .....	964
4th Reading—To House .....	993
Approved by Governor .....	April 23, 1970

**HB 1805**—By Sparkman—An Act \* \* \* providing that renewal license fee shall be set by the State Board of Medical Examiners; \* \* \* emergency.

1st Reading .....	466
2d Reading .....	484
CR .....	550
Considered, advanced, 3d Reading, passed—Signed—To House .....	694
4th Reading—To House .....	716
Approved by Governor .....	April 7, 1970

**HB 1808**—By Bradley, et al, of the House and Williams and Lane of the Senate—An Act relating to motor automobiles used in

driver education and training program; \* \* \* emergency.

1st Reading .....	450
2d Reading .....	468
CR .....	558
Considered, advanced, 3d Reading, referred .....	685
Engrossed—To House .....	699
SAs concurred in, passed as amended .....	746
4th Reading—To House .....	778
Approved by Governor .....	April 10, 1970

**HB 1809**—By Odom (Martin)—An Act \* \* \* fixing maximum number and emolument of temporary employees of the House of Representatives; \* \* \* emergency.

1st Reading .....	574
2d Reading .....	603
CR .....	633
Considered, advanced, 3d Reading, passed—Signed—To House .....	782
4th Reading—To House .....	800
Approved by Governor .....	April 10, 1970

**HB 1810**—By Camp, et al—An Act \* \* \* providing authority to principal teacher to suspend and expel child from school where his use or possession of dangerous weapons, \* \* \* emergency.

1st Reading .....	797
2d Reading—To Calendar .....	832
Considered, advanced, 3d Reading, referred .....	899
Engrossed—To House .....	943
SAs concurred in, passed as amended .....	1045
4th Reading—To House .....	1059
Approved by Governor .....	April 28, 1970

## PART VI

### HOUSE JOINT RESOLUTIONS

Titles in full shown on page numbers opposite  
"1st Reading".

**HJR 1003**—By Spearman of the House and Baggett of the Senate—A Joint Resolution changing the name of Central State College at Edmond \* \* \*

CR .....	484
Considered, advanced, 3d Reading, passed .....	506
ML; Tabled .....	507; 524
Signed—To House .....	524
4th Reading—To House .....	538
Vetoed by Governor .....	March 19, 1970

**HJR 1004**—By Spearman, et al, of the House and Smalley of the Senate—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* special election.

1st Reading .....	146
2d Reading—To Calendar .....	162
Considered, advanced, 3rd Reading, passed .....	176
Withheld under Rule 19-f .....	178
Signed—To House .....	189
4th Reading—To House .....	192

**HJR 1006**—By Connor, et al, of the House and Garrison, McGraw and Williams of the Senate—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to \* \* \* the Constitution of the State of Oklahoma; authorizing investment of permanent common school and other educational funds; \* \* \* special election.

1st Reading .....	480
2d Reading .....	502
CR; stricken .....	633; 815

**HJR 1008**—By Derryberry et al—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* authorizing either branch of the Legislature to propose amendments

to this Constitution \* \* \* special election.

CR .....	52
Considered, advanced, 3d Reading, referred .....	65
Engrossed—To House .....	68
SAs concurred in, passed as amended	205
4th Reading—To House .....	205

**HJR 1021**—By Privett et al of the House and Smalley of the Senate—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* vesting executive power of State in a Governor; \* \* \* special election.

CR; stricken .....

**HJR 1022**—By Spearman et al of the House and Short of the Senate—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment \* \* \* designating Oklahoma City as the capital of the state and seat of government; \* \* \* special election.

CR; stricken .....

**HJR 1032**—By Robinson, et al—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Constitution of the State of Oklahoma; \* \* \* special election.

1st Reading .....	408
2d Reading .....	422
CR .....	618
Considered, advanced, 3d Reading, referred .....	839
Engrossed—To House .....	900
SAs concurred in, passed as amended	993
4th Reading—To House .....	1059

**HJR 1033**—By Robinson—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amend-

ment to the Constitution of the State of Oklahoma; \* \* \* special election.

1st Reading .....	408
2d Reading .....	422
CR .....	633
Considered, advanced, 3d Reading, referred .....	697; 759
Engrossed—To House .....	800
SAs concurred in, passed as amended .....	891
4th Reading—To House .....	898

**HJR 1043**—By Sparkman, et al, of the House and Martin of the Senate—A Joint Resolution providing for increase in payments of Old Age Assistance, \* \* \* emergency.

1st Reading .....	147
2d Reading .....	162
CR .....	192
Considered, advanced, 3d Reading, passed .....	210
Withheld under Rule 19-f .....	211
Signed—To House .....	213
4th Reading—To House .....	224
Approved by Governor ..February 13, 1970	

**HJR 1044**—By Briscoe of the House and McSpadden of the Senate—A Joint Resolution authorizing Richard Burdyn and his wife of Rogers County, Oklahoma, to bring suit against the State of Oklahoma \* \* \* emergency.

1st Reading .....	408
2d Reading .....	422
CR .....	664
Considered, advanced, 3d Reading, passed—Signed—To House .....	803
4th Reading—To House .....	812
Approved by Governor ..April 10, 1970	

**HJR 1046**—By Johnson, et al—(A Joint Resolution authorizing the Oklahoma Historical Society).

1st Reading .....	480
2d Reading .....	502
CR; stricken .....	633; 835

**HJR 1049**—By Spearman, et al—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to \* \* \* the Oklahoma Constitution; providing that segregation of chil-

dren in public schools \* \* \* is prohibited; \* \* \* special election.

1st Reading .....	408
2d Reading .....	422
CR .....	618
Considered, advanced, 3d Reading, referred .....	645
Engrossed—To House .....	674
SAs concurred in, passed as amended .....	681
4th Reading—To House .....	708

**HJR 1052**—By Connor—A Joint Resolution directing the Secretary of State to refer to the people \* \* \* a proposed amendment to the Constitution of Oklahoma \* \* \* special election.

1st Reading .....	329
2d Reading .....	347

**HJR 1053**—By Converse of the House and Miller of the Senate—(A Joint Resolution relating to deaf persons; \* \* \*).

1st Reading .....	409
2d Reading .....	422
CR .....	602
Considered, advanced, 3d Reading, referred .....	715
Engrossed—To House .....	746
SAs rejected, Conference requested; HCs named .....	793
Conference granted, SCs appointed ..	811
CCR read, consideration deferred ...	1055
CCR adopted, passed—To House ...	1060
4th Reading—To House .....	1094
Approved by Governor ..April 28, 1970	

**HJR 1055**—By Wolfe (Stephen)—A Joint Resolution authorizing Edwin E. Wright to bring suit \* \* \* against Independent School District No. 1, Tulsa, Oklahoma, \* \* \* emergency.

1st Reading .....	409
2d Reading .....	422

**HJR 1056**—By Smithey of the House and Hargrave of the Senate—A Joint Resolution authorizing J. Calvin Meek and Ella Mae Meek to bring suit against the State of Oklahoma \* \* \*.

1st Reading .....	409
2d Reading .....	422
CR .....	664



Considered, advanced, 3d Reading,  
 passed—Signed—To House ..... 804  
 4th Reading—To House ..... 812  
 Approved by Governor ..... April 10, 1970

**HJR 1057**—By Smithey of the House and  
 Hargrave of the Senate—A Joint Resolu-  
 tion authorizing Meek's Hardware & Fur-  
 niture Co. to bring suit against the State  
 of Oklahoma \* \* \*.

1st Reading ..... 480  
 2d Reading ..... 502  
 CR ..... 664  
 Considered, advanced, 3d Reading,  
 passed—Signed—To House ..... 804

4th Reading—To House ..... 812  
 Approved by Governor ..... April 10, 1970

**HJR 1058**—By Townsend of the House  
 and Graves of the Senate—A Joint Reso-  
 lution \* \* \* authorizing Richard W. Bird,  
 administrator of the estate of Verde Maye  
 Bird and Terry Joseph Bird, deceased, to  
 sue the State of Oklahoma \* \* \*.

1st Reading ..... 828  
 2d Reading—To Calendar ..... 894  
 Considered, advanced, 3d Reading,  
 passed—Signed—To House ..... 941  
 4th Reading—To House ..... 977  
 Approved by Governor ..... April 28, 1970



## PART VII

### HOUSE CONCURRENT RESOLUTIONS

**HCR 1035**—By Cate, et al—A Concurrent Resolution relating to \* \* \* an in-depth study of institutions of higher education \* \* \*

Received .....	49
Referred; CR .....	53; 185
Adopted—To House .....	185
Enrolled copy signed—To House .....	192
Committee appointed .....	185

**HCR 1036**—By Camp, et al—A Concurrent Resolution petitioning the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

Received .....	49
Referred; CR .....	53; 175
Adopted .....	198
ML; Signed—To House .....	198; 240
Enrolled copy signed—To House .....	258

**HCR 1037**—By Hesser, et al, of the House and Murphy of the Senate—A Concurrent Resolution expressing the opposition by the Oklahoma Legislature to any change in the oil import control program \* \* \*.

Received .....	49
Adopted—To House .....	55
Enrolled copy signed—To House .....	58

**HCR 1038**—By Sparkman of the House and Berrong of the Senate—A Concurrent Resolution \* \* \* to establish programs in graduate education \* \* \* at the University of Oklahoma Medical Center School of Nursing.

Received .....	49
Referred; CR; Considered .....	53; 117; 153
Adopted—To House .....	184
Enrolled copy signed—To House .....	192

**HCR 1039**—By Spearman—A Concurrent Resolution memorializing the Congress of the United States \* \* \* providing for the merit selection and retention of all federal judges except Justices of the United States Supreme Court; \* \* \*.

Received .....	51
WD—referred; CR;	
considered .....	61; 664; 809
Adopted, referred .....	898
Engrossed—To House .....	943
SAs concurred in, adopted	
as amended .....	1089
Enrolled copy signed—To House .....	1094

**HCR 1041**—By Miskelly, et al, of the House and Taliaferro, Atkinson, Terrill, Garrett and Crow of the Senate—A Concurrent Resolution relating to memorializing Congress to pass, and the President to sign, House Bill No. 13111; \* \* \*

Received .....	60
Adopted—To House .....	60
Enrolled copy signed—To House .....	76

**HCR 1042**—By Payne, et al, of the House and Massey, Atkinson, Baggett, Baldwin, Berrong, Birdsong, Boecher, Bradley, Breckinridge, Crow, Dacus, Ferrell, Field, Garrett, Garrison, Grantham, Graves, Ham, Hamilton, Hargrave, Holden, Horn, Howard, Inhofe, Keels, Lane, Luton, McCune, McGraw, McSpadden, Martin, Medearis, Miller, Murphy, Nichols, Payne, Phillips, Porter, Romang, Short, Smalley, Smith, Stanberry, Stipe, Taliaferro, Terrill, Williams and Young of the Senate—A Concurrent Resolution expressing regret at the demise of C. B. Memminger; \* \* \*.

Received .....	59
Adopted—To House .....	59



Enrolled copy signed—To House ..... 76

**HCR 1043**—By Skeith of the House and Stipe of the Senate—A Concurrent Resolution declaring the week of October 5 through October 10, 1970, "Indian Week" in Oklahoma.

Received ..... 79  
 Adopted—To House ..... 109  
 Enrolled copy signed—To House ..... 132

**HCR 1044**—By Privett, et al, of the House and Medearis of the Senate—A Concurrent Resolution memorializing the Congress of the United States \* \* \* to implement child feeding programs; \* \* \*

Received ..... 116  
 Adopted—To House ..... 142  
 Enrolled copy signed—To House ..... 158

**HCR 1045**—By Williamson, et al, of the House and Murphy of the Senate—A Concurrent Resolution expressing the need and the Legislature's desire for the creation of an Oklahoma Athletic Hall of Fame; \* \* \*

Received ..... 116  
 Adopted—To House ..... 142  
 Enrolled copy signed—To House ..... 147

**HCR 1046**—By Privett of the House and Smith of the Senate—A Concurrent Resolution memorializing Congress to enact, and the President to sign into law, S. 1232, which confirms in the several states primary authority over fish and wildlife; \* \* \*

Received ..... 205  
 Adopted—To House ..... 297  
 Enrolled copy signed—To House ..... 320

**HCR 1047**—By Tabor, et al, of the House and Massey of the Senate—A Concurrent Resolution declaring the month of February American History Month \* \* \*.

Received ..... 174  
 Adopted—To House ..... 208  
 Enrolled copy signed—To House ..... 224

**HCR 1048**—By Hill, et al—A Concurrent Resolution commending and congratulating the Booker T. Washington High School Football Team \* \* \*.

Received ..... 217  
 Adopted—To House ..... 248  
 Enrolled copy signed—To House ..... 258

**HCR 1049**—By Odom (Martin), et al, of the House and Bradley of the Senate—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1330 \* \* \*

Received ..... 208  
 Adopted—To House ..... 208  
 Enrolled copy signed—To House ..... 213

**HCR 1050**—By Sparkman of the House and Smith of the Senate—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1589 \* \* \*.

Received ..... 232  
 Adopted—To House ..... 232  
 Enrolled copy signed—To House ..... 233

**HCR 1051**—By Green—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1512 \* \* \*.

Received ..... 261  
 Adopted—To House ..... 261  
 Enrolled copy signed—To House ..... 263

**HCR 1052**—By Monks, et al of the House —A Concurrent Resolution memorializing the Congress of the United States to submit to the State Legislatures an amendment to the Constitution of the United States.

Received ..... 289  
 Adopted—To House ..... 325  
 Enrolled copy signed—To House ..... 335

**HCR 1053**—By Thompson, et al of the House and Nichols of the Senate—A Concurrent Resolution expressing deep sorrow and regret on behalf of the people of Oklahoma upon the death of the Honorable William J. Hollaway; \* \* \*.

Received ..... 289  
 Adopted—To House ..... 304  
 Enrolled copy signed—To House ..... 332

**HCR 1054**—By Anderson, et al, of the House and Romang, Williams, Crow, Ferrell and Field of the Senate—A Concurrent Resolution memorializing the United States

Department of Agriculture to grant an extension of the grazing period for wheat pasturing acreage \* \* \*

Received ..... 389  
 Adopted—To House ..... 389  
 Enrolled copy signed—To House ..... 392

**HCR 1055**—By Anderson, et al, of the House and Romang of the Senate—A Concurrent Resolution taking note of the national recognition of John MacKenzie \* \* \*

Received ..... 393  
 Adopted—To House ..... 431  
 Enrolled copy signed—To House ..... 435

**HCR 1056**—By Stratton of the House and Berrong of the Senate—A Concurrent Resolution expressing congratulations to the 1969-70 Clinton Chapter of the Future Farmers of America; \* \* \*

Received ..... 393  
 Adopted—To House ..... 431  
 Enrolled copy signed—To House ..... 435

**HCR 1057**—By Converse, et al, of the House—A Concurrent Resolution memorializing the Congress of the United States to provide that federal statutory and other regulations over small meat slaughterers \* \* \*

Received; considered ..... 462; 1027  
 Adopted—To House ..... 1074  
 Enrolled copy signed—To House ..... 1111

**HCR 1058**—By Allard, et al, of the House and Young of the Senate—A Resolution expressing the appreciation and admiration of the Legislature for Mrs. Jessie M. Fountain; \* \* \*

Received ..... 463  
 Adopted—To House ..... 492  
 Enrolled copy signed—To House ..... 509

**HCR 1059**—By Privett, et al, of the House and Horn of the Senate—A Concurrent Resolution expressing profound regret and sorrow upon the passing of George A. Noble, chief sergeant at arms of the House of Representatives; \* \* \*

Received ..... 538  
 Adopted—To House ..... 618  
 Enrolled copy signed—To House ..... 632

**HCR 1060**—By Cox, et al, of the House and Ferrell and Baggett of the Senate—A Concurrent Resolution \* \* \* Arkansas River Navigation System \* \* \*

Received ..... 549  
 Adopted—To House ..... 738  
 Enrolled copy signed—To House ..... 746

**HCR 1062**—By McKee, et al, of the House and Field of the Senate—A Concurrent Resolution recommending that \* \* \* a central delivery point for delivery of live cattle \* \* \*

Received ..... 576  
 Adopted—To House ..... 603  
 Enrolled copy signed—To House ..... 617

**HCR 1063**—By Barker, et al, of the House and Luton and Smith of the Senate—A Concurrent Resolution extending the commendation and congratulations of the Legislature to David Strickland \* \* \*

Received ..... 612  
 Adopted—To House ..... 898  
 Enrolled copy signed—To House ..... 936

**HCR 1064**—By Hutchens, et al, of the House and Field of the Senate—A Concurrent Resolution requesting \* \* \* an engineering and traffic investigation of the State Highway System to determine the reasonable and safe speed \* \* \*

Received; considered ..... 616; 633  
 Adopted—To House ..... 738  
 Enrolled copy signed—To House ..... 746

**HCR 1065**—By Skeith of the House and Smith of the Senate—A Concurrent Resolution recalling from the office of the Governor House Bill No. 1522 \* \* \*

Received ..... 673  
 Adopted—To House ..... 673  
 Enrolled copy signed—To House ..... 676

**HCR 1066**—By Connor, et al, of the House and Garrison of the Senate—A Concurrent Resolution \* \* \* April 12-18, 1970, as national library week; \* \* \*

Received ..... 683  
 Adopted—To House ..... 753  
 Enrolled copy signed—To House ..... 778

**HCR 1067**—By Atkins—A Concurrent Res-

olution authorizing the creation of a special committee \* \* \* to work with the Commission on Oklahoma criminal and traffic law enforcement, \* \* \*

Received ..... 1073  
 Adopted—To House ..... 1073  
 Enrolled copy signed—To House ..... 1110

**HCR 1068**—By Atkins of the House and Baggett of the Senate—A Concurrent Resolution relating to interim study by the State Legislative Council; \* \* \* to study and prepare a long-range program for development of the Oklahoma State Capitol Area \* \* \*

Received ..... 764  
 Considered, adopted—referred ..... 933  
 Engrossed—To House ..... 943  
 SAs concurred in—adopted as amended ..... 1056  
 Enrolled copy signed—To House ..... 1069

**HCR 1069**—By Dunn of the House and Holden of the Senate—A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1625 \* \* \*

Received ..... 718  
 Adopted—To House ..... 718  
 Enrolled copy signed—To House ..... 722

**HCR 1070**—By Privett, et al—A Concurrent Resolution expressing the Legislative intent for use of monies appropriated \* \* \* to various departments and agencies of state government.

Received ..... 936  
 Adopted—To House ..... 978  
 Enrolled copy signed—To House ..... 993

**HCR 1071**—By Bradley of the House and Holden of the Senate—A Concurrent Resolution relating to parakeets; \* \* \*.

Received ..... 891

Adopted—To House ..... 891  
 Enrolled copy signed—To House ..... 898

**HCR 1072**—By Hatchett, et al, of the House and Baggett of the Senate—A Concurrent Resolution relating to \* \* \* the subject of amending, altering and revising the Oklahoma Constitution; \* \* \*.

Received ..... 1073  
 Adopted—To House ..... 1073  
 Enrolled copy signed—To House ..... 1111

**HCR 1073**—By Abbott — A Concurrent Resolution recalling from the Office of the Governor House Bill No. 1696 \* \* \*

Received ..... 888  
 Adopted—To House ..... 888  
 Enrolled copy signed—To House ..... 891

**HCR 1074**—By Boettcher, et al, of the House and Grantham of the Senate—A Concurrent Resolution congratulating Miss Debbie Smith \* \* \*.

Received ..... 979  
 Adopted—To House ..... 995  
 Enrolled copy signed—To House ..... 1056

**HCR 1075**—By Payne, et al, of the House and Boecher and Lane of the Senate—A Concurrent Resolution relating \* \* \* to study and audit the Wildlife Conservation Department; \* \* \*.

Received ..... 979  
 Adopted—To House ..... 988  
 Enrolled copy signed—To House ..... 1045  
 Senate Committee appointed ..... 1073  
 House Committee named ..... 1073

**HCR 1077**—By Sullivan of the House and Hamilton of the Senate—A Concurrent Resolution relating to state parks; \* \* \*.

Received ..... 1073  
 Adopted—To House ..... 1073  
 Enrolled copy signed—To House ..... 1113



## PART VIII

## INDEX—TOPICAL and PERSONAL

## A

ADJOURNMENT, Sine Die—SCR 84.....	1074
AGENT, Vera: Continues to serve as Journal Clerk (Rule 21f—1st Session).....	2
ANNOUNCEMENTS:	
Holloway, William J., death of, announced.....	127
Lenhart, Lance Christian, birth of, announced .....	339
Garrison, J. Don, Memorial Service for .....	352
Jones, Marjorie Elizabeth: Adoption of, announced.....	539
Miller, Mrs. Verdie, Memorial Service for .....	352
Reinhardt, Joseph R. (Jake), Memorial Service for .....	339; 352
ANQUOE, Kenneth: Confirmation of .....	1038
ATKINSON, Senator H. B.:	
Appointments—Committee (CONFERENCE—GCCA):	
See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.	
—Committees (CONFERENCE other than GCCA):	
SB 560 p 722; 803      HB 1610 p 416      HB 1612 p 749	
—Committee (GCCA) .....	462
(Sub-Committee Public Safety and Highways p 513)	
—Committee (INTERIM):	
Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.	
—Committees (STANDING—Rule 21f—1st Session):	
Agriculture (Chm. Sub-Committee Wildlife) .....	2
Appropriations and Budget .....	2
Roads and Highways, V Chm. ....	3
Author: SB 552.	
Co-Author: SBs 271, 281, 393, 452, 479, 500, 525, 565, 642, 649, 656; SCRs 41, 48, 50, 57, 58, 60, 67, 71, 79, 87, SRs 50, 51, 62, 69, 70, 74, 75, 78, 79; HBs 1247, 1387, 1517, 1573, 1577, 1608, 1612, 1615, 1616, 1642, 1644, 1658, 1662, 1665, 1721; HJR 1003; HCRs 1041, 1042, 1058, 1053, 1055, 1058, 1059, 1063, 1074.	
Declaration of Vote: HB 1561 p 507	
OUTSTANDING CITIZEN AWARD, given to, by Midwest City C of C, read ....	77

**B****BAGGETT, Senator Bryce:**

## Appointments—Committees (CONFERENCE):

SB 403 p 398	SB 656 p 689	HB 1590 p 738
SB 537 p 585; 1089	HB 1292 p 694	HB 1696 p 967
SB 655 p 689	HB 1517 p 752	HB 1766 p 900

## —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

## —Committee (SPECIAL):

To advise Governor RE Joint Session ..... 7

## —Committees (STANDING—Rule 21f—1st Session):

Constitutional Revision and Regulatory Services, Chm. .... 2

Education (Chm. Sub-Committee Higher Education) ..... 2

Finance and Commerce ..... 2

Rules ..... 3

## —Committee (UNDER):

HCR 1035 p 185

Author: **SBs** 404, 491, 492, 493, 502, 566, 575, 584, 589, 605, 606, 608, 625, 635, 638, 639, 640, 647, 648, 651, 655, 656; **SJR**s 27, 48, 50, 51, 52; **SR** 51.Co-Author: **SBs** 252, 291, 403, 452, 479, 480, 498, 518, 545, 562, 570, 658; **SCR**s 41, 48, 50, 57, 58, 60, 67, 71, 79, 87; **SR**s 50, 62, 69, 70, 74, 75, 76, 78, 79; **HB**s 1260, 1361, 1518, 1521, 1616, 1642, 1696, 1766, 1776, 1780, 1797; **HJR**s 1008, 1032, 1033, 1049; **HCR**s 1042, 1044, 1048, 1053, 1055, 1058, 1059, 1060, 1063, 1067, 1068, 1072, 1074.**BAKER, Dr. L. V., Jr.:** Confirmation of ..... 323**BALLINGER, James:** Confirmation of ..... 647**BALDWIN, Senator Don:**

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 655 p 689	SB 656 p 689	HB 1586 p 284
--------------	--------------	---------------

—Committee (GCCA) ..... 462

(Sub-Committee General Government p 513)

## —Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget ..... 2

Revenue and Taxation ..... 3

Rules, Chm. .... 3

Author: **SBs** 516, 518; **SCR** 71; **SR**s 63, 74, 76.Co-Author: **SJR** 27; **SCR**s 48, 50, 57, 58, 67, 79, 87, 91; **SR**s 50, 51, 62, 69, 70, 75, 78, 79; **HB** 1735; **HCR**s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: SB 504 p 173

**BARKER, Joe:** Confirmation of ..... 566**BARTLETT, Governor Dewey F.:**

## Escorted to:

President's desk—addressed the Senate ..... 1112

Speaker's desk by Joint Committee .....	7
First Message to 2d Session of 32d Legislature .....	7
BARTON, Dr. Clyde: Confirmation of .....	1088
BATEMAN, Harris: Confirmation of .....	324
BELLATTI, R. Marsden: Confirmation of .....	978
BENADE, Leo E., Brig. Gen. U.S. Army: Communication from .....	389
BERRONG, Senator Ed:	

#### Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

##### —Committees (CONFERENCE other than GCCA):

SB 478 p 838; 988; 995 HB 1608 p 404 HB 1719 p 811  
HB 1206 p 975

—Committee (GCCA) ..... 462  
(Sub-Committee Social Services and Health p 513)

##### —Committee (INTERIM):

Executive Committee—Legislative Council—74 O.S. 1961 §, as amended, 1968

##### —Committee (SPECIAL):

Re Lobby Permits ..... 6

##### —Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget ..... 2

Business Relations ..... 2

Finance and Commerce, Chm. .... 2

##### —Committee (UNDER):

SR 46 p 124

Author: SBs 457, 514, 592; SJR 37; SCRs 49, 55, 63, 80, 87; SRs 59, 60, 61.

Co-Author: SBs 403, 421, 425, 452, 526, 545, 579; SJR 28, SCRs 48, 50, 57, 58, 67, 71, 73, 79; SRs 46, 50, 51, 62, 69, 70, 74, 75, 78, 79; HBs 1208, 1403, 1461, 1541, 1543, 1567, 1602, 1612, 1644, 1682, 1719, 1775, 1797; HCRs 1038, 1042, 1048, 1053, 1055, 1056, 1058, 1059, 1063, 1072, 1074.

Declaration of Vote: HB 1557 p 849 HB 1612 p 888

BERRY, Mrs. Jack: Confirmation of ..... 323

BINGHAM, Hugh: Confirmation of ..... 1088

BIRDSONG, Senator Jimmy:

Continues to serve as Assistant Majority Floor Leader for  
2d Session of 32d Legislature, as provided under Rule  
21f of 1st Session.

#### Appointments—Committees (CONFERENCE):

SB 117 p 1060	SB 393 p 680	HB 1525 p 299
SB 133 p 748	SB 478 p 838; 988; 995	HB 1542 p 446; 1060
SB 214 p 752	SB 601 p 720	HB 1677 p 793
SB 281 p 719	HB 1145 p 1086	HB 1719 p 811

##### —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

##### —Committee (SPECIAL):

To advise Governor RE Joint Session ..... 7

To notify Governor RE Sine die adjournment ..... 1111



## —Committees (STANDING—Rule 21f—1st Session):

Business Relations .....	2
Municipal Government .....	3
Roads and Highways (Chm Sub-Committee Public Safety) .....	3
Rules .....	3

## —Committee (UNDER):

SR 46 p 124

Author: **SBs** 393, 394, 396, 465, 466, 540, 554, 579, 593, 609, 617; **SRs** 44, 45, 48, 54, 55, 64.

Co-Author: **SBs** 190, 202, 280, 367, 388, 403, 409, 420, 438, 452, 458, 479, 499, 500, 507, 545, 550, 552, 560, 565, 570, 626, 642, 649; **SJR** 27; **SCRs** 46, 48, 50, 57, 58, 60, 67, 71, 79, 87; **SRs** 50, 51, 62, 63, 69, 70, 74, 75, 76, 78, 79; **HBs** 1152, 1154, 1247, 1492, 1500, 1517, 1527, 1548, 1573, 1586, 1589, 1615, 1616, 1642, 1644, 1664, 1674, 1696, 1702, 1714, 1719, 1721, 1723, 1734, 1735, 1742, 1753, 1780, 1790; **HJR**s 1003, 1043; **HCR**s 1041, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: HB 1291 p 413

BIRDWELL, Harry:

Introduced and address by .....	155
Citation to, ordered .....	157

BLACK, Jack: Confirmation of ..... 647

BOECHER, Senator Roy:

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 117 p 1060 HB 1510 p 941 HB 1674 p 686

SB 393 p 680 HB 1659 p 680

—Committee (GCCA) ..... 462

(Sub-Committee Regulatory and Natural Resources p 513)

## —Committee (SPECIAL):

To notify House RE Senate organized and Joint Session; CR .....5; 6

## —Committees (STANDING—Rule 21f—1st Session):

Agriculture ..... 2

Conservation and Economic Development, Chm. .... 2

Governmental Affairs ..... 2

Rules ..... 3

## —Committee (UNDER):

HCR 1075 p 1073

Author: **SBs** 521, 528, 529; **SCRs** 54, 89.

Co-Author: **SBs** 111, 480; **SJR**s 33, 45; **SCRs** 48, 50, 51, 57, 58, 60, 67, 71, 79, 87; **SCRs** 50, 51, 61, 62, 67, 69, 70, 74, 75, 76, 78, 79; **HBs** 1152, 1499, 1541, 1644, 1760, 1789, 1797; **HJR** 1003; **HCRs** 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074, 1075.

BOST, Armon: Confirmation of ..... 647

BOVAIRD, W. J.: Confirmation of ..... 201

BOWER, Art: Confirmation of ..... 322

BRACHTER, Orville: Confirmation of ..... 565

## BRADLEY, Senator Ed:

## Appointments—Committees (CONFERENCE):

SB 29 p 585 HB 1522 p 389; 803

## —Committee (SPECIAL):

RE Lobby Permits ..... 6

To escort Joseph R. (Jake) Reinhardt family to Senate Chamber ..... 350

## —Committees (STANDING—Rule 21f—1st Session):

Finance and Commerce (Chm. Sub-Committee Public Service Corporations) ..... 2

Revenue and Taxation, V. Chm. .... 3

Roads and Highways ..... 3

Rules ..... 3

Author: SBs 576, 618.

Co-Author: SBs 389, 403, 480, 490, 504, 530, 579, 584, 590, 614, 650; SJR 28;

SCRs 48, 50, 53, 57, 58, 60, 67, 71, 79, 87, 91; SRs 46, 50, 51, 62, 69, 70, 74,

75, 76, 78, 79; HBs 1330, 1488, 1541, 1608, 1615, 1616, 1644, 1735; HJR 1043;

HCRs 1042, 1048, 1049, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: HB 1214 p 1041

BRADSHAW, J. W.: Request for LP referred; CR .....78; 130

BRANAN, Herbert L: Confirmation of ..... 200

## BRECKINRIDGE, Senator Peyton A.:

## Appointments—Committees (CONFERENCE):

SB 587 p 686 HB 1214 p 964

## —Committees (STANDING—Rule 21f—1st Session):

Constitutional Revision and Regulatory Services ..... 2

Education ..... 2

Finance and Commerce ..... 2

## —Committee (UNDER):

HCR 1035 p 185

Author: SB 658; SJR 43; SRs 65, 71.

Co-Author: SBs 252, 403, 452, 480, 504, 522, 539, 584, 587, 647; SJRs 28, 50;

SCRs 48, 50, 53, 57, 58, 67, 71, 79, 87, 92; SRs 50, 51, 62, 69, 70, 74, 75, 78,

79; HBs 1260, 1339, 1586, 1611, 1615, 1616, 1735, 1767; HCRs 1042, 1048, 1053,

1055, 1058, 1059, 1063, 1074.

BRILEY, Leonard: Confirmation of ..... 565

BROADDUS, Goodwin Jr.: Confirmation of ..... 565

BROWN, Donald Glenn: Confirmation of ..... 1088

BROWN, Elvin J.: Confirmation of ..... 201

BULLER, Dr. Ralph L.: Confirmation of ..... 1088

## C

CARLIN, Merle: Confirmation of ..... 323

CARLTON, Richard D.: Confirmation of .....566; 647

CARTER, Dr. Bruce G.: Request for LP referred; CR .....78; 130

CHAMBERS, Cory Royse: Introduced and made Honorary Page ..... 939

CHAPLAINS: .....2; 43; 67; 99; 155; 215; 269; 339; 407; 465; 525; 569; 649; 755; 939

CHAPPELE, T. Oscar: Confirmation of ..... 322

CITATIONS: 33; 47; 69; 78; 93; 99; 115; 127; 157; 203; 215; 227; 241; 260; 287; 303;  
 343; 364; 395; 421; 433; 451; 466; 483; 501; 511; 527; 538; 549; 576; 602; 617; 633;  
 683; 699; 742; 828; 894; 941; 987; 1059

CITATIONS—Concurrent: -----303; 538; 571; 617; 632; 1059

COBLE, James: Confirmation of ----- 323

COMMITTEES—CONFERENCE (To GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs  
 under GCCA.

—HCs (House Conferees) under GCCA named ----- 462

—SCs (Senate Conferees) under GCCA appointed ----- 467

Senate Sub-Committees announced ----- 513

—Committees (CONFERENCE other than GCCA):

SB 29 p 585	SB 393 p 680	SB 587 p 686
SB 117 p 1060	SB 403 p 398	SB 590 p 895
SB 133 p 748	SB 461 p 679; 988	SB 599 p 786
SB 202 p 970	SB 478 p 838; 988;	SB 601 p 720
SB 214 p 752	995	SB 626 p 845
SB 281 p 719	SB 537 p 585; 1089	SB 655 p 689
SB 311 p 631	SB 544 p 752	SB 656 p 689
SB 341 p 198	SB 557 p 719	
	SB 560 p 722; 803	
HB 1141 p 641	HB 1510 p 941	HB 1659 p 680
HB 1145 p 1086	HB 1514 p 680	HB 1664 p 686
HB 1146 p 721	HB 1517 p 752	HB 1674 p 686
HB 1154 p 319	HB 1522 p 388; 803	HB 1676 p 825
HB 1199 p 718	HB 1525 p 299	HB 1677 p 793
HB 1203 p 319	HB 1532 p 941	HB 1696 p 967
HB 1206 p 975	HB 1542 p 446; 1060	HB 1705 p 753
HB 1214 p 964	HB 1586 p 284	HB 1719 p 811
HB 1247 p 611	HB 1590 p 738	HB 1722 p 698
HB 1291 p 153	HB 1608 p 404	HB 1726 p 811; 966
HB 1292 p 694	HB 1610 p 416	HB 1740 p 611
HB 1339 p 108	HB 1612 p 749	HB 1752 p 810
HB 1439 p 104	HB 1630 p 617	HB 1766 p 900
HB 1492 p 712	HB 1653 p 793	HB 1797 p 562
		HJR 1053 p 811



—INTERIM: (See appointments preceding p 1)

Executive Committee—Legislative Council—74 OS 1961 § 456,  
as amended, 1968

Under SR 53—Southern and National Conferences of Council of State Gov-  
ernment.

Under SR 63—Study of Rules and Procedure.

Under SR 72—Study limitation of opportunity of State Businesses, profes-  
sions and industries, etc.

Under SCR 54—Study pollution control.

(SPECIAL):

RE Lobby Permits ..... 6

To escort:

Governor Dewey F. Bartlett to Chamber for Memorial Services ... 350

Major General Franklin Nichols to Senate Chamber ..... 169

The Joseph R. Reinhardt family to Chamber for Memorial Services 350

To notify:

Governor Dewey F. Bartlett RE Senate organized; Joint Session  
and Sine Die Adjournment .....5; 7; 1111

House RE Senate organized and Sine Die adjournment .....6; 1112

—UNDER:

SR 46 p 124

SCR 47 p 124

HCR 1035 p 185

—Committees (STANDING—Rule 21f—1st Session):

Agriculture ..... 2

Appropriations and Budget ..... 2

Business Relations ..... 2

Conservation and Economic Development ..... 2

Constitutional Revision and Regulatory Services ..... 2

Education ..... 2

Finance and Commerce ..... 2

Governmental Affairs ..... 2

Judiciary ..... 2

Senator Nichols appointed on ..... 75

Municipal Government ..... 3

Public Affairs ..... 3

Public Health ..... 3

Revenue and Taxation ..... 3

Roads and Highways ..... 3

Senator Nichols' name WD as member of ..... 75

## Rules:

CRs RE: Bill Title; Committee Meetings Calendar; Electric Roll	
Call; amended; adopted .....	128; 381; 512
Printing Contract; adopted .....	128
Joint Rule 20 invoked (SB 558) .....	540
Ruling, RE failure of emergency .....	968

## COMMUNICATIONS, From:

Benade, Leo E., Brig. General U. S. Army .....	380
Equalization, State Board of .....	22
Frick, Kenneth E. ....	650
Jones, D. L. ....	547
Lenhart, Lance Christian .....	391

## CONFERENCE COMMITTEES, See "COMMITTEES—CONFERENCE."

CONFIRMATIONS—Executive Nominations: .....	199; 321; 565; 647; 697; 977; 1088
COOPER, Donna: Oklahoma's Junior Miss of 1970 introduced .....	707
COTNER, Dr. N. A.: Confirmation of .....	1088
COUSINS, Hal: Request for LP referred; CR; adopted .....	303; 467; 483
CROW, Senator Herschal:	

## Appointments—Committee (CONFERENCE):

HB 1203 p 319

## —Committee (SPECIAL):

To notify House RE Senate organized and Joint Session; CR .....5; 6

## —Committees (STANDING—Rule 21f—1st Session):

Agriculture .....	2
Education .....	2
Governmental Affairs .....	2

Author: SBs 405, 481; SJR 31; SCR 79; SR 47.

Co-Author: SBs 383, 408, 449, 499, 500, 570, 650; SCRs 41, 48, 50, 57, 58, 67, 71, 87, 92; SRs 50, 51, 62, 67, 69, 70, 74, 75, 76, 78, 79; HBs 1240, 1387, 1522, 1541, 1591, 1612, 1642, 1652, 1658, 1726, 1735, 1777, 1797; HJR 1003; HCRs 1041, 1042, 1044, 1048, 1053, 1054, 1055, 1057, 1058, 1059, 1063, 1074.

Declaration of Vote: HB 1561 p 1043

CULP, Joseph: Confirmation of .....	322
CUMMINS, Harry E. Jr.: Confirmation of .....	322

## D

## DACUS, Senator Byron:

## Appointments—Committees (STANDING—Rule 21f—1st Session):

Agriculture, V. Chm. ....	2
Appropriations and Budget .....	2
Roads and Highways .....	3
Rules .....	3

Co-Author: SB 403; SJR 28; SCRs 48, 50, 57, 58, 67, 71, 79, 87; SRs 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; HB 1797; HCRs 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Gift from Senate presented to .....	1110
SR 79, Commending .....	1109
DAMBOLD, Jim: Confirmation of .....	322
DANK, David M.: Request for LP referred; CR; adopted .....	43; 90; 101
DEAN, Harvey: Confirmation of .....	647
DICKENS, The Rev. Joe:	
Continues to serve as Permanent Senate Chaplain, as	
provided under Rule 21f—1st Session .....	2, 649; 939
DOENGES, Bill: Confirmation of .....	566
DOWNS, Rev. John: Chaplain .....	407

## E

ELECTRIC ROLL CALL: Senate Rule RE; submitted; adopted .....	128; 381; 512
EQUALIZATION, State Board of: Communication from .....	22
EVANS, R. Rhys: Confirmation of .....	322
EXECUTIVE COMMITTEE—Legislative Council: Appointments to—74 OS 1961 § 456,	
as amended, 1968.	
EXECUTIVE MESSAGE .....	7
EXECUTIVE SESSIONS .....	46; 199; 321; 565; 647; 697; 977; 1088

## F

FERGUSON, Maury H.: Request for LP referred; CR; adopted .....	67; 90; 101
FERRALL, Ouida: Request for LP referred; CR; adopted .....	69; 90; 101
FERRELL, Senator Donald F.:	

## Appointment—Committee (SPECIAL):

To advise House RE Sine Die adjournment .....	1112
---	------

## —Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget .....	2
Revenue and Taxation .....	3
Roads and Highways .....	3

Author: SBs 523, 524, 644.

Co-Author: SBs 252, 367, 424, 611; SJR 28; SCRs 47, 48, 50, 57, 58, 67, 71, 79, 87; SRs 50, 51, 60, 62, 69, 70, 74, 75, 76, 78, 79; HBs 1488, 1499, 1518, 1753, 1783, 1797; HCRs 1042, 1048, 1053, 1054, 1055, 1058, 1059, 1060, 1063, 1074.

FIELD, Senator Leon:

## Appointments—Committees (CONFERENCE):

SB 29 p 585 HB 1154 p 319

## —Committees (STANDING—Rule 21f—1st Session):

Agriculture, Chm. ....	2
Conservation and Economic Development .....	2
Roads and Highways .....	3

## —Committee (UNDER):

HCR 1075 p 1073

Author: SBs 519, 527; SCRs 41, 52; SRs 67, 79.



Co-Author: **SBs** 403, 421, 480; **SJR** 28; **SCRs** 48, 50, 54, 57, 58, 67, 71, 79, 87, 89, **SRs** 50, 51, 62, 69, 70, 74, 75, 76, 78; **HBs** 1152, 1154, 1387, 1434, 1541, 1602, 1642, 1644, 1674, 1696, 1735, 1797; **HJR** 1033; **HCRs** 1042, 1048, 1053, 1054, 1055, 1058, 1059, 1062, 1063, 1064, 1074, 1075.

FISHER, Earl: Confirmation of .....	323
FITZGERALD, Quentin: Request for LP referred; CR; adopted .....	33; 90; 101
FRANCIS, William P: Confirmation of .....	200
FUTURE FARMERS of AMERICA:	

National President of, introduced and addressed the Senate .....	155
Recognition of Senator Clem McSpadden by, reflected in Journal .....	157

## G

## GARRETT, Senator John L.:

## Appointments—Committees (CONFERENCE):

SB 461 p 680; 988	HB 1199 p 719	HB 1532 p 941
SB 544 p 753	HB 1247 p 611	HB 1608 p 404
SB 590 p 895	HB 1525 p 299	HB 1740 p 611

## —Committees (STANDING—Rule 21f—1st Session):

Judiciary, V. Chm. ....	2
Public Affairs (Chm. Sub-Committee Mental and Eleemosnary Institutions ..	3
Revenue and Taxation .....	3

Author: **SBs** 388, 498, 544, 590, 591, 649.

Co-Author: **SBs** 454, 479, 499, 500, 545, 552; **SJR** 38; **SCRs** 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; **HBs** 1247, 1525, 1541, 1547, 1548, 1612, 1616, 1641, 1650, 1656, 1675, 1678, 1703, 1734, 1740, 1741; **HJR** 1003; **HCRs** 1039, 1041, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

## GARRISON, Senator Denzil D.:

Continues to serve as Minority Floor Leader for 2d Session of 32d Legislature, as provided under Rule 21f of 1st Session.

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 311 p 631	HB 1517 p 752	HB 1797 p 562
SB 587 p 686	HB 1705 p 753	

## —Committee (GCCA) ..... 462

(Sub-Committee Public Safety and Highways p 513)

## —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

## —Committees (SPECIAL):

## To escort:

Governor Dewey F. Bartlett to Senate Chamber for Memorial Service	350
Major General Franklin Nichols to Senate Chamber .....	169

## To notify:

Governor RE Senate organized, etc.; CR.....	5;	6
Governor RE Joint Session; RE Sine Die adjournment .....	7;	1111
—Committees (STANDING—Rule 21f—1st Session):		
Governmental Affairs .....		2
Judiciary .....		2
Municipal Government .....		3
Rules .....		3
Author: SBs 455, 483, 538, 539, 541, 559, 600; SJRs 28, 44; SCRs 58, 82; SR 43.		
Co-Author: SBs 448, 452, 480, 487, 545, 549, 556, 581, 584, 594, 623, 650; SJRs 46, 51; SCRs 47, 50, 51, 57, 60, 67, 71, 79, 87; SRs 50, 51, 62, 64, 69, 70, 74, 75, 78, 79; HBs 1152, 1589, 1642, 1747, 1753, 1797, 1798; HJR 1006; HCRs 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1066, 1074.		

Condolence extended to; Memorial Service for father of .....	6;	352
--	----	-----

## GARRISON, J. Don:

Memorial Service for .....		352
Regret at death of, expressed by Senate .....		6
SCR 48 RE .....		90

## GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS (GCCA):

House Conferees (HCs) named .....		467
Senate Conferees (SCs) appointed .....		462
Sub-Committees announced .....		513

GOINS, Rev. Tom: Chaplain .....		43
---------------------------------	--	----

GORDON, Milo: Confirmation of .....		566
-------------------------------------	--	-----

## GRANTHAM, Senator Roy:

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 461 p 680; 988	SB 590 p 895	HB 1740 p 611
SB 544 p 753	HB 1676 p 825	HB 1752 p 811
SB 557 p 719	HB 1677 p 793	

—Committee (GCCA) .....	462
-------------------------	-----

(Sub-Committee General Government p 513)

## —Committee (SPECIAL):

RE Lobby Permits .....	6
------------------------	---

To escort Governor Dewey F. Bartlett to Chamber for Memorial Services..	350
---	-----

## —Committees (STANDING—Rule 21f—1st Session):

Governmental Affairs .....	2
Judiciary, Chm .....	2
Roads and Highways .....	3

Author: SBs 400, 452, 512, 547, 549, 557, 569, 578, 586, 588, 594, 595, 627, 643; SJR 41; SCRs 56, 59, 72; SR 49.

Co-Author: **SBs** 389, 449, 457, 480, 514, 531, 532, 534, 544, 545, 559, 579, 621; **SJR** 28; **SCRs** 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; **HBs** 1208, 1242, 1388, 1403, 1457, 1500, 1508, 1515, 1521, 1543, 1589, 1595, 1602, 1616, 1627, 1642, 1644, 1645, 1650, 1656, 1666, 1677, 1735, 1743, 1749, 1752, 1762, 1787, 1790, 1797, 1800, 1801; **HCRs** 1042, 1044, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

GRAUMANN, Leonard: Confirmation of ..... 321

GRAVES, Senator Ralph W.:

Appointments—Committee (CONFERENCE):

SB 341 p 199

—Committees (STANDING—Rule 21f—1st Session):

Finance and Commerce (Chm Sub-Committee Financial Institutions)..... 2

Public Health, V Chm ..... 3

Author: **SB** 489; **SCR** 61.

Co-Author: **SBs** 403, 483, 487, 504; **SCRs** 48, 50, 57, 58, 60, 64, 67, 71, 72, 79, 87; **SRs** 50, 51, 62, 69, 70, 74, 75, 78, 79; **HBs** 1154, 1247, 1488, 1608, 1616, 1642, 1648, 1735; **HJR**s 1043, 1058; **HCR**s 1038, 1041, 1042, 1048, 1053, 1055, 1057, 1058, 1063, 1074.

GRUVER, Frank: Confirmation of ..... 324

GUINN, Mrs. Fay: Request for LP referred: CR.....483; 501

## H

HAM, Senator Glen:

Appointments—Committees (CONFERENCE):

SB 557 p 719 HB 1752 p 811

—Committees (STANDING—Rule 21f—1st Session):

Municipal Government, V Chm ..... 3

Roads and Highways ..... 3

—Committee (UNDER):

SR 46 p 124 SCR 47 p 124

Author: **SBs** 469, 470, 486, 546, 581.

Co-Author: **SBs** 188, 252, 403, 467, 504, 545, 557; **SJR** 28; **SCRs** 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; **HBs** 1152, 1154, 1231, 1339, 1521, 1642, 1696, 1797, 1798; **HJR**s 1003, 1043; **HCR**s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1072, 1074.

HAMILTON, Cecil C.: Request for LP referred; CR: adopted .....60; 90; 101

HAMILTON, Senator James E.:

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 202 p 970 HB 1514 p 680 HB 1659 p 680

SB 599 p 786 HB 1586 p 284 HB 1664 p 687

SB 626 p 845 HB 1590 p 738 HB 1766 p 900

HB 1247 p 611 HB 1612 p 749 HB 1797 p 562



—Committee (GCCA) .....	462
(Sub-Committee Education p 513)	
—Committee (SPECIAL):	
To escort Joseph R. (Jake) Reinhardt family to Senate Chamber.....	350
—Committees (STANDING—Rule 21f—1st Session):	
Agriculture (Chm Sub-Committee Agronomy and Forestry).....	2
Appropriations and Budget .....	2
Education, V Chm. ....	2
—Committee (UNDER):	
SCR 47 p 124	
Author: <b>SBs</b> 450, 451, 463, 464, 471, 472, 479, 488, 494, 503, 510, 545, 596, 599, 619, 620, 628, 629, 634; <b>SJR</b> s 35, 40, 42, 45, 47, 49; <b>SCR</b> 50; <b>SR</b> 75.	
Co-Author: <b>SBs</b> 426, 427, 449, 452, 490, 499, 500, 570, 603, 623, 659; <b>SCR</b> s 46, 48, 57, 58, 67, 71, 79, 87, 89, 92; <b>SR</b> s 50, 51, 62, 64, 69, 70, 73, 74, 76, 78, 79; <b>HB</b> s 1339, 1403, 1514, 1521, 1522, 1567, 1573, 1612, 1626, 1632, 1642, 1659, 1756, 1797, 1798; <b>HCR</b> s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074, 1077.	
HARGRAVE, Senator George, Jr.:	
Appointments—Committee (CONFERENCE—GCCA):	
See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.	
—Committees (CONFERENCE other than GCCA):	
SB 311 p 631                      HB 1664 p 687                      HB 1752 p 811	
HB 1214 p 964	
—Committee (GCCA) .....	462
(Sub-Committee Social Services and Health p 513)	
—Committees (STANDING—Rule 21f—1st Session):	
Judiciary .....	2
Public Affairs, Chm. ....	3
Public Health .....	3
—Committee (UNDER)	
SR 46 p 124	
Author: <b>SJR</b> 30.	
Co-Author: <b>SBs</b> 409, 499, 500, 530, 556, 614; <b>SCR</b> s 48, 50, 51, 53, 57, 58, 67, 71, 79, 87; <b>SR</b> s 46, 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; <b>HB</b> s 1050, 1615, 1616, 1660, 1735, 1768; <b>HJR</b> s 1043, 1056, 1057; <b>HCR</b> s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
HART, Lawrence: Confirmation of .....	977
HAWKINS, E. S.: Confirmation of .....	322
HEADY, Eber: Confirmation of .....	565
HEALEY, Burke: Confirmation of .....	698
HERRON, Quintus H.: Confirmation of .....	978
HOLDEN, Senator Wayne M.:	
Continues to serve as Secretary of the Democratic Caucus.	
Appointments—Committee (CONFERENCE—GCCA):	
See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.	

—Committees (CONFERENCE other than GCCA):	
SB 341 p 199	SB 560 p 722; 803      HB 1630 p 617
SB 537 p 585; 1089	
—Committee (GCCA—Alternate) .....	462
(Sub-Committee General Government p 513)	
—Committee (INTERIM):	
Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.	
—Committees (STANDING—Rule 21f—1st Session):	
Conservation and Economic Development, V Chm. (Chm. Sub-Committee Soil and Water Resources) .....	2
Municipal Government .....	3
Roads and Highways .....	3
—Committee (UNDER)	
HCR 1035 p 185	
Author: <b>SBs</b> 537, 553.	
Co-Author: <b>SB</b> 603; <b>SJR</b> 28; <b>SCRs</b> 48, 50, 51, 57, 58, 67, 71, 72, 73, 79, 87; <b>SRs</b> 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1152, 1240, 1247, 1527, 1589, 1615, 1616, 1625, 1642, 1644, 1663, 1684, 1696, 1723; <b>HCRs</b> 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1069, 1071, 1074.	
Declaration of Vote:      HB 1203 p 142	
HOOKER, Verdo: Confirmation of .....	324
HORRALL, Curtis L.: Confirmation of .....	566
HORN, Senator Raymond L.:	
Appointments—Committees (CONFERENCE):	
SB 599 p 786	HB 1514 p 680
—Committees (STANDING—Rule 21f—1st Session):	
Appropriations and Budget .....	2
Conservation and Economic Development (Chm. Sub-Committee Oil and Gas)	2
Governmental Affairs, V Chm. ....	2
Author: <b>SBs</b> 505, 548; <b>SCR</b> 57; <b>SR</b> 52.	
Co-Author: <b>SBs</b> 202, 403, 449, 623; <b>SJR</b> 45; <b>SCRs</b> 48, 50, 58, 67, 71, 79, 87, 89; <b>SRs</b> 46, 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1521, 1615, 1616, 1642, 1735, 1810; <b>HJR</b> 1003; <b>HCRs</b> 1037, 1042, 1045, 1048, 1053, 1055, 1058, 1059, 1063, 1074, 1075.	
HOUSTON, Clarence: Confirmation of .....	323
HOWARD, Senator Gene C.:	
Appointments—Committee (CONFERENCE—GCCA):	
See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.	
—Committees (CONFERENCE other than GCCA):	
HB 1439 p 104	HB 1590 p 738      HB 1664 p 687
HB 1517 p 752	
—Committee (GCCA—Alternate) .....	462
(Sub-Committee Education p 513)	

—Committee (INTERIM):	
Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.	
—Committee (SPECIAL):	
To notify House RE Sine Die adjournment .....	1112
—Committees (STANDING—Rule 21f—1st Session):	
Constitutional Revision and Regulatory Services .....	2
Education (Chm. Sub-Committee Public Schools) .....	2
Municipal Government, Chm. ....	3
—Committee (UNDER)	
SCR 47 p 124	
Author: <b>SBs</b> 454, 604, 624; <b>SJR</b> 29; <b>SCR</b> 42.	
Co-Author: <b>SBs</b> 111, 403, 499, 500, 516, 545, 550, 570, 589, 626, 649; <b>SJR</b> 38;	
<b>SCRs</b> 48, 50, 53, 57, 58, 60, 67, 71, 79, 87; <b>SRs</b> 50, 51, 62, 64, 69, 70, 74, 75,	
76, 78, 79; <b>HBs</b> 1247, 1291, 1517, 1548, 1616, 1642, 1664, 1665, 1766, 1777, 1810;	
<b>HJR</b> 1003; <b>HCRs</b> 1036, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
HUMPHREY, Wayman: Confirmation of .....	647
HUNTER, R. A. "Dick": Request for LP referred; CR; adopted .....	69; 90; 101
HURT, Joe D.: Request for LP referred; CR; adopted .....	37; 90; 101
HUSTED, Cindy and Ricky: Introduced and made Honorary Assistant Calendar	
Clerk and Honorary Assistant Sergeant-at-Arms, respectively .....	631
HUTCHINSON, Ben S.: Request for LP referred; CR; adopted .....	51; 90; 101

## I

## INHOFE, Senator James M.:

Appointments—Committees (STANDING—Rule 21f—1st Session)	
Appropriation and Budget .....	2
Business Relations .....	2
Finance and Commerce .....	2
—Committee (UNDER)	
SR 46 p 124	

Author: **SBs** 583, 650, 652; **SCR** 43; **SRs** 46, 69.

Co-Author: **SBs** 367, 403, 431, 452, 457, 509, 528, 539, 541, 584; **SCRs** 46, 48, 50, 53, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 61, 62, 68, 70, 74, 75, 78, 79; **HBs** 1528, 1541, 1543, 1566, 1584, 1630, 1719, 1735, 1753, 1760; **HJR** 1004; **HCRs** 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

## J

JOHNSON, Herbert H.: Request for LP referred; CR .....	115; 130
JOHNSON, Ludwig: Confirmation of .....	978
JOINT SESSION .....	6
JONES, D. L.: Communication from .....	547
JONES, John Paul: Confirmation of .....	647
JONES, Marjorie Elizabeth: Adoption of, announced and made	
Honorary Journal Clerk .....	359
JONES, Waldo E. II: Confirmation of .....	321
JORDAN, Rev. LeRoy K.: Chaplain .....	755



## K

KEELS, Senator J. Lee:

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

HB 1206 p 975                      HB 1608 p 404                      HB 1726 p 811; 966

HB 1517 p 752                      HB 1722 p 698

—Committee (GCCA—Alternate) ..... 462  
(Sub-Committee Social Services and Health p 513)

—Committees (STANDING—Rule 21f—1st Session):

Education ..... 2

Constitutional Revisions and Regulatory Services ..... 2

Governmental Affairs, Chm. .... 2

Author: **SBs** 271, 633; **SR** 68.

Co-Author: **SBs** 276, 367, 383, 388, 393, 399, 403, 452, 479, 487, 499, 500, 552, 560, 570, 587, 649; **SJR** 28; **SCRs** 48, 50, 51, 57, 58, 60, 67, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 70, 74, 75, 78, 79; **HBs** 1206, 1291, 1339, 1517, 1521, 1541, 1586, 1608, 1615, 1616, 1642, 1726, 1735, 1742, 1753, 1810; **HJR**s 1003, 1043; **HCR**s 1036, 1041, 1042, 1048, 1053, 1058, 1059, 1063, 1074.

Declaration of Vote: **SR** 44 p 22

KEITH, Guy: Confirmation of ..... 200

KELLY, Tracy: Confirmation of ..... 200

KING, Peter C.: Confirmation of ..... 323

KOHL, William A.: Confirmation of ..... 322

## L

LAIR, O. H.: Request for LP referred; CR; adopted.....215; 271; 290

LaMAR, Mrs. Grester: Confirmation of ..... 324

LANE, Senator Jimmie:

Appointments—Committee (CONFERENCE—GCCA)

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 214 p 752                      HB 1659 p 680                      HB 1722 p 698

SB 599 p 786                      HB 1719 p 811                      HB 1726 p 811; 966

HB 1206 p 975

—Committee (GCCA—Alternate) ..... 462  
(Sub-Committee Regulatory and Natural Resources p 513)

—Committees (STANDING—Rule 21f—1st Session):

Agriculture ..... 2

Appropriations and Budget ..... 2

Conservation and Economic Development ..... 2

—Committee (UNDER)

HCR 1075 p 1073

Author: **SB** 482; **SJR** 33; **SCR** 92.

Co-Author: **SBs** 449, 452, 499, 500, 603; **SJR**s 28, 31; **SCR**s 48, 50, 51, 54, 57, 58, 60, 67, 71, 79, 87; **SR**s 50, 51, 62, 67, 69, 70, 74, 75, 76, 78, 79; **HB**s 1152, 1387, 1499, 1522, 1616, 1642, 1644, 1722, 1726, 1797, 1798, 1808; **HJR**s 1003, 1043; **HCR**s 1042, 1044, 1048, 1053, 1055, 1058, 1059, 1063, 1074, 1075.

LEADER PRESS, The: Contract for Senate Printing awarded to .....	128
LEGATE, Jimmie E.: Confirmation of .....	1088
LEGISLATIVE COUNCIL—Executive Committee 74 OS 1051 § 456, as amended, 1968	
LEE, Maurice: Confirmation of .....	1088
LENHART, Lance Christian:	
Birth of announced .....	339
Communication from .....	391
Introduced, made Honorary Chief Page .....	795
SR 51, RE, adopted .....	339
LEWIS, Howell (Photographer): Granted privileges of Floor .....	699
LOBBY PERMITS: Requests for, referred to Committee on Lobby Permits, for consideration and report:	

PETITIONERS	REQUEST FOR (CR)	
	To Committee	Permit Granted
BRADSHAW, J. V. ....	78	130
CARTER, Dr. Bruce G. ....	78	130
COUSINS, Hal .....	303	467; 483
DANK, David M. ....	43	90; 101
FERGUSON, Maury H. ....	67	90; 101
FERRALL, Ouida .....	69	90; 101
FITZGERALD, Quentin .....	33	90; 101
GUINN, Mrs. Fay .....	483	501
HAMILTON, Cecil C. ....	69	90; 101
HUNTER, R. A. "Dick" .....	69	90; 101
HURT, Joe D. ....	37	90; 101
HUTCHINSON, Ben S. ....	51	90; 101
JOHNSON, Herbert H. ....	115	130
LAIR, O. H. ....	215	271; 290
MASON, Robert F. ....	343	467; 483
MEYERS, Leo E. ....	157	271; 290
MURPHY, Charles H. ....	78	130
PARRISH, Stephen L. ....	69	90; 101
PARSONS, T. O. ....	483	501
PATRICK, Dale .....	37	90; 101
PEGG, Mrs. Eulalie .....	69	90; 101
PETERS, Don A. ....	67	90; 101
QUILLMAN, Lowell S. ....	78	130
RULAND, Frank C. ....	37	90; 101
SMITH, R. H. "Bob" .....	157	272; 290
STOUT, Ed .....	395	467; 483
THOMPSON, Claud .....	58	90; 101
THRASH, Paul L. ....	115	130
WATTS, T. R. ....	33	90; 101
WOODCOCK, Don M. ....	78	130

LOOKABAUGH, Jim: Confirmation of ..... 978

LUTON, Senator John D.:

Appointments—Committees (CONFERENCE):

SB 202 p 970	HB 1141 p 641	HB 1339 p 108
SB 281 p 719	HB 1145 p 1086	HB 1653 p 793
SB 478 p 838; 988; 995	HB 1146 p 721	HB 1719 p 811
SB 504 p 585	HB 1291 p 153	

—Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

—Committees (STANDING—Rule 21f—1st Session):

Business Relations, Chm. ....	2
Conservation and Economic Development .....	2
Education .....	2
Rules .....	3

Author: **SBs** 455, 478, 513, 556, 641; **SCR** 46; **SR** 66.

Co-Author: **SBs** 188, 190, 375, 383, 409, 452, 464, 490, 499, 500, 525, 545, 550, 626, 650; **SCRs** 48, 57, 58, 60, 67, 71, 72, 79, 87; **SRs** 46, 50, 51, 60, 62, 64, 69, 70, 74, 75, 78, 79; **HBs** 1152, 1154, 1247, 1291, 1339, 1522, 1586, 1589, 1608, 1615, 1616, 1638, 1642, 1682, 1702, 1719, 1735, 1764, 1810; **HJR**s 1003, 1043; **HCR**s 1042, 1048, 1051, 1052, 1053, 1055, 1058, 1059, 1063, 1074.

## Mc

McBRIDE, Kelly Ann: Introduced and made Honorary Chief Clerk..... 681

McCLURE, W. L.: Confirmation of ..... 322

McCOLGIN, Mrs. Bessie S.: Citation issued to ..... 33

McCULLOUGH, R. D.: Confirmation of ..... 201

McCUNE, Senator John R.:

Appointments—Committees (CONFERENCE):

SB 626 p 845	HB 1292 p 694
--------------	---------------

—Committees (STANDING—Rule 21f—1st Session):

Municipal Government .....	3
Public Affairs .....	3
Public Health .....	3

Author: **SBs** 390, 391, 399, 406, 555; **SR** 78.

Co-Author: **SBs** 383, 483, 584, 587, 626; **SJR** 30; **SCRs** 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 70, 74, 75, 79; **HBs** 1152, 1247, 1403, 1532, 1616, 1642, 1678, 1682, 1741, 1805, 1810; **HCRs** 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: SB 612 p 553

McCURDY, Dr. W. C. Jr.: Confirmation of ..... 1088

McGALLIARD, William A.: Confirmation of ..... 324

McGRAW, Senator Joseph R.:

Appointments—Committee (CONFERENCE):

HB 1766 p 900



## —Committees (STANDING—Rule 21f—1st Session):

Education .....	2
Municipal Government .....	3
Revenue and Taxation .....	3

Author: **SBs** 453, 506, 511, 522, 607, 612, 642; **SCR** 53.

Co-Author: **SBs** 403, 452, 485, 504, 584, 587, 589, 606; **SCRs** 47, 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 69, 70, 74, 75, 78, 79; **HBs** 1152, 1291, 1541, 1548, 1586, 1616, 1642, 1705, 1776, 1777, 1797; **HJR** 1006; **HCRs** 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

McSPADDEN, Senator Clem:

## Appointments—Committee (CONFERENCE—GCCA Chm.):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

## —Committees (CONFERENCE other than GCCA):

HB 1154 p 319	HB 1653 p 793	HB 1674 p 686	
—Committee (GCCA, Chm.) .....			462
(Sub-Committee Regulatory and Natural Resources p 513)			

## —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

## —Committees (SPECIAL):

To escort:

Joseph R. (Jake) Reinhardt Family to Senate Chamber .....	350
Major General Franklin Nichols to Senate Chamber .....	169
To notify House RE Sine Die adjournment .....	1112

## —Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget, Chm. ....	2
Governmental Affairs .....	2
Public Affairs .....	3
Rules .....	3

Author: **SBs** 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 508, 509, 565, 580, 603, 613, 632; **SCR** 85.

Co-Author: **SBs** 211, 480, 539, 541; **SCRs** 48, 50, 57, 58, 67, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; **HBs** 1388, 1515, 1519, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1615, 1616, 1625, 1642, 1653, 1671, 1674, 1735, 1782, 1810; **HJRs** 1033, 1044; **HCRs** 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1070, 1074.

Recognition of Leadership with FFA reflected in Journal..... 157

## M

MACKLANBURG, Robert A. Jr.: Confirmation of .....	324
MADDUX, William: Confirmation of .....	324
MARTIN, Senator Ernest D.:	

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 133 p 748                      HB 1630 p 617                      HJR 1053 p 811  
HB 1542 p 446; 1060

—Committee (GCCA) ..... 462

(Sub-Committee Social Services and Health p 513)

—Committees (STANDING—Rule 21f—1st Session):

Education ..... 2

Public Affairs ..... 3

Public Health, Chm. .... 3

—Committee (UNDER):

SR 46 p 124

Author: **SBs** 407, 507; **SCR** 66.

Co-Author: **SBs** 403, 452, 500, 577; **SJR** 31; **SCRs** 48, 50, 57, 58, 60, 67, 71, 79, 87; **SRs** 50, 51, 59, 62, 69, 70, 74, 75, 76, 78, 79; **HBs** 1154, 1540, 1541, 1589, 1630, 1642, 1696, 1735, 1784; **HJR** 1043; **HCRs** 1042, 1048, 1052, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote:      HB 1561 u 1033

MARVEL, Loyn: Confirmation of ..... 199

MASON, Robert F.: Request for LP referred; CR; adopted.....232; 467; 483

MASON, Dr. Walter S. Jr.: Confirmation of ..... 200

MASSEY, Senator John:

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 601 p 720                      HB 1154 p 319                      HB 1722 p 698

SB 655 p 689                      HB 1492 p 712

SB 656 p 689                      HB 1586 p 284

—Committee (GCCA—V Chm.) ..... 462

(Sub-Committee Regulatory and Natural Resources p 513)

—Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget, V Chm. .... 2

Conservation and Economic Development (Chm. Sub-Committee

Parks and Recreation) ..... 2

Author: **SCR** 77.

Co-Author: **SBs** 403, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 480, 508, 509, 565, 603; **SJR** 28; **SCRs** 48, 50, 57, 58, 67, 71, 79, 85, 87; **SRs** 50, 51, 62, 69, 70, 74, 76, 78, 79; **HBs** 1154, 1515, 1519, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1601, 1615, 1616, 1642, 1782; **HJRs** 1003, 1043; **HCRs** 1042, 1047, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

SR 75 RE ..... 991

MEDEARIS, Senator Robert P.:

Appointments—Committee (CONFERENCE):

HJR 1053 p 811

—Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget ..... 2

Finance and Commerce ..... 2

Roads and Highways ..... 3

Author: SCR 64.

Co-Author: SBs 479, 499, 500, 518, 565; SJR 45; SCRs 48, 50, 57, 58, 60, 67, 71, 79, 87; SRs 50, 51, 62, 69, 70, 74, 75, 78, 79; HBs 1488, 1527, 1644, 1663, 1735, 1797; HJRs 1003, 1043; HCRs 1042, 1044, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

MEMMINGER, C. B.: Resolution—RE death of (HCR 1042) ..... 60

MEMORIAL SERVICES FOR:

Garrison, J. Don ..... 352

Miller, Mrs. Verdie ..... 352

Reinhardt, Joseph R. (Jake) ..... 352

MERRIOTT, Neal: Confirmation of ..... 199

MEYERS, Leo E.: Request for LP referred; CR; adopted ..... 157; 271; 290

MIDWEST CITY C of C: Award given by, to Senator H. B. Atkinson, read ..... 77

MILL, Dr. Raymond: Confirmation of ..... 323

MILLER, Senator George A.:

Appointments—Committees (CONFERENCE):

SB 403 p 398 HB 1339 p 108 HB 1590 p 738

SB 655 p 689 HB 1439 p 104 HB 1696 p 967

SB 656 p 689 HB 1586 p 284 HJR 1053 p 811

HB 1291 p 153 (Alternate)

—Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

—Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget ..... 2

Education, Chm. .... 2

Public Health ..... 3

Rules ..... 3

—Committee (UNDER):

HCR 1035 p 185

Author: SB 533; SCRs 40, 62, 73; SR 73.

Co-Author: SBs 403, 421, 452, 499, 500, 577, 614; SJRs 31, 38; SCRs 48, 50, 51, 57, 58, 60, 67, 71, 77, 79, 86, 87, 91; SRs 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; HBs 1291, 1361, 1388, 1439, 1515, 1561, 1586, 1590, 1642, 1696, 1735, 1777, 1784, 1790; HJRs 1043, 1053, HCRs 1035, 1041, 1042, 1048, 1053, 1055, 1057, 1058, 1059, 1063, 1074.

Memorial Service for Mother of ..... 352

MILLER, Mrs. Verdie: Memorial Service for ..... 352

MITCHELL, E. B.: Confirmation of ..... 200

MOON, Dr. F. D.: Confirmation of ..... 200

MORFORD, Tom H.: Confirmation of ..... 978

MORRIS, Joseph W.: Confirmation of ..... 323



MURPHY, Charles H.: Request for LP referred; CR .....78: 130  
 MURPHY, Senator Robert M.:

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 341 p 199 HB 1492 p 712 HB 1705 p 753  
 SB 504 p 585 HB 1677 p 793  
 SB 560 p 722; 803 HB 1610 p 416

—Committee (GCCA) ..... 462  
 (Sub-Committee Public Safety and Highways p 513)

—Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 § 456, as amended 1968

—Committee (SPECIAL):

To notify Governor Dewey F. Bartlett RE Sine Die adjournment ..... 1111

—Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget ..... 2  
 Education ..... 2  
 Roads and Highways, Chm. .... 3  
 Rules ..... 3

—Committee (UNDER):

HCR 1035 p 185

Author: **SBs** 467, 473, 474, 475, 476, 477, 504, 560, 562, 568, 573, 611, 653, 654;  
**SJR** 39; **SCRs** 67, 69; **SR** 70.

Co-Author: **SBs** 202, 403, 420, 421, 452, 508, 545, 559, 585; **SJR** 28; **SCRs** 48, 50,  
 57, 58, 60, 71, 79, 87; **SRs** 50, 51, 62, 64, 69, 74, 75, 76, 78, 79; **HBs** 1152, 1247,  
 1291, 1339, 1492, 1601, 1603, 1610, 1642, 1705, 1719, 1735, 1797; **HJR** 1004;  
**HCRs** 1037, 1042, 1045, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: SB 410 p 40

MUSSELMAN, A. Wilson: Confirmation of ..... 977

MYHRO, Carlton V.: Confirmation of ..... 978

## N

NANCE, Leon C.: Confirmation of ..... 977

NEUSTADT, Walter, Jr.: Confirmation of ..... 566

NICHOLS, Senator Allen G.:

Continues to serve as Chairman of the Democratic Caucus.

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs under GCCA.

—Committees (CONFERENCE other than GCCA):

SB 311 p 631

—Committee (GCCA) ..... 462  
 (Sub-Committee General Government p 513)

—Committee (SPECIAL):

To notify Governor Dewey F. Bartlett RE Senate organized, etc. .... 5

—Committees (STANDING—Rule 21f—1st Session):	
Constitutional Revisions and Regulatory Services, V. Chm. ....	2
Public Health .....	3
Roads and Highways (Chm. Sub-Committee Turnpikes) .....	3
Appointed member of Judiciary Committee .....	75
Name WD as member of .....	75
Rules (Chm. Sub-Committee Legislative Procedure) .....	3
Author: <b>SBs</b> 480, 496, 497, 501, 520, 536, 567, 577; <b>SR</b> 58.	
Co-Author: <b>SBs</b> 490, 504, 526, 545, 618; <b>SJR</b> 39; <b>SCRs</b> 48, 50, 57, 58, 67, 71, 79, 87; <b>SRs</b> 50, 51, 59, 62, 67, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1260, 1508, 1615, 1616, 1637, 1641, 1642, 1655, 1690, 1692, 1701, 1703, 1735, 1784; <b>HCRs</b> 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
Declaration of Vote:                      HCR 1036 p 198	
NICHOLS, Major General Franklin: Introduced, escorted to Senate Floor .....	169
<b>O</b>	
O'BRIEN, Father Forrest: Chaplain .....	569
<b>P</b>	
PARKER, Paul: Confirmation of .....	201
PARRISH, Stephen L.: Request for LP referred; CR .....	69; 90
PARSONS, T. O.: Request for LP referred; CR .....	483; 501
PATRICK, Dale: Request for LP referred; CR; adopted .....	37; 90; 101
PATTERSON, E. R.: Confirmation of .....	321
PATTERSON, Ruth: Confirmation of .....	200
PAYNE, Senator Tom:	
Appointments—Committee (CONFERENCE):	
HB 1510 p 941	
—Committee (SPECIAL):	
To escort Major General Franklin Nichols to Senate Floor .....	169
—Committees (STANDING—Rule 21f—1st Session):	
Business Relations (Chm. Sub-Committee Labor Relations) .....	2
Conservation and Economic Development .....	2
Public Health .....	3
Co-Author: <b>SBs</b> 280, 281, 383, 403, 490, 587, 632; <b>SCRs</b> 48, 50, 54, 57, 58, 60, 64, 67, 71, 79, 87, 89; <b>SRs</b> 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1141, 1152, 1154, 1527, 1612, 1615, 1616, 1642, 1674, 1682, 1684, 1717, 1719, 1726, 1790, 1797; <b>HJR</b> 1043; <b>HCRs</b> 1037, 1042, 1048, 1053, 1055, 1058, 1059, 1963, 1074.	
PEGG, Mrs. Eulalie: Request for LP referred; CR; adopted .....	69; 100; 101
PETERS, Don A.: Request for LP referred; CR; adopted .....	67; 90; 101
PHILLIPS, Senator William Fred:	
Appointments—Committees (CONFERENCE):	
HB 1199 p 719                      HB 1203 p 319                      HB 1653 p 793	
—Committees (STANDING—Rule 21f—1st Session):	
Appropriations and Budget .....	2

Business Relations .....	2
Public Health .....	3
Author: <b>SBs</b> 484, 615, 645, 646; <b>SCRs</b> 78, 83.	
Co-Author: <b>SBs</b> 151, 271, 280, 281, 409, 452, 499, 500, 545; <b>SCRs</b> 48, 50, 57, 58, 67, 71, 79, 87, 92; <b>SRs</b> 50, 51, 62, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1203, 1522, 1609, 1615, 1653, 1702, 1719; <b>HJR</b> s 1003, 1043; <b>HCRs</b> 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
PORTER, Senator E. Melvin:	
Appointments—Committee (CONFERENCE):	
HB 1514 p 680	
—Committee (SPECIAL):	
To notify Governor Dewey F. Bartlett RE Senate organized, etc. ....	5
—Committees (STANDING—Rule 21f—1st Session):	
Education .....	2
Judiciary .....	2
Public Affairs, V. Chm. ....	3
Public Health (Chm. Sub-Committee Social Welfare) .....	3
Co-Author: <b>SBs</b> 545, 649; <b>SCRs</b> 48, 50, 57, 58, 67, 71, 79, 87; <b>SRs</b> 50, 51, 62, 64, 69, 70, 74, 75, 78, 79; <b>HBs</b> 1435, 1642; <b>HJR</b> 1046; <b>HCRs</b> 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
Requests name be removed as Co-Author of HJR 1003 .....	506
POSTAGE and Supplies: Sufficient, authorized for members .....	13
PRESIDENT PRO TEMPORE: (See also "SMITH, Senator Finis W.")	
Authorized and directed RE certain expenditures .....	13
PRIDDY, C. L.: Confirmation of .....	565

## Q

QUILLMAN, Lowell S.: Request for LP referred; CR .....	78; 130
--	---------

## R

REED, Lester, Confirmation of .....	698
REEDER, A. J.: Confirmation of .....	201
REINHEARDT, Joseph R. (Jake):	
Memorial Service held for .....	352
SR 50 RE .....	350
ROMANG, Senator Richard E.:	
Continues to serve as Minority Caucus Chairman for 2d Session of 32d Legislature.	
Appointments—Committees (CONFERENCE):	
SB 601 p 720	HB 1532 p 941
HB 1292 p 694	HB 1726 p 811; 966
—Committee (SPECIAL):	
To advise Governor Dewey F. Bartlett RE Joint Session .....	7
—Committees (STANDING—Rule 21f—1st Session):	
Business Relations .....	2



Engrossed and Enrolled Bills, Chm. (Sub-Committee Rules) .....	2
Judiciary .....	2
Roads and Highways .....	3
Author: <b>SBs</b> 389, 402, 550, 601.	
Co-Author: <b>SB</b> 545; <b>SCRs</b> 48, 50, 57, 58, 67, 71, 79, 87; <b>SRs</b> 50, 51, 62, 69, 70, 74, 75, 78, 79; <b>HBs</b> 1292, 1508, 1528, 1719; <b>HCRs</b> 1042, 1048, 1053, 1054, 1055, 1058, 1059, 1063, 1074.	
ROULET, Rev. Donald: Chaplain .....	99
ROUSE, Rev. Truman: Chaplain .....	525
RULAND, Frank C.: Request for LP referred; CR; adopted .....	37; 90; 101

## S

SCOGGINS, Harold B.: Confirmation of .....	698
SENATE—Orders of:	
Carry-Over Bills filed with Calendar Clerk .....	3
Officers and Organization of (Rule 21f) .....	1
RE Cut-Off dates for consideration of SBs and/or SJRs in Committees ....	306; 357
RE Lobby Permits .....	6
Rule 19f suspended .....	602
Rule 11c cited and exception ordered by .....	139; 169
Sufficient postage for members .....	13
\$250 for personal stationery, supplies and equipment .....	13
To strike:	
HBs and HJRs in Committees .....	554; 585
SBs and SJRs in Committees, with exceptions .....	426
SBs and SJRs from Calendar (Under General Order).....	512; 556
SEWELL, Rev. Leroy: Chaplain .....	155
SHAW, John Bennett: Confirmation of .....	324
SHELLEY, Kerns: Confirmation of .....	698
SHIPLEY, W. E. (Bill): Continues to serve as Chief Clerk (Rule 21f—1st Session) -	2
SHORT, Senator Jack M.:	
Continues to serve as Minority Whip for 2d Session 32d	
Legislature, as provided under Rule 21f of 1st Session.	
Appointments—Committees (CONFERENCE):	
HB 1525 p 299	HB 1586 p 284
HB 1532 p 941	HB 1676 p 825
—Committees (STANDING—Rule 21f—1st Session):	
Appropriations and Budget .....	2
Education .....	2
Judiciary .....	2
Author: <b>SB</b> 490; <b>SCR</b> 74.	
Co-Author: <b>SBs</b> 252, 452, 543, 545, 647; <b>SJRs</b> 28, 50; <b>SCRs</b> 47, 48, 50, 57, 58, 67, 71, 79, 87; <b>SRs</b> 50, 51, 62, 64, 69, 70, 74, 75, 76, 78, 79; <b>HBs</b> 1291, 1488, 1532, 1548, 1586, 1616, 1622, 1642, 1682, 1703, 1734, 1774; <b>HCRs</b> 1042, 1048, 1053, 1055, 1058, 1059, 1060, 1063, 1074.	
Declaration of Vote:	HB 1561 p 1033
SILER, Orvil: Confirmation of .....	199
SINNETT, Phil: Confirmation of .....	566

## SMALLEY, Senator Phil:

Continues to serve as Majority Whip for 2d Session of  
32d Legislature, as provided under Rule 21f of 1st Session.

## Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs  
under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 133 p 748	SB 656 p 689	HB 1542 p 446; 1060
SB 393 p 680	HB 1203 p 319	HB 1705 p 753
SB 504 p 585	HB 1247 p 611	HB 1752 p 811
SB 626 p 845	HB 1339 p 108	
SB 655 p 689	HB 1492 p 712	

—Committee (GCCA) ----- 462

(Sub-Committee Education p 513)

## —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 § 456, as amended, 1968

SR 53—Southern Conferences on State Government ----- 390

## —Committee (SPECIAL):

To advise Governor Dewey F. Bartlett RE Joint Session ----- 7

## —Committees (STANDING—Rule 21f—1st Session):

Constitutional Revisions and Regulatory Services ----- 2

Education ----- 2

Judiciary ----- 2

Municipal Government (Chm. Sub-Committee Urban Affairs) ----- 3

Rules ----- 3

## —Committees (UNDER):

SCR 47 p 124 HCR 1075 p 1073

Author: **SBs** 397, 401, 409, 456, 487, 543, 623, 626; **SJR**s 38, 53; **SCR**s 48, 68, 75.

Co-Author: **SBs** 111, 117, 291, 403, 421, 427, 428, 433, 452, 490, 492, 499, 500, 504,  
559, 566, 584, 655, 656; **SJR** 28; **SCR**s 50, 57, 58, 67, 71, 77, 79, 87; **SR**s 50,  
51, 62, 63, 64, 69, 70, 74, 75, 76, 78, 79; **HB**s 1154, 1291, 1339, 1488, 1492, 1497,  
1542, 1561, 1573, 1608, 1616, 1645, 1646, 1650, 1656, 1682, 1705, 1710, 1712,  
1735, 1789, 1809; **HJR** 1004; **HCR**s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074,

Requests consent to introduce bill RE residence requirements of Police Officers 266

SMITH, Carl C., Confirmation of ----- 647

SMITH, Donald and Susan: Introduced and made Monorary President Pro Tempore  
and Honorary Journal Clerk, respectively ----- 939

SMITH, Senator Finis W.: (See also "PRESIDENT PRO TEMPORE")

Continues to serve as President Pro Tempore of 2d  
Session of 32d Legislature, as provided under Rule 21f  
of 1st Session.

## Appointments—Committees (CONFERENCE):

SB 214 p 752	HB 1214 p 964	HB 1612 p 749
SB 403 p 398		

Author: **SBs** 403, 495, 499, 500, 530, 531, 532, 614; **SJR** 36; **SCR**s 47, 81, 86, 93;  
**SR**s 50, 53, 56, 57.

Co-Author: <b>SBs</b> 252, 271, 452, 504, 545, 559, 561, 570, 584, 589, 640; <b>SJR</b> s 38, 46; <b>SCR</b> s 48, 50, 53, 56, 57, 58, 63, 67, 71, 72, 79, 83, 87; <b>SR</b> s 51, 62, 63, 64, 69, 70, 74, 75, 76, 78, 79; <b>HB</b> s 1152, 1291, 1488, 1527, 1589, 1608, 1615, 1616, 1642, 1740, 1766; <b>HCR</b> s 1042, 1046, 1048, 1050, 1053, 1055, 1058, 1059, 1063, 1065, 1074.	
SMITH, R. H. "Bob": Request for LP referred; CR; adopted .....	157; 272; 290
SMITH, Judge R. W.: Confirmation of .....	697
SMITH, Ruth: Continues to serve as Chief Engrossing and Enrolling Clerk (Rule 21f—1st Session) .....	2
SNIPES, Al: Confirmation of .....	978
STANSBERRY, Senator Richard D.: Appointments—Committees (STANDING—Rule 21f—1st Session):	
Conservation and Economic Development .....	2
Constitutional Revisions and Regulatory Services .....	2
Education .....	2
Public Health .....	3
Author: <b>SB</b> s 468, 561.	
Co-Author: <b>SB</b> s 202, 367, 452, 483, 632; <b>SCR</b> s 48, 50, 57, 58, 67, 71, 72, 79, 87; <b>SR</b> s 50, 51, 62, 69, 70, 74, 75, 78, 79; <b>HB</b> s 1642, 1805; <b>HJR</b> 1003; <b>HCR</b> s 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
STATIONERY—Senate: Sufficient authorized .....	13
STEENBERGEN, Bobbie: Continues to serve as Calendar Clerk (Rule 21f—1st Session) .....	2
STEENBERGEN, Rhonda and Robbie: Introduced and made Honorary Calendar Clerk and Honorary Assistant Chief Clerk, respectively .....	631
STEWART, Rev. Ed.: Chaplain .....	215
STIPE, Senator Gene: Appointments—Committees (CONFERENCE):	
SB 29 p 585                      HB 1146 p 721                      HB 1630 p 617	
SB 281 p 719                      HB 1522 p 388; 803                      HB 1752 p 811	
HB 1141 p 641                      HB 1610 p 416                      HB 1797 p 562	
—Committees (STANDING—Rule 21f—1st Session):	
Appropriations and Budget .....	2
Business Relations .....	2
Finance and Commerce, V. Chm. ....	2
Public Affairs .....	3
Author: <b>SB</b> s 485, 525, 542, 558, 574, 582, 630, 657, 659; <b>SJR</b> 46; <b>SCR</b> 88.	
Co-Author: <b>SB</b> 545; <b>SCR</b> s 48, 50, 57, 58, 60, 67, 71, 72, 79, 87; <b>SR</b> s 50, 51, 62, 64, 69, 70, 74, 75, 78, 79; <b>HB</b> s 1141, 1145, 1154, 1522, 1592, 1615, 1616, 1642, 1719, 1772, 1797; <b>HJR</b> 1003; <b>HCR</b> s 1041, 1042, 1043, 1048, 1053, 1055, 1058, 1059, 1063, 1074.	
STOUT, Ed: Request for LP referred; CR; adopted .....	395; 467; 483
STOVER, Nellie: Confirmation of .....	321
STRONG, Dr. Willa: Confirmation of .....	324
STRUTHERS, Rev. Jim: Chaplain .....	339
SUBLETT, John W.: Confirmation of .....	200



## T

## TALIAFERRO, Senator Jim:

## Appointments—Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 §456, as amended, 1968.

## —Committees (STANDING—Rule 21f—1st Session):

Appropriations and Budget .....	2
Governmental Affairs .....	2
Revenue and Taxation, Chm. ....	3

## —Committee (UNDER):

SCR 47 p 124

Author: SBs 410, 526.

Co-Author: SBs 383, 403, 499, 500, 535, 587; SCRs 45, 48, 50, 57, 58, 67, 71, 79, 87; SRs 50, 51, 62, 67, 69, 70, 74, 75, 78, 79; HBs 1152, 1154, 1561, 1616, 1674, 1696, 1735, 1797; HJR 1043; HCRs 1038, 1041, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

Declaration of Vote: HB 1561 p 1033

## TERRILL, Senator Al:

Continues to serve as Majority Floor Leader for 2d Session 32d Legislature, as provided under Rule 21f of 1st Session.

## Appointments—Committees (CONFERENCE):

SB 537 p 585; 1089	HB 1517 p 752	HB 1590 p 738
SB 587 p 686	HB 1522 p 388; 803	
HB 1291 p 153	HB 1586 p 284	

## —Committees (STANDING—Rule 21f—1st Session):

Education .....	2
Finance and Commerce .....	2
Revenue and Taxation .....	3
Rules .....	3

Author: SBs 386, 387, 392, 535, 564, 570, 571, 587, 637; SCRs 44, 45, 70, 84; SR 77.

Co-Author: SBs 383, 403, 410, 423, 492, 504, 560, 562, 600, 611; SJR 38; SCRs 48, 50, 57, 58, 67, 71, 72, 79, 87; SRs 50, 51, 62, 63, 69, 70, 74, 75, 78, 79; HBs 1152, 1154, 1389, 1445, 1586, 1590, 1615, 1735, 1753, 1797, 1798; HJR 1043; HCRs 1041, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.

## Declaration of Vote:

SB 504 p 974	HB 1518 p 697	HJR 1004 p 186
--------------	---------------	----------------

THOMAS, Paul: Confirmation of .....	323
THOMPSON, Claud: Request for LP referred; CR; adopted .....	58; 90; 101
THRASH Paul L.: Request for LP referred; CR .....	115; 130
TILLEY, Jim: Introduced .....	707
TINNIN, Rev. Finley: Chaplain .....	67
TIREY, Lucius C.: Confirmation of .....	566
TOWNES, Mrs. John B.: Confirmation of .....	323
TRUEL, Frank: Continues to serve as Sergeant-at-Arms (Rule 21f—1st Session) ...	2

## W

WARDE, George: Confirmation of .....	647
WATTS, T. R.: Request for LP referred; CR; adopted .....	7; 90; 101
WELLS, Chester: Confirmation of .....	322
WILLS, Mrs. James: Confirmation of .....	200
WESTHEIMER, Jerry: Confirmation of .....	321
WHITE, Fred: Confirmation of .....	977
WHITMIRE, Rev. Charles A.: Chaplain .....	269
WHITT, Arthur: Confirmation of .....	977
WILHAM, Dr. Oliver: Confirmation of .....	323
WILKEMEYER, Father Philip: Chaplain .....	465
WILLIAMS, A. F.: Confirmation of .....	200
WILLIAMS, Senator G. O.:	

Continues to serve as Assistant Minority Floor Leader for  
2d Session of 32d Legislature, as provided under Rule 21f  
of 1st Session.

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs  
under GCCA.

—Committees (CONFERENCE other than GCCA):

HB 1439 p 104	HB 1674 p 686	
—Committee (GCCA—Alternate) .....		462
(Sub-Committee Public Safety and Highways p 513)		

—Committees (SPECIAL):

To escort Governor Dewey F. Bartlett to Senate Chamber for Memorial Services .....	350
To notify House the Senate organized, etc. and RE Joint Session .....	5

—Committees (STANDING—Rule 21f—1st Session):

Agriculture .....	2
Conservation and Economic Development .....	2
Governmental Affairs .....	2

Author: **SBs** 515, 517, 602, 631; **SCRs** 65, 76.

Co-Author: **SCRs** 48, 50, 54, 57, 58, 67, 71, 79, 87, 89; **SRs** 50, 51, 62, 67, 69, 70,  
74, 75, 78, 79; **HBs** 1387, 1439, 1602, 1603, 1612, 1642, 1808; **HJR** 1006;  
**HCRs** 1042, 1048, 1053, 1054, 1055, 1058, 1059, 1063, 1074.

WILLIAMS, John: Confirmation of .....	201
WILLIAMS, Willie R.: Confirmation of .....	324
WILSON, Basil R.: Continues to serve as Secretary (Rule 21f—1st Session) .....	2
WOODCOCK, Don M.: Request for LP referred; CR .....	78; 130

## Y

YOUNG, Senator John W.:

Appointments—Committee (CONFERENCE—GCCA):

See p 1123 for Bills and/or Resolutions referred to and considered by SCs  
under GCCA.

## —Committees (CONFERENCE other than GCCA):

SB 117 p 1060	SB 590 p 895	HB 1510 p 941
SB 202 p 970	HB 1141 p 641	HB 1676 p 825
SB 461 p 680; 988	HB 1145 p 1086	HB 1740 p 611
SB 544 p 753	HB 1146 p 721	
SB 557 p 719	HB 1199 p 719	

—Committee (GCCA) ..... 462  
 (Sub-Committee Education p 513)

## —Committee (INTERIM):

Executive Committee—Legislative Council—74 OS 1961 § 456, as amended, 1968

## —Committees (STANDING—Rule 21f—1st Session):

Business Relations .....	2
Judiciary .....	2
Roads and Highways .....	3
Rules, V. Chm. (Chm. Sub-Committee Administration and Employment) .....	3

Author: **SBs** 395, 398, 408, 458, 459, 460, 461, 462, 534, 551, 563, 572, 585, 597, 598, 610, 616, 621, 622, 636; **SJR**s 32, 34; **SCR** 51.

Co-Author: **SBs** 397, 403, 409, 452, 454, 487, 490, 499, 500, 545, 546, 558, 592; **SJR** 28; **SCR**s 46, 48, 50, 57, 58, 60, 67, 71, 79, 87; **SR**s 50, 51, 62, 64, 69, 70, 74, 75, 78, 79; **HB**s 1021, 1146, 1247, 1495, 1507, 1508, 1509, 1510, 1512, 1615, 1616, 1641, 1642, 1650, 1656, 1676, 1703, 1719, 1735; **HCR**s 1039, 1042, 1048, 1053, 1055, 1058, 1059, 1063, 1074.



## PART IX

CLASSIFIED INDEX TO BILLS  
AND RESOLUTIONS

FOR INFORMATION RELATIVE TO  
MEASURES REFERRED TO BELOW  
SEE PARTS I-VII OF INDEX

## A

## ACCOUNTANTS, PUBLIC

- Permitted to incorporate .....SB 502  
Registration with Board,  
time extension .....SJR 31

## ADJOURNMENT

- Sine Die .....SCR 84

## ADJUSTMENT, BOARD OF

- Per diem allowance .....HB 1773  
Planning and zoning, appeals..SB 320

## ADJUTANT GENERAL, see also

## MILITARY DEPARTMENT

- Appropriation .....SB 437  
Armory construction SB 437; HB 1518  
Compensation .....SB 362  
Removal for cause .....SB 575

## AD VADOREM TAX, see TAXATION

## ADVERTISING

- Outdoor advertising .....HB 1602

## AERONAUTICS COMMISSION

- Appropriation .....HB 1577  
Oklahoma Wing, Civil Air  
Patrol .....SB 385

## AGRICULTURE, see also

## LIVESTOCK

- Ad valorem valuation of  
property .....HJR 1001  
Agricultural fairs .....HB 1214  
Estray Fund, animals .....HB 1658

## Farm trailers, implement

- of husbandry .....HB 1240  
Grains, carload freight rates SCR 41  
Livestock Commission  
Act repealed .....SB 527  
Livestock shipments, proof  
of ownership .....SB 529  
Pesticide applicators,  
bonding of .....SB 568  
Poultry products  
inspection act .....SB 629; HB 1659  
Tick eradication .....SCR 91  
Vehicles transporting agricul-  
tural commodities ..SB 634; HB 1644  
Wheat pasturing acreage ....HCR 1054  
Wheat Resources Act,  
repealing .....HB 1652  
Workmen's compensation,  
exempt from .....SB 485

## AGRICULTURE, DEPARTMENT OF

- Appropriation .....SB 446  
Estray Fund, creating .....HB 1658  
Forestry Division, transferring SB 482  
Liability insurance on vehicles HB 1206  
Tree pruning license .....HB 1591

## AIRPORTS

- Appropriation for airstrips ...HB 1577  
Thomas P. Stafford Field ....SCR 87

## ALBERT, CARL

- Appreciation expressed .....SCR 50

## ALCOHOLIC BEVERAGE

## CONTROL BOARD

- Appropriation .....HB 1576

## ALCOHOLIC BEVERAGES

Beer, permits for sale of .....	HB 1510
Blood Tests for drunk driving.....	SB 276
Chemical tests for alcoholic influence .....	SBs 469, 643
Open container in auto .....	SB 117
Study for treatment of alcoholics .....	SJR 42

## ALIMONY

Court Clerk to mail to payee.....	SB 498
-----------------------------------	--------

## ALTUS JUNIOR COLLEGE

Appropriation .....	SB 421
---------------------	--------

## AMERICAN HISTORY MONTH..HCR 1047

## AMERICAN LEGION

Commending for erection of "Eternal Flame" .....	SCR 57
---	--------

## ANIMALS, see LIVESTOCK

## APPEALS

Cases of Court of Appeals not subject to reexamination .....	SB 563
Convicted defendants .....	SB 400
Decisions of	
Corporation Commission .....	SB 470
County Board of Adjustment .....	SB 320
Court of Tax Review .....	HB 1595
Municipal Court .....	SB 544
Property and Casualty Rates Board .....	SB 464
Supreme Court .....	HB 1656
Divorce decrees .....	HB 1497
Errors in perfecting .....	SB 512
Interlocutory orders .....	HB 1743
Post Conviction Procedure Act .....	SB 604
Zcning; property owners .....	SB 320

## APPROPRIATIONS

Accrediting Agency, State .....	HB 1403
Ada Social Service Center .....	SB 656
Adair Park (Stilwell) .....	SB 447
Adjutant General .....	SBs 437, 656; HB 1518
Aeronautics Commission .....	HB 1577
Aerospace Education Workshops .....	HB 1577
Affairs, Board of .....	SBs 415, 509; HB 1585
Agriculture, Department of .....	SB 446
Air pollution control .....	HB 1567

Alabaster Caverns State Park .....	SB 447
Alcoholic Beverage Control Board .....	HB 1576
Altus Historical and Cultural Center .....	SB 447
Altus Junior College .....	SB 421
Appeals, Court of .....	HB 1559
Armory construction and repair .....	SBs 437, 656; HB 1518
Arrowhead State Park .....	SB 447
Arts and Crafts Commission .....	SB 434
Arts and Humanities Council .....	SB 423
Attorney General .....	SBs 417, 419
Auditor, State .....	SB 413
Baker's Branch (Keystone) .....	SB 447
Bank Review, Court of .....	HB 1578
Banking Department .....	HB 1578
Battle Site of the Washita (near Cheyenne) .....	SB 447
Beavers Bend State Park .....	SB 447
Bernice Recreation Area .....	SB 447
Black Kettle Museum .....	SB 447
Black Mesa State Park .....	SB 447
Blind, School for the .....	SB 656
Blue Hawk Peak (Pawnee Bill) .....	SB 447
Board of Unexplained Deaths .....	HB 1568
Boggy Depot Recreation Area .....	SB 447
Boiling Springs State Park .....	SB 447
Boley School for Boys .....	SB 656
Broiler Show .....	SB 446
Brooks (Jane) School for deaf .....	SB 421
Brucellosis eradication .....	SB 446
Budget, Division of .....	HB 1553
Building Bond Commission .....	SB 656
Building Bonds, appropriation from .....	SB 656
Bureau of Investigation .....	SBs 436, 656
Camp Gruber, capital improvements .....	SB 437
Cancelled Warrants .....	HB 1782
Canton Lake Recreation Area .....	SB 447
Capital outlay .....	SBs 211, 415, 437, 447, 656
Capital Buildings and Grounds .....	SB 415; HB 1585
Capitol Hill Junior College .....	SB 421
Capitol Police .....	SB 415
Capitol Rotunda Murals .....	SB 415
Catoosa Recreation Area .....	SB 447

- Central Data Processing Study SB 509  
 Central Purchasing Division ..SB 415  
 Central State Griffin  
   Memorial Hospital .....SBs 428, 656  
 Cerebral Palsy Center .....HB 1573  
 Charities and Corrections,  
   Department of .....SB 429  
 Cherokee Court House .....SB 447  
 Cherokee Recreation Areas ...SB 447  
 Cherokee Strip Museum SBs 211, 447  
 Chickasaw-Canadian  
   Historical Society .....SB 424  
 Chickasaw House .....SB 424  
 Chief's Home .....SB 424  
 Children  
   Contagious disease control ..HB 1567  
   Education, dependent  
     youth, orphans .....HB 1560  
   Education of homebound and  
     patients of Memorial  
     Hospital .....HB 1561  
   Exceptional  
     children .....SB 403; HB 1561  
   Guidance Center Program ..HB 1567  
   Handicapped .....SB 403; HB 1561  
   Kindergarten Program .....HB 1561  
   Orphans, destitute, delinquent,  
     dependent .....HBs 1560, 1572  
   Special education ..SB 403; HB 1561  
   Transportation of pupils ....HB 1561  
   Veterans, dependents of ....SB 432  
 Children's Memorial  
   Hospital School .....HB 1561  
 Chisholm Trail  
   Historical Museum .....SB 447  
 Chouteau Memorial .....SB 447  
 Civil Defense, Office of .....SB 435  
 Clayton Lake  
   Recreation Area .....SB 447  
 Clinton Recreation  
   Area and Museum .....SB 447  
 Clinton-Sherman AFB; study ..SB 447  
 College of Liberal Arts .....SB 421  
 Colleges and  
   Universities .....SBs 421, 479, 656  
 Community Affairs and Planning,  
   Office of .....SBs 111, 447, 508  
 Community Junior  
   Colleges .....SBs 421, 656  
 Community Mental Health  
   Services .....SB 428  
 Community Social  
   Service Centers .....SB 656  
 Conser's Home, Peter .....SB 424  
 Constituent Institutions,  
   Higher Education .....SBs 421, 656  
 Constitutional Revisions, study HB 1803  
 Consumer Affairs,  
   Commission on ....SB 445; HB 1519  
 Contagious Disease Control ..HB 1567  
 Corporation  
   Commission .....HBs 1579, 1585  
 Corrections,  
   Department of SBs 488, 656; HB 1575  
 Council on State Governments SB 411  
 Counseling Services .....HB 1561  
 Court of Tax Review .....SB 418  
 Cowboy Hall of Fame .....HB 1780  
 Criminal and Traffic Law  
   Enforcement System .....SB 509  
 Criminal Appeals,  
   Court of .....SB 415; HB 1557  
 Cumulative Supplements .....HB 1549  
 Dairy Show .....SB 446  
 Data processing  
   systems, study .....SB 509  
 Davis (J. M.) Memorial  
   Commission .....SB 211; HB 1566  
 Deaf, School for the .....SB 656  
 Deaf School, Jane Brooks ....SB 421  
 Deer Creek Mounds ....SBs 447, 596  
 Dental students' assistance ...SB 421  
 Disney Recreation Area  
   (Grand) .....SB 447  
 District Attorney .....SB 419  
 District Courts .....HB 1558  
 Drug and Narcotic Education HB 1561  
 Drug enforcement .....SB 436  
 Eastern Oklahoma  
   State College .....HB 1560  
 Eastern Oklahoma  
   T. B. Sanatorium .....HB 1567  
 Eastern State  
   Hospital .....SBs 428, 656  
 Economic Opportunity,  
   Division of .....SB 430  
 Education Commission of  
   the States .....HB 1561



- Education, Oklahoma  
     Commission on .....HB 1562  
 Education, State Board of ....HB 1561  
 Educational Television  
     Authority .....HB 1563  
 Election Board, State ..HBs 1554, 1585  
 Emergency Fund, State .....SB 412  
 Employees Group Health Plan SB 433  
 Enid State School .....SBs 601, 656  
 Entomology Department,  
     OSU .....SBs 421, 479  
 Environmental Sanitation  
     Program .....HB 1567  
 Equalization, Board of ..SBs 414, 415  
 Erin Springs .....SB 424  
 Examiner and Inspector .....HB 1555  
 Expositions and Festivals .....SB 451  
 Family Planning Clinics .....HB 1567  
 Ferguson Museum, T. B. ....SB 447  
 Feyodi Creek Recreation Area..SB 447  
 Foreman Home .....SB 424  
 Forestry Division .....SB 446  
 Fort Cobb Recreation Area ...SB 447  
 Fort Gibson Stockade .....SB 447  
 Fort Towson, Old .....SB 424  
 Fort Washita .....SB 424  
 Foss Reservoir Area .....SB 447  
 Fountainhead Airpark Project..HB 1577  
 Fountainhead State Park .....SB 447  
 Fuel Inspection Division..HBs 1579, 1585  
 Fulsom Chapel .....SB 424  
 General Budget Support .....SB 422  
 Governor .....SBs 411, 430, 431  
 Great Plains Tourist and  
     Information Center .....SB 447  
 Great Salt Plains State Park..SB 447  
 Greenleaf Lake State Park ...SB 447  
 Griffin Memorial Hospital ....SB 656  
 Group Health Plan, State  
     Employees .....SB 433  
 Guthrie, Territorial  
     Museum at .....SB 424  
 Half-way Houses .....HB 1575  
 Handicapped, Employment of..SB 431  
 Health Department.....SBs 567, 656;  
     HBs 1567, 1568  
 Health Planning Agency .....HB 1553  
 Helena School for Boys .....SB 656  
 Henry S. Johnston  
     Library .....SBs 211, 447  
 Heyburn Lake Recreation Area..SB 447  
 Higher Education, Regents  
     for..SBs 421, 452, 479, 562, 611, 656  
 Highway Department ....SBs 440, 567  
 Highway Patrol .....HB 1574  
 Hissom Memorial Center .....SB 656  
 Historical Sites .....SBs 424, 440  
 Historical  
     Society ....SBs 424; HBs 1521, 1780;  
         HJR 1046  
 Hodgens Job Corps Camp.....HB 1575  
 Honey Creek Recreation  
     Area (Grand) .....SB 447  
 Honey Springs Battlefield .....SB 424  
 House of Representatives ....HB 1549  
 Human Rights  
     Commission .....SB 415; HB 1569  
 Indian Affairs Commission ...HB 1570  
 Indian Arts and Crafts  
     Commission .....SB 434  
 Indian Hall of Fame .....SB 447  
 Industrial Court .....SB 420  
 Industrial Development and  
     Park  
     Department ..SBs 211, 447, 451, 596  
 Industrial sites, roads to ....SB 440  
 Information and Management  
     Services Division .....SB 509  
 Insurance Commissioner .....HB 1580  
 Investigation, Bureau of..SBs 436, 656  
 Jim Thorpe Home .....SB 424  
 Judicial Nominating Com-  
     mission .....HB 1559  
 Judicial Retirement Fund ....HB 1559  
 Judiciary, Court on the .....HB 1559  
 Junior Colleges, various..SBs 421, 656  
 Juvenile Diagnostic Evaluation  
     and Receiving Center .....SB 656  
 Keystone State Park .....SB 447  
 Labor, Department of .....SB 442  
 Lake Murray State Park .....SB 447  
 Lake Texhoma State Park ....SB 447  
 Lake Wister State Park .....SB 447  
 Land Office, Commissioners of..HB 1564  
 Langston University..SBs 421, 424, 611;  
     HJR 1046  
 Law Enforcement Communi-  
     cation System .....SB 509  
 Law Enforcement Education,  
     Council on .....SB 438

- Legislative  
 Council..SB 415; HBs 1550, 1714, 1803  
 Legislature .....HB 1549  
 Liberal Arts, College of.....SB 421  
 Libraries, Department  
 of .....SB 425; HB 1208  
 Lieutenant Governor .....HB 1551  
 Liquefied Petroleum Gas  
 Board .....HB 1581  
 Little River State Park .....SB 447  
 Little Sahara Recreation Area..SB 447  
 Local Health Departments.....HB 1567  
 Lodges, park, recreation areas..SB 447  
 McCurtain's House, Governor...SB 424  
 McLeod Honor Farm.....HB 1575  
 Medical Center .....SBs 421, 656  
 Medical Education Loan and  
 Scholarship Fund .....HB 1798  
 Mental Health Centers.....SB 656  
 Mental Health, Department  
 of.....SBs 428, 432, 656; HB 1208  
 Mental Health  
 Institutions .....SBs 428, 656  
 Mental Health Training,  
 Southern Regional Council  
 on .....SB 428  
 Midwest City Junior College...SB 656  
 Military  
 Department...SBs 437, 656; HB 1518  
 Mine Inspector,  
 Chief .....SBs 415, 441; HB 1585  
 Mining Board, State .....SB 443  
 Motor Pool .....SB 415  
 Mountain Fork State Park....SB 447  
 Murrell Home and Female  
 Seminary .....SB 447  
 Museums .....SBs 424, 447, 451  
 Narcotic drug evidence .....SB 436  
 Narcotic education .....HB 1561  
 Nuclear Board, Southern  
 Interstate .....HB 1567  
 Oklahoma Children's Center...SB 455  
 Oklahoma City Technical  
 Institute .....SB 656  
 Oklahoma General Hospital ..HB 1567  
 Oklahoma Historical Day .....SB 424  
 Oklahoma State  
 University .....SBs 421, 479  
 Oklahoma Territorial Museum,  
 Guthrie .....SB 424
- "Oklahoma Today" magazine..SB 447  
 Okmulgee Lake Recreation  
 Area .....SB 447  
 Okmulgee Technical Training  
 School .....SB 656  
 Optometry; student assistance..SB 421  
 Osage Hills State Park.....SB 447  
 Oscar V. Rose Jr. College....SB 656  
 Ottawa Reclamation  
 District .....SBs 447, 615  
 Ouachita Vocational-Technical  
 Camp..SBs 426, 488, 503, 510; HB 1575  
 Ozark Regional Commission...SB 447  
 Pardon and Parole Board ....SB 439  
 Parks and Lodges .....SB 447  
 Parolee employment training  
 projects .....HB 1575  
 Patrol Cadet School .....HB 1585  
 Paul's Valley State School....SB 656  
 Pecan Show .....SB 446  
 Penitentiary .....SB 656; HB 1575  
 Pesticide Control Program....SB 446  
 Petroleum Experiment Station..SB 448  
 Pioneer Woman Museum.....SB 447  
 Pollution Control, Department  
 of .....HB 1584  
 Pollution Control Program....HB 1567  
 Poultry Show .....SB 446  
 Powwows .....SB 451  
 Predatory Animal Control  
 Fund .....SB 446  
 Professional Standards Board..HB 1561  
 Property and Casualty Rates,  
 Board for .....HB 1582  
 Public Affairs, Board  
 of.....SBs 415, 509, 656, HB 1585  
 Public Safety, Department  
 of.....SBs 509, 656; HBs 1574, 1585  
 Public  
 Schools.....SBs 421, 426, 427, 656;  
 HB 1561  
 Public Welfare Commission....SB 601  
 Quartz Mountain State Park...SB 447  
 Radiation Control Program...HB 1567  
 Rapid Transit Study.....HB 1714  
 Raymond Gary Recreation  
 Area .....SB 447  
 Red Rock Canyon State Park..SB 447  
 Reformatory .....SB 656; HB 1575

- Regents for Higher  
   Education...SBs 421, 452, 479, 562,  
     611, 656; HB 1560  
 Retirement System, State  
   Employees .....SB 433  
 Right-of-way acquisition,  
   Highway .....SB 440  
 River Bend State Park .....SB 447  
 Roads to historical and indus-  
   trial sites, lakes .....SB 440  
 Robbers Cave State Park.....SB 447  
 Rocky Ford State Park .....SB 447  
 Roman Nose State Park .....SB 447  
 Rune Stone Historical Site ....SB 447  
 Rural Medical Education Loan  
   and Scholarship Fund .....HB 1798  
 Safety Education and Re-  
   search, OSU .....SBs 421, 562  
 Saline County Courthouse.....SB 447  
 Saline Park .....SB 447  
 Sallisaw Recreation Area .....SB 447  
 Sam Houston Neosho Wigwam..SB 424  
 Sanitation Programs .....HB 1567  
 Santa Claus Commission.....SB 415  
 School Lunch Program.....HB 1561  
 Schools,  
   Public..SBs 421, 426, 427, 656; HB 1561  
 Seay Mansion .....SB 447  
 Secretary of State .....HBs 1552, 1585  
 Securities Commission .....SB 444  
 Senate, State .....HB 1549  
 Sequoyah Bay Recreation Area..SB 447  
 Sequoyah Park Annex.....SB 447  
 Sequoyah State Park .....SB 447  
 Sequoyah's Home .....SB 424  
 Skill Training Center .....SB 503  
 Small Watersheds Flood  
   Control .....SB 449  
 Snowdale Park .....SB 447  
 Social Services Centers .....SB 656  
 Sod House .....SB 424  
 Soil Conservation Board .....SB 449  
 Solid Waste Control Program..HB 1567  
 South Oklahoma City Junior  
   College .....SB 421  
 Southeastern State College ....SB 421  
 Southern Interstate Nuclear  
   Board .....HB 1567  
 Southern Regional Council on  
   Mental Health Training.....SB 428  
 Southwest Center for Safety  
   Education and  
   Research .....SBs 421, 562  
 Spavinaw Recreation Areas ...SB 447  
 Special Education ....SB 403; HB 1561  
 Special Education Teachers,  
   training of .....SB 421  
 Special Elections .....HB 1585  
 Special Events Commission....SB 451  
 Speech and Hearing Clinic.....SB 421  
 Spiro Mounds .....SBs 447, 451, 596  
 State Agencies, various .....HB 1585  
 State Aid .....HB 1561  
 Statutes, Compiled .....HB 1549  
 Student Education Assistance  
   Fund .....SB 421  
 Supplements, Cumulative .....HB 1549  
 Supreme Court .....HB 1559  
 Taft Institutions .....SB 656  
 Talimena State Park .....SB 447  
 Tax Commission .....HB 1556  
 Tax Review, Court of .....SB 418  
 Teacher's Retirement System..SB 427  
 Teacher's salary supplement ..HB 1561  
 Technical Institute, Oklahoma  
   City .....SB 656  
 Technical Training School,  
   Okmulgee .....SB 656  
 Tecumseh Girls' Town .....SB 656  
 Television Authority,  
   Educational .....HB 1563  
 Television Instruction System..SB 452  
 Tenkiller State Park .....SB 447  
 Textbook Program .....HB 1561  
 Thorpe Home, Jim .....SB 424  
 Tick Eradication and  
   Research .....SBs 421, 446, 479  
 Tourism Industry Seminar  
   O.S.U. ....SB 447  
 Trade Schools .....HB 1403  
 Treasurer, State .....SB 416  
 Trimester Program, OCLA ....SB 421  
 Tucker Tower Museum .....SB 447  
 Tulsa Junior College.....SBs 421, 656  
 Tulsa State Building;  
   feasibility study .....SB 415  
 Twin Bridges Recreation Area  
   (Grand) .....SB 447  
 Unexplained Deaths, Board of..HB 1568



- Uniform Laws, Commissioners  
on .....SB 411
- University of Oklahoma  
Medical Center .....SBs 421, 656
- U. S. Census microfilm,  
purchase of .....SB 424
- Various State Agencies .....HB 1585
- Veteran's Affairs, Department  
of .....SB 432
- Veterans, mental health  
services for .....SB 432
- Veterinary Division; livestock  
diseases .....SB 446
- Vocational and Technical  
Education, Board  
for .....SBs 426, 503, 656
- Vocational and Technical  
Schools, Area .....SB 656
- Walnut Creek Peninsula State  
Park (Keystone) .....SB 447
- War Veterans Home Facilities.....SB 432
- Warrants cancelled by Statute.....HB 1782
- Waste Control Program .....HB 1567
- Water Pollution Control  
Program .....HB 1567
- Water Resources Board.....HB 1583
- Waterways Patrol Division.....HB 1574
- Welfare Depart-  
ment .....SBs 601, 656; HB 1572
- Western Heritage Center .....HB 1780
- Western Oklahoma T.B. Sana-  
torium .....HB 1567
- Western Plains Indians Arts  
and Crafts Commission .....SB 434
- Western State Hospital ..SBs 428, 656
- Whitaker Children's Home ....SB 656
- Wiley Post Monument.....SB 424; HB 1521
- Will Rogers Memorial Com-  
mission .....SB 424; HB 1565
- Will Rogers' papers, publica-  
tion of .....SB 424
- Will Rogers Recreation Area  
(Oolagah) .....SB 447
- AQUATIC PLANTS**  
Regulating transportation .....HB 1789
- ARBITRATION**  
Cities; police and firemen .....HB 1615  
Turnpike employees .....SB 645
- ARCHEOLOGICAL SURVEY**  
Creating .....SB 623
- ARDMORE JUNIOR COLLEGE**  
Authorizing establishment of...HB 1612
- ARKANSAS RIVER NAVIGATION  
SYSTEM**  
Feasibility study; Oklahoma  
City .....HCR 1060
- ARMED FORCES, see SERVICEMEN**
- ARMORIES** .....SB 437; HB 1518
- ARTS AND HUMANITIES COUNCIL**  
Appropriation .....SB 423
- ASSISTANT DISTRICT ATTOR-  
NEY** .....HB 1547
- ASSOCIATE DISTRICT JUDGE,**  
see also JUDGES  
Deleting proviso for one judge  
per county .....SJR 32  
Election of .....SBs 534, 546  
Salary schedule .....HBs 1492, 1558
- ATHLETIC HALL OF FAME**  
Yale, Oklahoma .....HCR 1045
- ATTORNEY GENERAL**  
Appropriation .....SBs 417, 419  
Approval of money settlements  
by Legislature .....SJR 34  
Oklahoma Employment Rela-  
tions Board, counsel for.....SB 151  
To represent public on rate  
increases .....SB 408
- ATTORNEYS**  
Acting as Special Judge, trial  
of actions .....HB 1749  
Appointment for insurance  
rate hearings .....SB 463  
Fees under Consumer Credit  
Code .....SB 493  
Indigents, representation of...HB 1646  
Material witnesses service ....HB 1768  
Related to Judge .....HB 1512  
Taxing of fees .....SB 537

## AUDITOR, STATE

Appropriation .....SB 413

## AUDITS

Credit unions .....SB 341

Post audit of Tax Commission..HB 1556

Trust accounts .....HB 1361

**B**

## BAIL

Forfeiture of bail .....SB 372

Game and fish law violations..HB 1231

Jails, bondsmen to have  
access to .....SB 633

## BAIL BONDSMEN

Providing for property bonds..HB 1660

## BAILIFFS

Appointment and  
compensation .....SB 462

Increasing compensation ....HB 1671

## BANKING DEPARTMENT

Appropriation .....HB 1578

Compensation of Commis-  
sioner and Deputies .....HB 1648Liquidation of banks by  
Commissioner .....SB 379

## BANK REVIEW, COURT OF

Decisions to be in  
writing .....SB 581; HB 1800

Membership, terms of office...SB 581

## BANKS AND BANKING

Annual examination of banks..HB 1648

Court of Bank Review..SB 581; HB 1800

Examination of banks and  
trust companies, fees.....HB 1648Financing of industrial  
projects .....HB 1488Investment of funds by  
county treasurer .....HB 1701

Liquidation, procedure for ....SB 379

Savings and loan code.....HB 1543

## BARBER EXAMINERS, BOARD OF

Certification of barber assistant SB 618

Compensation and expenses...HB 1330

## BARTLESVILLE, OKLAHOMA

Armais Arutunoff appre-  
ciation day .....SCR 82

## BEER, see also ALCOHOLIC

## BEVERAGES

Dealer permits .....HB 1510

Disposal of containers,  
interim study .....SR 60

Open container in auto .....SB 117

## BILLS

Unsolicited merchandise .....HB 1682

## BIRD, RICHARD W.

Authorized to sue State.....HJR 1058

BLACK CULTURAL AND  
HISTORICAL CENTER

Appropriation .....HJR 1046

## BLOOD TESTS

Alcoholic content ...SBs 276, 469, 643

BOARD OF AFFAIRS, see  
PUBLIC AFFAIRS, STATE  
BOARD OFBOARD OF UNEXPLAINED  
DEATHS

Appropriation .....HB 1568

## BOATS

Docks and landings, Grand  
River area .....HB 1653Motorboats and vessels, trans-  
ferring control of .....SB 556

## BONDS

## Appearance

Dental Act, violation of.....SB 632

Game and fish law viola-  
tions .....HB 1231

Bail bondsmen .....SB 633; HB 1660

## Bond Issues

Appropriations from 1968

Building Bonds; Series B....SB 656

Area school districts;  
validating .....SB 410Building Bonds, Series B  
(\$26,078,000.00) .....SB 655

District hospitals .....HJR 1033

Higher education building  
 bonds .....HB 1705  
 Hospitals .....HB 1514; HJR 1033  
 Housing authorities .....SB 504  
 Industrial finance  
 bonds.....SB 450; SJRs 28, 48  
 Interest rates,  
 maximum.....SBs 450, 504, 511;  
 HB 1705, 1766; HJR 1052  
 Property owner requirement,  
 removal of .....SJR 43  
 Public housing .....HB 1766  
 Performance  
 Community Affairs and  
 Planning, administrator of..SB 111  
 Contractors, highway  
 construction .....SB 474  
 Data processing technician..SB 236  
 Surety  
 Bidders on county roads  
 building materials .....HB 1674  
 Business college .....HB 1403  
 Court clerk, official  
 approval .....HB 1801  
 Credit rating agencies .....SB 548  
 Drug and narcotic  
 inspectors .....HB 1803  
 Municipal Court .....SB 544  
 Oil and gas producers .....SB 553  
 Pesticide applicators .....SB 568  
 Trade schools .....HB 1403  
 BOOKER T. WASHINGTON SCHOOL  
 Commending football team ..HCR 1048  
 BRIDGES  
 Property of State .....SB 477  
 Omer Schnoebelen bridge,  
 naming .....SCR 65  
 BUDGET, DIVISION OF  
 Appropriation .....HB 1553  
 BUILDING BONDS COMMISSION  
 Appropriations for various  
 agencies .....SB 656  
 Directing sale Series B, 1968..SB 655  
 BURDYN, RICHARD  
 Authorized to sue State.....HJR 1044

BUREAU OF INVESTIGATION  
 Appropriations .....SBs 436, 656  
 Automobiles, purchase of .....SB 436  
 Buildings and facilities,  
 land for .....SCR 90  
 Crime reporting system.....SB 539  
 Headquarters building .....SB 656

BUS, SCHOOL  
 Anti-bussing of  
 pupils.....HBs 1517, 1639; HCR 1036  
 Purchase of school buses.....SB 453  
 Transportation where walking  
 is dangerous .....HB 1664

BUSINESS COLLEGE  
 Regulating .....HB 1403

BUSINESS DEVELOPMENT  
 CORPORATION ACT  
 Industrial projects, financing  
 of .....HB 1488

## C

CAMERON STATE AGRICUL-  
 TURAL COLLEGE  
 Revenue bonds, maximum  
 interest .....HB 1705

CAMP GRUBER .....SB 437

CAPITOL BUILDINGS AND  
 GROUNDS  
 Capitol area, development of..HCR 1068  
 Capitol building repair.....HB 1585  
 Capitol-Medical Center im-  
 provement and zoning  
 district .....SB 562  
 Legislature, space allotted ....SB 495  
 Office space for agencies  
 paying rent .....SB 614  
 Oklahoma Facilities Development  
 Authority .....SB 614

CAPITOL IMPROVEMENT  
 AUTHORITY  
 Development of Capitol area..HCR 1068  
 Rents from Public Safety  
 Department .....HB 1574



# CAPITOL-MEDICAL CENTER IMPROVEMENT AND ZONING DISTRICT

Creating new Zoning Commis-  
sion .....SB 562

# CARTWRIGHT, KEITH

Commending .....SR 74

# CEMETERIES

Lien on lots for upkeep .....SB 586

# CENTRAL INFORMATION OFFICE

State lands .....HB 1603

# CENTRAL PURCHASING

County Commissioners..SB 252; HB 1674

Highway construction con-  
tracts .....SBs 474, 475, 476

School bus purchase.....SB 453

Vehicles, disposal of.....SB 592

# CENTRAL STATE COLLEGE

Changing name .....HJR 1003

# CENTRAL STATE GRIFFIN MEMORIAL HOSPITAL

Allocation to .....SB 656

# CEREBRAL PALSY CENTER

Appropriation .....HB 1573

# CHARITIES AND CORRECTIONS, DEPARTMENT OF

Appropriation .....SB 429

# CHEROKEE STRIP SOCIETY

Appropriation .....SB 211

# CHICKASAW HOUSE

Appropriation .....SB 424

# CHIEF'S HOME

Appropriation .....SB 424

# CHILD GUIDANCE CENTER

Appropriation .....HB 1567

# CHILDREN

Appropriations

Contagious disease control..HB 1567

Education of dependent youth  
and orphans .....HB 1560

Education of patients and

homebound .....HB 1561

Guidance program .....HB 1567

Orphan, destitute, delinquent..HB 1572

Special

education ..SB 403; HBs 1561, 1777

Child feeding programs.....HCR 1044

Child support .....SB 498

Damages recoverable for

death of child .....SB 188

Deaf, education of....SB 403; HB 1777

Delinquent, defining .....HB 1292

Dependent, delinquent or neglect-  
ed, defining..SBs 375, 564; ..SCR 93

Desertion a felony.....SB 497

Destruction of delinquency

records .....SB 391; HB 1678

Exceptional .....HB 1561

Expelling or suspension of

students .....HB 1810

Handicapped,

exceptional .....SB 403; HB 1561

Hearings .....SB 375

Illegitimate birth .....SB 564

Immunization against

disease .....SB 405; HB 1203

Juvenile officers .....HB 1540

Marriage licenses, conditions

and waiting period.....SBs 399, 496

Memorial Hospital, education

of patients .....HB 1561

Oklahoma Childrens Center....SB 455

Questioning by officers.....HB 1292

Vaccinations required..SB 405; HB 1203

Venereal disease, examination

for .....SB 561

Veterans, dependents

of .....SB 432; HB 1515

Welfare Department, delivery

of children committed to ...HB 1242

# CHILDREN'S MEMORIAL HOSPITAL

Patients, education of .....HB 1561

# CITIES AND TOWNS

Annexation of territory .....SB 133

Arbitration, police and fire-

men .....HB 1615

Board of Adjustment; per

diem .....HB 1773

- Bonds, maximum interest. SBs 504, 511  
 Boundary changes, notice to  
   property owners .....SB 390  
 Business for profit, payment  
   of wages .....SB 459  
 City-County Library Commis-  
   sion .....HB 1686  
 City limits, changing of.....SB 133  
 Commission for training  
   clerks, treasurers, etc. ....HB 1247  
 Community Affairs and  
   Planning .....SB 111  
 Elections, recounts .....SCR 86  
 Federal aid, study of.....SR 77  
 Fines, Municipal Court .....SB 590  
 Health departments, local .....HB 1567  
 Insurance rating schedules.....SB 471  
 Liability insurance on vehicles HB 1199  
 Municipal clerks, treasurers,  
   finance officers .....HB 1247  
 Municipal  
   corporations .....SB 459; SJR 47  
 Municipal Court, not of record.SB 544  
 Municipal Criminal Courts  
   of Record .....SB 591; HB 1548  
 Ordinances .....SB 590  
 Planning and zoning, city-  
   county .....SBs 111, 580  
 Planning Commissioners, per  
   diem of .....HB 1767  
 Police and firemen, resident  
   exemption .....SB 626  
 Port authority land, zoning  
   exemption .....SB 580  
 Public defender, municipal  
   court .....HB 1646  
 Purchase claims, payment of..SB 389  
 School board officers, resi-  
   dents of ward .....SB 626  
 Streets; acquisition of land....SB 489  
 Tax exemption, annexed  
   territory .....SB 133  
 Training program for clerks  
   and officers .....HB 1247  
 Urban and rural development.SR 77  
 Utility bills, payment of.....SB 521  
 Utility services, annexation of  
   territory .....SB 133  
 Wages; municipal corpora-  
   tions .....SB 459  
 Water and sewer facilities.....SJR 48  
 Workmen's compenstion  
   coverage .....SB 409; HB 1145  
 Zoning changes, notice to  
   property owners .....SB 390  
 Zoning exemption, port  
   authorities .....SB 580
- CIVIL AIR PATROL**  
 Creating Oklahoma Wing.....SB 385
- CIVIL DEFENSE**  
 Appropriation .....SB 435
- CIVIL PROCEDURE**  
 Admission into evidence..SBs 398, 454  
 Appeals  
   Errors, trial courts.....SB 512  
   Interlocutory orders .....HB 1743  
 Attachment and garnishment..HB 1774  
 Attorney fees taxed as costs...SB 537  
 Commencement of actions.....HB 1508  
 Contributory negligence .....SB 316  
 Corporations, indemnity of  
   officers and employees.....SB 658  
 Enforcement officer, defense  
   of .....SB 393  
 Errors in perfecting appeal....SB 512  
 Evidence .....SBs 398, 454  
 Filing fees .....HBs 1496, 1525  
 Fraudulent claims against  
   State .....SB 536  
 Garnishment, depositions .....HB 1774  
 GRDA, contracts and con-  
   demnation proceedings .....HB 1653  
 Jury trials, request for.....HB 1676  
 Notice by publication.....SB 524  
 Partition of property..SB 484; HB 1609  
 Service of process on Sundays.HB 1760  
 Service of process, unauthor-  
   ized insurers .....SB 572  
 Service of summons by mail...SB 384  
 Small  
   claims ....HBs 1525, 1641, 1703, 1774  
 Solid Waste Disposal Act,  
   violation of .....HB 1499  
 Statutes of  
   limitation.....SBs 395, 558; HB 1507  
 Support payments, termination  
   of .....SB 406

Testimony, workmen's compensation .....	SB	551
Witness, maximum travel .....	SB	335
Workmen's compensation cases .....	SB	551
CLAIMS		
Salary, payroll form requirement .....	SB	362
CLINTON, OKLAHOMA		
Commending "Red Tornadoes" .....	SCR	49
Congratulating Future Farmers of America .....	HCR	1056
COLLECTIVE BARGAINING		
Employment Relations Board, creating .....	SB	151
Interim study .....	SCR	83
Turnpike employees .....	SB	645
COLLEGES AND UNIVERSITIES, see also JUNIOR COLLEGES		
Accounting procedures, uniform .....	SCR	63
Central State College, changing name of .....	HJR	1003
Community Junior Colleges, authorizing establishment of .....	HB	1612
Deaf, college training grants .....	HJR	1053
Demonstrations .....	HB	1642
Interchange of classes and teachers .....	SB	452
Junior colleges, appropriations for .....	SBs	421, 656
Refusal to leave campus, a misdemeanor .....	SB	490
Revenue bonds, maximum interest .....	HB	1705
Riots, participation in .....	SB	367
State or federal assistance, revocation of .....	SB	367
Student loans .....	SB	487
Televised instruction system .....	SB	452
University system, inclusion of colleges .....	SCR	77
COMANCHE COUNTY		
Land dedicated to public use .....	SCR	45

COMMERCIAL CODE, UNIFORM		
Seller's warranty .....	SB	232
COMMITTEES, see also LEGISLATIVE COUNCIL		
Citizen-Legislator Study Committees		
Langston University .....	SCR	44
Tax structure, State .....	SCR	42
Joint Senate-House Study Committees		
Criminal and traffic law enforcement .....	HCR	1067
Higher education .....	HCR	1035
Insurance rates, extending time .....	SCR	46
Narcotic Addiction and drug abuse .....	SCR	43
Planning laws, continuation of study .....	SCR	42
Tax structure, State .....	SJR 53; SCR	47
Legislative Council, Interim studies, re:		
Ad valorem taxes, sales to government .....	SR	49
Cities and towns, federal assistance to .....	SCR	77
Collective bargaining by public employees .....	SCR	83
Criminal laws .....	SR	43
Litter; beer containers .....	SR	60
Pollution control .....	SCR	54
State boards, functions, licensures, etc. ....	SR	71
State Capitol area, development of .....	HCR	1068
Tax structure, State .....	SJR 53; SCR	47
Teacher compensation .....	SR	65
Urban and rural development, federal assistance .....	SR	77
Senate Study Committees		
Business and industries, over regulation of .....	SR	72
Narcotic and drug laws .....	SR	46
Senate Travel Committees		
Expenses outside State .....	SR 44; HB	1803



- |  |     |            |  |     |                     |
|--|-----|------------|--|-----|---------------------|
| Illinois Constitutional Convention, Springfield, Illinois .....            | SR  | 57         | Alcoholic Beverage Control Board personnel .....       | HB  | 1576                |
| National Association of Conservation Districts, San Francisco .....        | SR  | 47         | Associate District Judge .....                         | SB  | 547; HBs 1492, 1558 |
| National Rivers and Harbors Congress .....                                 | SR  | 56         | Attorney General .....                                 | SB  | 362                 |
| President's Committee on Employment of Handicapped, Washington, D. C. .... | SR  | 52         | Attorneys; Public Defenders ..                         | HB  | 1734                |
| Southern and National Conferences of State Governments .....               | SR  | 53         | Bailiffs, Court .....                                  | HB  | 1671                |
| West Coast Industrial Tour ..  | SCR | 70         | Bank Commissioner and deputy .....                     | HB  | 1648                |
| Special Study Committees   |     |            | Barber Examiners .....                                 | HB  | 1330                |
| Businesses and industries, State regulation of .....                       | SR  | 72         | Board of Adjustment, Members of .....                  | HB  | 1773                |
| Capitol and Medical Center area .....                                      | HCR | 1068       | Board of Cosmetology, Members of .....                 | HB  | 1655                |
| Insurance industry .....   | SR  | 61         | Charities and Corrections, Commissioner of .....       | SB  | 362                 |
| Pollution control .....  | SCR | 54         | Chief Mine Inspector and personnel .....               | SBs | 362, 441            |
| Tax structure, State .....   | SJR | 53; SCR 47 | Community Affairs and Planning, Administrator of ..... | SB  | 111                 |
| Wildlife Conservation Department .....                                     | HCR | 1075       | Consumer Affairs personnel .....                       | SB  | 445; HB 1519        |
| COMMUNITY AFFAIRS AND PLANNING   |     |            | Corporation Commission, Members and personnel .....    | SB  | 362; HB 1579        |
| Administrator, appointment of ..   | SB  | 111        | County Treasurer .....                                 | SB  | 302                 |
| Appropriation .....  | SBs | 111, 508   | Court of Criminal Appeals, Judges of .....             | SB  | 362                 |
| Creating .....   | SB  | 538        | Court Reporters (District Court) .....                 | HB  | 1558                |
| COMMUNITY JUNIOR COLLEGES, see also COLLEGES AND UNIVERSITIES              |     |            | Courts, Administrative Director of .....               | SB  | 458                 |
| Allocation of funds .....  | SBs | 421, 656   | Courts, Municipal .....                                | HB  | 1646                |
| Board of Trustees, qualifications of members of .....                      | SB  | 522        | Courts, District .....                                 | HB  | 1558                |
| State support .....  | HB  | 1612       | Data processing technician ..                          | SB  | 236                 |
| Televised instruction system ..  | SB  | 452        | Deputy State Superintendent ..                         | HB  | 1561                |
| COMMUNITY SOCIAL SERVICE CENTERS   |     |            | District Attorneys .....                               | HB  | 1547                |
| Allocation from 1968 bond issue ..   | SB  | 656        | District Judge .....                                   | SB  | 547; HB 1558        |
| COMPENSATION AND SALARIES  |     |            | Economic Opportunity employees .....                   | SB  | 430                 |
| Administrative Director of Courts .....                                    | SB  | 458        | Election Boards .....                                  | HB  | 1554                |
| Administrative Judicial Chiefs, secretaries to .....                       | HB  | 1558       | Election officials .....                               | HBs | 1154, 1680          |
|  |     |            | Examiner and Inspector .....                           | SB  | 362                 |
|  |     |            | Fire Marshal and employees ..                          | HB  | 1723                |
|  |     |            | Governor .....   | SBs | 362, 411            |
|  |     |            | GRDA, Director of .....                                | HB  | 1653                |
|  |     |            | Highway Patrol .....                                   | HB  | 1753                |
|  |     |            | House of Representatives, employees of .....           | HB  | 1809                |

Human Rights Commission  
and Director .....HB 1569

Indian Affairs Commission  
employees .....HB 1570

Industrial Court personnel.....SB 420

Industrial Development and  
Park Commission..SB 362; HB 1521

Information and Management  
Services .....SB 236

Insurance Commissioner .....SB 362

Judges of Court of Criminal  
Appeals .....SB 362

Judges,  
Special .....SB 190; HBs 1492, 1558

Justices of Supreme Court ....SB 362

Labor Commissioner .....SB 362

Land Office Commissioners..HB 1564

Legal assistants for Supreme  
Court .....HB 1787

Legislative Council .....HB 1550

Lieutenant Governor..SB 362; HB 1521

LPG Board employees.....HB 1581

Merit system employees.....HB 1608

Payroll forms for all salary  
claims .....SB 362

Penitentiary, Warden of .....HB 1575

Planning Commission  
members .....HB 1767

Precinct officials.....HBs 1154, 1680

Public Affairs Board  
members .....SBs 415, 520

Public Defenders and  
secretaries .....HB 1734

Public Safety, Commissioner of..SB 607

Reformatory, Warden of .....HB 1575

Regents for Higher Education,  
Chancellor of .....SB 362

Salary claims, payroll form  
requirement .....SB 362

Savings and Loans Board  
members .....HB 1543

School Board members, Tulsa  
and Oklahoma City.....HB 1721

Secretary of State.....SB 362; HB 1552

Secretary of State Election  
Board .....HB 1554

Senate employees ....SB 540; SR 45

Special  
judges...SBs 190, 547; HBs 1492, 1558

State Auditor .....SB 362

State officers and employees,  
legislative intent .....HCR 1070

State officers and employees,  
minimum and uniform  
salaries .....HBs 1526, 1608, 1780

State Personnel Director .....HB 1608

State Treasurer .....SB 362

Superintendent of Public  
Instruction .....SB 362

Supreme Court Justices.....SB 362

Supreme Court legal  
assistants .....HB 1787

Teachers, school .....SB 481; SR 65

Uniform salaries, state  
employees.....HBs 1526, 1608, 1780

Waterways Patrol Division,  
officers of .....HB 1753

#### CONDEMNATION PROCEEDINGS

Jury trials .....HB 1676

#### CONGRESS OF THE U. S., MEMORIALIZING

Child feeding programs.....HCR 1044

Draft, geographical-population  
quotas .....SCR 52

Federal judges, selection and  
retention of .....HCR 1039

Fish and wildlife, state's  
authority .....HCR 1046

Freight rates on small grains.SCR 41

Impacted Area Assistance....HCR 1041

Meat slaughterers .....HCR 1057

Prayer in schools .....HCR 1052

Schools, segregation and  
integration .....HCR 1036

#### CONSANGUINITY

Judge related to attorney....HB 1512

#### CONSER'S HOME, PETER

Appropriation .....SB 424

#### CONSERVANCY DISTRICT

Assessments, lien on property..SB 603

Conservation programs .....SB 421

Property tax exemption..SBs 531, 603

#### CONSTITUTION, OKLAHOMA

Appropriation for revision  
study .....HB 1803

- Legislative intent, Question  
 457, 1968 .....SJR 41  
 Revision, interim study .....HCR 1072
- CONSTITUTIONAL AMENDMENTS
- Ad valorem tax, exemptions  
 and apportionment.SJR 48; HJR 1032
- Article proposed as single  
 question, entire .....HJR 1008
- Associate district judges ..SJR 32, 44
- Bond elections, removal of  
 property owner restriction..SJR 43
- Bonds, rate of interest .....HJR 1052
- Constitutional  
 convention .....SJR 38; HJR 1004
- Counties,  
 consolidation, etc. ....SJR 6, 49
- District judges, appointment  
 to fill vacancies .....SJR 44
- Entire article may be pro-  
 posed as single  
 question.....SJR 51; HJR 1008
- Executive Department,  
 membership of .....HJR 1021
- Gubernatorial appointment to  
 fill vacancies .....SJR 44
- Hospital districts .....HJR 1032, 1033
- Industrial finance bonds.....SJR 28
- Legislative reapportionment,  
 repealing .....HJR 1032
- Legislature, organization of..HJR 1032
- Municipal corporations .....SJR 47
- Pardon and Parole Board....SJR 30
- Personal property exempt  
 from ad valorem  
 taxes .....SJR 48; HJR 1032
- Property taken for public use..SJR 39
- Property valuation .....HJR 1001
- Public Service Commission...SJR 50
- School funds, investment of..HJR 1006
- Segregation in schools,  
 prohibiting .....HJR 1049
- Silent vote factor,  
 eliminating .....SJR 51, 52
- Vitalization of SJR 50 .....SB 647
- Wildlife Conservation  
 Commission .....SJR 33
- CONSUMER AFFAIRS, COMMISSION ON  
 Appropriation .....SB 445; HB 1519
- CONSUMER CREDIT CODE  
 Attorney fees .....SBs 493, 537
- CONTRACTS
- Annuity contracts .....HBs 1445, 1717
- Central purchasing exclusions.SB 474
- Community Affairs and  
 Planning .....SB 111
- Contractors allowed to post  
 securities .....SBs 473, 474
- County rentals and purchases,  
 sealed bids .....SB 616
- Grand River Dam Authority..HB 1653
- Highway.....SBs 473, 474, 475, 476
- Labor and material claims;  
 public works .....HB 1610
- Loans and interest, defining..SB 648
- Retention of payment to  
 contractors .....HB 1610
- CORONARY CARE  
 Commending St. Anthony's  
 Hospital for mobil unit.....SR 78
- CORPORATION COMMISSION
- Appeals from decisions .....SB 470
- Appropriation .....HBs 1579, 1585
- Compensation of members....SB 362
- Fuel Inspection Division  
 appropriation .....HB 1585
- Motor carrier  
 permits .....SBs 579, 634; HB 1644
- Motor carriers, liability  
 insurance .....SB 579
- Oil and gas wells, plugging of.SB 553
- Potable water, oil and gas  
 operations .....SB 654
- Radio common carriers.....SB 528
- Regulation of  
 Public service companies...SB 647
- Radio common carriers.....SB 528
- Transportation  
 companies.....SB 647; SJR 50
- Road materials, motor carrier  
 permits .....SB 634
- Salary schedule .....HB 1579
- Transportation  
 companies .....SB 647; SJR 50
- Workmen's compensation  
 coverage .....HB 1145



## CORPORATIONS

Accountants may incorporate, public .....	SB 502
Business development corpo- rations .....	HB 1488
Conservancy districts, tax exemptions .....	SB 603
Dividends subject to income tax .....	SB 499
Employment agencies, private..	HB 1592
Foreign corporations, insur- ance license denial.....	SB 396
Incorporation, license fee increase .....	SB 608
Indemnity bonds, officers, employees, etc. ....	SB 658
Insurance corporations, stock ownership .....	HB 1434
Insurance, general merchan- dising store .....	SB 396
Municipal corporations, payment of wages .....	SB 459
Professional Corporation Act..	SB 502
Regulation of transportation and transmission companies..	SB 647
Religious corporations, auto license, \$1.00 .....	SB 530
Small claims .....	HB 1641
Stock options, income and gain or loss .....	SB 480
Tax exemption, conservancy districts .....	SB 603
Tax exemptions, removal of...	SB 605

## CORRECTIONS, DEPARTMENT OF

Appropriation .....	SB 488; HB 1575
Building and facilities, land for .....	SCR 90
License plate funds for other industries at penitentiary....	HB 1772
Salary schedule .....	HB 1575

## COSMETOLOGY, BOARD OF

Office expansion, expenditure of funds for.....	HB 1655
--	---------

## COUNCIL OF STATE GOVERNMENTS

Southern Conference Executive Committee .....	SR 53
--	-------

## COUNTIES AND COUNTY OFFICERS

Agricultural fairs .....	HB 1214
Associate district judge .....	SJR 32
Board of Adjustment .....	SB 320
Bond issues, hospitals .....	HB 1514; HJR 1033
Bonds, maximum interest..	SBs 504, 511
Boundary lines .....	SJR 49
Community Affairs and Planning .....	SB 111
Consolidation of counties..	SJR 6, 49
County Assessor, consent for reduced assessments .....	SB 491
County Board of Adjustment..	SB 320
County Commissioners Bids on purchases..	SB 616; HB 1674
Bridges removed from high- ways .....	SB 477
Central purchasing..	SB 252; HB 1674
Easements, road construction .....	SB 265
Educational meetings .....	SB 376
Governmental operations, investment income for.....	HB 1701
Information and Manage- ment Services .....	SB 236
Machinery purchases .....	HB 1674
Rental purchase agreements...	SB 616
Rights-of-way, acquisition of..	SB 265
Salary of Court Bailiffs, set by .....	HB 1671
County Planning Commission..	SB 320
County Purchasing Act .....	HB 1674
County roads .....	SB 467
County seats and boundary lines, changing .....	SJR 49
County Sheriff Fees, feeding of prisoners ..	HB 1509
Salary .....	SB 542
Serving of writs, warrants, etc. ....	HB 1495
County Superintendent Abolishing office of .....	SB 584
County Treasurer Authorized to invest funds in banks .....	HB 1701
Treasurer of school districts..	SB 302
District hospitals, 10-mill levy .....	HJR 1032, 1033

- Equalization and Excise Board  
   membership .....SB 492  
 Fairs .....HB 1214  
 Fines apportioned to .....HB 1665  
 Health and life insurance,  
   group participation .....HB 1527  
 Hospital Board of Control,  
   duties .....HB 1514  
 Hospital  
   bonds .....HB 1514; HJRs 1032, 1033  
 Industrial expositions .....HB 1214  
 Information and Management  
   Services Division .....SB 236  
 Juvenile officers .....HB 1540  
 Liability insurance, vehicles...HB 1199  
 Library Commissions, city-  
   county .....HB 1686  
 Machinery purchases, sealed  
   bids .....HB 1674  
 Payment of vendors, time limit.SB 389  
 Planning and zoning .....SB 320  
 Precinct election officials ....HB 1680  
 Property owner right to appeal.SB 320  
 Public defenders, secretaries.HB 1734  
 Road easements .....SB 265  
 Roads, apportionment for....SB 467  
 Special judge for each county.SB 461  
 Toll urban or rural express-  
   ways .....HB 1388  
 Trust authority, fairs and  
   expositions .....HB 1214  
 Zoning, appeals .....SB 320
- COURT CLERKS**
- Annual reports, transfer of  
   funds .....HB 1650  
 Blood tests for alcoholism,  
   payment of .....SB 276  
 Bond, approval of .....HB 1801  
 Civil actions, notice for  
   publication .....HB 1508  
 Fines, division of .....HB 1665  
 To mail alimony and support  
   payments to payee .....SB 498
- COURT FUND**
- Chemical drunkenness tests,  
   payment of .....SB 469  
 Clerks and sheriffs, payment  
   of expenses of .....SB 542
- Court clerk bonds, payment of..HB 1801  
 Judicial fund, transfers to....HB 1650  
 Juvenile officers, salaries of..HB 1540  
 Library fund, transfer to.....SB 613  
 Witness fees, payment of ....SB 388
- COURT OF APPEALS**
- Appropriation .....HB 1559  
 Review and recall of cases ...SB 563
- COURT OF BANK REVIEW**
- Decisions in writing .....HB 1800  
 Judges, terms of .....SB 581
- COURT OF CRIMINAL APPEALS**
- Appeal, rights of .....SB 400  
 Appropriations .....SB 415; HB 1557  
 Judges, disability retirement of SB 535  
 Opinions, points of law .....SB 545  
 Referees, appointment of ....HB 1645
- COURT OF TAX REVIEW**
- Appropriation .....SB 418
- COURT ON THE JUDICIARY**
- Appropriation .....HB 1559
- COURT REPORTERS**
- Board of Examiners of Official  
   Shorthand Reporters ..SBs 557, 627  
 District Courts .....HB 1558  
 Municipal Courts .....SB 591; HB 1548  
 Qualifications and license ....SB 627
- COURTS, see also SPECIFIC COURT**
- Administrative Directors , com-  
   pensation of .....SB 458  
 Appeals  
   Cases not subject to  
     re-examination .....SB 563  
   Civil actions, errors .....SB 512  
   Criminal actions .....SB 400  
   Decisions, various  
     courts..SBs 470, 544; HBs 1595, 1656  
   Divorce decrees .....HB 1497  
   Interlocutory orders .....HB 1743  
   Zoning, property owners ....SB 320  
 Attorney-judge relationship ...HB 1512  
 Bailiffs .....SB 462; HB 1671  
 Bank Review, Court of .....SB 581  
 Bonds, forfeiture of .....HB 1548

- Court costs .....SB 494  
 Court opinions, Appellate .....SB 545  
 Court reform, statutes  
     repealed .....HB 1627  
 Default matters .....SB 549  
 Evidence .....SBs 398, 454  
 Judge's salaries,  
     various .....SB 547; HB 1558  
 Juvenile delinquency records..SB 391  
 Municipal  
     Courts..SBs 544, 590, 591; HBs 1050,  
         1548, 1646  
 Notices, probate proceedings..HB 1622  
 Opinions, Appellate Court.....SB 545  
 Public Defender for Municipal  
     Courts of Records .....HB 1646  
 Records, destruction of  
     obsolete .....HB 1741  
 Sentences, suspension by  
     Courts .....SB 543  
 Statutes repealed .....HB 1627
- COWBOY HALL OF FAME**  
 Appropriation .....HB 1780
- CREDIT**  
 Credit cards .....SB 587  
 Credit rating agency .....SB 548  
 Credit unions .....SB 341
- CREEK COUNTY EXPRESSWAY**  
 Designating .....SJR 46
- CRIMES AND PUNISHMENTS**  
 Aquatic plants, fish and wildlife..HB 1789  
 Beer transported in motor  
     vehicle .....SB 117  
 Bogus check for car rental ...SB 238  
 City ordinance, fine for  
     violation of .....SB 590  
 Claims, false or fraudulent ....SB 536  
 Credit cards, unlawful use of..SB 587  
 Crime reporting system,  
     uniform .....SB 539  
 Deaf mute, interpreter  
     following arrest .....HB 1790  
 Fire insurance, cancellation  
     of policies .....SB 394  
 Fraudulent claim, presentation  
     to State of .....SB 536  
 Lewd acts, pictures of .....HB 1532
- Literature, mailing of obscene..SB 550  
 Loitering on school premises...HB 1636  
 Morals, disregard in schools...SB 383  
 Obscenity  
     Mailing obscene literature...SB 550  
     Morals, disregard in schools..SB 383  
     Motion pictures, showing  
         scenes of restricted.....HB 1528  
     Outdoor theaters, "X" rated  
         movies .....HB 1726  
     Pictorial exhibitions to  
         persons under 18 .....HB 1532  
 Penalty for criminal omission..HB 1762  
 Person refusing to leave  
     campus, penalty .....SB 490  
 Prison credits, reducing .....SB 494  
 Radio, police frequencies .....HB 1756  
 School premises, loitering on..HB 1636  
 Schools, disregard of morals..SB 383  
 Sentence, suspension of...SBs 262, 543  
 Solid Waste Disposal Act, viola-  
     tion a misdemeanor .....HB 1499  
 Theaters  
     Movies in view of homes,  
         "X" rated .....HB 1726  
     Scenes from restricted  
         movies .....HB 1528  
 Violation of city ordinance,  
     fine .....SB 590; HB 1548
- CRIMINAL AND TRAFFIC LAW  
ENFORCEMENT SYSTEM**  
 Appropriation .....SB 509  
 Committee to work System ...HCR 1067  
 Establishing .....SB 541
- CRIMINAL APPEALS COURT, see  
COURT OF CRIMINAL APPEALS**
- CRIMINAL PROCEDURE**  
 Appeal, convicted  
     defendant .....SBs 400, 604  
 Corporations, indemnity of  
     officers .....SB 658  
 Costs, reducing credit for  
     imprisonment .....SB 494  
 Crime reporting system .....SB 539  
 Criminal and traffic law  
     enforcement system .....SB 509  
 Deferment of sentencing .....HB 1457  
 Filing fee, additional .....HB 1495



- Imprisonment credit and costs  
     reduced .....SB 494  
 Post Conviction Procedure Act..SB 604  
 Probation or suspension of  
     sentence .....SB 262  
 Search warrants .....HB 1223  
 Service of process on Sundays..HB 1760  
 Sheriffs and clerks fees, con-  
     viction of defendant .....HB 1509  
 Suspension of sentence ..SBs 262, 543  
 Trial of actions .....HB 1749  
 Uniform crime reporting  
     system .....SB 539  
 Witness provided service of  
     attorney .....HB 1768
- D**
- DACUS, SENATOR BYRON  
     Commending .....SR 79
- DAIRY SHOW, STATE  
     Appropriation .....SB 446
- DAMAGES  
     Contributory negligence .....SB 316  
     Death of child .....SB 188  
     Judgment, interest rate .....SB 402
- DATA PROCESSING SYSTEMS  
     Data procesing technician ....SB 236  
     Expenditure for study .....SB 509
- DAVIDSON, C. C.  
     Commending .....SCR 61
- DAVIS MEMORIAL COMMISSION, J. M.  
     Appropriation .....HB 1566
- DEAF  
     Appropriation to schools..SBs 421, 656  
     College training, grants for...HJR 1053  
     Education of children..SB 403; HB 1777  
     Interpreter following arrest...HB 1790  
     Teacher training .....HB 1777
- DEATHS, BOARD OF UNEXPLAINED  
     Appropriation .....HB 1568
- DEER CREEK MOUNDS  
     Reappropriation .....SB 596
- DEFFNER, HUGO .....SCR 62
- DEMONSTRATIONS  
     Military dead, use of names..HB 1642
- DENTISTRY  
     State Dental Act .....SB 632  
     Student aid, appropriation ....SB 421
- DIRKSEN, EVERETT  
     McKINLEY .....SCR 50
- DISCRIMINATORY PRACTICES  
     Anti-bussing..HBs 1517, 1639; HCR 1036  
     Constitutional convention ....HCR 1036  
     Desegregation of schools ....HJR 1049  
     Hearing of complaints .....HB 1435
- DISTRESSED AREAS  
     Regional health centers .....SJR 35
- DISTRICT ATTORNEYS  
     Appropriation .....SB 419  
     Compensation .....HB 1547  
     Defense of appellant, Munici-  
         pal Courts .....SB 544  
     Defense of enforcement  
         officers .....SB 393  
     Destruction of records .....HB 1675  
     Mental hospital admissions ...HB 1632  
     Oklahoma Employment Rela-  
         tions Board, counsel for....SB 151
- DISTRICT COURTS  
     Appropriation .....HB 1558  
     Bail forfeiture .....SB 372  
     Compensation of judges .....HB 1558  
     Judges, disability retirement SB 535  
     Partition of property..SB 484; HB 1609  
     Records, destruction of..HBs 1678, 1741
- DISTRICT JUDGES, see JUDGES
- DIVORCE  
     Alimony and child support ....SB 498  
     Appeals .....HB 1497  
     Support payments, prior  
         divorces .....SB 406  
     Remarriage, bigamy .....HB 1497  
     Waiting period, children  
         involved .....SB 501
- DRAFT  
     Geographical- population  
         quotas .....SCR 52

## DRIVER EDUCATION TRAINING

Auto license tags .....HB 1808

## DRUGS AND NARCOTICS

Appropriation, narcotic education .....HB 1561

Loans to students, revocation..SB 367

Marihuana .....SB 507

Physicians dispensing, records of .....HB 1805

Stimulants .....SB 507

Studies .....SJR 42; SCR 43

Treatment of alcoholics and drug addiction .....SJR 42

## DRUGS AND PHARMACY

Fee increase .....SB 407

## E

## EAST CENTRAL STATE COLLEGE

Architectural barriers, commending Dr. Wagner for removing .....SCR 62

## EASTERN OKLAHOMA STATE COLLEGE OF AGRICULTURE AND APPLIED SCIENCE

Appropriation .....HB 1560

## EASTERN OKLAHOMA TUBERCULOSIS SANATORIUM

Appropriation .....HB 1567

Land for use of .....SB 659

## EASTERN STATE HOSPITAL

Appropriation .....SB 656

## ECONOMIC OPPORTUNITY, DIVISION OF

Appropriation .....SB 430

## EDUCATION, see also HIGHER EDUCATION; SCHOOLS, PUBLIC; VOCATIONAL EDUCATION

Accreditation, legislative intent .....SCR 40

Anti-bussing.HBs 1517, 1639; HCR 1036

Blind children .....SB 403

Deaf children .....SB 403; HB 1777

Dependent youth and orphans.HB 1560

Education Commission, appropriation to .....HB 1562

## Exceptional

children .....SBs 403, 625; HB 1561

High schools, accreditation of..SJR 22

Homebound children .....HB 1561

Kindergarten Act of 1970 .....SB 404

Patients of Children's

Memorial Hospital .....HB 1561

School funds, investment of...HJR 1006

Special education .....SB 403; HBs 1561, 1777

Student assistance; dentistry, optometry .....SB 421

Student loans .....SB 487; HB 1798

Televised instruction .....SB 452

Veterans, dependents of .....SB 432; HB 1515

## EDUCATION, OKLAHOMA

## COMMISSION ON

Appropriation .....HB 1562

University system, in-depth study of .....SCR 77

## EDUCATION, STATE BOARD OF

Accreditation, reinstatement of .....SJR 22

Appropriation .....HB 1561

Board members, election of ..HB 1439

Boundaries, school attendance..SB 624

Interstate agreements, educational personnel .....SB 635

Negotiation between district and employees .....HB 1291

Warrants, forwarding of .....SB 401

## EDUCATIONAL COMMISSION OF STATES

Appropriation .....HB 1561

## EDUCATIONAL TELEVISION AUTHORITY

Appropriation .....HB 1563

Production of film on legislature .....SCR 74

## ELECTION BOARD, STATE

Appropriation .....HBs 1554, 1585

## ELECTIONS

Affidavits by members of political party .....SB 533

Ballots, colored .....SB 640

- Boards of education, change  
of election date .....HB 1439
- Custodians, party watchers ...SB 555
- Judicial and nominating  
districts .....SBs 534, 546
- Legislative intent regarding  
recounts .....SCR 86
- Political party affidavits .....SB 533
- Poll signature books, ballots...SB 640
- Precinct officials,  
compensation of .....HBs 1154, 1680
- President, preferential  
primary elections .....SB 291
- Recounts .....SB 652; SCR 86
- Special Elections
- Ad valorem tax  
apportionment .....HJR 1032
- Ad valorem tax  
exemption .....SJR 48
- Ad valorem tax,  
valuation of property ..HJR 1001
- Associate district judge,  
appointment to fill  
vacancy .....SJR 44
- Associate district judge,  
one per county .....SJR 32
- Bonds, rate of interest ...HJR 1052
- Constitutional  
convention ... SJR 38; HJR 1004
- Counties, joining and chang-  
ing boundary lines .....SJR 49
- County consolidation ..SJR 6, 49
- District judge, appointment  
to fill vacancy .....SJR 44
- Entire Article may be pro-  
posed as a single  
question .... SJR 51; HJR 1008
- Executive Department,  
vesting power in  
Governor .....HJR 1021
- Gubernatorial appointment  
to fill vacancies .....SJR 44
- Hospital districts,  
bond issue .....HJR 1033
- Industrial finance bonds ..SJR 28
- Legislative reapportionment,  
repealing .....HJR 1032
- Legislature, organization,  
districts, etc. ....HJR 1022
- Municipal corporations ..SJR 47
- Pardon and Parole  
Board .....SJR 30
- Personal property  
tax exemption .....SJR 48
- Property taken for  
public use .....SJR 39
- Property valuation, ad  
valorem taxes .....HJR 1001
- Public Service  
Commission .....SJR 50
- Public utilities,  
bond issue .....SJR 43
- School funds, invest-  
ment of .....HJR 1006
- School support, ad  
valorem levy .....HCR 1011
- Segregation in school,  
prohibiting .....HJR 1049
- Silent vote factor,  
eliminating ..... SJRs 51, 52
- Wildlife Conservation  
Commission .....SJR 33
- Voting machines, party  
levers, watchers .....SBs 555, 640
- ELECTRONIC DATA  
Processing equipment .....HB 1747
- EMBALMERS  
License renewal fee increase ..SB 169
- EMERGENCY FUND, STATE  
Appropriation .....SB 412
- EMINENT DOMAIN  
Board of Education .....SB 10
- Streets and alleys .....SB 489
- EMPLOYEES, see also STATE  
OFFICERS AND EMPLOYEES
- Collective bargaining,  
public employees .....SCR 83
- County Employees  
Compensation for  
overtime .....SB 630
- Retirement benefits ..SBs 231, 649
- Employee-employer relations ..SB 646
- Employment Peace Act .....SB 151
- Forty-hour week;  
interim study .....SCR 88



Military service, retirement credit .....	SB	231
State Employees		
Employee-legislator discussions .....	HB	1416
Health and life insurance .....	HB	1527
Minimum salary, increasing .....	HBs	1526, 1608
Turnpike employees, grievances of .....	SCR	78
Women's work week .....	SB	630
Workmen's compensation ..	SB	485
EMPLOYMENT AGENCY		
License .....	HB	1592
EMPLOYMENT SECURITY, see also LABOR		
Employment security benefits .....	SB	281
Employment security, job retraining .....	SB	280
Unemployment security benefits, increasing .....	SB	281
ENID STATE SCHOOL		
Appropriation .....	SBs	601, 653
Paint shop construction .....	SB	601
EQUALIZATION, BOARD OF		
Appropriation .....	SBs	414, 415
Assessment reductions, approval of Assessor .....	SB	491
Membership, increasing .....	SB	492
ERIN SPRINGS		
Appropriation .....	SB	424
ESTATES		
Creditors of heirs, collection ..	SB	513
Gross estate		
Community property .....	SB	620
Life insurance .....	SB	619
Hearings, estates under \$5,000 .....	SB	637
Purchase of land, deposit .....	HB	1666
Real estate sales by executor, etc. ....	SB	569
Rights of judgment .....	SB	513
ETHICS COMMISSION, OKLAHOMA STATE		
Complaints, confidential .....	SB	108

False complaint .....	SB	108
EXAMINER AND INSPECTOR, STATE		
Appropriation .....	HBs	1555, 1556
Compensation .....	SB	362
Post audit of Tax Commission .....	HB	1556
EXECUTIVE DEPARTMENT		
Membership, term of office, etc. ....	HJR	1021

**F**

FACILITIES DEVELOPMENT  
AUTHORITY

Office space for State  
agencies -----SB 614

FAMILY PLANNING CLINICS

Appropriation -----HB 1567

FARMS

Implement of husbandry,  
farm trailers -----HB 1240

FEES

Affidavits in small claims  
case -----HB 1525

Banks, fees for examining ---HB 1648

Barbers -----SB 618

Business school solicitor  
permit -----HB 1403

Corporations -----SB 608

County Board of Adjustment ..SB 320

Court reporters,  
Municipal Courts ---SB 627; HB 1548

Courts, filing fee increase ----HB 1495

Criminal cases -----SB 388; HB 1509

Dental examination fee -----SB 632

Domestic insurers,  
agent's fee -----SB 500

Funeral directors and  
embalmers -----SB 169

Funerals, seller of prepaid ----HB 1752

Health Department records,  
copies of -----SB 483

Incorporation, increasing  
fee for -----SB 608

- Industrial Court,  
litigation fee .....SB 138
- Insurance Commissioner's  
Pre-Need Fund .....HB 1752
- Insurers, registration of .....HB 1775
- Municipal Court, jurors  
and witnesses .....HB 1050
- Overweight vehicle  
permit fees .....SB 565
- Pesticide applicators .....SB 568
- Pharmacists permit .....SB 407
- Physicians and surgeons .....SB 518
- Precinct election officials .....HB 1680
- Private employment agencies..HB 1592
- Private school fund .....HB 1403
- Savings and loan associations..SB 457
- Service of process,  
increase in filing .....HB 1495
- Sheriffs, feeding of prisoners ..HB 1509
- Small claims .....HB 1525
- Trust companies, fees  
for examining .....HB 1648
- Witness and mileage fees .....SB 388
- FELONY**
- Child desertion .....SB 497
- Counties, sales to with intent  
to defraud .....HB 1674
- Fraudulent claims  
against State .....SB 536
- Pictures of lewd acts .....HB 1532
- Police radio frequencies,  
use of .....HB 1756
- Schools, public morals .....SB 383
- Sealed bids, failure to require..SB 616
- FINANCE, PUBLIC**
- Claims, delinquent  
payment of .....SB 389
- FIRE PROTECTION**
- Creating Commission on Fire Pro-  
tection Personnel Standards  
and Education .....SB 560
- Mine firefighting equipment ..HB 1585
- FIRE MARSHAL**
- Building and facilities,  
land for .....SCR 90
- Salary schedule .....HB 1723
- FIREMEN**
- Firefighters and Policemen's  
Arbitration Law .....HB 1615
- Residence requirement,  
exemption on .....SB 626
- Retirement pension increase ..HB 1616
- FLOOD CONTROL DISTRICTS**
- Tax exemptions .....SB 531
- FOREMAN HOME**
- Appropriation .....SB 424
- FORESTRY, WILDLIFE AND  
PARKS DEPARTMENT**
- Creating, various departments  
transferred to .....SB 482
- Wildlife Conservation Commis-  
sion, repealing article  
creating .....SJR 33
- FORT TOWSON, OLD**
- Appropriation .....SB 424
- FORT WASHITA**
- Appropriation .....SB 424
- FOUNTAIN, JESSIE M.**
- Expressing appreciation ....HCR 1058
- FREIGHT RATES**
- Small grains .....SCR 41
- FUNERAL ESTABLISHMENTS**
- License fee increase .....SB 169
- Prepaid funeral services .....HB 1752
- G**
- GAME AND FISH**
- Aquatic plants, fish  
and wildlife .....HB 1789
- Bonds for law violations .....HB 1231
- Doe deer .....SBs 525, 636
- Falconry, legalizing .....HB 1387
- Fines for violations .....HB 1665
- Fish, transportation  
of tropical .....HB 1789
- Fishing and hunting  
license increase .....HB 1662
- Hunting, prohibited .....SB 265

- Quail hunting  
     seasons .....SBs 525, 636; HB 1387  
 State's authority over fish  
     and wildlife .....HCR 1046  
 Wildlife, aquatic plants and ex-  
     otic fish, possession and  
     transportation of .....HB 1789
- GARNISHMENT  
     Depositions .....HB 1774
- GARRISON, J. DON  
     In Memoriam .....SCR 48
- GLASS  
     Safety glazing materials .....HB 1764
- GO-CART AND MINI BIKES  
     Unlawful to operate on  
     public thoroughfares .....HB 1776
- GOLF  
     Tournament to be held  
     in Tulsa .....SCR 81
- GOODWILL INDUSTRIES  
     Motor bus license, \$1.00 .....SB 530
- GOVERNOR, OFFICE OF THE  
     Appropriations .....SBs 411, 430, 431  
     Compensation .....SB 362  
     Governor—Division Economic  
     Opportunity .....SB 430  
     Governor's Council on Community  
     Affairs, creating .....SB 111  
     Handicapped, Governor's  
     Committee on .....SB 431; SCR 72  
     Industrial Advisory Team ...SCR 70  
     Interstate Mining Compact,  
     member of .....HB 1626  
     Judiciary, appointment to  
     fill vacancies .....SJR 44  
     Money settlements,  
     must approve .....SJR 34  
     Reports, Securities  
     Commission .....HB 1611  
     Requested to return  
     SB 442 .....SCR 85  
     SB 517 .....SCR 76  
     HB 1330 .....HCR 1049  
     HB 1512 .....HCR 1051  
     HB 1522 .....HCR 1065
- HB 1589 .....HCR 1050  
 HB 1625 .....HCR 1069  
 HB 1696 .....HCR 1073
- GRAND RIVER DAM AUTHORITY  
     Regulations, contracts, leases,  
     salary schedule .....HB 1653  
     Waterways Patrol .....SB 556
- GROSS PRODUCTION TAX,  
     see TAXATION
- GROUND WATER CONSERVATION  
     DISTRICT ACT .....SB 294
- GUARDIAN AND WARD  
     Marriage consent .....SB 399
- GUYMON, OKLAHOMA  
     Cattle delivery point .....HCR 1062
- ## H
- HALFWAY-HOUSES  
     Appropriation .....HB 1575
- HALL OF FAME  
     Athletic Hall of Fame .....HCR 1045  
     Hall of Fame building .....SJR 27
- HANDICAPPED  
     Auto license, can  
     purchase \$1.00 .....SB 530  
     East Central State College,  
     removal of barriers .....SCR 62  
     Federal-state  
     assistance .....SB 455; HJR 1043  
     Governor's Committee on  
     employment of .....SB 431; SCR 72
- HANDICAPPED, GOVERNOR'S  
     COMMITTEE ON  
     EMPLOYMENT OF  
     "Ability Counts"  
     contest winners .....SCR 72  
     Appropriation .....SB 431
- HEALTH PLAN, STATE  
     EMPLOYEES GROUP  
     Appropriation .....SB 433  
     Health Insurance  
     Reserve Fund .....SB 387; HB 1527



HEALTH PLANNING AGENCY,  
STATE

Appropriation .....HB 1553

## HEALTH, STATE

## DEPARTMENT OF

Alcohol and drug addiction,  
study .....SJR 42

Appropriation .....HBs 1567, 1568

Board of Unexplained Deaths HB 1568

Health Facilities Advisory

Council, creating .....SB 577

Immunization of children,  
certification .....HB 1203

Local Health Departments .....HB 1567

Pavement of grounds,  
appropriation for .....SB 567Permit for disposal of  
solid wastes .....HB 1499

Pollution control programs .....HB 1567

Records, personal checks for  
copies of .....SB 483Regional Health Centers,  
feasibility study .....SJR 35

Solid waste management act.....HB 1499

Vital statistics records .....SB 483

HEARING AID DEALERS AND  
FITTERS, BOARD OF

Creating .....SB 506

## HENRYETTA JUNIOR COLLEGE

Authorizing establishment cf.....HB 1612

## HIGHER EDUCATION, see also

## REGENTS FOR HIGHER

## EDUCATION: COLLEGES

## AND UNIVERSITIES

Annuity contracts .....HB 1445

Bond issues, interest rates .....HB 1705

Committee to make  
in-depth study .....HCR 1035

Community Junior Colleges .....HB 1612

Langston University,  
committee to study .....SCR 44Regents of Oklahoma  
colleges .....HB 1637Student educational  
assistance fund .....SB 421

Student loans, minors over 16 SB 487

Televised instruction;

appropriation .....SB 452

Travel and per diem  
of students .....SB 573

## HIGHWAY COMMISSION

Bridges property of,  
exceptions .....SB 477Construction contracts  
excluded from Central

Purchasing .....SB 475

Contractors, securities ..SBs 473, 474

Educational meetings for  
County Commissioners .....SB 376Talimena State Park,  
development of .....HCR 1077HIGHWAY DEPARTMENT, see also  
ROADS AND HIGHWAYS

Appropriation .....SBs 440, 567

Capitol area development,  
study of .....HCR 1068County roads, vehicle  
license fees .....SB 467Federal aid highways,  
relocation costs .....HB 1677Health Department, paving  
grounds of .....SB 567

Land, condemnation of .....HB 1676

Liability insurance  
on vehicles .....HB 1206Maintenance of roads  
connecting parks, etc. ....HB 1500Rights-of-way, acquisition  
of .....SBs 440, 467; HBs 1601, 1677Rights-of-way excluded,  
requirements of Central

Informations Office of

State Lands .....HB 1603

Speed limits,  
traffic investigation .....HCR 1064

## HIGHWAY PATROL

Appropriation .....HB 1574

Salary increases .....HB 1753

Vehicles, increasing number  
and purchase price .....SB 588

## HISTORICAL SOCIETY, OKLAHOMA

Appropriation  
---SB 424; HBs 1521, 1780; HJR 1046

- Black Cultural and  
 Historical Center .....HJR 1046  
 Building, construction of ....SJR 27  
 Cherokee Strip Museum .....SB 211  
 Land transfer, Purcell .....SB 447  
 Maple Ridge Historic Site ....SB 339  
 Preservation of historical  
 research material, microfilm SB 391  
 Western Heritage Center and  
 Cowboy Hall of Fame .....HB 1780  
 Wiley Post Monument .....HB 1521
- HODGENS JOB CORP CAMP  
 Appropriation .....HB 1575  
 Renaming .....SJR 40
- HOFFMAN, VERA M.  
 Authorized to sue State ....SJR 37
- HOLIDAYS  
 Designating .....SB 566; HB 1339
- HOLLOWAY, WILLIAM J.  
 In memoriam .....HCR 1053
- HOMESTEAD EXEMPTION  
 House trailers or mobile  
 homes .....HB 1541  
 Welfare recipients,  
 paving assessments .....SB 239
- HONEY SPRINGS, BATTLEFIELD  
 Appropriation .....SB 424
- HOSPITALS  
 Board of Control, duties .....HB 1514  
 County hospitals, bond issues HB 1514  
 Doctors of medicine  
 or osteopathy .....SB 468  
 Establishment and expansion,  
 interim study .....SR 58  
 Hospital districts, 10-mill  
 levy for .....HJRs 1032, 1033
- HOUSE OF REPRESENTATIVES  
 Appropriation .....HB 1549  
 Employees, compensation of ..HB 1809
- HOUSING  
 Bond issues, maximum  
 interest .....SB 504; HB 1766  
 Indian Housing Authority ....SB 504  
 Public housing .....HB 1766  
 Public Housing Authority,  
 tax exemption .....SB 531  
 Residential housing for lower  
 income group .....SB 653
- HUMAN RIGHTS COMMISSION  
 Appropriation .....SB 415; HB 1569  
 Complaints, rules for hearing..HB 1435
- HUNTING, see Game and Fish
- I
- IBA, HENRY PAYNE (HANK)  
 Commending .....SCR 67
- INCOME TAX, see TAXATION
- INDIAN AFFAIRS COMMISSION  
 Appropriation .....HB 1570  
 Restrictions on appointments,  
 removing .....SB 599
- INDIAN HOUSING AUTHORITY  
 Bond issue, maximum interest SB 504
- INDIANS  
 Expositions and festivals ....SB 451  
 Housing Authority .....SB 504  
 Indian Week .....HCR 1043  
 Partition of property,  
 jurisdiction .....SB 484; HB 1609  
 Western Plains Arts and  
 Crafts Commission .....SB 434
- INDUSTRIAL COURT, STATE  
 Appropriation .....SB 420  
 Examination, workmen's  
 compensation .....SB 610  
 Insurance Fund, to assist  
 in study of .....SR 64  
 Judges, compensation of ....SB 547  
 Litigation fee .....SB 138  
 Physician, examination by  
 impartial .....SB 610  
 State Insurance Fund, assist  
 in study of .....SR 64
- INDUSTRIAL DEVELOPMENT  
 AND PARK COMMISSION  
 Appropriation ..SBs 211, 447, 596

- Community Affairs and Planning,  
transferring duties to .....SB 538
- Maritime Advisory Board,  
creating .....SB 650
- Membership and  
compensation .....HB 1521
- Motorboats, transferring  
control of .....SB 556
- Motor Pool Act, exempt from HB 1163
- "Oklahoma Today",  
distribution of .....SR 68
- Parks, lease of land by GRDA HB 1653
- Scenic Rivers System .....HB 1152
- Talimena State Park,  
development of .....HCR 1077
- Transfer to Forestry, Wildlife  
and Parks Department .....SB 482
- West Coast Industrial Tour ..SCR 70
- INDUSTRIAL FINANCE  
AUTHORITY**
- Bond issue .....SJR 28
- Interest, maximum rate .....SB 450
- INFORMATION AND  
MANAGEMENT SERVICES  
DIVISION**
- Appropriation .....SB 509
- Revolving fund .....HB 1747
- INITIATIVE AND REFERENDUM**
- Petitions, protests .....HB 1260
- Recounts in elections .....SB 652
- Silent vote, abolishing .....SJR 52
- IN MEMORIAM**
- Dirksen, Everett McKinley ..SCR 50
- Garrison, J. Don .....SCR 48
- Holloway, William J. ....HCR 1053
- Lauinger, Joseph Mark ....SCR 53
- Memminger, C. B. ....HCR 1042
- Noble, George .....HCR 1059
- Reinhardt, Joseph R. "Jake" SR 50
- INSURANCE, see also  
WORKMEN'S COMPENSATION**
- Advertising and sales  
brochures .....SB 514
- Advertising, approval by  
Insurance Commissioner ....SB 514
- Agents of foreign  
corporations .....SB 396
- Annuity contracts, teachers ..HB 1445
- Appeals, property and  
casualty rates .....SB 464
- Articles of incorporation ....HB 1712
- Attorney or actuary to  
represent public .....SB 463
- Domestic insurers
- Reinsurance .....HB 1712
- Reports required .....HB 1710
- Tax on certain income .....SB 500
- Estates to include life  
insurance, value of .....SB 619
- Fire
- Cancellation of policies ....SB 394
- Premiums placed in Fire  
Marshall Fund .....HB 1723
- Rate schedules, filing of ....SB 471
- General merchandising store,  
license refusal .....SB 396
- Gross estate, value to include  
life insurance .....SB 619
- Health and accident
- Practitioner, choice of ....SB 582
- State officers and  
employees ..SBs 386, 387; HB 1527
- Hearings, attorney  
or actuary .....SB 463
- Hearings, notice of .....SB 465
- Holding Company
- Disclosure Fund .....HB 1775
- Insurance corporations  
permitted to own stock ....HB 1434
- Insurers Insolvency Pool Act ..HB 1537
- Insurers, organization  
of subsidiaries .....HB 1775
- Interim study .....SCR 46; SR 61
- Legislature to receive  
resume of rate filings .....SB 466
- Liability
- Auto liability policies,  
inclusion of all  
coverage .....SB 598
- Cancellation for discrimina-  
tory reasons prohibited ..SB 617
- Cities, counties, school, dis-  
tricts, etc., vehicles ....HB 1199



- Highway, Agriculture and Welfare Departments  
vehicles .....HB 1206
- Institutions and agencies of Regents for Higher Education .....SB 585
- Motor carriers .....SBs 579, 634
- Proof of financial responsibility .....SBs 544, 621
- Requisite for obtaining registration and tags ....SB 585
- State agencies, various .....SB 585; HB 1206
- Uninsured motorist clause .....SB 305
- Life
- Annuity contracts ..HBs 1445, 1717
- Cash payments required ..HB 1717
- Mergers and acquisitions ....HB 1775
- Motor Carriers, reinstatement of .....SB 579
- Policies, providing for contents of .....SB 597
- Premiums payable by bank draft .....SB 597
- Property and Casualty Rates Board
- Appeals .....SB 464
- Appointees to Board .....SB 460
- Cities and towns, filing of rate schedules .....SB 471
- Hearings .....SB 465
- Meetings, actions involving rates, notices .....SB 478
- Rate increase filings .....SB 466
- Property and casualty rates, extension of interim study .....SCR 46
- Rates .....SBs 466, 471, 472
- Recovery from insurers of medical expense payments paid by Welfare .....SB 311
- Tax on policies .....HB 1719
- Unauthorized insurers .....SB 572; HBs 1684, 1719
- INSURANCE COMMISSIONER
- Advertising and sales brochures, filing of .....SB 514
- Appropriation .....HB 1580
- Insurance industry, review practices of .....SR 61
- Prepaid Funeral Act, administration of .....HB 1752
- INSURANCE FUND, STATE
- Board of Managers, assist in study .....SR 64
- Insurance Fund Commissioner, appointment of .....SB 593
- Interim study of operations ...SR 64
- Liability insurance to State agencies, sale of .....SB 585
- INSURERS INSOLVENCY POOL ACT, OKLAHOMA
- Creating .....HB 1537
- INTEREST
- Bonds, rates of interest .....SBs 450, 504, 511; HBs 1705, 1766, HJR 1052
- Cities, counties, political subdivisions, bonds ....SBs 504, 511
- Contracts, loans and contracts .....SB 648
- Credit unions, interest rate ....SB 341
- Farm loans .....SB 631
- Industrial finance bonds, increasing maximum interest .....SB 450
- Judgment in recovery of damages, 10% interest.....SB 402
- Land office, increased rates .....SBs 515, 631
- Public housing, interest on bonds .....HB 1766
- Revenue bonds, increasing maximum interest .....HB 1705
- Usury .....SB 648
- INTERSTATE AGREEMENTS
- Educational personnel .....SB 635
- Excise tax on motor vehicles..HB 1783
- INTERSTATE MINING COMPACT .....HB 1626
- INVESTIGATION, BUREAU OF
- Appropriation .....SBs 436, 656
- Crime reporting system .....SB 539

## INVESTMENTS

Counties, use of investment income .....	HB 1701
Educational funds .....	HJR 1006
Investment income a factor in insurance rates .....	SB 472
Tax exemptions, investment companies .....	SB 605
Treasury funds, directing investment of .....	SB 516

## J

## JOHNSON, ALEXANDER

Travel claim .....	SJR 29
--------------------	--------

## JOHNSTON, HENRY S.

Appropriation for library .....	SBs 211, 447
---------------------------------	--------------

## JUDGES

Associate District Judges	
Appointment to fill vacancies .....	SJR 44
Election of .....	SBs 534, 546
One judge per county provision .....	SJR 32
Salary schedule .....	SB 547; HBs 1492, 1558
Attorney-judge relationship .....	HB 1512
Disability compensation retirement .....	SB 535
District Judges	
Compensation .....	SB 547
Elections, judicial districts .....	SBs 534, 546
Gubernatorial appointment to fill vacancies .....	SJR 44
Judicial and nominating districts .....	SBs 534, 546
Mileage and per diem .....	SB 486
Election of .....	SBs 534, 546
Federal judges, selection and retention of .....	HCR 1039
Judicial and nominating districts .....	SBs 534, 546
Related to attorney .....	HB 1512
Retirement because of disability .....	SB 535
Retirement credits .....	SB 595
Retirement system, limiting to one .....	SB 576

## Special Judges

Attorney acting as judge .....	HB 1749
Clerks of .....	SB 542
Compensation .....	SBs 190, 547; HB 1492
Judge per county according to population .....	SB 461
Jurisdiction to include default matters .....	SB 549
Trial of actions .....	HB 1749
Superior Court judges .....	SBs 534, 546

## JUDGMENTS

Appeals .....	HB 1656
Estates, creditors of heirs, etc. ....	SB 513
Recovery of damages, interest rate .....	SB 402

## JUDICIAL NOMINATING COMMISSION

Appropriation .....	HB 1559
Gubernatorial appointments to fill vacancies .....	SJR 44

## JUNIOR COLLEGES

Altus Junior College .....	SB 421
Community Junior Colleges .....	SB 552; HB 1612
Establishment of, Henryetta, Woodward and Ardmore .....	SB 421; HB 1612
Midwest City Junior College .....	SB 656
South Oklahoma City Junior College .....	SBs 421, 479
Tulsa Junior College .....	SBs 421, 422, 479, 656; HB 1613

## JURORS AND WITNESSES

Attorney services for witnesses .....	HB 1768
Compensation and travel expense .....	HB 1050
Grand jury, petitioning for .....	SJR 41
Qualifications .....	HB 1692
Request for jury trial, consent for withdrawal .....	HB 1676
Travel distance, maximum .....	SB 335

## JURY TRIAL

Condemnation, withdrawal of request .....	HB 1676
---	---------

## JUVENILE DIVISION,

see also CHILDREN

Delinquents, destruction of records .....	SB 391
Diagnostic Evaluation and Receiving Center .....	SB 656
Juvenile officer .....	HB 1540

## K

## KINDERGARTENS

Allocation .....	HB 1561
Average daily attendance .....	SBs 404, 589
Kindergarten Act of 1970 .....	SB 404
Transfer from school district .....	SB 532

## L

## LABOR

Eight-hour day, forty-hour week; interim study .....	SCR 88
Employees, time and manner of payment .....	SB 459
Hours of employment, overtime compensation .....	SB 630
Municipal corporations, payment of employees .....	SB 459
Occupational health and safety standards .....	HB 1702
Oklahoma Employment Peace Act .....	SB 151
Women's work week, repealing limit .....	SB 630

## LABOR, DEPARTMENT OF

Appropriation .....	SB 442
Merit system .....	HB 1638
Occupational Health and Safety Standards Act .....	HB 1702

## LAND

Authorizing sale for use of T. B. Sanatorium .....	SB 659
Central information office, exclusion from jurisdiction of .....	HB 1603
Comanche county, land for public use .....	SCR 45
Condemnation proceedings .....	HB 1676

Estate, 1/4 down in purchase from .....	HB 1666
Exemption from city-county planning .....	SB 580
Law enforcement complex, state-owned land .....	SCR 90
Leasing of school district .....	SB 10
Marketable record title .....	SB 559
Mining operations, reclamation of land .....	SB 657
Port authority owned, exemption .....	SB 580

## LAND OFFICE COMMISSIONERS

Appropriation .....	HB 1564
Interest rate increase, loans and purchases .....	SBs 515, 631
Lease or rental of building, office or space .....	HB 1690
Loans, land valuation .....	SB 517
Rental of office space .....	HB 1690

## LANGSTON UNIVERSITY

Appropriation .....	SBs 421, 424, 611
Black Cultural Center .....	SB 424; HJR 1046
Study by special committee .....	SCR 44

## LAUINGER, JOSEPH MARK

In memoriam .....	SCR 53
-------------------	--------

## LAW ENFORCEMENT

Complex of buildings for enforcement agencies .....	SCR 90
Council on law enforcement training .....	SB 438
Criminal and traffic enforcement system .....	SBs 509, 541; HCR 1067
Law enforcement officers Commending peace officers .....	SCR 58
Officer entitled to representation by District Attorney .....	SB 393
Questioning of children by officers .....	HB 1292
Police radio frequencies .....	HB 1756

## LAW LIBRARY FUND ..SB 613; HB 1525

## LEGAL NOTICES

Publication of .....	SBs 523, 524
----------------------	--------------



## LEGISLATIVE COUNCIL

Appropriations	
Administration .....	HB 1550
Constitutional revision study	HB 1803
Rapid transit study .....	HB 1714
Attorney General money settlements, approval of ....	SJR 34
Executive committee, appointment of .....	HB 1803
Interim studies	
Ad valorem taxes on sales to governmental units, waiving .....	SR 49
Beer containers on public property, streets, etc. ....	SR 60
Boards, professional and regulatory .....	SR 71
Capitol and Medical Center area development program .....	HCR 1068
Cities, towns, counties receiving state or federal funds .....	SR 77
City, county, regional and state planning .....	SCR 42
Collective bargaining by public employees .....	SCR 83
Constitutional revision ....	HCR 1072
Criminal laws, revision and codification of .....	SR 43
Educational Television Authority, expansion of services .....	SR 73
Eight-hour day, forty-hour work week .....	SCR 88
Federal funds to cities, counties, etc. ....	SR 77
Hospitals, nursing homes or health facilities, expansion of .....	SR 58
Insurance fund, operation of	SR 64
Insurance industry, special committee to study .....	SR 61
Labor work week .....	SCR 88
Legislature, production of documentary film .....	SCR 74
License plates, motor vehicle .....	SR 48
Litter on highways and public property, etc. ....	SR 60

Mental health services .....	SR 59
Merit system salary plan for teachers .....	SR 65
Motor vehicle license plates, dual .....	SR 48
Nursing homes, establishment or expansion of .....	SR 58
Oil and gas purchasers statement of financial stability	SCR 59
Planning Commission, etc., receiving state or federal funds .....	SR 77
Pollution control .....	SCR 54
Public defender statutes, expansion of .....	SR 66
Public employees, collective bargaining by .....	SCR 83
Regulatory boards, professional and occupational ....	SR 71
Savings and loan associations permanent or capitol stock .....	SCR 64
State or federal aid to governmental subdivisions, assistance in obtaining ....	SR 77
Teacher merit system salary plan .....	SR 65
Television Authority, expansion of services of ....	SR 73
Urban and rural development .....	SR 77
Wildlife Conservation Department .....	HCR 1075
Work week; 8-hour day, 40-hour week .....	SCR 88
Office and travel expense as tax deductions .....	HB 1803
Rapid transit system study, continuation of .....	HB 1714
Travel, per diem and office expense .....	HB 1803

## LEGISLATURE, see also SENATE

Appropriation .....	HB 1549
Approval of money settlements by Attorney General	SJR 34
Districts 12, 82, and 84 defined	SB 641
Film on legislature, documentary production of .....	SCR 74

- Insurance rate filings for  
   legislators .....SB 466  
 Journals and other printing ..HB 1549  
 Labor, legislative policy  
   regarding .....SB 151  
 Legislative districts, organiza-  
   tion, etc. ....HJR 1022  
 Legislative Intent  
   Accreditation of schools.....SCR 40  
   Appropriation for salaries  
     of state personnel .....HCR 1070  
   Appropriation for televised  
     instruction system .....SCR 56  
   Archeological survey .....SB 623  
   Armory construction .....SB 437  
   Capitol rotunda, mural work..SB 415  
   Dependent or neglected  
     children .....SCR 93  
   Education of dependent  
     youth and orphans .....HB 1560  
   Elections, recounts .....SCR 86  
   Exemption on aircraft fuel..SJR 36  
   Grand jury, method of  
     petitioning .....SJR 41  
   Higher education, maximum  
     salaries .....SB 362  
   Nursing requirements .....SB 526  
   Penitentiary, improvement  
     roads to .....HB 1575  
   Regents for Higher Educa-  
     tion, allocation of funds  
     by.....SB 421; SCR 91  
   Small watersheds, flood  
     control .....SB 449  
   Southwest Center for  
     Safety Education .....SB 562  
   Special education of excep-  
     tional children.....SB 403; HB 1561  
   Televised instruction in  
     schools and colleges,  
     statewide .....SB 452  
   Turnpike Authority em-  
     ployees, grievances .....SCR 78  
   Vocational schools, accredi-  
     tation of .....SCR 40  
 Office space on 3rd, 4th and  
   5th floors .....SB 495  
 Opposition to oil import  
   program .....HCR 1037  
 Reapportionment, constitu-  
   tional amendment .....HJR 1032  
 Rules and regulations of  
   State agencies, filing of ....SCR 92  
 Travel, per diem and office  
   expense .....HB 1803  
 Tulsa Junior College .....SB 422  
 Wildlife Conservation Com-  
   mission, taxation sole pre-  
   rogative of legislature.....SCR 89  
 LENHART, MR. AND MRS. LOWELL  
   Congratulating on birth of  
     Lance Christian .....SR 51  
 LIBRARIES, DEPARTMENT OF  
   Appropriations  
     Administration .....SB 425  
     State library building .....HB 1208  
   City-county library commis-  
     sions .....HB 1686  
   Law library fund.....SB 613; HB 1525  
   National library week.....HCR 1066  
 LICENSES, see also FEES  
   Boats .....HB 1589  
   Business schools and colleges..HB 1403  
   Corporations, incorporation ...SB 608  
   Correspondence schools .....HB 1403  
   Court reporters .....SB 627  
   Denial, insurance from  
     merchandising store .....SB 396  
   Dentistry, practice of .....SB 632  
   Druggist .....SB 407  
   Employment agencies .....HB 1592  
   Funeral directors and  
     embalmers .....SB 169  
   Funerals, permit for prepaid..HB 1752  
   Hearing aid salesmen .....SB 506  
   Hunting and fishing .....HB 1662  
   Marriage licenses,  
     minors .....SBs 399, 496  
   Medical laboratory personnel ..SB 612  
   Medicine, practice of .....HB 1805  
   Motorboats and vessels .....HB 1589  
   Motor Vehicle  
     Camping or travel  
       trailers .....SB 522; HB 1541  
   Driver education vehicles,  
     license \$1.00 .....HB 1808

House trailers or mobile homes .....	HB 1541
License plates, dual .....	SR 48
Motor homes .....	SB 271
Nonprofit organizations, bus license \$1.00 .....	SB 530
Nonresident servicemen in Vietnam .....	SB 571
Recreational vehicles ..SBs 271, 522	
Religious corporations, motor bus license \$1.00 .....	SB 530
Servicemen stationed in Vietnam, license \$12.50 .....	SB 571
Soil conservation work, vehicles used in, replacement credit .....	SB 519
Travel trailers .....	SB 522
Nurses .....	SB 526
Pharmacists and assistants .....	SB 407
Physician not citizen of U. S. ....	SB 518
Tree pruning .....	HB 1591
Veterinarians .....	SB 202
Wildlife dealer's license .....	HB 1789

## LIENS

Cemetery lots, payment in default .....	SB 586
Conservancy assessments .....	SB 603
Real property taxes, delinquent .....	HB 1740

## LIEUTENANT GOVERNOR

Appropriation .....	HB 1551
Compensation .....	SB 362

## LIONS INTERNATIONAL

Dr. Robert McCullough, President for 1970 .....	SR 69
"Oklahoma Today," distribution to convention .....	SR 68

## LIQUEFIED PETROLEUM GAS BOARD

Appropriation .....	HB 1581
---------------------	---------

## LIVESTOCK

Animals, estray fund .....	HB 1658
Appropriation for disease control .....	SB 446
Bill of sale to accompany shipments .....	SB 529

Guymon as central delivery point .....	HCR 1062
Livestock Commission Act, repealing .....	SB 527

## LOAN ASSOCIATIONS

Savings and Loan Code of 1970 .....	SB 457
-------------------------------------	--------

## LOANS

Attorney's fees, consumer credit code .....	SB 493
Contracts, defining loan of money and interest .....	SB 648
Credit unions, maximum interest .....	SB 341
Education, loans to minors for .....	SB 487
Farm loans, interest increase .....	SB 631
Medical education .....	HB 1797
Minors, loans for education .....	SB 487
Savings and loan code .....	SB 457
School land loans .....	SB 517
Student financial assistance .....	SB 367

## LODGES, STATE

Appropriation .....	SB 447
Leased to persons, corporations, etc. ....	SB 447

## Mc

### McCULLOUGH, DR. ROBERT

Congratulating upon election as President of Lions International, 1970 .....	SR 69
--	-------

### MCLEOD HONOR FARM .....

## M

### MacKENZIE, JOHN

Elected President of DECA .....	HCR 1055
---------------------------------	----------

## MANDATORY SPECIAL EDUCATION

### ACT OF 1970

Handicapped exceptional children, education of .....	SB 403
--	--------

## MARRIAGE

Bigamy .....	HB 1497
Females under age 15 .....	SB 399
Minors, 6-month waiting period .....	SB 496



- Waiting period, children involved .....SB 501
- MASSEY, SENATOR JOHN L.  
Commending .....SR 75
- MEAT SLAUGHTERERS  
Regulations .....HCR 1057
- MEDICAL CENTER, see also  
UNIVERSITY OF OKLAHOMA  
Allocation of funds .....SBs 421, 656  
Capitol-Medical Center Improvement and Zoning District .....SB 562  
Medical laboratory personnel, licensing .....SB 612  
Nurse education, master's degree .....HCR 1038
- MEDICAL EDUCATION LOAN AND SCHOLARSHIP FUND  
Appropriation .....HB 1798  
Establishing .....HB 1797
- MEDICAL EXAMINERS, BOARD OF  
Foreign applicant, qualifications .....SB 518  
License, renewal of .....HB 1805
- MEEK, J. CALVIN AND ELLA MAE  
Authorized to sue State .....HJR 1056
- MEEK'S HARDWARE AND FURNITURE  
Authorized to sue State .....HJR 1057
- MEMMINGER, C. B.  
In memoriam .....HCR 1042
- MEMORIAL ASSOCIATION  
Hall of Fame building .....SJR 27
- MENTAL HEALTH  
Aftercare Program .....SB 428  
Board of Mental Health, per diem .....SB 602  
Children's Center, Oklahoma ..SB 455  
District attorneys, commitment to institution .....HB 1632  
Mental health services, interim study .....SR 59  
Mentally retarded persons ....SB 455  
Veterans .....SB 432  
Voluntary admissions .....HB 1632
- MENTAL HEALTH, DEPARTMENT OF  
Alcoholics and drug addicts, study .....SJR 42  
Appropriations ..SBs 428; 656; HB 1208  
Mental health services .....HB 1208  
Per diem of Board members ..SB 602  
Southern Regional Council ..SB 428  
Taft Hospital transferred to Welfare Department .....SB 455  
Veterans, services to .....SB 432
- MERCHANDISE  
Unsolicited, recipients obligation .....HB 1682
- MERIT SYSTEM  
Administrative expenses, payment of .....HB 1608  
Classified employees, step increases in each grade .....HB 1780  
Department of Labor .....HB 1638  
Examinations .....HB 1647  
Minimum salary, \$310 ..HBs 1608, 1780
- MIDWEST CITY JUNIOR COLLEGE  
Allocation .....SB 656
- MILITARY, see SERVICEMEN
- MILITARY DEPARTMENT  
Adjutant General, cause for removal .....SB 575  
Appropriations .....SB 437; HB 1518  
Building and facilities, land for .....SCR 90  
Camp Gruber, capital outlay..SB 437  
Chandler and Edmond armories .....HB 1518  
Repair of various armories ...SB 437
- MINE INSPECTOR, CHIEF  
Appropriations ..SBs 415, 441; HB 1585
- MINES AND MINING  
Fire fighting equipment .....HB 1585  
Mining Commission, creating ..SB 321  
Mining Compact, Interstate ..HB 1626  
Reclamation of lands .....SB 657

## MINI-BIKES

Unlawful operation .....HB 1776

## MINING BOARD, STATE

Appropriation .....SB 443

## MINORS, see also CHILDREN

Damages recoverable for  
death of .....SB 188

Delinquent child,  
defining .....SB 375; HB 1292

Divorce, waiting period .....SB 501

Juvenile records, destruction  
of .....HB 1678

Loans for education .....SB 487

Marriage license .....SBs 399, 496

Venereal disease, consent to  
examination for .....SB 561

War veterans, dependents  
of .....HBs 1515, 1597

## MISDEMEANOR

Beer, open container in auto ..SB 117

Destruction of records .....HB 1675

False complaint, Ethics  
Commission .....SB 108

Funerals, prepaid .....HB 1752

Hearing aid dealers .....SB 506

Lease or rental of motor  
vehicles, bogus-checks .....SB 238

Military dead, display of  
names .....HB 1642

Motion picture, rating .....HB 1528

Motor homes, failure to  
license .....SB 271

Obscene literature, mailing of ..SB 550

Outdoor movies rated "S" in  
view of homes .....HB 1726

Person refusing to leave  
campus .....SB 490

Poultry, exhibition .....SB 529

School premises, loitering on ..HB 1636

Solid Waste Management Act,  
Violation of .....HB 1499

## MOBILE HOMES, see also

## MOTOR VEHICLES

Camping and travel trailers ..HB 1541

Homestead exemption .....HB 1541

Towing, moving on highway ..HB 1663

## MOTION PICTURES

Lewd acts, felony to purchase  
picture of .....HB 1532

Restricted, scenes from .....HB 1523

"X" rated movies in view of  
homes .....HB 1726

## MOTORBOATS AND VESSELS

License for 10-horsepower  
motor .....HB 1589

Waterways Patrol, establishing ..SB 556

MOTORCYCLES, see GO-CARTS  
AND MINI-BIKES

## MOTOR HOMES, see also

## MOBILE HOMES

Defining .....SB 271; HB 1281

Licensing, failure a  
misdemeanor .....SB 271

## MOTOR VEHICLE COMMISSION

Regulating and licensing of  
dealers .....HB 1735

## MOTOR VEHICLES

Accident reports .....SB 642

Bogus check for lease of .....SB 238

Brake equipment, trailers .....HB 1625

Camping or travel trailers, ex-  
empt from license fee .....HB 1541

Disposal of vehicles by public  
agencies .....SB 592

Driver education vehicles, tag  
\$1.00 .....HB 1808

Dual license plates, study of ..SR 48

Excise tax, reciprocal  
agreements .....HB 1783

Farm trailers .....HB 1240

Homestead exemption, house  
trailers or mobile homes ....HB 1541

Lease or rental, payment by  
bogus check .....SB 238

Liability insurance  
Cities, counties, etc. ....HB 1199

Damage exceeding \$200,  
filing of proof .....SB 642

Discriminatory cancellation  
prohibited .....SB 617

Financial responsibility ..,SBs 554,  
621, 642

Insolvency Pool Act .....HB 1537  
 Policies presumed to contain  
   full coverage .....SB 598  
 Requirement to obtain license  
   tag .....SB 585  
 Soil conservation districts ..HB 1199  
 State-owned vehicles .....HB 1208  
 Uninsured motorist clause ...SB 305  
 License plates, funds derived  
   from manufacture of .....HB 1772  
 Mini-bikes .....HB 1776  
 Mobile homes, limitations on  
   combination units .....HB 1663  
 Motor Carrier  
   Insurance coverage,  
     re-instating .....SB 579  
   Intrastate commerce,  
     permit .....SB 634; HB 1644  
   Road building materials,  
     exemption when hauling ..HB 1522  
   Vehicles hauling agricultural  
     commodities .....HB 1644  
 Motor homes, registration  
   of .....SB 271; HB 1281  
 Motor vehicle dealers, qualifi-  
   cations of .....HB 1735  
 Nonresident servicemen, spe-  
   cial license fee for .....SB 571  
 Open-top dump trucks,  
   exemption on .....HB 1522  
 Overweight permit fees,  
   allocation of .....SB 565  
 Proof for financial responsibility  
   Increasing limits .....SB 621  
   Reducing from 3 to 6 months SB 554  
 Reciprocity on auto excise tax HB 1783  
 Religious corporation,  
   tags \$1.00 .....SB 530  
 Rural water and sewer districts,  
   license tag .....SB 531  
 Soil conservation work, regis-  
   tration of trucks .....SB 519  
 Special mobilized machinery,  
   defining .....SB 505  
 Speed limits .....SBs 29, 397, 609;  
     HB 1696; HCR 1064  
 State agencies, disposal of  
   vehicles .....SB 592  
 Trailers, brake equipment ....HB 1625

Travel trailers, licensing of ..SB 522;  
     HB 1541  
 Trucks  
   Agricultural commodities,  
     hauling .....HB 1644  
   Brake requirements .....HB 1625  
   Defined as special mobilized  
     machinery .....SB 505  
   Road building materials,  
     dump trucks hauling .....HB 1522  
   Soil conservation work,  
     registrations .....SB 519  
   Speed limits .....SB 609  
   Uninsured motorist clause ...SB 305  
   Wreckers and towing services.SB 214

## MUNICIPAL COURTS

Court not of record .....SB 544  
 Criminal Court of Record,  
   jurisdiction of .....SB 591; HB 1548  
 Fees and mileage of jurors ...HB 1050  
 Fines, jurisdiction of Court ...SB 590  
 Public Defender for Court of  
   Record .....HB 1646

## MYERS, MRS. JOE

Commending .....SCR 79

## N

## NARCOTICS

Evidence, purchase of .....SB 436  
 Narcotic addiction and drug  
   abuse, committee to study .SCR 43  
 Narcotics and drug laws,  
   study of .....SR 46  
 Physicians dispensing .....HB 1805  
 Stimulants defined as regulated  
   drugs .....SB 507

## NATIONAL GUARD

Awards and decorations .....SB 644  
 Camp Gruber for usage of  
   National Guard .....SB 437

## NEGLIGENCE, CONTRIBUTORY

Recovery of damages .....SB 316

## NEGROES

Black Cultural  
   Center .....SB 424; HJR 1046



- Bussing of pupils ----HBs 1517, 1639;  
HCR 1036
- Desegregation of schools ----HJR 1049
- Racial balance in schools ---HJR 1049
- NEWSPAPER**
- Insurance rate filings to be  
furnished to news media ----SB 466
- Legal notices, publication  
of -----SBs 523, 524
- NOBLE, GEORGE A.**
- In memoriam -----HCR 1059
- NORMAN HIGH SCHOOL  
BASKETBALL TEAM**
- Commending -----SCR 75
- NUCLEAR BOARD, SOUTHERN  
INTERSTATE**
- Appropriation -----HB 1567
- NURSES**
- Board of Nurse Registration ..SB 526
- Education and training,  
study of -----SCR 35
- Program leading to master's  
degree -----HCR 1038
- NURSING HOMES**
- Certificate of Necessity,  
feasibility study -----SR 58
- Establishment or expansion of SR 58
- Health Facilities Advisory  
Council, creating ---SB 577; HB 1784
- Intermediate care facility,  
defining -----SB 577; HB 1784
- Mentally ill -----SB 428
- Requirements for nursing  
homes -----SB 577; HB 1784
- O**
- OBSCENITY**
- Literature, mailing of obscene SB 550
- Morals, disregard in schools ..SB 383
- Motion pictures, scenes of  
restricted -----HB 1528
- Outdoor theaters, "X" rated  
movies in view of homes ---HB 1726
- Pictures of lewd acts -----HB 1532
- OCCUPATIONAL HEALTH AND  
SAFETY STANDARDS ACT OF  
1970**
- Creating within Labor  
Department -----HB 1702
- OIL AND GAS**
- Appeals from decision of  
Corporation Commission ----SB 570
- Oil import program, legislative  
opposition -----HCR 1037
- Plugging of abandoned wells ..SB 553
- Potable water in flooding op-  
erations, prohibiting use of ..SB 654
- Purchasers financial state-  
ments, interim study -----SCR 59
- OKLAHOMA CHILDREN'S  
CENTER**
- Mentally retarded, care and  
treatment of -----SB 455
- OKLAHOMA CITY**
- Arkansas River Navigation  
System near Oklahoma City,  
feasibility study -----HCR 1060
- Planning Commission, mem-  
bers, per diem of -----HB 1767
- School board members, com-  
pensation of -----HB 1721
- Technical Institute -----SB 656
- OKLAHOMA GENERAL  
HOSPITAL**
- Appropriation -----HB 1567
- OKLAHOMA STATE UNIVERSITY**
- Appropriations
- Southwest Center for  
Safety Education ----SBs 421, 562
- Technical Institute, Okla-  
homa City -----SB 656
- Technical Training School,  
Okmulgee -----SB 656
- Tick eradication ----SBs 421, 446, 479
- Tourism, seminars for  
promotion of -----SB 447
- "OKLAHOMA TODAY"**
- Appropriation -----SB 447

Distribution of copies to Lions  
International Convention ....SR 68

OKMULGEE, OKLAHOMA  
Technical Training School ....SB 656

OLD AGE ASSISTANCE, see  
WELFARE DEPARTMENT

OPTOMETRY  
Student assistance fund .....SB 421

OSTEOPATHY, DOCTOR OF  
Hospitals open to .....SB 468

OTTAWA RECLAMATION DISTRICT  
Appropriation .....SBs 447, 615

OUACHITA VOCATIONAL-  
TECHNICAL CAMP  
Appropriations.SBs 426, 488, 503, 510;  
HB 1575  
Hodgens Job Corp Camp re-  
named as above....SJR 40; HB 1575

**P**

PARDON AND PAROLE BOARD  
Appropriation .....SB 439  
Statutory Board, constitutional  
amendment .....SJR 30

PARKS  
Acquisition of land .....SB 489  
Connecting roads, maintenance  
of .....HB 1500  
Memorial Park, USS Piranha..SB 650  
Talimena State Park .....HCR 1077

PAULS VALLEY STATE SCHOOL  
Allocation of funds .....SB 656

PEACE OFFICERS  
Commending .....SCR 58

PEANUT COMMISSION  
National Peanut Week .....SCR 71

PENAL CODE  
Penalty for criminal omission.HB 1762

PENITENTIARY, OKLAHOMA STATE  
Appropriation .....SB 656; HB 1575

License plate revenue, use of.HB 1772  
Medical research program ...HB 1575

PENSIONS, see also RETIREMENT  
Firemen .....HB 1616

PERSONNEL BOARD, STATE  
Examinations, departmental  
approval of .....HB 1647  
Minimum salaries of state em-  
ployees, pay grade increase.HB 1608

PESTICIDE CONTROL PROGRAM  
Appropriation .....SB 446  
Custom applicators, claims for  
damages .....SB 568  
Solid waste material .....HB 1499

PETROLEUM EXPERIMENT STATION  
Appropriation .....SB 448

PHARMACISTS  
Registration fee increase .....SB 407

PHYSICIANS  
Aliens, licensing of .....SB 518  
Blood tests for alcoholism ....SB 276  
Choice of physician by  
insured person .....SB 582  
Injured employees, impartial  
examining physician .....SB 610  
Narcotics records .....HB 1805  
Osteopaths, hospitals open to..SB 468  
Professional corporations .....SB 502  
Rural Medical Education  
Loan and Scholarship  
Fund .....HBs 1797, 1798  
Study by Regents of need for  
additional medical  
personnel .....SJR 45  
Workmen's compensation,  
selection of doctor .....SB 574

PLANNING  
City, county, regional and  
state planning, continuation  
of study .....SCR 42  
City Planning Commission  
members, per diem of .....HB 1767  
Federal funds .....SR 77  
Office of Community Affairs  
and Planning .....SBs 508, 538

- Planning Commission, cities  
and towns .....SB 390
- PLANNING AND ZONING**
- Capitol-Medical Center .....SB 562
- Port authority owned lands,  
exemption .....SB 580
- State Capitol area, study of ..HCR 1068
- Territorial jurisdiction .....SB 320
- POLICEMEN**
- Arbitration .....HB 1615
- Capitol police, appropriation  
for .....SB 415
- Police radio frequencies .....HB 1756
- Residential requirements,  
removing .....SB 626
- POLLUTION CONTROL**
- Appropriation for air and water  
control .....HB 1567
- Appropriation for Department  
of .....HB 1584
- Interim study .....SCR 54
- Interstate Mining Compact ..HB 1626
- Oil and gas wells, plugging of SB 553
- Scenic river areas .....HB 1152
- Water pollution, violations ....HB 1231
- PORNOGRAPHY**
- Pictures of lewd acts .....HB 1532
- PORT AUTHORITIES**
- Bonds, interest rates .....SB 504
- Exemption from zoning  
regulations .....SB 580
- POST, WILEY**
- Monument at gravesite .....HB 1521
- POULTRY**
- Appropriation for poultry show SB 446
- Exhibition purposes,  
exemption .....SB 529
- Poultry Products Inspection  
Act .....HB 1659
- PREDATORY ANIMAL  
CONTROL FUND**
- Appropriation .....SB 446
- PRESIDENT OF THE  
UNITED STATES**
- Preferential primary for  
candidates .....SB 291
- PRISONERS**
- Good time credits .....HB 1021
- Labor credit on fines reduced SB 494
- Municipal Court fines, \$2.00 per  
day credit for work .....SB 590
- Parole violators, forfeiture of  
good time credits .....HB 1021
- PROBATE PROCEDURE**
- Estates under \$5,000 .....SB 637
- Notices probate  
proceedings...SBs 569, 594; HB 1622
- Probate of will, notices .....SB 594
- Real estate sales, notices ....SB 569
- Sale of property, terms of  
sale .....HB 1666
- PROFESSIONAL AND OCCUPA-  
TIONAL REGULATORY  
BOARDS**
- Interim study .....SR 71
- PROFESSIONAL STANDARDS  
BOARD**
- Appropriation .....HB 1561
- School district and employees,  
negotiations .....HB 1291
- PROPERTY, see also REAL  
ESTATE**
- Acquisition for public use,  
damages .....SJR 39
- Community property ....SBs 620, 628
- Merchandise, unsolicited ....HB 1682
- Property bail bond .....HB 1660
- Real Property**
- Acquisition by governmental  
units, interim study .....SR 49
- Delinquent taxes .....HB 1740
- Marketable record title ....SB 559
- Partition of property .....SB 484;  
HB 1609
- Public acquisition, waiving of  
ad valorem taxes .....SB 531
- Review of tax assessments ..SB 491



Waiving of ad valorem taxes .....	SB 531; SR 49	Santa Claus Commission, supervision of .....	SB 583
PROPERTY AND CASUALTY RATES, BOARD FOR		Vehicles, disposal of .....	SB 592
Appeals .....	SB 464	PUBLIC AGENCIES	
Appointees to Board, requirements .....	SB 460	Acquisition of property, waiving of taxes .....	SB 531
Appropriation .....	HB 1582	Public Employees Relations Commission .....	SB 646
Attorney General to represent public .....	SB 408	PUBLIC DEFENDER	
Cities and towns, rating schedule .....	SB 471	Compensation .....	HB 1734
Hearings .....	SBs 463, 465	Interim study of laws relating to .....	SR 66
Insurers Insolvency Pool Act .....	HB 1537	Municipal Courts .....	HB 1646
Interim study .....	SCR 46	PUBLIC EMPLOYEE RELATIONS COMMISSION	
Interim study of Insurance Fund, to assist in .....	SR 64	Employee-employer relations .....	SB 646
Meetings, action on rates .....	SB 478	PUBLIC FINANCE	
Rate filings to be furnished Legislators .....	SB 466	Investment of funds by County Treasurer .....	HB 1701
Rate increases and rate changes, requests for .....	SBs 463, 465, 472	Investment of funds by State Treasurer .....	SB 516
Report of investment income by insurance companies .....	SB 472	Payment of vendors, time limit .....	SB 389
PSYCHOLOGIST		PUBLIC SAFETY, DEPARTMENT OF	
Permitted to incorporate .....	SB 502	Appropriation .....	HB 1574
PUBLIC AFFAIRS, STATE BOARD OF		Buildings and facilities, land for .....	SCR 90
Appropriation .....	SB 415	Communication system, updating of .....	SB 509
Capitol area development, interim study .....	HCR 1068	Compensation of Commissioner .....	SB 607
Compensation of Board members .....	SB 520	Highway Patrol, minimum and maximum salaries .....	HB 1753
County Commissioners, purchases by .....	SB 252	Motorboats and vessels, regulation and control of .....	SB 556
Criminal and Traffic Law Enforcement System .....	SBs 509, 541	Motor vehicles, purchase of .....	SB 588
Historical Society building, ground for .....	SJR 27	Overweight permit fees, allocation to Department .....	SB 565
Parking space for Senate .....	SR 55	Patrol cadet school .....	HB 1585
Regents for Oklahoma colleges, space for .....	HB 1637	Reports of accidents .....	SB 642
Revolving fund, Information and Management Services .....	HB 1747	Waterways Patrol Division .....	SB 556
Sale of land for T.B. Sanatorium .....	SB 659	Wreckers and towing services, regulation of .....	SB 214
		PUBLIC SERVICE COMMISSION	
		Oil pipe companies, regulation of .....	SB 647

- Proposed constitutional amendment .....SJR 50
- Transportation and transmission companies, regulation of .....SB 647; SJR 50
- PUBLIC WORKS**
- Contractors, withholding payment to .....HB 1610
- PURCELL, OKLAHOMA**
- Transfer of land to Historical Society .....SB 447
- R**
- RADIATION CONTROL PROGRAM**
- Appropriation .....HB 1567
- RADIO COMMON CARRIERS**
- Subject to jurisdiction of Corporation Commission .....SB 528
- RAPID TRANSIT SYSTEM**
- Continuation of study .....HB 1714
- REAL ESTATE, see also PROPERTY**
- Acquisition by cities or towns for streets .....SB 489
- Marketable record title .....SB 559
- Real estate trusts, taxation .....SB 605
- Sales by executor or administrator .....SB 569
- RECORDS, DESTRUCTION OF**
- Children, delinquency records .....SB 391; HB 1678
- Misdemeanor and traffic .....HB 1675
- Obsolete .....HB 1741
- REFORMATORY, OKLAHOMA STATE**
- Appropriation .....HB 1575
- REGENTS FOR HIGHER EDUCATION**
- Accounting and reporting procedures .....SCR 63
- Appropriations.SBs 421, 452, 479, 562, 611, 656; HB 1560
- Bond issues for colleges .....HB 1705
- Legislative intent regarding SBs 421, 452 .....SCRs 56, 91
- Legislative intent regarding SB 421 .....SCR 91
- Legislative intent regarding SB 452 .....SCR 56
- Liability insurance .....SB 585
- Nurse education; programs leading to master's degree HCR 1038
- Office space for Board .....HB 1637
- Physicians and medical personnel, study for additional.SJR 45
- Regional health centers, feasibility study and report.....SJR 35
- Revolving fund, creating .....SB 452
- Riots, revocation student loans, etc. ....SB 367
- Televised instruction system, feasibility study .....SB 452
- REINHEARDT, JOSEPH R. "JAKE"**
- In Memoriam .....SR 50
- RESIDENTIAL HOUSING AUTHORITY ACT** .....SB 653
- RETIREMENT SYSTEMS**
- County
- Credit prior to military service .....SB 231
- Eligibility, age and service requirements .....SB 649
- Firemen .....HB 1616
- Judicial
- Appropriation for Supreme Court's share .....HB 1559
- Disability compensation retirement .....SB 535
- Prohibiting participation in more than one system .....SB 576
- Years to be credited for retirement .....SB 595
- Public Employees
- Appropriation for program...SB 433
- Increasing retirement benefits .....HB 1542
- Life and health insurance .....SB 433; HB 1527
- Teachers
- Appropriation for program...SB 427
- Prior Service .....SB 600
- Qualifications, setting .....HB 1586

## RHOADES, CHARLES D.

Commending .....SR 67

## RIOTS

Defense of enforcement  
officers .....SB 393Student financial aid revoked  
for participation .....SB 367

## RIVERS AND STREAMS

GRDA; boat dock and landing  
privileges .....HB 1653

Scenic rivers system .....HB 1152

## ROADS AND HIGHWAYS

Access roads, marking of ....HB 1696

Bids, contractors allowed to  
to post securities .....SB 474Bridges removed from highway  
system .....SB 477Central purchasing, County  
Commissioners .....SB 252; HB 1674Central purchasing, exclusion  
of construction contracts SBs 475, 476Construction contracts, per-  
formance bonds .....SB 474County Commissioners, road  
building, etc. ....SBs 252, 265, 376

County primary road system ..SB 622

Creek County Expressway ..SJR 46

Death traps, elimination of ....SB 516

Defining language used in  
signs and markers .....HB 1602Expressways, toll urban or  
rural .....HB 1388

John Young Expressway .....SJR 46

Land, condemnation of .....HB 1676

Markers; school zones and  
access highways .....HB 1696Parks and institutions, mainte-  
nance of connecting roads ..HB 1500Rights-of-way, acquisition of SBs 265,  
440, 467; HBs 1601, 1677

Rights-of-way, county roads ...SB 265

Rights-of-way excluded from re-  
quirements of Central Infor-  
mation Office of State Lands HB 1603

School zones, marking of .....HB 1696

Speed limits  
Maximum-minimum speed  
limits .....SB 29; HB 1696Recording of speed by  
"Vascar" .....SB 397Safe speeds, investigation to  
determine .....HCR 1064Trucks, repealing weight-  
load provision .....SB 609Toll urban or rural express-  
ways .....HB 1388

## ROGER MILLS COUNTY

Memorial marker, Eugene  
Bernard Savage .....SCR 73

## RUBLE, MRS. L. E. (SUE)

Commending .....SR 76

RURAL WATER AND SEWER  
DISTRICTS

Vehicle license \$1.00 .....SB 531

## S

## ST. ANTHONY HOSPITAL

Commending on coronary care  
unit .....SR 78

## SALES

Obscene material .....SB 550

Probate procedure, terms of  
sale .....HB 1666

Unsolicited merchandise .....HB 1682

## SANTA CLAUS COMMISSION

Appropriation .....SB 415

Expressing appreciation to  
Jessie M. Fountain .....HCR 1058Transfer of supervision to  
Welfare Department .....SB 583SAVAGE, EUGENE BERNARD  
(E. B.)Highway marker in memory  
of .....SCR 73

## SAVINGS AND LOAN

## ASSOCIATIONS

Interim study relating to  
organization and chartering  
of .....SCR 64Oklahoma Savings and Loan  
Code of 1970 .....SB 457; HB 1543



## SAYRE, OKLAHOMA

Commending girls' basketball  
team .....SCR 80

## SCENIC RIVERS ACT

Creating .....HB 1152

## SCHNOEBELEN, BRIDGE

OMER

Bridge, naming of .....SCR 65

## SCHOLARSHIPS

Rural medical  
education .....HBs 1797, 1798

## SCHOOL CODE

Establishing .....HB 1590

## SCHOOL DISTRICTS

Anti-bussing of pupils .....HBs 1517,  
1639; HCR 1036

Bond issues, validating .....SB 410

Central purchasing, exclusion  
from .....SB 475

County Treasurer to be treas-  
urer for school districts .....SB 302

Deputy clerks .....SB 456

Incentive aid .....SBs 570, 625

Incentive aid funds, salary  
adjustments .....SB 481

Kindergarten classes, transfers SB 532

Leasing of land, construction SB 10

Negotiation between districts  
and employees .....HB 1291

Oklahoma City and Tulsa Board  
members, salary of .....HB 1721

Payment of vendors, time  
limit .....SB 389

School district electors, setting  
time for annual meetings .....SB 10

School transfer fees .....SB 639

State aid

Computation of incentive  
aid .....SBs 570, 625

Requiring 12 years of  
instruction .....SBs 606, 638

Transfers .....SBs 532, 651

SCHOOL LANDS, see LAND  
OFFICE COMMISSIONERS

## SCHOOL LUNCH PROGRAM

Appropriation .....HB 1561

Congressional action .....HCR 1044

## SCHOOL TEACHERS

Annuity purchases .....HB 1445

Authorized to expel pupils ....HB 1810

Merit system salary plan .....SR 65

Negotiations between school  
districts and employees .....HB 1291

Professional Standards Board HB 1561

Salary adjustments, master's  
degrees .....SB 481

School code .....HB 1590

Retirement system  
Appropriation .....SB 427

Investment of funds .....SB 392

Prior service records.....SB 600

Qualifications .....HB 1586

## SCHOOLS, CORRESPONDENCE

Bonds, licenses and permits...HB 1403

## SCHOOLS, PUBLIC, see also EDUCATION

Abolishing office of County  
Superintendent .....SB 584

Accreditation .....SJR 22; SCR 40

Anti-bussing HBs 1517, 1639; HCR 1036

Average daily attendance  
Accreditation, reinstatement  
of lost .....SJR 22

Kindergarten children ..SBs 404, 589

Board Members  
Election of .....SB 456

Residential requirements ...SB 626

Tulsa and Oklahoma City...HB 1721

Boundaries, change of .....SB 624

County Superintendent, abolish-  
ing office of .....SB 584

Deaf children, teaching of ....HB 1777

Deputy State Superintendent,  
salary of .....HB 1561

Federal impact school aid ...HCR 1041

Holiday, Veterans Day.....HB 1339

Immunization against  
diseases .....SB 405; HB 1203

Incentive aid .....SBs 570, 625

Investment of school funds...HJR 1006

Kindergarten Act of 1970 .....SB 404

Kindergartens .....SBs 404, 532, 589

Loitering on school premises..HB 1636

Military reservations .....SB 10

Prayer in schools .....HCR 1052

- Public morals, felony to disregard or violate .....SB 383
- Pupils possessing weapons, suspension of .....HB 1810
- Racial balance, ban of attendance requirement ...HJR 1049
- Refusal to leave campus upon request .....SB 490
- School Board  
members .....SBs 456, 626; HB 1721
- School bus purchases.....SB 453
- School code, establishing .....HB 1590
- School lunch  
program .....HB 1561; HCR 1044
- School zones, marking of ....HB 1696
- Segregation,  
prohibiting.....HJR 1049; HCR 1036
- Special education .....SB 403
- State aid, 12-year instruction  
requisite .....SBs 606, 638
- Transfer of  
pupils ....SBs 532, 639, 651; HB 1639
- Transportation because of  
safety hazards .....HB 1664
- Vaccinations against disease..HB 405
- Warrants, method of forwarding .....SB 401
- SECRETARY OF STATE**
- Appropriation .....HBs 1552, 1585
- Articles of incorporation,  
filing of .....SB 608
- Initiative and referendum  
petitions, receipts for .....HB 1260
- Salary increase .....SB 362
- Trusts for public functions....HB 1461
- SECURITIES COMMISSION**
- Annual report to Governor ...HB 1611
- Appropriation .....SB 444
- SENATE**
- Appropriation .....HB 1549
- Employee  
compensation .....SB 540; SR 45
- Parking for Members .....SR 55
- President Pro Tempore  
Allocation for travel and  
research expenses .....HB 1803
- Authorized to appoint  
Special study committees re  
Criminal laws .....SR 43
- Higher education .....HCR 1035
- Narcotic and drug laws..SR 46
- State tax structure .....SCR 47
- Wage Adjustment and  
Salary Board, 2 members  
of .....HB 1780
- Authorized to conduct business and appoint employees during interim ....SR 54
- Rules and procedures interim  
committee .....SR 63
- Rules and regulations of state  
agencies .....SCR 92
- Senate operations, in-depth  
study of .....SR 63
- Telephone credit cards,  
postage, etc. ....SR 54
- Travel  
Expenses outside State ....SR 44;  
HB 1803
- Illinois Constitutional Convention, Springfield, Illinois ..SR 57
- National Association of Conservation Districts, San Francisco .....SR 47
- President's Committee on  
Employment of Handicapped, Washington, D.C. ..SR 52
- Southern and National Conferences of State Governments .....SR 53
- West Coast Industrial Tour SCR 70
- SEQUOYAH'S HOME**
- Appropriation .....SB 424
- SERVICEMEN**
- Anti-war demonstrations .....HB 1642
- Draft, geographical-population  
quotas .....SCR 52
- Military dead, prohibiting use  
of name in demonstrations ..HB 1642
- Vehicle license and registration, \$12.50 .....SB 571
- Vietnam, prejudging of trials SCR 51
- SESSION LAWS**
- Appropriation for printing ....HB 1549

- SINE DIE ADJOURNMENT ....SCR 84
- SMALL CLAIMS PROCEDURE
- Filing and transferring claims HB 1703
  - Filing fees .....HB 1525
  - Suits, county of residence or  
where debt was contracted HB 1641
  - Tenants, eviction of .....SB 304
- SMALLEY, SENATOR PHIL
- Southern Conference Executive  
Committee .....SR 53
- SMITH, MISS DEBBIE
- Governor, 1970 Hi-Y  
Program .....HCR 1074
- SOCIAL WORKERS MONTH
- March, 1970 .....SCR 68
- SOD HOUSE
- Appropriation .....SB 424
- SOIL CONSERVATION
- Conservation districts, liability  
insurance .....HB 1199
  - Interstate Mining Compact ...HB 1626
  - Registration of trucks .....SB 519
- SOIL CONSERVATION BOARD
- Appropriation .....SB 449
- SOLID WASTE CONTROL  
PROGRAM
- Appropriation .....HB 1567
- SOLID WASTE MANAGEMENT  
ACT
- Advisory committee .....HB 1499
- SOLLERS, W. H.
- Commending .....SR 70
- SOUTHWEST CENTER FOR  
SAFETY EDUCATION
- Appropriation .....SB 562
- SOUTHWESTERN BELL  
TELEPHONE COMPANY
- Commending employees .....SR 62
- SPECIAL ELECTIONS, see  
ELECTIONS
- SPECIAL EVENTS COMMISSION
- Appropriation .....SB 451
- SPEED LIMITS
- Maximum-minimum speed  
limits .....SB 29; HB 1696
  - Recording of speed by  
"Vascar" .....SB 397
  - Safe speeds, investigation to  
determine .....HCR 1064
  - Trucks, excessive weight .....SB 609
- SPIRO INDIAN MOUNDS  
COMPLEX
- Appropriation .....SBs 451, 596
- STAFFORD, THOMAS P.
- Commending and dedicating  
airport .....SCR 87
- STATE AGENCIES AND  
DEPARTMENTS
- Appropriations to various  
agencies from 1968 Building  
Bonds .....SB 656
  - Authorizing sale of 1968 Build-  
ing Bonds .....SB 655
  - Christmas cards, forbidding  
use of public money .....SCR 60
  - Law enforcement complex of  
buildings .....SCR 90
  - Merit system, contents of  
examinations .....HB 1647
  - Office space for agencies  
paying rent .....SB 614
  - Public Employee Relations  
Commission .....SB 646
  - Rules, regulations, etc., filing  
of .....SCR 92
  - Salary appropriations to var-  
ious agencies, legislative  
intent .....HCR 1070
  - Supplemental appropriation,  
various agencies .....HB 1585
  - Vehicles, disposal of .....SB 592
- STATE AUDITOR
- Appropriation .....SB 413



STATE OFFICERS AND  
EMPLOYEES

Accident and health insurance, uniform .....	SBs 386, 387
Appropriation to retirement system .....	SB 433
Attorney General to represent public on rate hearings ....	SB 408
Classified employees, step in- creases in each grade .....	HB 1780
Compensation, legislative intent .....	HCR 1070
Elected state officials, retire- ments benefits .....	HB 1542
Employee-legislator discussions .....	HB 1416
Executive Department, new executive article .....	HJR 1021
Health and life insurance ....	SB 433; HB 1527
Insurance, health and life .....	SB 433; HB 1527
Legislators, travel and per diem .....	HB 1803
Merit salary increases .....	HCR 1070
Minimum salaries, \$310 per month .....	HBs 1526, 1608, 1780
Per diem expenses ....	SB 573; HB 1722
Retirement benefits, increasing .....	HB 1542
Salary claims, prescribed payroll form .....	SB 362
Travel and per diem ..	SB 573; HB 1722
Uniforms, cleaning of .....	SB 362
Wage Adjustment and Salary Board .....	HBs 1608, 1780

## STATUTE OF LIMITATION

Claims arising outside the State .....	SB 395; HB 1507
Tolling statute of limitations ..	SB 558

## STATUTES, OKLAHOMA

Appropriation for printing cumulative supplement .....	HB 1549
Repealing obsolete and super- ceded statutes .....	HB 1627

STILLWATER C. E. DONART HIGH  
SCHOOL

Commending Wrestling Team.	SCR 69
----------------------------	--------

## STOCKS

Capital gains and losses, income tax .....	SB 480
Insurance agents owning stock in another corporation .....	HB 1434
Report of Securities Com- mission .....	HB 1611
Savings and loan associations, interim study .....	SCR 64

## STREETS AND ALLEYS

Acquisition of land .....	SB 489
Connecting roads, highway system .....	HB 1500
Contractors, security for tax payments .....	SB 473

## STRICKLAND, DAVID

National Conservationist of the Year .....	HCR 1063
---	----------

STRINGTOWN SUB-PRISON .....

STUDENTS

Education loans .....	SB 487
Educational Assistance Fund..	SB 421
Expelling or suspension of ....	HB 1810
Transportation to schools where walking is dangerous.	HB 1664
Travel and per diem .....	SB 573

SUBMARINE

U.S.S. Piranha .....	SB 650
----------------------	--------

SUITS AGAINST STATE

Bird, Richard W. ....	HJR 1058
Burdyn, Richard .....	HJR 1044
Hoffman, Vera M. ....	SJR 37
Meek, J. Calvin and Ella Mae.	HJR 1056
Meek's Hardware and Furni- ture Company .....	HJR 1057

SUPERIOR COURT JUDGES

Judicial and nominating districts .....	SBs 534, 546
--	--------------

SUPREME COURT

Appeals from decisions of Board for Property and Casualty Rates .....	SB 464
Court of Bank Review .....	SB 581

Court of Tax Review .....	HB 1595
Interlocutory orders .....	HB 1743
Appeals, time for filing of.....	HB 1656
Appropriation .....	HB 1559
Cases assigned to Court of Appeals .....	SB 563
Compensation of Administra- tive Director .....	SB 458
Disability retirement .....	SB 535
Legal assistants .....	HB 1787
Mileage and per diem for judges .....	SB 486
Opinions, syllabus of points of law decided .....	SB 545
Petitions, immediate jurisdic- tion in protest .....	HB 1260

# I

## TAFT STATE HOSPITAL

Allocation .....	SB 656
Out-patient services .....	SB 428
Transferring jurisdiction to Welfare Commission .....	SB 455

## TALIMENA STATE PARK

Development of .....	HCR 1077
----------------------	----------

## TAXATION

### Ad Valorem

Apportionment, cities, coun- ties, etc. ....	HJR 1032
Conservancy districts, ex- emption .....	SB 603
Contractors, personal prop- erty tax .....	SB 473
Delinquent taxes .....	HB 1740
Exemptions..SBs 531, 603; SJR 48; HJR 1032	

Hospital districts, tax levy for .....	HJR 1033
---	----------

Interim study regarding waiving of .....	SR 49
---	-------

Property for public purposes..	SB 531
Revaluation, review of assessments .....	SB 491

Rural water and sewage dis- posal corporations .....	SB 603
---	--------

Tax sales, notice of .....	SB 578
Valuation of agricultural property .....	HJR 1001

Water supply corporations, tax exemption .....	SB 603
Aviation gasoline, tax exemp- tion .....	SJR 36
Contractors equipment, per- sonal property tax .....	SB 473
Domestic insurance companies, removing tax exemption .....	SB 500
Estate, defining gross .....	SBs 619, 620
Exemptions of investment companies and trusts .....	SB 605
Gift tax, transfer of interest ..	SB 628
Income Dividends from Oklahoma corporations .....	SB 499
Legislators, business de- ductions of .....	HB 1803
Stock options, income and gain loss .....	SB 480
Insurance premium tax .....	HB 1719
Motor fuel, aircraft exemption .....	SJR 36
Motor vehicle Auto excise, reciprocal agreements .....	HB 1783
License fee apportionment to county roads .....	SB 467
Tax study committee .....	SJR 53; SCR 47

## TAX COMMISSION

Appropriation .....	HB 1556
Reciprocal agreements, auto excise taxes .....	HB 1783
Travel claims of Alexander Johnson, allowance of .....	SJR 29

## TAX REVIEW, COURT OF

Appeals from decisions of .....	HB 1595
Appropriation .....	SB 418

## TAX SALE

Notice of .....	SB 578
-----------------	--------

## TEACHERS

Annuity purchases, insurance	HB 1445
Authorized to expel pupils .....	HB 1810
Merit system salary plan .....	SR 65
Negotiations between school districts and employees .....	HB 1291
Professional Standards Board	HB 1561

- Retirement System  
 Appropriation .....SB 427  
 Investment of funds .....SB 392  
 Prior service records .....SB 600  
 Qualifications .....HB 1586  
 Salary adjustments, master's  
 degrees .....SB 481
- TELEPHONE OPERATORS  
 Commending .....SR 62
- TELEVISED INSTRUCTION  
 SYSTEM  
 Appropriation .....SB 452  
 Legislative intent ....SB 452; SCR 56
- TELEVISION AUTHORITY,  
 EDUCATIONAL  
 Appropriation .....HB 1563  
 Expansion of services, interim  
 study .....SR 73  
 Legislature, production of  
 film on .....SCR 74
- TEXTBOOK PROGRAM  
 Appropriation .....HB 1561
- THEATER, OUTDOOR  
 Obscene movies in view of  
 homes or highways a mis-  
 demeanor .....HB 1726
- THOMAS HIGH SCHOOL  
 Commending .....SCR 55
- THORPE HOME, JIM ..SB 424; HCR 1045
- TRAVEL AND PER DIEM  
 Legislators .....HB 1803  
 Mental Health Board  
 members .....SBs 428, 602  
 Senate out-of-state travel .....SR 44  
 State officers and employees ..SB 573;  
 HB 1722  
 Students .....SB 573
- TREASURER, STATE  
 Appropriation .....SB 416  
 Compensation .....SB 362  
 Investment of state funds ....SB 516
- TREE PRUNING  
 License .....HB 1591
- TRUCKS, see MOTOR VEHICLES
- TRUSTS  
 Audits by public accountants ..HB 1361  
 Community junior colleges,  
 trustees of .....SB 552  
 Fees for examination of trust  
 companies .....HB 1648  
 Public functions, creating for HB 1461  
 Public trusts, limitations on  
 functions of .....HB 1742  
 Rural Medical Education Loan  
 and Scholarship Fund ....HBs 1797,  
 1798
- TULSA, OKLAHOMA  
 Agricultural fairs, trust au-  
 thority for .....HB 1214  
 Compensation of school board  
 members .....HB 1721  
 Golf Tournament, 52nd  
 championship .....SCR 81  
 Junior college, appropriation  
 for .....SBs 422, 656  
 Junior college system, 2-year  
 multi-campus .....HB 1613  
 Planning Commission, per diem  
 of members .....HB 1767  
 State office building, feasibility  
 study .....SB 415  
 Suit against School District No.  
 1 by Edwin E. Wright ....HJR 1055
- TURNPIKE AUTHORITY,  
 OKLAHOMA  
 Employees Arbitration Law ..SB 645  
 Grievances of employees, pres-  
 entation of .....SCR 78
- TURNPIKES  
 Bonds, interest rates ....SBs 504, 511  
 Toll urban or rural express-  
 ways .....HB 1388
- U**
- UNEMPLOYMENT BENEFITS  
 Increasing benefits .....SB 281  
 Job retraining program,  
 continuation of benefits ....SB 280



UNIFORM CRIME REPORTING  
SYSTEM

Establishing under Bureau of  
Investigation .....SB 539

UNIFORM MINOR STUDENT  
CAPACITY TO BORROW ACT

Loans to further education ....SB 487

UNIVERSITIES, see COLLEGES  
AND UNIVERSITIESUNIVERSITY OF OKLAHOMA,  
see also MEDICAL CENTER

Archeological Survey,  
creating .....SB 623  
Graduate nurse education ..HCR 1038  
Regional health centers,  
feasibility study .....SJR 35

## UNSOLICITED MERCHANDISE

Recipient's obligation .....HB 1682

## URBAN RENEWAL

Housing for lower income  
families .....SB 653  
Urban and rural development,  
federal aid .....SR 77  
Urban Renewal Authority, tax  
exemption .....SB 531

## USURY

Contracts, deleting provision  
for maximum rate of interest.SB 648

## UTILITIES, PUBLIC

Cities, payment of utility bills.SB 521  
Elections to construct utilities.SJR 43  
Radio common carriers .....SB 528

## V

## VACCINATIONS

Appropriation for vaccines....HB 1567  
School children .....SB 405; HB 1203

## VASCAR

Evidence to determine vehic-  
ular speed .....SB 397

## VETERANS

Ardmore and Sulphur facilities.SB 432

Children, support and educa-  
tion of .....SB 432; HB 1515  
"Eternal Flame" .....SCR 57  
Veterans Day a school holiday.HB 1339  
Vocational rehabilitation .....SB 432

VETERANS AFFAIRS, DEPART-  
MENT OF

Appropriation .....SB 432

## VETERINARY MEDICINE

Oklahoma Veterinary Practice  
Act .....SB 202

VOCATIONAL AND TECHNICAL  
EDUCATION

Accreditation of vocational  
schools .....SCR 40  
Appropriations for Vocational  
and Technical Education  
Board .....SBs 426, 503, 510  
Area vocational and technical  
schools .....SB 656  
Bond issues, validating .....SB 410  
Ouachita Vocational-Technical  
Camp.....SBs 426, 488, 503, 510;  
SJR 40; HB 1575

## VOCATIONAL REHABILITATION

Deaf, grants for college train-  
ing .....HJR 1053  
Veterans, agreements for re-  
habilitation of .....SB 432

## VOTING MACHINES

Party levers, watchers,  
etc. ....SBs 555, 640

## W

WAGE ADJUSTMENT AND SALARY  
BOARD

Membership .....HBs 1608, 1780

## WAGNER, DR. STANLEY P.

Expressing appreciation .....SCR 62

## WAR DEAD

Demonstrations, prohibiting  
display of names .....HB 1642

## WAR VETERANS COMMISSION,

see also VETERANS

- Appropriations .....SB 432
- Enlarging Commission membership .....HB 1630
- Members, appointment and term of office .....HB 1389
- Minor dependents, support and education of .....HB 1515

## WARRANTS CANCELLED BY STATUTE

- Appropriation for payment of.....HB 1782

## WARRANTY, SELLER'S

- Amending commercial code ...SB 232

## WASHINGTON, BOOKER T.

- Commending football team ..HCR 1048

## WASTE CONTROL PROGRAM

- Appropriation .....HB 1567

## WATER AND WATER RIGHTS

- Appropriations for watershed planning .....SB 449
- Loans to rural water districts.SJR 28
- Pollution control program .....SBs 553, 654; HB 1567
- Potable water, prohibiting use of .....SB 654
- Rural water and sewer districts, vehicle license \$1.00 .....SB 531
- Rural water supply and sewage facilities .....SB 603
- Scenic rivers system .....HB 1152
- Small watersheds flood control.SB 449
- Tax exemption .....SB 531
- Water and sewage facilities for cities and towns .....SJR 48
- Water pollution control program, appropriation for ....HB 1567
- Watershed planning .....SB 449
- Waterways Patrol Division .....SB 556; HBs 1574, 1753

## WATER RESOURCES BOARD

- Appropriation .....HB 1583
- Scenic rivers system .....HB 1152

## WATERWAYS PATROL DIVISION

- Appropriation .....HB 1574
- Creating .....SB 556
- Officers, compensation of ....HB 1753

## WAURIKA

- Parakeet capitol .....HCR 1071

## WEAPON, DANGEROUS

- Possession by student .....HB 1810

## WEATHERFORD, OKLAHOMA

- Thomas P. Stafford Field ....SCR 87

## WELFARE DEPARTMENT

- Allocation for various schools and institutions .....SB 656
- Appropriations
  - Enid State School paint shop.SB 601
  - Orphans, destitute and delinquent children .....HB 1572
  - Various schools and institutions .....SB 656
- Children committed to Department, delivery of .....HB 1242
- Liability insurance on vehicles.HB 1206
- Old age assistance payments, increasing .....HJR 1043
- Recovery from insurers of medical expenses paid .....SB 311
- Santa Claus Commission, transfer of supervision .....SB 583
- Taft State Hospital, transfer of supervision .....SB 455
- Vocational rehabilitation of veterans, agreements for ..SB 432

## WELFARE RECIPIENTS

- Child desertion by welfare recipient .....SB 497
- Illegitimate child, birth of ....SB 564
- Old age assistance, \$5.00 increase .....HJR 1043
- Unfit parents or guardian ....SB 564

## WESTERN HERITAGE CENTER

- Appropriation .....HB 1780

## WESTERN OKLAHOMA TUBERCULOSIS SANATORIUM

- Appropriation .....HB 1567

WESTERN PLAINS INDIANS ARTS  
AND CRAFTS COMMISSION

Appropriation .....SB 434

## WESTERN STATE HOSPITAL

Appropriation .....SB 656

## WHEAT

Extension of grazing period...HCR 1054

Freight rates .....SCR 41

Repealing Wheat Resources  
Act .....HB 1652Wheat Commission, commend-  
ing director of .....SR 67WILDLIFE CONSERVATION  
COMMISSIONAquatic plants, tropical and  
exotic fish .....HB 1789

Boat docks and landing .....HB 1653

Doe deer, killing of .....SB 525

Fines for violations, apportion-  
ment of .....HB 1665

Interim study and audit.....HCR 1075

Proposed amendment to  
repeal article creating Com-  
mission .....SJR 33

Quail hunting season .....SB 636

Roads and parks, lease of  
land by GRDA .....HB 1653

Scenic Rivers Act .....HB 1152

States authority over fish and  
wildlife .....HCR 1046Taxation prerogative of  
legislature .....SCR 89

Transferring powers and duties..SB 482

WILL ROGERS MEMORIAL  
COMMISSION

Appropriation .....HB 1565

## WOODWARD JUNIOR COLLEGE

Authorizing establishment of ..HB 1612

## WORK WEEK

Eight-hour day, forty-hour  
week .....SCR 88

## WORKMEN'S COMPENSATION

Agricultural workers  
exempt from Act .....SB 485

Benefits nonassignable .....HB 1142

Compensation barred after one  
year .....HB 1151Compensation beginning  
date .....HBs 1146 1149Corporation Commission  
employees .....HB 1145

## Death Benefits

Benefits nonassignable .....HB 1142

Claims to be filed within 1  
year .....HB 1151

Increasing payments .....HB 1141

## Disability Benefits

Cities and towns, employees  
of .....HB 1145Claims to be filed within 1  
year .....HB 1151Compensation, beginning  
date of .....HBs 1146, 1149

Compensation nonassignable..HB 1142

Corporation Commission,  
employees of .....HB 1145

Increasing payments .....HB 1141

Notification of payment of  
claim .....HB 1147

Previous disability .....HB 1148

Report of personal injuries..HB 1146

Self insurance .....HB 1145

Division of Lodges personnel..SB 447

Employees of street depart-  
ments and parks .....SB 409

Forestry Division personnel ..SB 446

Hazardous equipment, persons  
using .....SB 409

Highway Patrol, inclusion of ..HB 1574

Insurers Insolvency Pool Act..HB 1537

Medical examination by  
neutral physician .....SB 610Physical or mental examina-  
tion, copies of reports .....SB 551Purchase by contractors, re-  
tention of evidence .....SB 473

Selection of own doctor .....SB 574

State and municipal sub-  
divisions .....SB 203

## WRECKING SERVICES

Police radio frequencies,  
allowing .....HB 1756



Public Safety Department to  
regulate .....SB 214.

WRIGHT, EDWIN E.  
Suit against Tulsa School  
District .....HJR 1055

WRITER'S FEDERATION, OKLAHOMA  
Commending .....SCR 66

## Y

YOUNG, JOHN  
John Young Expressway .....SJR 46

YALE, OKLAHOMA  
Athletic Hall of Fame .....HCR 1045

Y.M.C.A.  
Hi-Y Youth and Government  
Program, 1970 .....HCR 1074

**PART X**

**Disposition of Legislation  
Passed by the Second Session  
of the 32nd Legislature  
1970**

**SENATE BILLS****APPROVED BY GOVERNOR:**

10	375	420	442	486	532	565	618
108	376	421	443	487	533	568	622
111	379	423	444	489	534	569	623
117	388	424	445	490	535	571	626
138	390	425	446	498	536	579	627
169	393	426	447	502	537	581	632
211	399	427	448	504	539	586	635
214	400	428	449	505	540	587	637
232	401	429	450	507	541	588	641
236	403	430	451	509	544	589	644
238	407	431	452	512	549	590	648
262	410	432	455	513	550	592	649
271	411	433	456	517	551	594	650
281	412	434	458	518	553	595	655
311	413	435	461	520	556	596	656
320	414	436	473	521	557	600	658
335	415	437	475	525	558	602	659
341	416	438	477	527	559	603	
362	417	439	478	528	560	604	
367	418	440	480	530	562	607	
372	419	441	483	531	563	609	

**SENATE JOINT RESOLUTIONS**

27	29	31	35	37	40	41	42
45	53						

**FILED WITH SECRETARY OF STATE:**

28

**SENATE BILLS****VETOED BY GOVERNOR:**

495	599	613	640	SJR 22
-----	-----	-----	-----	--------

**HOUSE BILLS****APPROVED BY GOVERNOR:**

1021	1434	1525	1564	1589	1650	1702	1762
1141	1435	1527	1565	1591	1652	1703	1767
1146	1439	1541	1566	1595	1653	1705	1768
1152	1445	1542	1567	1601	1655	1710	1772
1154	1461	1543	1568	1602	1656	1712	1774
1203	1488	1547	1569	1603	1658	1714	1775
1206	1492	1548	1570	1608	1659	1717	1776
1208	1495	1549	1572	1609	1660	1719	1777
1214	1497	1550	1573	1610	1662	1723	1780
1231	1499	1551	1574	1611	1663	1726	1782
1240	1500	1552	1575	1612	1664	1734	1784
1242	1507	1553	1576	1616	1666	1735	1787
1247	1508	1554	1577	1626	1671	1740	1790
1260	1510	1555	1578	1627	1675	1741	1797
1292	1512	1556	1579	1630	1676	1742	1798
1330	1514	1557	1580	1632	1677	1743	1803
1339	1515	1558	1581	1641	1678	1747	1805
1361	1517	1559	1582	1642	1682	1749	1808
1387	1518	1560	1583	1644	1684	1752	1809
1389	1519	1561	1584	1645	1690	1753	1810
1403	1521	1562	1585	1646	1696	1756	
1416	1522	1563	1586	1648	1701	1760	

**HOUSE JOINT RESOLUTIONS**

1043	1044	1053	1056	1057	1058
------	------	------	------	------	------

**FILED WITH SECRETARY OF STATE:**

1004	1008	1032	1033	1049
------	------	------	------	------

**HOUSE BILLS****VETOED BY GOVERNOR:**

1291	1388	1457	1540	1590	1615	1674	1721
1722	1801						
HJR 1003							



